

## CIP EXPENSE DETAIL

**CONTACT DEPARTMENT(S):**

Austin Water Utility

**SUBJECT:** Approve an ordinance authorizing the negotiation and execution of a Developer Participation Agreement with SEAHOLM L/R, LLC, for the construction of access driveway infrastructure associated with Austin Water Utility facility access in connection with the Seaholm Power Plant redevelopment project in an amount not to exceed \$28,255.65.

**CURRENT YEAR IMPACT:**

<b>Department:</b>	<b>Austin Water Utility</b>
Project Name:	Seaholm Power Plant Rehabilitation
Fund/Department/Unit:	4480-2307-4686
Funding Source:	AWU Fund Transfer
Current Appropriation:	36,000.00
Unencumbered Balance:	36,000.00
Amount of This Action:	(28,255.65)
Remaining Balance:	<u>7,744.35</u>
Total Amount of this Action	<u><u>28,255.65</u></u>

**ANALYSIS / ADDITIONAL INFORMATION:** Seaholm L/R, LLC, ("Developer") is currently constructing a mixed use project on the site of the City's former Seaholm Power Plant (the "Project"). In connection with the development of the Project, Developer has agreed in the Project's Master Development Agreement to provide a basic access driveway on a portion of the Property, which is commonly referred to as the "Event Lawn," in order to allow the Austin Water Utility to access its underground infrastructure.

The City has requested that the driveway be "over-sized" through the installation of a proprietary geo-grid reinforcing system to accommodate the weight of utility service vehicles. Pursuant to the authority of Section 212.071, et seq., of the Texas Local Government Code, the City may participate in oversizing the size, scale, and scope of the City's portion of developer constructed infrastructure improvements. The Developer is presently offering through a Community Facilities Agreement, to be responsible for the design, permitting, and construction of the driveway improvements, including the proprietary geo-grid reinforcing system.

Under such an arrangement, the City will be responsible for the proportionate cost of funding the design, permitting, and construction of the portion of the driveway improvements associated with the proprietary geo-grid reinforcing system and Developer will be continue to be responsible for the portion of the costs associated with a basic access driveway. After the construction of the reinforced driveway system, the area of the driveway will be re-vegetated and maintained by the Developer to provide an aesthetically consistent appearance.

The Developer will provide for the construction of the driveway improvements through its construction manager in compliance with the Project's legal requirements, including the City's Third Party Resolutions, and design, permit, and construct the City's portion of the improvements for the not-to-be- exceeded cost of \$28,255.65.

The City will reimburse Developer up to \$28,255.65 and Developer will pay the remaining cost of a basic

## **CIP EXPENSE DETAIL**

### **CONTACT DEPARTMENT(S):**

~~The City will reimburse Developer up to \$25,000 and Developer will pay the remaining cost of the~~ Austin Water Utility  
access driveway. Participating in the construction and costs of the reinforced access driveway improvements  
will serve the public interest by providing for the expedited design, permitting and construction of the  
infrastructure improvements at a significant savings to both the Developer and City funds and resources.