

Meeting Date (?) 07/12/2016

Subject Matter * (?) Memorandum of Understanding for the Extension of University Drive
This must match rolling agenda entry

Department of Origin * ECONOMIC DEVELOPMENT

Submitted By * Lindsey Guindi

Type of Meeting * BCD Special Regular

Classification * Public Hearing Consent Statutory Regular

Ordinance * None First Read Second Read First & Only Read

Strategic Initiative * Public Safety Service
 Economic Development Infrastructure
 Quality of Life

Agenda Item Description * Consider authorizing the Mayor to execute a Memorandum of Understanding (MOU) between the City of Bryan, Adam Development Properties, LP, TISA Properties, LLC, and Diamond P Holdings, LP regarding the extension of University Drive from its current terminus at FM 158 and other obligations related to the development of the properties on both sides of the extension of University Drive.

Summary Statement * The City of Bryan (City) and Adam Development Properties (ADP) entered into a Chapter 380 Economic Development Agreement effective November 30, 2015, which provided for ADP to design and construct an extension of University Drive from its current terminus at FM 158 to the entrance of the planned Oakmont development, to be reimbursed by the City.

ADP owns, in fee simple, approximately 410 acres in Bryan, identified by the Brazos Central Appraisal District (BCAD) as Parcel 13527. ADP agreed to convey to the City that portion of the ADP Property to be used as permanent right-of-way for the extension of University Drive. TISA Properties and Diamond P Holdings (Peters Parties) own, in fee simple, approximately 158 acres in Bryan, identified by the Brazos Central Appraisal District as Parcels 13481, 13538, and 13539.

All four entities determined that a Memorandum of Understanding (MOU) between and among them setting forth their respective rights and responsibilities in connection with the extension of University Drive would facilitate the design and construction of the desired extension. Subject to the terms of this MOU, the Peters Parties wish to convey to the City portions of the Peters Property to be used as permanent right-of-way for the extension of University Drive.

The obligations of the City under this MOU include:

- Constructing Phase 2 of the University Drive Improvements, as outlined in the existing Chapter 380 Economic Development Agreement
- Coordinating the closure of Dansby Lane and provide temporary access until a permanent access can be provided
- Installing a barbed wire fence on the Peters Property to replace the existing fence
- Constructing a sanitary sewer lift station after certain milestones are met

Staff Analysis & Recommendation * In order to facilitate the extension of University Drive and to keep the Oakmont development on schedule, staff recommends executing this MOU.

Options*

(In Suggested Order of Staff Preference)

1. Approve the MOU
2. Modify the MOU, which may require consideration at a future City Council meeting along with additional review by the other parties
3. Deny the MOU and provide direction to staff

Funding Source*

The cost of the design and construction of the University Drive extension will be incurred by the City of Bryan, as envisioned by the adopted City of Bryan Capital Improvement Plan. The funding source for the sewer lift station will be determined closer to the date when the design and construction will occur.

Attachments

Please detail attachments and note attachments available for viewing in City Secretary's Office:

1. MOU with exhibits (available for viewing in the City Secretary's Office)

Dept. Head Signature



**Deputy City Manager
Signature**



City Manager Signature



City Attorney Signature

