
City Council Regular Meeting

DEPARTMENT: Public Works

FROM: Errick Thompson P.E., Deputy Director of Public Works

MEETING: May 1, 2023

SUBJECT:

Consider approval of a community facilities contract with 225 W. Ellison, LLC, for City cash participation for the construction of 18 parking stalls along Bransom Street for \$56,217.75. (*Staff Contact: Errick Thompson, Deputy Director of Public Works*)

SUMMARY:

The Developer (225 W. Ellison, LLC) of the office/retail building located at 225 W. Ellison Street recently submitted a proposal to construct an additional 13 parking stalls along the east side of Bransom Street within the City's right-of-way and requested a 50% cash participation. The proposal includes parking stalls, five-foot wide sidewalk, and an ADA ramp.

Staff asked the developer to include a separate proposal to reconstruct the existing parking stalls on the southeast side of the intersection of W. Ellison Street and Bransom Street including a new sidewalk. The drive approach on Bransom Street to the Independent Bank building would be reconstructed to allow for ADA ramps improving accessibility in Old Town.

There are seven existing parking stalls on this corner in the public right-of-way today. The proposal reconstructs the drive and provides a five foot wide sidewalk with ADA ramps resulting in reconstruction of five parking stalls; however, there will be a net increase of 11 parking stalls. The sidewalk connection will provide a safe pedestrian route for visitors to Old Town. Since existing parking stalls would be modified, this portion of the improvements would be funded 100% by the City.

The City has participated in similar requests utilizing funding from the developer participation budget in the past to increase the number of parking stalls within Old Town and improve overall pedestrian mobility. The table below provides a summary of the cost of the proposed improvements.

Proposed Improvements	Total Cost	Developer Cost	City Cost
13 new parking stalls, sidewalk, ADA ramps	\$50,681.50	\$25,340.75	\$25,340.75
Reconstruction of existing parking stalls and drive approach, sidewalk and ADA ramps	\$30,877.00	\$0.00	\$30,877.00
Total	\$81,558.50	\$25,340.75	\$56,217.75

A Community Facilities Contract (CFC) is required whenever public improvements are proposed and when the construction of public infrastructure is funded entirely or in part by a developer. It ensures that public infrastructure adequately serves new development and that the infrastructure improvements are constructed according to City standards.

The City's Subdivision Regulations (Article 4.4) allow for administrative approval of the CFC except in the cases where the CFC is modified. Section 1(n)-Covenants of the Developer and Contractor. The section has been modified with the following language:

"Upon completion and initial acceptance (substantial completion) of the proposed eighteen (18) public parking stalls along Bransom St. per the attached site plan, the City shall reimburse the Developer in an amount not to exceed Fifty-six thousand, two-hundred seventeen and seventy-five cents (\$56,217.75) for cash participation in the construction of said parking stalls. The Developer shall submit invoices to the City for review and upon approval, payment shall be made. The Developer shall not be due any additional compensation from the City for any incidental, hidden, or unforeseen costs or expenses incurred by the Developer that are coincidental with the construction of the eighteen (18) parking stalls, sidewalk, curbs, ADA ramps, etc. including administrative and interest costs, construction quantity overruns, and contract modifications, whether or not such losses, damages, liabilities, claims, obligations, penalties, charges, costs or expenses are caused in part by the City, its officers, agents, servants, or employees."

OPTIONS:

- 1) Approve a community facilities contract with 225 W. Ellison, LLC, for City cash participation for the construction of 18 parking stalls along Bransom Street for \$56,217.75.
- 2) Deny a community facilities contract with 225 W. Ellison, LLC, for City cash participation for the construction of 18 parking stalls along Bransom Street for \$56,217.75.

RECOMMENDATION:

Approve a community facilities contract with 225 W. Ellison, LLC, for City cash participation for the construction of 18 parking stalls along Bransom Street for \$56,217.75.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

FISCAL IMPACT:

Project #: 21PW03

Budgeted Y/N: Y

Fund Name: Non-Bond Capital

Full Account #s: 21PW03-30

Amount: \$56,217.75

STAFF CONTACT:

Errick Thompson, P.E.
Public Works Deputy Director
ethompson@burlesontx.com
817-426-9610