



City Council Report

Date: May 4, 2015
To: City Council
Through: Karolyn Kent, Deputy City Manager
From: Christine Zielonka, Development and Sustainability Department Director
Jeffrey McVay, Manager of Downtown Transformation
Subject: Community Maintenance Agreement for Mulberry.
Council District 6

Strategic Initiatives



PURPOSE AND RECOMMENDATION

This report transmits a Community Maintenance Agreement for Mulberry. Council has for consideration a resolution authorizing the City Manager to enter into this agreement.

Staff is recommending approval of the resolution.

BACKGROUND

In 2014 the City Council approved the zoning for Mulberry, a residential master planned community located at northwest corner of Guadalupe and Signal Butte Roads. The approval of the zoning included approval for the design and installation of specialty features and materials. These specialty features and materials include poles for street name signs, street lighting, and paving materials. With the design and installation of specialty features and materials within the public right-of-way, requires the City and Desert Vista 100, or its assigns, to enter into a maintenance agreement.

DISCUSSION

The Mulberry Community Maintenance Agreement (CMA), addresses the costs, processes, and responsibilities for maintenance of specialty items and materials that are part of the developers' vision for Mulberry. The CMA term is 25 years with successive 15 year renewals. The following is a summary of the responsibilities and specialty items covered by the CMA.

Streets

- Unique posts for street name signs
- Unique street lighting
- Unique paving materials
- Desert Vista 100 designs and installs items and provides a replacement inventory
- City owns and maintains Specialty Materials within ROW

Perimeter Landscaping Along Arterials

- Crismon, Guadalupe, and Signal Butte
- Desert Vista 100 installs and maintains at its expense

Other ROW Landscaping

- Desert Vista 100 responsible for installation and maintenance of any specialty items they require

Neighborhood Parks

- Desert Vista 100 installs and maintain all improvements

Financial Assurance

- Desert Vista 100 will deposit \$25,000 to the City upon execution of Agreement
- City will draw against the fund to pay for specialty items that exceed normal operating costs.
- Fund may not fall below \$5,000, and will be replenished annually.

Alternatives

1. **APPROVAL OF THE COMMUNITY MAINTENANCE AGREEMENT FOR MULBERRY AS ATTACHED.** (Preferred alternative)
2. **SPECIFY CHANGES TO THE AGREEMENT**
Council could direct staff to make changes to the proposed agreements prior to final approval.
3. **DENY APPROVAL OF THE MAINTENANCE AGREEMENT**
Council could deny the proposed agreements.

Fiscal Impact

The proposed Community Maintenance Agreement for Mulberry will not result in any new fiscal impact. The fiscal impact of the proposed Community Maintenance Agreement is limited to those cost typically borne by the City for the maintenance of public infrastructure improvements.

Coordinated With

Negotiation of the Community Maintenance Agreement for Mulberry has been coordinated by the Development and Sustainability Dept. and the City Attorney's Office and has included involvement with the Transportation department.