



AGENDA MEMORANDUM
for the City Council Meeting of April 24, 2012

DATE: 4/2/2012

TO: Ronald L. Olson, City Manager

FROM: Daniel Biles, P.E., Interim Director of Engineering Services
danb@cctexas.com; 826-3729

Public Hearing and Ordinance Imposing Assessments and Liens
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CAPTION:

- A. Public Hearing on proposed assessments on improvements (Construction of a Sound Wall Structure on Public Right of Way) on Flour Bluff Drive.
- B. Ordinance closing the public hearing on proposed assessments for improvements to the following highway in Corpus Christi, Nueces County, Texas:
 - Flour Bluff Street Improvements: construction of a sound wall structure on public right of way at the corner of Flour Bluff Drive and Cornerstone Drive

imposing assessments totaling \$23,509.68 against property abutting the improvements; fixing corresponding liens on property and charges against property owners; providing for subsequent adjustment of assessment amounts and the corresponding liens and charges based on as-built conditions; specifying assessment payment terms and lien enforcement measures.

BACKGROUND AND FINDINGS:

On November 4, 2008, the City of Corpus Christi approved a bond package that included improvements to Flour Bluff Drive from South Padre Island Drive to Don Patricio. Work would include widening the road from two to four travel lanes with a continuous left turn lane to accommodate the increased traffic volume in the area. On two separate occasions, traffic engineering staff measured the sound levels in the vicinity of Flour Bluff Drive and Cornerstone Drive at the request of the resident whose property abuts this intersection. Both times, the decibels recorded were elevated and levels warranted some sort of sound attenuation measures. Based on the City's analysis, staff's recommendation was to use ground treatments or a minimal sound wall constructed of wood. The property owner has requested a sound wall be constructed using Fencecrete and will pay the difference between the minimal cost and the final cost of the Fencecrete Wall. The owner will pay for the improvements through the City's normal assessment process for city constructed improvements.

This will include:

- Being assessed at 100% the cost of the wall, minus the City's contribution for minimal attenuation measures.

- Signing a Mechanic's and Material's Lien and Promissory Note and arranging for monthly payments.
- Once the Final Assessment Roll is adopted by City Council, the Final Roll and supporting Mechanic's Lien and Promissory Note will be forwarded to the Collection Section of the Nueces County Tax Office for billing on a monthly basis to include interest if not paid within thirty days.

ALTERNATIVES:

1. Do not construct the sound wall.
2. Construct the sound wall, but do not require an assessment from the property owner.

OTHER CONSIDERATIONS:

This work will be changed order to the existing contract with the Haas Anderson Construction, who is the contractor for the Flour Bluff Drive Improvement Project to expedite construction and save costs.

ASSESSMENT PROCEDURES:

City Resolution No. 022767 specifies the procedures which apply to the assessment process. The Resolutions before the Council today will begin the process and direct the City's Director of Engineer Services to file a Notice of Proposed Assessments and set a public hearing on the assessments. Future City Council meetings will require:

- Action on the two Resolutions introduced April 10, 2012 (Action Agenda April 17, 2012)
- Holding a Public Hearing (Future Agenda April 17, 2012 / Action Agenda April 24, 2012)
- Closing the Public Hearing and adopting the preliminary assessment role (Future Agenda April 17, 2012 / Action Agenda April 24, 2012)
- Motion approving the construction contract or change order to complete the work (This will not be required for this item because the cost is under \$50,000. It will be processed as a small change order only requiring administrative approval.)
- Adopting the final assessment role (TBD, after construction is complete and accepted)

CONFORMITY TO CITY POLICY:

Conforms to statutes regarding the Assessment process.

EMERGENCY / NON-EMERGENCY:

Not Applicable

DEPARTMENTAL CLEARANCES:

N/A

FINANCIAL IMPACT: Not applicable

Fiscal Year: 2011-2012	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s): Not required at this time.

Comments:

The estimated cost of the project to install the Fencecrete Wall is \$30,209.68. After the Public Hearing an administrative change order will be issued to complete the work. The City's share of this amount is \$6,700. After the project is complete, staff will come back to Council with the final project cost and assessment amount.

RECOMMENDATION:

Approval of the Ordinance as presented.

LIST OF SUPPORTING DOCUMENTS:

Location Map
Ordinance

Approvals: Veronica Ocanas, Assistant City Attorney
Constance P. Sanchez, Director of Financial Services
Eddie Houlihan, Assistant Director of Management and Budget
Oscar R. Martinez, Assistant City Manager