



## AGENDA MEMORANDUM

Public Hearing & First Reading for the City Council Meeting of February 26, 2013  
Second Reading for the City Council Meeting of March 19, 2013

**DATE:** February 4, 2013  
**TO:** Ronald L. Olson, City Manager  
**FROM:** Daniel Biles, P. E., Director of Engineering Services  
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**Public Hearing on Proposed Assessments**  
**Ordinance Imposing Assessments, Fixing Liens, Specifying Payment Terms, Amending CIP**  
**Authorizing Award of Construction Contract**  
Paving Assessments Project  
Vaky Street from Swantner Drive to Reid Drive  
Ivy Lane from Gollihar Road to Horne Road  
Clare Drive from SPID to McArdle Road  
Bond Issue 2008

### **CAPTION:**

Public Hearing on proposed assessments for Vaky Street from Swantner Drive to Reid Drive, Ivy Lane from Gollihar Road to Horne Road, and Clare Drive from South Padre Island Drive to McArdle Road (the "Project"); Ordinance finding and determining that the property abutting said streets will be specifically and specially benefitted and enhanced to an amount at least equal to the cost to each property owner; levying and imposing assessments totaling \$191,716.44 against property abutting the improvements for the Project; fixing corresponding liens on property and charges against property owners; adopting the attached Preliminary Assessment Roll; providing for subsequent adjustment of assessment amounts and the corresponding liens and charges based on as-built conditions; specifying assessment payment terms and lien enforcement measures; amending the FY 2013 Capital Improvement Budget adopted by Ordinance No. 029565 to transfer \$99,217.38 in unspent Storm Water funds and \$48,592 in unspent Water funds from the Rodd Field/Yorktown Intersection at Airline Road project to the Project; increasing expenditures in the amount of \$147,809.38; and authorizing the City Manager to execute a construction contract with Bay, Ltd. of Corpus Christi, Texas in the amount of \$2,381,270.55 for the Project for the Base Bid and Additive Alternates 1 and 2. (Bond Issue 2008)

### **PURPOSE:**

This item provides for a public hearing on the proposed property assessments for the project approved as part of the 2008 Bond Election. After the public hearing, the Council will have the opportunity to approve the proposed assessments, and in compliance with City Ordinance, set payment terms, enforcement measures and provide for amending the assessments upon conclusion of the project and the actual construction cost. In addition, this item will amend the Capital Budget to increase the current utility budget for the projects and award the construction contract.

## **BACKGROUND AND FINDINGS:**

The scope of the Base Bid includes the rehabilitation of three existing streets totaling approximately 3,270 linear feet of flexible (asphalt) pavement for new two-lane residential (28' B-B) streets, 4' concrete sidewalks, 2,265 linear feet of storm water conduit improvements, replacement of 56 water services and 57 sanitary sewer services, 4 fire hydrants, Additive Alternates for 4 new sanitary sewer manholes; rehabilitation of 4 existing sanitary sewer manholes, 1,385 linear feet of cured-in-place pipe sanitary sewer rehabilitation, and 1,225 linear feet of 8-inch sanitary sewer new construction together with all appurtenances.

## **PROJECT SCHEDULE:**

January 22, 2013: Future Item Resolution determining the necessity for and ordering improvements for projects and calling for Public Hearing - **COMPLETED**

January 29, 2013: Action Item Resolution determining the necessity for and ordering improvements for projects and calling for Public Hearing - **COMPLETED**

February 04, 2013: Posted Public Hearing Notice No. 1 - **COMPLETED**

February 11, 2013: Posted Public Hearing Notice No. 2- **COMPLETED**

February 18, 2013: Posted Public Hearing Notice No. 3 - **COMPLETED**

February 26, 2013: Public Hearing and First Reading Ordinance imposing assessments, amending Capital Improvement Program Budget, and award of construction contract  
**TODAY'S MEETING**

March 19, 2013: Second Reading Ordinance imposing assessments, amending Capital Improvement Program Budget and award of construction contract

April 17, 2013: Pre-Construction Meeting, Issue Notice to Proceed

October 2013: Construction Complete

November 12, 2013: First Reading Ordinance imposing final assessments

November 19, 2013: Second Reading Ordinance imposing final assessment

## **ALTERNATIVES:**

1. Approve the Ordinance as proposed.
2. Do not approve the Ordinance as recommended.

## **OTHER CONSIDERATIONS:**

This project is part of the Bond Issue 2008 Proposition No. 1 Street Projects approved by the voters in the general election held on November 4, 2008 and the last street project in that proposition to be awarded for construction.

**CONFORMITY TO CITY POLICY:**

This Resolution conforms to the City’s Charter, the Code of Ordinances for Street Assessment Projects, and the Capital Improvement Program financing requirements.

**EMERGENCY / NON-EMERGENCY:**

Not applicable

**DEPARTMENTAL CLEARANCES:**

Water Department  
Wastewater Department  
Storm Water Department

**FINANCIAL IMPACT:**

Operating       Revenue       Capital       Not applicable

<b>Fiscal Year 2012-2013</b>	<b>Project to Date Expenditures (CIP only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Line Item Budget	262,200.00	2,167,800.00		2,430,000.00
CIP Budget Amendment		147,809.38		147,809.38
Future CIP Budget Request			692,603.12	692,603.12
Total Project Budget		2,315,609.38	692,603.12	3,270,412.50
Encumbered/Expended Amount	262,200.00			262,200.00
This item		1,688,667.43	692,603.12	2,381,270.55
Future Anticipated Expenditures This Project		526,164.99		526,164.99
BALANCE	0.00	100,776.96	0.00	100,776.96

Fund(s): Street Bond Issue 2008 and Utilities CIP

**Comments:** This item complies with the street assessment project notification requirements under the Code of Ordinances. When this item comes to City Council for the award of the Construction Contract, staff will present an amendment to the Capital Improvement Program Budget for additional utility work that will be required to facilitate construction in an acceptable manner.

**RECOMMENDATION:**

To approve the Ordinance as proposed.

**LIST OF SUPPORTING DOCUMENTS:**

Project Budget  
Ordinance  
City Engineer's Statement  
Appraiser's Statement  
Preliminary Assessment Roll  
Location Map