



## **CITY COUNCIL COMMUNICATION**

November 22, 2011

**SUBJECT:** Interlocal Agreement with the City of Fort Worth regarding Construction of a Sanitary Sewer Line under and across a portion of the Texas Star Golf Course & Conveyance of a Sanitary Sewer Easement to the City of Fort Worth

**SUBMITTED BY:** Mike Collins, Director of Planning & Economic Development

**REFERENCE NO:** 11-11-CC

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### **ACTION REQUESTED:**

Consider authorizing the Mayor to execute an Interlocal Agreement with the City of Fort Worth regarding Construction of a Sewer Line under and across a portion of the Texas Star Golf Course and consider authorizing the Mayor to execute a Sanitary Sewer Easement with the City of Fort Worth.

### **ALTERNATIVES:**

1. Approve the request – simply majority
2. Approve the request with modifications – simple majority
3. Deny the request – simply majority

### **SUMMARY OF SUBJECT:**

The Texstar Cove Addition is a proposed 89-lot single family detached subdivision within the boundaries of Fort Worth and adjacent to the 7<sup>th</sup> and 8<sup>th</sup> holes of the Texas Star Golf Course. In order to provide gravity flow sanitary sewer service to the development, it will be necessary for a sanitary sewer line to be constructed under and across a portion of the Texas Star Golf Course. Additionally, it will be necessary for Euless to convey to Fort Worth a permanent sanitary sewer line easement and temporary construction easement so that the sanitary sewer line may be constructed. Fort Worth will be entering into a Community Facilities Agreement (CFA) with the developer of the subdivision outlining the developer's construction obligations regarding the sewer line.

This Interlocal Agreement establishes several obligations and conditions:

- In the event the developer or its assigns default or are unable to complete the construction of the sewer line, Euless will be able to complete the sewer line installation by utilizing the financial guarantee as required by the CFA;

- Establishes that if Eulesse assumes responsibility for the sewer line installation, it will complete construction of the sewer line under the same specifications contained in the CFA and Fort Worth will provide final construction inspection to ensure that those requirements have been met;
- Establishes maintenance obligations of Fort Worth within the Easement once the sewer line is constructed; and,
- Acknowledges that construction of the sewer line will be located and constructed according to the terms of the easement, the CFA, and the Development Agreement between Texas Star Cove, L.P. and Eulesse.

**SUPPORTING DOCUMENTS:**

- Interlocal Agreement
- Permanent Sewer Line Easement and Temporary Construction Easement
- Addendum
- Sanitary Sewer Easement Legal Description
- Temporary Construction Easement Legal Description

**APPROVED BY:**

\_\_\_\_\_ **LG** \_\_\_\_\_

City Manager's Office

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City Secretary's Office