

ORDINANCE NO. 040826-6

AN ORDINANCE WAIVING THE REQUIREMENTS OF SECTION 25-9-63 AND SECTION 25-9-67 OF THE CITY CODE FOR COST REIMBURSEMENT PAYMENTS FOR ENGINEERING DESIGN AND CONSTRUCTION PHASE ENGINEERING SERVICES PROVIDED BY CATELLUS AUSTIN, L.L.C. IN CONNECTION WITH THE CITY'S CONSTRUCTION OF A 16-INCH WATER MAIN IN CAMERON ROAD AND A 15-INCH GRAVITY WASTEWATER MAIN IN AIRPORT BOULEVARD TO SERVE THE ROBERT MUELLER AIRPORT REDEVELOPMENT AREA; RESCINDING PREVIOUS APPROVAL OF COST REIMBURSEMENT AGREEMENTS WITH CATELLUS CONCERNING THE 16-INCH WATER LINE AND 15-INCH GRAVITY LINE; AND REPEALING ORDINANCE NO. 030612-9 AND ORDINANCE NO. 031204-3.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. This ordinance applies to City cost reimbursement to Catellus Austin, L.L.C.' ("Catellus") in a total amount not to exceed \$195,620.00 for engineering design and construction phase engineering services provided by Catellus in connection with the City's construction of a 16-inch water main in Cameron Road and a 15-inch gravity wastewater main in Airport Boulevard to serve the Robert Mueller Airport Redevelopment Area.

PART 2. The requirements of Section 25-9-63 (*Amount of Cost Reimbursement*) of the City Code relating to the amount of cost reimbursement payments are waived.

PART 3. The requirements of Section 25-9-67 (*Cost Participation and Cost Reimbursement Payment*) of the City Code relating to the schedule for cost reimbursement payments are waived.

PART 4. The City Council rescinds its approval of Item 9.a. on the City Council agenda of June 12, 2003 authorizing negotiation and execution of a Cost Reimbursement Agreement with Catellus Development Corporation for construction of the 16-inch water main in Cameron Road.

PART 5. Ordinance No. 030612-9 is repealed.

PART 6. The City Council rescinds its approval of Item 3 on the City Council Agenda of December 4, 2003, authorizing negotiation and execution of a Cost Reimbursement Agreement with Catellus Development Corporation for construction of the 15-inch gravity wastewater main in Airport Boulevard.

PART 7. Ordinance No. 031204-3 is repealed.

PART 8. This ordinance takes effect on September 6, 2004.

PASSED AND APPROVED


August 26, 2004

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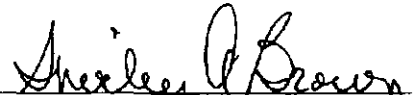
Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Brown
City Clerk