



City of San Antonio

Agenda Memorandum

File Number: 17-4229

Agenda Item Number: 5.

Agenda Date: 11/2/2017

In Control: City Council A Session

DEPARTMENT: Transportation & Capital Improvements

DEPARTMENT HEAD: Mike Frisbie, P.E.

COUNCIL DISTRICTS IMPACTED: Council District 8

SUBJECT:

Developer Reimbursement Agreement: DeZavala Outfall

SUMMARY:

An ordinance authorizing the execution of a Developer Reimbursement Agreement with Ansley Steubing Farm Apartments, LLC in the amount not to exceed \$143,022.13 for the DeZavala Outfall project and authorizing the de-appropriation of \$143,022.13 from the Clark Street (Fair Avenue to Southcross) Project and the re-appropriation of \$143,022.13 to the DeZavala Phase I (Babcock to Cogburn) Project, a 2007-2012 Bond Savings funded project located in Council District 8.

BACKGROUND INFORMATION:

The DeZavala Outfall project is a continuation of the DeZavala Road Phase I (Babcock to Cogburn) Project funded from the 2007-2012 Bond Program. Phase I included design and construction of widening DeZavala Road from Babcock to Cogburn from two to four lanes with a flush median along with curbs, sidewalks, driveway approaches, and necessary drainage and traffic signal improvements.

The DeZavala Outfall project was required to construct an underground piping system approximately 860 feet in length in order to relieve a rise in water to a private easement adjacent to the DeZavala Road Phase I project. The rise in water was caused by the design and construction of the DeZavala Road Phase I project.

ISSUE:

This ordinance authorizes the execution of a Developer Reimbursement Agreement with Ansley Steubing Farm Apartments, LLC in the amount not to exceed \$143,022.13 for the DeZavala Outfall project and authorizes the de-appropriation of \$143,022.13 from the Clark Street (Fair Avenue to Southcross) Project and the re-appropriation of \$143,022.13 to the DeZavala Phase I (Babcock to Cogburn) Project, a 2007-2012 Bond Savings funded project located in Council District 8.

The DeZavala Outfall project was initiated through an amendment to the DeZavala Phase I project requested by the City for enhanced drainage design services to minimize downstream impacts on a drainage easement located on private property. The initial design was completed for the DeZavala Outfall Project by Poznecki Camarillo, Inc to alleviate drainage impacts to an adjacent property owner. After the completion of the DeZavala Outfall design it was discovered that a developer was developing the property adjacent to the DeZavala Outfall Project site and the developer was scheduled to construct a drainage channel in the same vicinity as the City's planned DeZavala Outfall project.

At that time, the City and the Developer agreed that the Developer was in the best position to develop and construct a drainage channel, from DeZavala to approximately 860 feet west to an outfall, to account for the additional water resulting from the DeZavala Phase 1 Project as well as from the development adjacent to the drainage channel. Therefore the City agreed to pay the developer in an amount not to exceed 30% of the total projected construction estimate through the Release Discharge and Settlement Agreement. The construction of the drainage channel by the developer was completed in April 2017.

ALTERNATIVES:

The City Council could choose to not approve the reimbursement agreement however the developer would not be reimbursed for the work that has been completed.

FISCAL IMPACT:

This is an authorized one-time capital improvement expenditure in the amount not to exceed \$143,022.13 payable to Ansley Steubing Farm Apartments, LLC. Funds are available from 2007-2012 Bond Savings by authorizing the de-appropriation of \$143,022.13 from the Clark Street (Fair Avenue to Southcross) Project and the re-appropriation of \$143,022.13 to the DeZavala Phase I (Babcock to Cogburn) Project, available from 2007-2012 Bond Savings.

RECOMMENDATION:

Staff recommends the approval and execution of a reimbursement agreement with the Developer for the DeZavala Outfall project.