



AGENDA MEMORANDUM

Future item for the City Council Meeting of March 27, 2018

Action item for the City Council Meeting of April 10, 2018

DATE: March 05, 2018

TO: Margie C. Rose, City Manager

FROM: William J. Green P.E., Interim Director, Development Services Department
BillG@cctexas.com
(361) 826-3268

Resolution authorizing outside city limits water contracts with property owners in the Nottingham Acres Unit 2 Subdivision.

CAPTION:

Resolution authorizing outside city limits water contracts with property owners in the Nottingham Acres Unit 2 Subdivision.

PURPOSE:

The City Council is required to approve the outside city limits water contract for a new water connection before the contract for such service can become effective. The City Manager or designee is authorized to execute water service contracts.

RECOMMENDATION:

Approval of the resolution authorizing the City Manager or designee to enter into an outside city limits water contract with the property owner at Nottingham Acres Unit 2 Subdivision Lot 6 Block 4 to provide public water located outside the city limits pursuant to Section 55-113 of the City Code of Ordinances.

BACKGROUND AND FINDINGS:

Section 55-113 of the Code of Ordinances requires a written service contract between the City and all owners and record mortgagees and lienholders of such property as a condition of City water service. The property owner, Golden Real Estate & Construction, Inc., is proposing to build a home on a tract of land outside the city limits.

Nottingham Acres Unit 2, consisting of 69 lots, is an extension of Nottingham Acres Unit 1 which consists of 31 lots. The plat for Nottingham Acres Unit 1 was approved by Planning Commission on December 3, 2014 and recorded in the Nueces County map

records on September 2, 2015. A resolution to enter into outside city limits water contracts with property owners of Nottingham Acres Unit 1 was passed by City Council on December 8, 2015 with 9 votes in favor and 0 in opposition.

When Nottingham Acres Unit 1 Subdivision was constructed, a public waterline was extended to the area and made available to the properties within Nottingham Acres Unit 2 Subdivision. In order to obtain public water, the property owners of must comply with the following requirements:

- a. Enter into a written service contract with the City;
- b. Submit building plans that are in compliance with all city codes and obtain all city permits as if the property were within the City limits; and
- c. Allow inspections of all such building construction.

A water connection will not be approved until after the water service contract has been approved and recorded in the Nueces County records. Pursuant to the requirements of the water service contract, construction of homes may only occur in compliance with City regulations, including building construction permit requirements, as though the property were inside the City, subject to the applicable fees.

The plat for Nottingham Acres Unit 2 Subdivision was approved by Planning Commission on June 29, 2016 and recorded in the Nueces County map records on September 1, 2017. Nottingham Acres Unit 2 is located South of Farm to Market 43 between County Road 47 and County Road 49.

In accordance with Section 55-113 of the Code of Ordinances, the Council would be required to approve a contract for each of the lots. In order to expedite contract execution, the City Council authorizes the City Manager or designee to execute the remaining water service contracts within the subdivision.

Staff recommends the City Council approve authorizing the City Manager or designee to enter into outside city limits water contracts with the property owner to provide public water to their property located outside the city limits.

ALTERNATIVES: Not Applicable

OTHER CONSIDERATIONS: Not Applicable

CONFORMITY TO CITY POLICY: Section 55-113 of the City Code requires City Council approval of outside-City-limits water contracts.

EMERGENCY / NON-EMERGENCY: Non-Emergency

DEPARTMENTAL CLEARANCES: Legal

FINANCIAL IMPACT:

Operating Revenue Capital Not applicable

Fiscal Year: 2017-2018	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

Comments: None

LIST OF SUPPORTING DOCUMENTS:

Resolution
OCL Water Contract
Exhibit A – Location Map