



Recommendation for Action

File #: 20-1935, **Agenda Item #:** 3.

5/21/2020

Posting Language

Authorize the negotiation and execution of a cost participation agreement with 5301 Decker, Ltd. for the City to reimburse the developer for an amount not to exceed \$302,100 for costs associated with the design and construction of an oversized wastewater interceptor and appurtenances related to Service Extension Request No. 3713R2 that will provide wastewater service to a proposed multi-family development located at 5301 Decker Lane.

Lead Department

Austin Water.

Fiscal Note

Funding is available in the Fiscal Year 2019-2020 Capital Budget of the Austin Water Utility.

For More Information:

Inquiries should be directed to the City Manager's Agenda Office, at 512-974-2991 or AgendaOffice@austintexas.gov.

Council Committee, Boards and Commission Action:

May 6, 2020 - Recommended by the Water and Wastewater Commission on Commissioner Castleberry's Motion and Vice-Chair Michel's Second on a 8-0-0-2 vote with Commissioners Fisher and Williams absent.

Additional Backup Information:

The 969 Express Mart (Revision 2) project consists of approximately 19.65 acres of land located at 5301 Decker Lane (the "Property"). The Property is located entirely within the City of Austin's (the "City") Full-Purpose, Impact Fee Boundary, Walnut Creek Watershed. A map of the property location is attached.

5301 Decker, Ltd. (the "Owner") is proposing to develop a mixed-use development that includes approximately 3,600 sq. ft. of retail, 1,450 sq. ft. of restaurant, and 324 multi-family units. The Owner requested that the City provide wastewater utility service to the Property as proposed in Service Extension Request (SER) No. 3713R2. Austin Water will provide retail water service to the Property.

In accordance with Chapter 25-9 of the City Code, the City has asked the Owner to oversize the gravity wastewater interceptor in order to serve additional properties within the Walnut Creek drainage basin consistent with the City's long-range planning goals for this area. If approved by the City Council, the City will cost participate in this construction project only to the extent of the City's proportionate share of the oversized interceptor.

The proposed oversized improvements include construction of approximately 425 feet of 30-inch gravity wastewater interceptor from existing manhole number 80461 to existing manhole number 194294 along FM 969.

The City will reimburse the Owner for an overall total amount not to exceed \$302,100 for hard costs and soft

costs. Hard costs include, but are not limited to, construction and materials. Soft costs include, but are not limited to, preliminary engineering reports, surveying, geotechnical studies design, and project management. The City's cost participation by project component is as follows:

- For costs of the 30-inch gravity wastewater interceptor (the minimum pipe diameter of 15-inches required to serve the Property to an oversized 30-inch) and appurtenances, the City's maximum participation consists of: (1) hard costs, in an amount not to exceed 50% of the hard costs of the 30-inch gravity wastewater interceptor and appurtenances, and (2) soft costs, in an amount not to exceed 15% of the City's hard cost participation amount.

To serve the Property, the Owner will additionally be required to construct, at their own cost:

- Approximately 150 feet of 8-inch gravity wastewater main from Lot 1 (existing manhole number 289299) to Lot 4 within the subject tract

Other terms of the agreement will require that the Owner:

- Pay all costs for financing, interest, fiscal security, accounting, insurance, inspections, permitting, easement acquisition, legal services, and other non-reimbursable soft costs associated with the project;
- Conform to the City's design criteria and construction standards;
- Construct all improvements at their cost and, after the City's final approval of the construction, dedicate the facilities to the City for ownership, operation, and maintenance;
- Allow the City to use the project plans and specifications approved by the City to solicit and publish invitations for bids for the construction of the improvements; and
- Follow the City's standard bidding practices and procedures, including the minority-owned business enterprise procurement program found in Title 2 of the City Code, and Texas Local Government Code Chapters 212 and 252.

The proposed project will be managed through Austin Water staff and is located in zip code 78724, in City Council District 1.

Strategic Outcome(s):

Government that Works for All.