



AGENDA MEMORANDUM

First Reading Ordinance for the City Council Meeting of July 31, 2018
Second Reading Ordinance for the City Council Meeting of August 14, 2018

DATE: 07/13/2018

TO: Keith Selman, Interim City Manager

FROM: Nina Nixon-Mendez, FAICP, Director of Development Services
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Authorizing a Use Privilege Agreement for installation of a private wastewater collection system and conveyance system force main

CAPTION:

Ordinance authorizing a Use Privilege Agreement (UPA) with Valls Wildcat II, LLC ("Permittee") to install a private wastewater collection system and conveyance system force main.

PURPOSE:

Valls Wildcat II, LLC, ("Permittee") has a facility located at 1402 Spindletop Road at the intersection of Spindletop Road and Leopard Street. The Permittee intends to install a private lift station on the property and install 780-linear feet of 2-inch force main piping that will discharge the wastewater from the private lift station to the City's collection system.

BACKGROUND AND FINDINGS:

Valls Wildcat II, LLC, ("Permittee") has a facility located 1402 Spindletop Road at the intersection of Spindletop Road and Leopard Street. Valls Wildcat II, LLC, intends to install a private lift station and would like to discharge the wastewater to the City's collection system. The wastewater will be carried via 780-linear feet of proposed 2-inch force main piping and run along the public right-of-way along Leopard Street and will discharge to a wastewater manhole located on Southern Minerals Road. In order to cross under Southern Minerals Road, boring under the street will be necessary to install the piping. The proposed system will collect wastewater flow from the building, convey it to an onsite private lift station and the private lift station will discharge the wastewater to the City's collection system. The proposed lift station will be located on private property. The private force main will run along the Leopard Street right-of-way. The force main will be operated

and maintained privately.

ALTERNATIVES:

Deny the request of a Use Privilege Agreement.

OTHER CONSIDERATIONS:

None

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 objections regarding the proposed Use Privilege Agreement, provided the applicant meets the specified conditions set out in the Use Privilege Agreement.

FINANCIAL IMPACT:

☐ Operating X Revenue ☐ Capital ☐ Not Applicable ☐ Other

Fiscal Year: 2017-2018	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item		\$1,560.00		\$1,560.00
BALANCE		\$1,560.00		\$1,560.00

Fund(s):

Comments: None

RECOMMENDATION:

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

- a. In exchange for the City's authorization for use of the public right-of-way by the Permittee for the stated purpose, the Permittee agrees to provide the City with a one-time Use Privilege Agreement fee of \$1,560.00.
- b. The Permittee' use of the private wastewater sewer main is strictly limited to serving the Permittee' facilities on Spindletop Road. Permittee may not provide wastewater service through the wastewater sewer main to any facilities other than the facilities specified in this section nor may Permittee permit or allow anyone else to provide wastewater service or any other service through the force main to any facility whether owned by the Permittee or by another person or entity.
- c. All costs incurred to install, operate, maintain, repair, and remove the wastewater sewer main are the sole responsibility of the Permittee.

LIST OF SUPPORTING DOCUMENTS:

Ordinance
Use Privilege Agreement with exhibits
Presentation