



**AGENDA MEMORANDUM**  
Resolution for City Council for January 12, 2021

**DATE:** November 9, 2020

**TO:** Peter Zaroni, City Manager

**FROM:** Al Raymond III, AIA, CBO, Director, Development Services  
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Amendment to Reimbursement Agreements with Dorsal Development, LLC to extend the performance date

**CAPTION:**

Resolution authorizing 6-month extensions for Water Arterial Transmission and Grid Main Construction and Reimbursement Agreement up to \$147,999.99, Distribution Main Line Extension Construction and Reimbursement Agreement up to \$43,010.00, and Wastewater Collection Line Extension Construction and Reimbursement Agreement up to \$139,341.76 with Dorsal Development, LLC for a planned residential development, Azali Estates Unit 1, located at the intersection of Yorktown Boulevard and Starry Road East of Rodd Field Road. (District 5 )

**SUMMARY:**

Dorsal Development LLC. is required to construct a 12-inch master planned water arterial transmission and grid main line, an off-site 8-inch water distribution main line, a 15-inch master planned wastewater collection line connecting to Lift Station 13, and an offsite 12-inch wastewater collection line extension. The developer has three approved reimbursement agreements to construct the required public improvements. The agreements came to term on October 30, 2020. This motion will extend the performance date of the three agreements to April 30, 2021.

**BACKGROUND AND FINDINGS:**

On 10/1/19, via ordinance 031886, City Council approved three Reimbursement Agreements with Dorsal Development LLC to install 502 linear feet of 15-inch wastewater collection line, per the wastewater master plan, 901 linear feet of offsite 12-inch wastewater collection line, 1548 linear feet of 12-inch grid main line, and 130 linear feet of 8-inch water distribution main line to provide wastewater and water service to the planned subdivision.

Dorsal Development, LLC is requesting performance date extensions for the three Reimbursement Agreements to April 30, 2021. The current agreements term is October 30, 2020. The developer experienced unforeseen delays due to weather and COVID-19. As a result, the installation of the improvements, although mostly completed, has fallen behind schedule. The extension of the performance dates for the three approved agreements will allow the developer the additional time needed to complete the utilities improvements associated with Azali Estates Unit 1 in accordance with the executed reimbursement agreements.

**ALTERNATIVES:**

Deny the request and unencumber the funds. This option will deny the developer the ability to be reimbursed for the construction costs already incurred and will delay the installation of the remaining portions of the utility lines and will ultimately delay the completion of the required utilities for the new subdivision.

**FISCAL IMPACT:**

The funding for the three agreements has been encumbered in the Water Arterial Transmission and Grid Main Trust Fund, Water Distribution Main Trust Fund, and Sanitary Sewer Collection Line Trust Fund under the original agreement ordinance. The funds for these projects will remain encumbered to reimburse the developer after the City inspects and accepts the improvements.

**Funding Detail:****Fund:**

Organization/Activity:

Mission Element:

Project # **(CIP Only)**:

Account:

**RECOMMENDATION:**

Staff Recommends Approval of the extension of the three reimbursement agreements. The agreements are helping to facilitate the build out of a residential subdivision and associated infrastructure.

**LIST OF SUPPORTING DOCUMENTS:**

Resolution (with exhibits)

Presentation

Location Map