



## AGENDA MEMORANDUM

First Reading for the City Council Meeting of January 9, 2024  
Second Reading for the City Council Meeting of January 18, 2024

**DATE:** January 9, 2024  
**TO:** Peter Zaroni, City Manager  
**FROM:** Al Raymond, Director of Development Services  
[alraymond@cctexas.com](mailto:alraymond@cctexas.com)  
(361) 826-3575

Approval of a Developer Participation Agreement for oversizing stormwater infrastructure; transferring and appropriating funds for participation agreement.

### **CAPTION:**

Ordinance authorizing a Developer Participation Agreement with Braselton Development Company, Ltd. to reimburse the developer an amount not to exceed \$209,485.00 for the construction of stormwater infrastructure improvements related to the Saratoga Downs, Unit 4B subdivision located at the intersection of Lands Drive and Martin Street; and amending the operating budget by transferring and appropriating \$209,485.00 from the Public Works – Storm Water Fund (No. 4300) to the Development Services Fund (No. 4670). (District 3)

### **SUMMARY:**

Braselton Development Company, Ltd. is developing a new residential subdivision that requires construction of stormwater infrastructure improvements. The City has requested that the developer construct a master planned stormwater drainage infrastructure that will service the surrounding region as well as the Saratoga Downs development. The developer has agreed to enter into a developer participation agreement for the construction of the City requested infrastructure. The total cost of the infrastructure improvements required for only Saratoga Downs Unit 4B is estimated at \$160,815.00 and the cost of the requested master planned infrastructure is estimated at \$370,300.00, the difference will be funded through this developer participation agreement with a not to exceed value of \$209,485.00.

### **BACKGROUND AND FINDINGS:**

The City has requested the developer to construct drainage infrastructure that will service

regional developments. It is in the best interest of the City to have the developer construct the requested drainage improvements due to future development in the area. Currently, there is no drainage ditch in the area and this master planned drainage ditch will provide regional stormwater runoff collections. The City and developer have agreed to enter into a Developer Participation Agreement to fund the difference between the development-specific drainage improvements and the requested regional drainage improvements, thus, the city will contribute \$209,485.00 for the construction.

The Developer, Braselton Development Company, Ltd., has requested and will be eligible for reimbursement through a developer participation agreement for the stormwater infrastructure improvements at Saratoga Downs 4B for the construction cost per UDC Section 8.4.

### **ALTERNATIVES:**

An alternative to utilizing a developer participation agreement to construct the required stormwater infrastructure improvements would be to construct the improvements under a city-initiated CIP project. This option would most likely delay the development of the property until the required funding for the improvements could be programmed into the CIP budget and would most likely impact the developer's ability to build out the planned residential subdivision in a timely manner.

### **FINANCIAL IMPACT:**

This project will provide regional stormwater management and carries a one-time cost associated with the development of the project.

### **Funding Detail:**

Fund: Development Services Fund (No. 4670)  
Department: Development Services (No. 56)  
Organization: Land Development (No. 11200)  
Project: Saratoga Downs Unit 4B Participation  
Account: Construction (No. 550910)  
Amount: \$209,485.00

### **RECOMMENDATION:**

The request is in accordance with UDC Section 8.4 City Participation in Streets and Drainage Crossings. The oversizing stormwater infrastructure will be an improvement and provide an overall greater capacity. Staff recommends approval.

### **LIST OF SUPPORTING DOCUMENTS:**

Ordinance (with exhibits)  
Agreement (with exhibits)  
Presentation  
Location Map