



## Recommendation for Action

**File #: 23-3647, Agenda Item #: 5.**

**1/18/2024**

### **Posting Language**

Authorize negotiation and execution of a cost participation agreement with Urban Moment for the City to reimburse the developer for an amount not to exceed \$3,220,000 for costs associated with the design and construction of an oversized wastewater main, force main, lift station, and appurtenances related to Service Extension Request No. 5646 that will provide wastewater service to a proposed condominium development located at 12905 Lowden Lane.

### **Lead Department**

Austin Water.

### **Fiscal Note**

Funding is available in the Fiscal Year 2023-2024 Capital Budget of Austin Water.

### **For More Information:**

Inquiries should be directed to Blanca Madriz, 512-972-0115, or Blanca.Madriz@austintexas.gov.

### **Council Committee, Boards and Commission Action:**

January 17, 2024 - To be reviewed by the Water and Wastewater Commission.

### **Additional Backup Information:**

The Urbana Lowden Lane project consists of approximately 14 acres of land located at 12905 Lowden Lane (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 for water and wastewater, the Desired Development Zone, and the Bear Creek Watershed. A map of the property location is attached.

Urban Moment (the "Applicant") is proposing to develop approximately 165 condominium units. The Applicant requested that the City provide wastewater utility service to the Property as proposed in Service Extension Request (SER) No. 5646. Austin Water will provide retail water service to the Property as proposed in SER No. 5645.

In accordance with Chapter 25-9 of the City Code, the City has asked the Applicant to oversize the gravity wastewater main, force main, and lift station in order to serve additional properties within the Bear Creek 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 wastewater improvements.

The proposed oversized improvements include construction of approximately:

- 1,400 feet of 15-inch gravity wastewater main from the Rancho Alto Lift Station and extending east along W. FM 1626 to Lowden Lane and then south along Lowden Lane,
- 3,900 feet of force main from the 15-inch gravity wastewater main and extending south along Lowden Lane to the lift station located within the Property, and

- a 200-gpm capacity lift station.

The City will reimburse the Applicant for an overall total amount not to exceed \$3,220,000.00 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:

- For costs of the 15-inch gravity wastewater main (the minimum pipe diameter of 8-inches required to serve the Property to an oversized 15-inch) and appurtenances, the City's maximum participation consists of: (1) hard costs, in an amount not to exceed 47% of the hard costs of the 15-inch gravity wastewater main and appurtenances, and (2) soft costs, in an amount not to exceed 15% of the City's hard cost participation amount.
- For costs of the lift station and wastewater force main (the minimum capacity of 88-gpm required to serve the Property to an oversized capacity of 200-gpm) and appurtenances, the City's maximum participation consists of: (1) hard costs, in an amount not to exceed 56% of the hard costs of the lift station, wastewater force main, 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 1,100 feet of 8-inch gravity wastewater main from the lift station and extending west within the Property to Lowden Lane,
- a capacity upgrade to the existing Ranch Alto Lift Station, and
- approximately 275 feet of 12-inch gravity wastewater main along Jim Thorpe Lane from Johnny Weismuller Lane to Frate Barker Road.

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 78652, near Council Districts 5 and 8.