



**AGENDA MEMORANDUM**  
for the City Council Meeting of June 12, 2012

**DATE:** May 24, 2012

**TO:** Ronald L. Olson, City Manager

**FROM:** Mark Van Vleck, Interim Director  
Department of Development Services  
361.826.3246

Dan Biles, Interim Director  
Engineering Services  
361.826.3729

Motion authorizing the City Manager, or his designee, to execute a Participation Agreement with Alty Enterprises, Inc. in the amount of \$44,885.66.  
(South of Slough Road & east of Rodd Field Road)

**CAPTION:**

- A) Ordinance amending the FY 2012 Capital Improvement Budget adopted by Ordinance No. 029135 by adding Projects #E12036 Greystone Subdivision, Unit 3, Street Participation and #E12035 CCISD – Southside MS Tract PA, Street Participation; increasing expenditures in the amount of \$283,381.76; and declaring an emergency.
- B) Motion authorizing the City Manager, or his designee, to execute a Participation Agreement with Alty Enterprises, Inc., Developer of Greystone Subdivision Unit 3, in the amount of \$44,885.66 for the City's portion of the cost of Sydney Street abutting the linear park, in accordance with the Unified Development Code.

**BACKGROUND AND FINDINGS:**

The developer, Alty Enterprises, Inc., is proposing to develop the third phase of a multi-phased single-family residential subdivision named Greystone Subdivision. The subdivision is located south of Slough Road and east of Rodd Field Road. Greystone Subdivision Unit 3 will contain 32 single-family residential lots and 1 park lot.

Greystone Subdivision has a preliminary plat that was approved by the Planning Commission in 2004 and thus a vested project in the Platting Ordinance. As a result, the street abutting the parkland must be designed to residential collector standards. The residential collector is larger than the local residential street. Since the City is requiring the developer to construct a larger street, the City is participating in half street construction for Sydney Drive which abuts the parkland. As allowed under the previous Platting Ordinance, a participation agreement for half street construction was granted for both Units 1 and 2. The participation agreement includes

the street, curb, gutter and 4-foot wide sidewalk.

Since the park is the continuation of the linear park along Master Channel 31, a hike and bike trail is constructed within the park. The hike and bike trail is a concrete walk with a width ranging from 10 feet to 12 feet. The developer is in communication with the Park Department to use the proposed development's park fees to pay for the additional width of the trail. The additional width ranges from 6 feet to 8 feet because of the 4-foot sidewalk included in the participation agreement. The Park Department will make the determination of the total width of the hike and bike trail.

**ALTERNATIVES:**

- Approve the Participation Agreement with Alty Enterprises, Inc.
- Disapprove the Participation Agreement with Alty Enterprises, Inc.

**OTHER CONSIDERATIONS:**

Prior amendment to the CIP for Project #E12035 Corpus Christi Independent School District – Southside MS Tract PA, was approved by City Council on Tuesday, May 15, 2012 for \$238,496.10. The financial impact table reflects and is inclusive of this amount. The ordinance presented herein is an administrative requirement of that approval.

**CONFORMITY TO CITY POLICY:**

The proposed roadway abutting a park is consistent with the Park Master Plan.

**EMERGENCY / NON-EMERGENCY:**

Emergency

**DEPARTMENTAL CLEARANCES:**

The Department of Engineering Services, Finance & Resource Management Division has reviewed the funds available from the Bond 2008 Streets, Developers Participation line item and have verified that the monies are available.

**FINANCIAL IMPACT: CIP**

<b>Fiscal Year: 2011-2012</b>	<b>Project to Date Expenditures (CIP only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Line Item Budget	\$2,248,700.00	\$151,300		\$2,400,000.00
Encumbered / Expended Amount	1,935,558.52			(1,935,558.52)
These items		\$283,381.76		(238,496.00)
<b>BALANCE</b>	<b>313,141.48</b>	<b>(\$132,081.76)</b>		<b>181,059.72</b>

Fund(s): Street Bond 2008

**Comments:** The Project Expenditures to Date column shows a balance of \$313,141.48 which was not anticipated at the time the Fiscal Year '12 Capital Improvement Budget was developed. Within the past few months, two Developer Participation projects were completed and came in under budget. This allowed funds, which were not used, to be released and be used to support this additional project. While current year funding shows a negative balance, the additional funds listed under "Project to Date Expenditures" will be used to offset the additional funds needed. This project is fully funded and a balance of \$181,059.72 is anticipated to remain for additional Developer Participation projects. The Fiscal Year 2013 CIP shows this corrective action, but the timing of this project precedes the CIP's release.

**RECOMMENDATION:**

Staff recommends approval of the motion authorizing the City Manager or designee to enter into a Participation Agreement with Alty Enterprises, Inc. for the construction of the Sydney Street road improvements abutting a park not to exceed \$44,885.66 and administrative approval to amend the CIP FY12 for the CCISD participation agreement approved by City Council on May 15, 2012.

**LIST OF SUPPORTING DOCUMENTS:**

Amending Ordinance  
Participation agreement