

Legislation Details (With Text)

File #: 19-155 **Name:**
Type: Report **Status:** Consent Item Ready
File created: 2/19/2019 **In control:** City Council
On agenda: 2/25/2019 **Final action:**
Title: Approval to authorize the City Manager to enter into a development agreement between the City of New Braunfels, New Braunfels Utilities, and Mosaic Land Development, LLC for utility modifications as part of the Solms Road/Morningside Drive/Rueckle Road Reconstruction Project.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Mosaic - Development Agreement (Final), 2. Exhibit B - Scope of Work

Date	Ver.	Action By	Action	Result
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Presenter/Contact

*Matthew Eckmann, Facilities and Real Estate Manager
(830) 221-4089 - meckmann@nbtexas.org*

SUBJECT:

Approval to authorize the City Manager to enter into a development agreement between the City of New Braunfels, New Braunfels Utilities, and Mosaic Land Development, LLC for utility modifications as part of the Solms Road/Morningside Drive/Rueckle Road Reconstruction Project.

BACKGROUND / RATIONALE:

The City of New Braunfels is currently in the construction phase of the Solms Road/Morningside Drive/Rueckle Road Reconstruction Project which is part of the 2013 Bond Program. This project will provide drainage improvements as well as build a typical three-lane roadway section along Rueckle Road, Morningside Drive and Solms Road..

Mosaic Land Development, LLC, the Developer of the Morningside Hills Subdivision submitted a Master Plan for the development on August 1, 2018. Certain utilities need to be modified as part of the Development. The Developer has requested that these utilities be modified as part of the Solms Road/Morningside Drive/Rueckle Road Reconstruction Project as shown on the scope of work attached to this agenda item. The Developer has agreed to pay all necessary design and construction costs for the modifications. In addition, the Developer will be required to dedicate any necessary utility easements to accommodate the modifications. Since the Solms Road/Morningside Drive/Rueckle Road Reconstruction Project is a joint bid project, the City and New Braunfels Utilities have agreed to enter into a 3-party agreement with the developer to accomplish these modifications.

Upon execution of the attached development agreement, the Developer will be required to deposit \$14,840.00 with New Braunfels Utilities to begin the design phase of the improvements. Once the modifications are designed, the Developer will be required to deposit the necessary funds with New

Braunfels Utilities and the City to cover the cost of construction. Upon receipt of those funds, New Braunfels Utilities and the City will execute a change order with the Construction Contractor and the modifications will become part of the project.

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

<input checked="" type="checkbox"/>	Yes	City Plan/Council Priority:	Strategic Priorities: Use a variety of funding sources for operational and capital needs.
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FISCAL IMPACT:

Developer will pay all necessary costs for the design and construction of the modifications.

COMMITTEE RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

Staff recommends approval of this development agreement.