

STAFF REPORT
City of Lancaster

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05/22/07
RSL

Date: May 22, 2007

To: Mayor Hearn and City Council Members

From: James R. Williams, Public Works Director

Subject: **Approval of Reimbursement Agreement for the Construction of Master Planned Drainage Facilities – Tract Map No. 061819; Located on the Southwest Corner of Avenue H-4 and 20th Street East**

Recommendation:

Approve the Reimbursement Agreement for the Construction of Master Planned Drainage Facilities with Falcon Pointe, LLC.

Fiscal Impact:

Reimbursement to be paid out of drainage impact fees collected.

Background:

As a condition of approval for Tract Map No. 061819, Falcon Pointe, LLC was required to construct a storm drain facility in 20th Street East, between Avenue H-4 and Avenue H-12. The agreement allows credit against the drainage impact fee for Tract Nos. 061817, 061818, and 061819 being developed by Falcon Pointe, LLC. The estimated cost of constructing the required Master Planned Drainage Facility (MPDF) is \$1,750,000.00 and the amount of drainage impact fee credit for Tract Nos. 061817, 061818, and 061819 is approximately \$1,752,000.00

City policy states that when construction of a Master Planned Drainage Facility (MPDF) is required, the Developer will receive credit toward the payment of the drainage impact fee. If the cost of constructing the MPDF exceeds the credit available, the City may enter into a reimbursement agreement with the Developer. A maximum of twenty percent of the drainage impact fees collected each year may be used to pay for reimbursements. If more than one reimbursement agreement is in effect during the year, each agreement shall receive a percentage of the twenty percent of the total drainage impact fees collected for that year.

CSW:ddd