



AGENDA MEMORANDUM

First Reading Ordinance for the City Council Meeting of May 14, 2013
Second Reading Ordinance for the City Council Meeting of May 28, 2013

DATE: April 24, 2013

TO: Ronald L. Olson, City Manager

FROM: Mark E. Van Vleck, Director, Development Services Department
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Approval of a use privilege agreement with the Corpus Christi Independent School District to install, operate, maintain, and remove a wastewater line located at 2602 Lipan Street

CAPTION:

Ordinance authorizing the City Manager to execute a use privilege agreement with the Corpus Christi Independent School District (“Permittee”) to install, operate, maintain, and remove a private two-inch wastewater force main within the Lipan Street public right-of-way, subject to Permittee’s compliance with specified conditions.

PURPOSE:

The purpose of the use privilege agreement is to allow the Corpus Christi Independent School District the ability to provide restroom services to the Roy Miller High School softball field restroom/storage facility, located on 2602 Lipan Street.

BACKGROUND AND FINDINGS:

The Corpus Christi Independent School District, (“Permittee”) has requested a Use Privilege Agreement (“UPA”) from the City to install, operate, maintain, and remove a private two-inch PVC wastewater force main (“Wastewater Line”) within the Lipan Street public right-of-way between the Permittee’s property (at 2602 Lipan Street) and Palm Drive. The private two-inch force main being constructed will be approximately 297 linear feet, and is located on the north side of the Lipan Street public right-of-way. The Wastewater Line authorized by this Agreement is strictly limited to providing restroom service to the Roy Miller High School softball field restroom and storage facility, located at 2602 Lipan Street, in the Use Privilege Area.

ALTERNATIVES:

Deny the request of a Use Privilege Agreement.

OTHER CONSIDERATIONS:

Not applicable.

CONFORMITY TO CITY POLICY:

City Charter Article IX, Section 1, requires City Council approval for use of any portion of public right-of-way for private purposes. Ordinance 026217, Section 3. Section. 49-61. Fees for use of public ways by unauthorized pipelines.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

All public and franchised utilities were contacted. None of the City departments or franchised utility companies had any facilities or objections regarding the proposed Use Privilege Agreement, provided the applicant meets the specified conditions set out in the Use Privilege Agreement.

FINANCIAL IMPACT:

Operating Revenue Capital Not applicable

Fiscal Year: 2012-2013	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget		0		
Encumbered / Expended Amount				
This item		\$742.00	annual term payments of \$742.00	\$1,484.00
BALANCE		\$742.00	\$742.00	\$1,484.00

Fund(s):Development Services 4670

Comments: Not applicable

RECOMMENDATION:

Staff recommends approval and adoption of the ordinance. Owners must comply with the following conditions:

1. In exchange for the City’s authorization to allow use of the public right-of-way for the stated purpose, the Permittee agrees to provide the City with an annual payment of \$742.00.
2. The Permittee’s use of the two-inch PVC wastewater force main is strictly limited to serving the Permittee’s Roy Miller High School Softball Field restroom/storage facilities on Lipan Street. Permittee may not provide wastewater service through this force main outside of this limitation.
3. All costs incurred to install, operate, maintain, repair, and remove the two-inch PVC wastewater force main are the sole responsibility of the Permittee.

LIST OF SUPPORTING DOCUMENTS:
Ordinance and Use Privilege Agreement