
City Council Regular Meeting

DEPARTMENT: Public Works

FROM: Eric Oscarson, Public Works Director

MEETING: October 3, 2022

SUBJECT:

Consider approval of a minute order ratifying the 4A Economic Development Corporation Board's action on a resolution authorizing the reimbursement of R.A. Development, Ltd., for roadway construction costs and for the limited authorization for grading, stormwater infrastructure, and roadway construction for R.A. Development, Ltd., pursuant to an existing Chapter 380 and Economic Development and Performance Agreement in an amount not to exceed \$17,980,956.61 including contingency. *(Staff Contact: Eric Oscarson, Public Works Director)*

SUMMARY:

On June 7, 2021, the City Council approved a Chapter 380 and Economic Development and Performance Agreement (Agreement). The Agreement is for the development of Chisholm Summit, a proposed master-planned community of approximately 1,000 acres on the City's west side between Wilshire Blvd and the Chisholm Trail Parkway. There are several parties to this Agreement; however, R.A. Development, Ltd, will act as the developer under the agreement.

Per the Chapter 380 agreement, the Developer is responsible for designing and constructing a public roadway and sanitary sewer improvements in several phases. The proposed public improvements include the extension of Lakewood Drive from just south of CR 1020 to FM 1902 and will serve the Burleson Economic Development Corporation's future planned office park. Public sanitary sewer improvements will also be constructed to serve both the master-planned community and future office park.

R.A. Development, Ltd, solicited bids from multiple contractors. This project will be constructed utilizing three main contractors for various tasks related to the construction of Lakewood. The total construction cost of \$14,984,130.51 includes a twenty percent contingency of \$2,996,826.10 for a total amount not to exceed \$17,980,956.61. This resolution will authorize the reimbursement of those funds per the terms of the executed Chapter 380 agreement, related to the construction of Lakewood Drive from CR 1020 to FM 1902 that will serve the future office park. The resolution does not include reimbursement of funds for landscaping or street lighting along Lakewood Drive at this time and will be presented for consideration at a future date.

The resolution will also provide for limited authorization for R.A. Development, Ltd to begin construction of the roadway while the design of the sanitary sewer infrastructure is completed. This proposed limited authorization would allow the developer to begin grading and installation of storm sewer infrastructure within the proposed right-of-way from FM 1902 to approximately 100 feet northwest of existing CR 1016. Construction of the southeast bound lanes of Lakewood Drive from FM 1902 to approximately 100 feet northwest of existing CR 1016 would also be authorized. Construction of the connection to FM 1902 may not occur until a permit from TxDOT has been issued.

As part of the development of the future office park, storm water detention will be required. A resolution authorizing an engineering contract for the Hooper Business Park drainage improvements is also on the agenda for consideration; however, this resolution will authorize R.A. Development, Ltd, to remove soil from the Hooper Business Park property only for the purpose of the construction of Lakewood Drive.

Staff will also present a resolution for consideration to the City Council for reimbursement from the water and sewer bonds for R.A. Development, Ltd. to a future City Council meeting for the construction of the proposed sanitary sewer improvements once that design has been completed and accepted. That design is currently approximately 85% complete and anticipated to be completed while the limited authorization work outlined above is underway. The proposed sanitary sewer improvements will serve the City's future office park, the Chisholm Summit development, and the surrounding area as development continues in the area.

OPTIONS:

- 1) Approve a Consider approval of a minute order ratifying the 4A Economic Development Corporation Board's action on a resolution authorizing the reimbursement of R.A. Development, Ltd., for roadway construction costs and for the limited authorization for grading, stormwater infrastructure, and roadway construction for R.A. Development, Ltd., pursuant to an existing Chapter 380 and Economic Development and Performance Agreement in an amount not to exceed \$17,980,956.61 including contingency.
- 2) Deny a minute order ratifying the 4A Economic Development Corporation Board's action on a resolution authorizing the reimbursement of R.A. Development, Ltd., for roadway construction costs and for the limited authorization for grading, stormwater infrastructure, and roadway construction for R.A. Development, Ltd., pursuant to an existing Chapter 380 and Economic Development and Performance Agreement in an amount not to exceed \$17,980,956.61 including contingency.

RECOMMENDATION:

Approve a minute order ratifying the 4A Economic Development Corporation Board's action on a resolution authorizing the reimbursement of R.A. Development, Ltd., for roadway construction costs and for the limited authorization for grading, stormwater infrastructure, and roadway construction for R.A. Development, Ltd., pursuant to an existing Chapter 380 and Economic Development and Performance Agreement in an amount not to exceed \$17,980,956.61 including contingency.

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

September 20, 2021 – Economic Development Corporation Board (EDCB) – Type A

- Reimbursement resolution to R.A. Development, Ltd. for roadway design costs
- Design Contract with Kimley Horn Associates for design review of Lakewood Drive

September 20, 2021 – City Council

- Reimbursement resolution to R.A. Development, Ltd. for sewer design costs and ratification of EDCB action on the reimbursement resolution to R.A. Development, Ltd. for roadway design costs
- Design Contract with Kimley Horn Associates for design review of Lakewood Drive and sanitary sewer facilities
- Ratification of EDCB action on the design contract with Kimley Horn Associates for design review of Lakewood Drive

October 18, 2021 – City Council

- Resolution approving the final phase one sewer design and authorizing reimbursement to R.A. Development, Ltd. for sewer construction costs
- Community Facilities Contract with R.A. Development, Ltd. for the construction of approximately 7,500 linear feet of sanitary gravity sewer
- Memorandum of Understanding with R.A. Development, Ltd. setting a process by which the City may inspect the work and expenditures related to the construction of the sewer and roadway improvements
- Professional Services Contract with Teague Nall and Perkins, Inc. for construction inspection of Lakewood Drive and sanitary sewer facilities
- Minute Order authorizing the award of an invitation to bid for the Mockingbird Lane to CR 914A sewer improvements

FISCAL IMPACT:

Budgeted Y/N: Y

Fund Name: 4A Economic Development Corporation

Full Account #s: XXXXXXXXXXXX

Amount: \$17,980,957

Project (if applicable): 22PW01

STAFF CONTACT:

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