



City of Pflugerville

Legislation Text

File #: 2024-0301, **Version:** 1

Approving a conditional purchase agreement and associated conveyance documents between CE Development, Inc and the City of Pflugerville as necessary to acquire real property interests for the Cottonwood West Lift Station and Force Main Project, and authorizing the City Manager to execute the same.

The proposed agenda item requests approval of a conditional purchase agreement and associated conveyance documents between CE Development, Inc and the City of Pflugerville as necessary to acquire real property interests for the Cottonwood West Lift Station and Force Main project and authorizing the City Manager to execute the same. This item supports the infrastructure pillar of the City's Strategic Plan.

The purpose of the Cottonwood West Lift Station and Force Main project is to serve development within the Cottonwood sewershed along the Cameron Lane corridor to convey flows to the future Wilbarger Creek Regional Wastewater Treatment Facility. This project is critical to serve the Meadowlark Development that is being developed on the east side of Cameron Lane south of the current Jesse Bohls Drive.

After negotiations with the property owner early in the easement acquisition process, the property owner was not open to having multiple force mains running through the property with 3 different projects planned to cross through this development. The developer was open to having a single gravity line designed for all 3 projects to terminate at to convey wastewater flow for the Cottonwood West, New Sweden, and Cele lift stations that are currently in design. This would minimize the design needed on the City's Cottonwood West Lift Station and would mitigate the risk of possibly having to acquire a force main easement through the eminent domain process as was originally communicated to the City by the representative of CE Development. City staff communicated to the developer's team that the City would be open to this delegated design to expedite the easement acquisition and solve a problem for all 3 projects; however, they would need to request reimbursement of any engineering costs through City Council. As this removed design scope from the Kimley-Horn team for the Cottonwood West Lift Station design, there will be a credit at the end of that project that will account for this delegated design conducted on behalf of the developer. After discussion with the developer and their representative of the costs associated with the design work within the development, it was determined to have a cost of \$105,805. Staff recommends approval of this reimbursement with the understanding that this eliminated scope already included in another project and it allows for the acquisition of the easement without going through the eminent domain process for a critical project.

To proceed with the project, the City must acquire a permanent utility easement not only for construction purposes but also to provide access for future operation and maintenance. The City's property acquisition consultant and city staff negotiated with CE Development, Inc for the necessary easement for this parcel. The cost of \$116,720 was agreed upon, subject to City Council approval, based on appraisals obtained for the property.

Staff continues coordination meetings with the property acquisition agent, the design consultant for the project, Kimley-Horn, and the affected property owners that will be impacted by this project.

Approval of this item will authorize the City Manager to execute the permanent easement and associated conveyance documents necessary for formal conveyance of the real property interests.

Prior City Council Action

On February 28, 2023, City Council approved a Professional Services Agreement with Kimley-Horn in the amount of \$1,285,932 for professional engineering services associated with the Cottonwood West Lift Station.

On November 14, 2023, City Council approved a professional services supplemental agreement with Kimley-Horn in the amount of \$119,463 for professional engineering services associated with the Cottonwood West Lift Station for Travis County environmental review and drainage modifications.

On March 12, 2024, City Council approved the procurement of electrical equipment in the amount of \$397,469 associated with the Cottonwood West Lift Station for electrical equipment required to serve the lift station site.

Deadline for City Council Action

Action is requested on May 28, 2024.

Funding Expected: Revenue Expenditure N/A

Budgeted Item: Yes No N/A

Amount: \$222,525

1295 Form Required? Yes No

Legal Review Required: Required Date Completed: 05/14/2024

Supporting documents attached

Easement and Reimbursement Agreement

Recommended Action

Authorize the City Manager to execute a conditional purchase agreement and associated conveyance documents between CE Development, Inc and the City of Pflugerville as necessary to acquire real property interests for the Cottonwood West Lift Station project.