



Recommendation for Action

File #: 19-1555, **Agenda Item #:** 5.

4/25/2019

Posting Language

Authorize negotiation and execution of a cost participation agreement with Meritage Homes for the City to reimburse the developer for an amount not to exceed \$1,231,397.00 for costs associated with the design and construction of an oversized wastewater main and appurtenances related to Service Extension Request No. 4239 that will provide wastewater service to a proposed mixed-use development located at S SH-45 and N Turnersville Road.

Lead Department

Austin Water

Fiscal Note

Funding is available in the Fiscal Year 2018-2019 Capital Budget of the Austin Water.

For More Information:

Colleen Kirk, 512-972- 0266; Kevin Critendon, 512-972-0191; Denise Avery, 512-972-0104

Council Committee, Boards and Commission Action:

April 10, 2019- Recommended by the Water & Wastewater on Commissioner Ho's motion and Commissioner Parton's second on a 9-0-0-1 vote with Commissioner Schmitt absent.

Additional Backup Information:

The Turner's Crossing project consists of approximately 468.55 acres of land located on the northeast and southeast corners of S SH-45 and N Turnersville Road (the "Property"). The Property is located entirely within the City of Austin's (the "City") 2-mile Extra-Territorial Jurisdiction, Impact Fee Boundary, Austin Water's service area and CCN for wastewater, the Desired Development Zone, and the Rinard Watershed. A map of the property location is attached.

Meritage Homes (the "Applicant") is proposing to develop approximately 1,400 single-family homes, 525 multi-family units, 188,000 sq. ft. retail space, 25,000 sq. ft. restaurant space, and 5,000 sq. ft. office space. The Applicant requested that the City provide wastewater utility service to the Property as proposed in Service Extension Request (SER) No. 4239. 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 Applicant to oversize the wastewater main in order to serve additional properties within the Rinard wastewater drainage basin consistent with the City's long range planning goals for this area. If approved by City Council, the City will cost participate in this construction project only to the extent of the City's proportionate share of the oversized main.

The proposed oversized improvements include construction of approximately 5,450 feet of 24-inch wastewater interceptor within the Property generally along Rinard Creek.

The City will reimburse the Applicant for an overall total amount not to exceed \$1,231,397.00 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:

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- For costs of the 24-inch wastewater interceptor (the minimum pipe diameter of 15-inches required to serve the Property to an oversized 24-inch) and appurtenances, the City's maximum participation consists of: (1) hard costs, in an amount not to exceed 37% of the hard costs of the 24-inch 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 Applicant will additionally be required to construct, at their own cost:

- approximately 4,400 feet of 21-inch wastewater interceptor along Bradshaw Road,
- approximately 1,750 feet of 18-inch wastewater interceptor along future Pleasant Valley Road,
- approximately 8,500 feet of appropriately sized force main along FM 1327 Road and Bradshaw Road, and
- an approximately 1,300 gpm lift station within the Property at FM 1327 Rd and Rinard Creek.

Other terms of the agreement will require that the Applicant:

- 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 78610, near City Council Districts 2 and 5.