



Legislation Text

File #: Res. 2020-208R, **Version:** 1

AGENDA CAPTION:

Consider approval of Resolution 2020-208R, approving a Consent of Encroachment Agreement with Ella Lofts Funding Company, LLC that allows certain improvements to encroach within a City drainage easement in the vicinity of Chestnut Street and Live Oak Street, subject to the owner of such improvements granting a drainage easement to the City for improvements along Sessom Creek as part of the Edwards Aquifer Habitat Conservation Plan; authorizing the City Manager or his designee to execute the said agreement on behalf of the City; and declaring an effective date.

Meeting date: October 7, 2020

Department: Engineering and Capital Improvements

Amount & Source of Funding

Funds Required: \$0.00

Account Number: Click or tap here to enter text.

Funds Available: Click or tap here to enter text.

Account Name: Click or tap here to enter text.

Fiscal Note:

Prior Council Action: Click or tap here to enter text.

City Council Strategic Initiative: [Please select from the dropdown menu below]

N/A

Choose an item.

Choose an item.

Comprehensive Plan Element (s): [Please select the Plan element(s) and Goal # from dropdown menu below]

☐ Economic Development - Choose an item.

☒ Environment & Resource Protection - Public & Private Sector Partnership to Protect Water Quality & proper development in San Marcos and Blanco Rivers

☐ Land Use - Choose an item.

☐ Neighborhoods & Housing - Choose an item.

- ☐ Parks, Public Spaces & Facilities - Choose an item.
- ☐ Transportation - Choose an item.
- ☐ Core Services
- ☐ Not Applicable

Master Plan: *[Please select the corresponding Master Plan from the dropdown menu below (if applicable)]*

Choose an item.

Background Information:

The property owner identified minor encroachments of their water storage tank, retaining wall and curbing within the City easement. The property owner has requested a consent of encroachment in exchange for granting a drainage easement to the City that is needed to complete improvements in Sessom Creek. Staff has reviewed the minor encroachments and finds they do not impact the City's use of the easement.

The Edwards Aquifer Habit Conservation Plan (HCP) and the Engineering Department have teamed up to design and construct repairs and other restoration work along Sessom Creek.

The HCP is funding the design and construction of the stabilization work. In order to complete their work, they need a drainage easement from the Vie Lofts, who have agreed to donate the easement, at no cost to the City, in exchange for this consent of encroachment.

Council Committee, Board/Commission Action:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Recommendation:

Staff recommend approval of this agreement, subject to the City being granted the necessary drainage easement.