



AGENDA MEMORANDUM

Future Item for the City Council Meeting of August 28, 2012
Action Item for the City Council Meeting of September 11, 2012

DATE: August 9, 2012
TO: Ronald L. Olson, City Manager
FROM: Mark Van Vleck, Interim Director
Department of Development Services
361-826-3246

Motion authorizing the City Manager, or his designee, to execute a Participation Agreement in the amount of \$88,000.00 and an Arterial Grid Transmission Main Reimbursement Agreement in the amount of \$18,171.34. Both agreements to be made with MPM Development, LP.
(South of Yorktown Boulevard & east of Cimarron Boulevard)

CAPTION:

Motion authorizing the City Manager to execute a Participation Agreement for \$88,000 for City's portion of Excalibur Road, and a Water Arterial Transmission and Grid Main Extension Construction and Reimbursement Agreement for \$18,171.34, each with MPM Development LP, Developer of Royal Creek Estates Unit 4.

PURPOSE:

Approval of the agreements will allow the developer to continue with the proposed single-family residential development. The participation agreement funds the City's portion of the street. The reimbursement agreement will improve the circulation of the water.

BACKGROUND AND FINDINGS:

The developer, MPM Development LP, is proposing to develop a 38-lot single-family residential subdivision known as Royal Creek Estates Unit 4. The tract of land is located south of Yorktown Boulevard and east of Cimarron Boulevard. The developer is dedicating a 0.859-acre tract of land for the continuation of a linear park. The park will abut Excalibur Road.

Royal Creek Estates has a preliminary plat that was approved by the Planning Commission in February 2004. 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 Excalibur Road which abuts the parkland. The participation agreement includes the street, curb, gutter and 4-foot wide sidewalk.

As part of the development, the developer is installing the required public infrastructure which includes waterlines. The development of Unit 4 will create dead end waterlines which are

discouraged by the Unified Development Code (UDC). In order to comply with the UDC, the developer is extending the waterlines through proposed future units out to the proposed extension of Oso Parkway and connect to a planned 12-inch waterline. (See Exhibit 3 in Reimbursement Agreement) The proposed 6-inch and 8-inch waterline extensions to connect to the 12-inch waterline are not subject to a reimbursement because those lines will serve the developer's future units. Since the proposed 12-inch waterline is a master planned line, the waterline is 100% reimbursable.

ALTERNATIVES:

- Denial of the Participation Agreement.
- Denial of the Reimbursement Agreement.

OTHER CONSIDERATIONS:

None.

CONFORMITY TO CITY POLICY:

The proposed roadway abutting the linear park is consistent Park Master Plan.
 The proposed extension of the 12-inch waterline is consistent with the Master Water Plan.

EMERGENCY / NON-EMERGENCY:

Non-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 for the participation agreement.

FINANCIAL IMPACT: CIP FY2013.

Fiscal Year: 2012-2013	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget	\$0.00	\$88,000.00		\$88,000.00
Encumbered / Expended Amount	\$0.00			\$0.00
This item		\$88,000.00		(\$88,000.00)
BALANCE	\$0.00	\$0.00		\$0.00

Fund(s): Street Bond 2008

Comments: The proposed project will be partially funded using the remaining funds. There are no additional funds for future Developer Participation projects.

RECOMMENDATION:

Staff recommends approval of the following:

Motion authorizing the City Manager or designee to execute a Participation Agreement for the construction of the Excalibur Road roadway improvements abutting a linear park not to exceed \$88,000.00; and a Water Arterial Transmission and Grid Main Extension Construction and Reimbursement Agreement in the amount of \$18,171.34 for the off-site construction of a 12-inch grid main extension, both with MPM Development LP, Developer of Royal Creek Estates Unit 4.

LIST OF SUPPORTING DOCUMENTS:

Participation Agreement
Reimbursement Agreement