

Mayor and Council Communication

DATE: 03/08/22

M&C FILE NUMBER: M&C 22-0162

LOG NAME: 20WALSHREGIONALDRAINAGEPLAN

SUBJECT

(ALL) Authorize Execution of a Developer Funding Agreement in the Amount of \$90,000.00 with Walsh Ranches Limited Partnership, with Developer Contributions in the Amount of \$45,000.00 and City Participation in the Amount of \$45,000.00, to Cost Share in a Regional Drainage Study and the Development of a Master Drainage Plan for Walsh Ranch, Adopt Attached Appropriation Ordinance, and Amend the Fiscal Years 2022-2026 Capital Improvement Program

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize execution of a Developer Funding Agreement in the amount of \$90,000.00 with Walsh Ranches Limited Partnership, with developer contributions in the amount of \$45,000.00, and City participation in the amount of \$45,000.00, to cost share in a regional drainage study and the development of a Master Drainage Plan for Walsh Ranch;
 2. Adopt the attached appropriation ordinance adjusting estimated receipts and appropriations in the Stormwater Capital Projects Fund by increasing estimated receipts and appropriations in the Walsh Ranch Regional SW Plan (City Project No 103844) in the amount of \$90,500.00 and decreasing estimated receipts and appropriations in the Flooding Assessments Programmable (City Project No. P00046) by the same amount;
 3. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Developer Contribution Fund, in the amount of \$45,000.00, from available funds, for the purpose of funding the regional drainage study and Walsh Ranch Master Plan project (City Project No.103844); and
 4. Amend the Fiscal Years 2022-2026 Capital Improvement Program.
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DISCUSSION:

This Mayor and Council Communication (M&C) recommends authorization of a Developer Funding Agreement with Walsh Ranches Limited Partnership (Walsh) to cost share in a regional drainage study and the development of a Master Drainage Plan for Walsh Ranch.

Background

As the Walsh Ranch development has progressed in recent years it has become apparent that the review and permitting of site development for the remaining properties would be significantly more efficient, and the drainage impacts of all development in the same area better accounted for, if a more regional approach were taken to develop a drainage plan. Specifically, that would entail: (a) conducting a drainage study that includes an assessment of properties in the same watershed that are upstream of Walsh Ranch; and (b) based on the study and its assumptions about drainage factors upstream of Walsh, development of a comprehensive master drainage plan for all of Walsh Ranch.

With such a comprehensive plan in place, future phases could be planned and designed based on baseline drainage conditions and an overall concept for meeting City of Fort Worth (City) drainage standards that have already been agreed upon by Walsh, their consultants, and City staff. This will significantly reduce the design effort for the Walsh team and the review effort for City staff leading to expedited acceptance of the drainage plan for each phase of the Walsh Ranch development.

In addition to the benefits described above, this regional approach to assessing the drainage impacts of development in this watershed will:

1. More comprehensively mitigate the risk of adverse drainage impact for properties downstream of the Walsh Ranch development;
2. Provide valuable guidance and a drainage plan that can be used for developments in the City of Fort Worth that are located upstream of Walsh Ranch; and
3. Provide a case study to determine the potential value and feasibility of commissioning similar regional studies and master drainage plans for other undeveloped areas of the City.

Given the benefits that this initiative will provide to both Walsh and the City, both parties have agreed to a 50/50 cost split for the engineering effort. The initial phase of the engineering effort will establish clear, and mutually agreed upon, goals and deliverables for the study and initiate the preliminary engineering. The estimated cost of this phase is \$90,000.00 with Walsh's share being \$45,000.00.

The work and collaboration during the initial phase will also ensure the feasibility of ultimately achieving the desired outcome of the full study. If at any time during this phase the City and Walsh conclude that it is not feasible to achieve the desired outcome, the initiative will be terminated and the costs to that point will be split 50/50. If, at the end of this phase, the City and Walsh agree that it is feasible to achieve the desired outcome, the agreement will need to be amended to include the full study.

It is expected that the cost of the full study will be an additional \$400,000.00 - \$500,000.00. As with the initial agreement, costs for the full study will be split 50/50 between the City and Walsh. The City's cost share will come from the Stormwater Utility.

Freese and Nichols Inc. was selected to be the most qualified consultant to conduct the study based on their submissions on the Transportation and Public Works Department, Stormwater Management Division's Request for Qualifications for stormwater management professional and engineering services issued on July 29, 2021. The engineering agreement for the initial phase was executed administratively for a total cost not-to-exceed \$90,000.00. If as a result of the initial phase the decision is made to commission the full study, a M&C will be presented to City Council recommending amendments to the engineering agreement and the Developer Funding Agreement.

The action in this M&C will amend the Fiscal Year 2022 Adopted Budget as approved in connection with Ordinance 25073-09-2021, Section 6. Capital Improvements, as listed on page 27 as follows:

Capital Fund Name	Project Name	FY2022 CIP Appropriations	Authority	Budget Adjustment	Revised FY2022 Budget
Stormwater Capital Projects Fund	103844 Walsh Ranch Regional SW Plan	\$0.00	This M&C	\$90,500.00	\$90,500.00
Stormwater Capital Projects Fund	P00046 Flooding Assessments Programmable	\$1,292,982.00	This M&C	\$(90,500.00)	\$1,202,482.00
Developer Contribution Fund	103844 Walsh Ranch Regional SW Plan	\$0.00	This M&C	\$45,000.00	\$45,000.00

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available in the Stormwater Capital Fund and upon approval of the above recommendations, adoption of the attached appropriation ordinances and receipt of funds from Walsh, funds will be available in the Developer Contribution Fund for the above-mentioned project. Prior to an expenditure being incurred, the Transportation and Public Works Department has the responsibility of verifying the availability of funds.

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