



# City of Carrollton

## Agenda Memo

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**CC MEETING: January 20, 2015**

**DATE:** January 14, 2015

**TO:** Leonard Martin, City Manager

**FROM:** Cesar J. Molina, Jr., P.E., Director of Engineering

Discuss **Drainage Improvements In The Parks At Raiford Crossing Project.**

### **BACKGROUND:**

On January 22, 2014, City Council approved an amendment to the Purchase and Sales Agreement with Arcadia Reality Corporation to, among other things, establish a \$1,000,000.00 capital budget that would reimburse Arcadia for the cost of stabilizing the north-south tributary on the eastern edge of the property and build the Cemetery Hill Road bridge over the same tributary. The budget was established by both parties through negotiations.

Over the last year, Arcadia and staff have been working on developing a concept plan for the tributary which would address staff's concerns for sustainable long-term improvements and which would meet the desires of the city to turn this area into an amenity for the neighborhood and the community. However, these goals were somewhat in conflict with the goals of Arcadia to develop a solution that would be approved by the US Army Corps of Engineers (Corps) in a reasonable (6 months or so) period of time.

The north-south tributary, which originally served as a pathway for the stormwater from the upstream subdivisions developed in the mid-1980s, is now being classified by the Corps as jurisdictional waters of the United States and is, therefore, subject to all federal laws. The Corps has recently taken a much harder stance on disturbances of natural channels, which results in having to provide on-site mitigation or paying in-lieu mitigation fees to the Corps.

Based on the most recent bid openings, construction prices are increasing between six to ten percent compared to the previous year, which was not anticipated when the original budget estimate was developed in 2012. As private development activity in the region has increased, so too has the time required for Corps permit review and approval.

### **Current Status**

Staff has evaluated options to address the long-term maintenance of the channel, but which will likely require an individual project permit from the Corps, which may take between 12 to 24 months to obtain. Construction would take another six to nine months to complete. This is a problem for Arcadia's lenders, who are expecting all lots to be available for sale by mid-2016.

The solution that both sides have agreed upon is for Arcadia to build the Cemetery Hill Road bridge and obtain Corps permits for crossing the tributary. Arcadia estimates that the bridge will cost about \$770,000.00.

The city would simultaneously work to obtain a Corps permit to improve the tributary. The current estimate is that this would cost \$800,000.00 plus design fees of at least \$100,000.00. Additionally, the city would set up a contingency account of at least \$200,000.00 in the event that the Corps requires in-lieu mitigation fees.

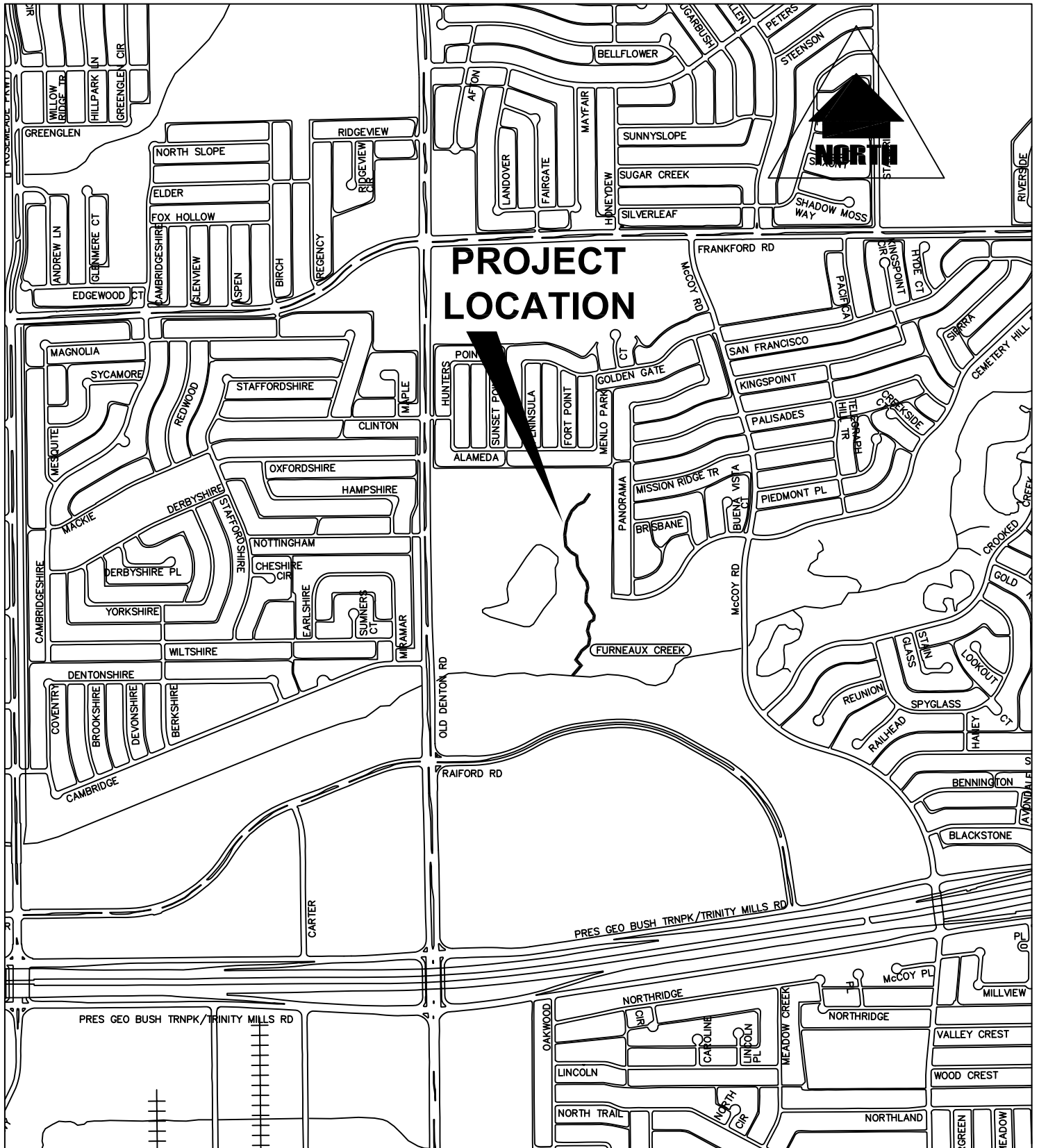
In summary, staff is recommending that the project be split into two phases. Arcadia would complete the bridge and the city would complete the tributary improvements.

**FINANCIAL IMPLICATIONS:**

An escrow account in the amount of \$1,000,000.00 has been set up with the title company. The city would use \$770,000.00 to pay Arcadia for the bridge work. The balance of \$230,000.00 would be available to redirect towards the tributary work. Staff proposes to fund the additional \$870,000.00 as follows: \$670,000.00 would be allocated from TOD Account 116401199 (Raiford Tract) and the potential mitigation fees of \$200,000.00 would be funded from Drainage Account 11480599 (Raiford Drainage).

**STAFF RECOMMENDATION/ACTION DESIRED:**

Staff will brief Council and seek direction on this proposed change to the development agreement with Arcadia Realty Corporation.



## RAIFORD TRIBUTARY WORK SESSION

Where Connections Happen

SCALE:NTS DATE: 01/15

ENGINEERING  
DEPARTMENT





## RAIFORD TRIBUTARY WORK SESSION