



City of San Antonio

Agenda Memorandum

File Number:16-5752

Agenda Item Number: 10.

Agenda Date: 12/8/2016

In Control: City Council A Session

DEPARTMENT: Transportation & Capital Improvements

DEPARTMENT HEAD: Mike Frisbie, P.E.

COUNCIL DISTRICTS IMPACTED: Council District 2

SUBJECT:

Developer Participation Agreement with PKB Development, LLC for construction of a roadway entrance into Martin Luther King (MLK) Park

SUMMARY:

An ordinance authorizing the negotiation and execution of a Developer Participation Agreement with PKB Development, LLC. in an amount not to exceed \$220,000.00 for the construction of a roadway entrance into MLK Park from the access road of IH-10, a 2016 Certificates of Obligation funded project located in Council District 2.

BACKGROUND INFORMATION:

In recent years, there has been interest in providing access into MLK Park from the northeast via the IH-10 access road. Currently, there is access into MLK Park from the south via Martin Luther King Drive and from the north via Houston Street and Noblewood Drive.

PKB Development, LLC, "PBK" intends to develop the property in between and adjacent to the IH-10 access road and MLK Park. As part of the development, PBK will construct a City road from the IH-10 access road through the developer's property into the City's MLK Park, to include a cul-de-sac at the road's termination point within the MLK Park boundaries, as a means to provide an alternate and safe entrance into the park. The project will include a right turn only lane on the IH-10 access road and a curb cut to facilitate right hand turns

onto the newly constructed road, into MLK Park.

PBK will design and construct the City road in accordance with the City's Unified Development Code. The newly constructed roadway will be two-way, with a lane in each direction, and measure 576 feet long from the intersection of IH-10 down to the end of the cul-de-sac, measure 40 feet in pavement width and include 6 foot sidewalks on both sides.

This agreement will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program, which requires contracts be reviewed by a Goal Setting Committee to establish a requirement and/or incentive unique to the particular contract in an effort to maximize the amount of small, minority, and women-owned business participation on the contract. The Goal Setting Committee set an 19% Minority/Women Business Enterprise (M/WBE) subcontracting goal, and a 1% African American Business Enterprise (AABE) subcontracting goal.

ISSUE:

This ordinance authorizes the negotiation and execution of a Developer Participation Agreement with PKB Development, LLC. in an amount not to exceed \$220,000.00 for the construction of a roadway entrance into MLK Park from the access road of IH-10, a 2016 Certificates of Obligation funded project located in Council District 2.

PKB Development, LLC, "PBK" intends to develop the property in between and adjacent to the IH-10 access road and MLK Park. As part of the development, PBK will construct a City road from the IH-10 access road through the developer's property into the City's MLK Park, to include a cul-de-sac at the road's termination point within the MLK Park boundaries, as a means to provide an alternate and safe entrance into the park. The project will include a right turn only lane on the IH-10 access road and a curb cut to facilitate right hand turns onto the newly constructed road, into MLK Park. The newly constructed roadway will be two-way, with a lane in each direction, and measure 576 feet long from the intersection of IH-10 down to the end of the cul-de-sac, measure 40 feet in pavement width and include 6 foot sidewalks on both sides.

The roadway construction is anticipated to begin in February 2017 and estimated for completion by June 2017.

Texas Local Government Code allows municipalities to contract with a developer to construct public improvements related to the development, and provide funding for the costs. The total cost of this project is estimated to be \$733,400.00. The City will pay its contribution up to 30% of total project costs consistent with the requirements in Sections 212.071 - 212.074 in the Texas Local Government Code.

ALTERNATIVES:

The public infrastructure improvement could be constructed by staff or through the Capital Improvements Program; however, this alternative would create additional costs for the City to construct this project. Through the execution of this Developer Participation Contract, this improvement can be constructed by the Developer at a benefit to the City.

FISCAL IMPACT:

This ordinance authorizes a capital improvement expenditure in an amount not to exceed \$220,000.00 payable to PKB Development, LLC. for the construction of a roadway entrance into MLK Park from the access road of IH-10, a 2016 Certificates of Obligation funded project located in Council District 2. Funding is included in the 2017-2022 Capital Improvement Program Budget.

RECOMMENDATION:

Staff recommends the approval of the negotiation and execution of a Developer Participation Agreement with PKB Development, LLC. in an amount not to exceed \$220,000.00 for the construction of a roadway entrance into MLK Park from the access road of IH-10, a 2016 Certificates of Obligation funded project located in Council District 2. The construction of the Project will resolve public safety and access issues associated with MLK Park.