



Legislation Text

File #: 17-0570, **Version:** 1

Consider and take action on a resolution approving utility conveyance and security agreements with Galveston County Municipal Utility District No. 44 for water, sanitary sewer, and drainage facilities associated with the following: (1) Tuscan Lakes Development SF50-3-1 SE Quadrant, (2) Tuscan Lakes Development SE Quadrant - Phase II Drainage Improvements, (3) Tuscan Lakes Development SF 50-3-2 SE Quadrant, (4) The Village at Tuscan Lakes Development Section 1, (5) The Village at Tuscan Lakes Development Section 2 Phase 3, (6) Tuscan Lakes Development SF 50-1 SE Quadrant, and (7) The Village at Tuscan Lakes Development Section 2 Phase 1 and Phase 2 (Interim City Engineer)

Approval of this resolution will approve utility conveyances and security agreements with Galveston County Municipal Utility District No. 44's (the "District's") for the following: (1) Tuscan Lakes Development SF50-3-1 SE Quadrant, (2) Tuscan Lakes Development SE Quadrant - Phase II Drainage Improvements, (3) Tuscan Lakes Development SF 50-3-2 SE Quadrant, (4) The Village at Tuscan Lakes Development Section 1, (5) The Village at Tuscan Lakes Development Section 2 Phase 3, (6) Tuscan Lakes Development SF 50-1 SE Quadrant, and (7) The Village at Tuscan Lakes Development Section 2 Phase 1 and Phase 2.

The District has constructed certain water, sanitary sewer, and drainage facilities and is formally conveying the facilities to the City pursuant to the Utility Agreement, by and between the City, the District, and Johnson Development, approved on April 8, 2003 by Ordinance 2003-13, and first amended on February 13, 2007 by Ordinance 2007-11. Subject to a security interest retained by the District, the agreement requires that these facilities be conveyed to the City for ownership, operations and maintenance.

The municipal infrastructure for these developments were accepted by the City Council on the following dates:

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| 1. Tuscan Lakes Development SF 50-3-1 SE Quadrant | 6/30/2010 |
| 2. Tuscan Lakes Development SE Quadrant- Phase II Drainage Improvements | 10/24/2007 |
| 3. Tuscan Lakes Development SF 50-3-2 SE Quadrant | 11/22/2013 |
| 4. The Villages at Tuscan Lakes Development Section 1 | 7/25/2006 |
| 5. The Villages at Tuscan Lakes Development Section 2 Phase 3 | 6/22/2010 |
| 6. Tuscan Lakes Development SF 50-1 SE Quadrant | 9/26/2006 |
| 7. The Villages at Tuscan Lakes Section 2 Phase 1 and Phase 2 | 12/12/2006 & 9/30/2009 |

Attachments:

1. Data Sheet
2. Proposed Resolution
3. (Exhibit A) Utility Conveyance and Security Agreements (Tuscan Lakes)
4. (Exhibit A) Utility Conveyance and Security Agreements (Village of Tuscan Lakes)
5. Letter from MUD 44 Requesting Acceptance of Agreements
6. MUD 44 Utility Agreements
7. Aerial Map

CONTRACT ORIGINATION:

Galveston County MUD # 44 reviewed and approved by City Attorney's office

FUNDING

{X} NOT APPLICABLE

{ } Funds are available from Account # _____
{ } Requires Budget Amendment to transfer from Account # _____ to Account # _____