



AGENDA MEMORANDUM

First Reading Ordinance Item for the City Council Meeting of October 29, 2013
Second Reading Ordinance for the City Council Meeting of November 12, 2013

DATE: September 30, 2013
TO: Ronald L. Olson, City Manager
FROM: Mark E. Van Vleck, P.E., Director, Development Services
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Ordinance appropriating funds from the Sanitary Sewer Trunk System Trust Fund to reimburse the developer for the construction of a Wastewater Lift Station.

CAPTION:

Ordinance appropriating \$411,387.25 from the No. 4220 Sanitary Sewer Trunk System Trust Fund to reimburse Forestar (USA) Real Estate Group, Inc., ("Developer") for the construction of Tortuga Dunes/Zahn Road/Packery Channel wastewater lift station and force main improvements in accordance with the approved reimbursement agreement executed with the Developer.

PURPOSE:

Reimburse Developer for the construction of the wastewater lift station and dual force mains.

BACKGROUND AND FINDINGS:

Under the Construction and Reimbursement Agreement for the Tortuga Dunes/Zahn Road/Packery Channel Development Area Wastewater Lift Station and Force Main Improvements and per the existing Platting Ordinance at the time the agreement was executed, Developer is requesting a reimbursement. The City's Whitecap WWTP Service Area Master Plan required the construction of a lift station and dual force mains in order for the Packery Channel Development Area and The Preserve at Mustang Island, Unit 1, and adjacent areas in Whitecap WWTP Service Area 11 to have sanitary sewer service.

The reimbursement agreement amount approved is **\$2,457,890.25**. Total amount paid to date is **\$2,046,503.00**. Outstanding balance as of 9/30/2013 is **\$411,387.25**. Current appropriation request is **\$411,387.25**. Total amount due after appropriation is **\$0** (See table for detailed information).

Agreement Approved Amount \$2,457,890.25	
Date	Paid Amount
6/18/2009	\$ 432,503.00
12/16/2010	\$ 514,000.00
1/11/2012	\$ 432,503.00
1/18/2012	\$ 217,497.00
5/10/2013	\$ 450,000.00
Total Paid Out	\$ 2,046,503.00
Outstanding Balance as of 9/30/2013	\$ 411,387.25
Current 10/22/2013 Appropriation	\$ 411,387.25
Outstanding Balance after Appropriation	\$ -

ALTERNATIVES:

Denial of the ordinance appropriating \$411,387.25

OTHER CONSIDERATIONS:

Not applicable

CONFORMITY TO CITY POLICY:

Developer has constructed the Zahn Road Lift Station and Dual Force Mains per the Construction and Reimbursement Agreement for the Tortuga Dunes/Zahn Road/Packery Channel Development Area Wastewater Lift Station and Force Main Improvements.

EMERGENCY / NON-EMERGENCY:

Non-emergency

DEPARTMENTAL CLEARANCES:

Legal
Finance

FINANCIAL IMPACT:

Operating Revenue Capital Sanitary Sewer Trunk System Trust Fund

Fiscal Year: 2012-2013	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget		\$644,257.97		
Encumbered / Expended Amount		\$86,242.86		
This item		\$411,387.25		
BALANCE		\$146,627.86		

Fund(s):

Comments: Not Applicable

RECOMMENDATION:

Staff recommends approval of appropriation ordinance.

LIST OF SUPPORTING DOCUMENTS:

Ordinance

Approved Reimbursement Agreement