



City of Grand Island

Tuesday, June 12, 2007

Council Session

Item G7

**#2007-134 - Approving Subdivision Agreement for Sterling Estates
Subdivision**

Staff Contact: Steve Riehle, City Engineer/Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: June 12, 2007

Subject: Approving Subdivision Agreement for Sterling Estates Subdivision

Item #'s: G-7

Presenter(s): Steven P. Riehle, Public Works Director

Background

Sterling Estates Subdivision will be developed on 116.13 acres of land between State Street and Capital Avenue from North Road east to the Moores Creek Drainway. The preliminary plat for Sterling Estates Subdivision shows developing 239 lots on 116.13 acres of ground. The final plat for Sterling Estates plats 54 lots on 25.13 acres of ground.

The sanitary sewer for the first phase of Sterling Estates Subdivision will connect to a public sanitary sewer main that flows through the Autumn Park Apartments and connects to a sanitary sewer interceptor line adjacent to the Moores Creek Drainway. The sanitary sewer for subsequent phases of the subdivision will connect directly to the sanitary sewer interceptor line adjacent to the Moores Creek Drainway along the east edge of the subdivision.

The policy of the city of Grand Island is to charge an equitable fee to connect to an existing sanitary sewer main based on the original construction cost for the sanitary sewer main. The calculation for residential property uses the equivalent 8" sanitary sewer cost as being due from abutting property with oversize cost being an obligation of the Waste Water Division. The equivalent 8" sanitary sewer main cost per foot for the interceptor sanitary sewer main was \$68.15. The preliminary plat for Sterling Estates Subdivision shows 1,559.23 feet abutting the interceptor calculating to a cost of \$106,261.52.

Discussion

The first phase of the subdivision will not make a direct connection to the sanitary sewer interceptor main, but will connect through the Autumn Park Apartments. The Public Works and Legal Departments calculated a formula for the amount due for the first phase of Sterling Estates Subdivision as follows:

$$\frac{25.13 \text{ acres} - 1^{\text{st}} \text{ Phase}}{116.13 \text{ acres} - \text{Entire Subdivision}} \times \$106,261.52 = \$22,994.51$$

The city council approves the standard format and language for a subdivision agreement when a subdivision is approved. Since a paragraph is being added to the subdivision agreement that is non-standard, council is being asked to approve the modification to the subdivision agreement. The \$22,994.51 sanitary sewer connection fee was inserted into the proposed subdivision agreement for council consideration.

Alternatives

It appears that the Council has the following alternatives concerning this issue at hand. The Council may:

1. Approve the subdivision agreement, thereby approving the method of calculating the sanitary sewer connection fee for the subdivision.
2. Refer the issue to a Committee.
3. Postpone the issue to a future date.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council approve the subdivision agreement and method of calculating the sanitary sewer connection fee for the subdivision.

Sample Motion

Move to approve the subdivision agreement.

R E S O L U T I O N 2007-134

WHEREAS, on October 10, 2006, by Resolution No. 2006-287, the Grand Island City Council approved the final plat and subdivision agreement of Sterling Estates Subdivision, comprising a part of the Northwest Quarter (NW1/4) of Section Twelve (12), Township Eleven (11) North, Range Ten (10) West of the 6th P.M., in the City of Grand Island, Hall County, Nebraska; and

WHEREAS, it is necessary to modify the existing Sterling Estates Subdivision Agreement as it is the policy of the City of Grand Island to charge an equitable fee to connect to an existing sanitary sewer main based on the original construction cost for the sanitary sewer main; and

WHEREAS, a modified form of the Sterling Estates Subdivision Agreement has been agreed to between the owner of the property and the City of Grand Island.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the modified form of the subdivision agreement hereinbefore described is hereby approved, and the Mayor is hereby authorized to execute such agreement on behalf of the City of Grand Island.

BE IT FURTHER RESOLVED that the modified Subdivision Agreement of STERLING ESTATES SUBDIVISION, as made out, acknowledged, and certified, is hereby approved by the City Council of the City of Grand Island, Nebraska, and the Mayor is hereby authorized to execute the approval and acceptance of such modified agreement by the City of Grand Island, Nebraska.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, June 12, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form <input type="checkbox"/> _____	
June 8, 2007	<input type="checkbox"/> City Attorney