ORDINANCE NO. 20060622-006

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A COST REIMBURSEMENT AGREEMENT WITH MAIN STREET HOMES FOR CONSTRUCTION OF A 24-INCH WATER MAIN AND APPURTEANCES TO SERVE THE HORNSBY GLEN SUBDIVISION; AND WAIVING CERTAIN REQUIREMENTS OF SECTIONS 25-9-61 OF THE CITY CODE RELATING TO COST REIMBURSEMENT.

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

PART 1. This ordinance applies to an application for cost reimbursement under City Code Chapter 25-9, Article 1, Division 2, Subpart B (Cost Reimbursement and Cost Participation) by Main Street Homes for the construction of 24-inch water mains and appurtenances to serve the Hornsby Glen Subdivision located east of F.M. 973 and north of the Colorado River as follows:

(A) Phase One water improvements will provide water service to the first 123 single-family homes.

(B) Phase Two water improvements will provide water service to the remaining single-family homes.

PART 2. The council authorizes the city manager to negotiate and execute a cost reimbursement agreement with Main Street Homes, with total cost reimbursement for the project not to exceed $2,351,580.00. Phase One and Phase Two water improvements under this agreement will be for the actual “hard” construction costs of the 24-inch water main and appurtenances constructed within the public right-of-way or easements.

PART 3. The council waives the provision of Section 25-9-61(B) (Eligible Projects) of the City Code prescribing maximum cost reimbursement for an eligible facility.
PART 4. This ordinance takes effect on July 3, 2006.

PASSED AND APPROVED

June 22, 2006

Will Wynn
Mayor

APPROVED:
David Allan Smith
City Attorney

ATTEST:
Shirley A. Gentry
City Clerk