



CITY COUNCIL MEETING MEMO
NOVEMBER 23, 2004 MEETING

Agenda Item#: _____

Department: Engineering

Resolution / Ordinance # _____

Agenda Item:

Consider the Acceptance of Public Improvements for Tractor Supply

RECOMMENDATIONS

- Receive update from staff on the status of the public improvements and other acceptance requirements.
- If the standard requirements have been met, accept the public improvements associated with the new Tractor Supply.

DESCRIPTION/JUSTIFICATION:

The public improvements associated with the Tractor Supply development include 12-inch water line that has been bored under Main St. and installed along the frontage of the property and a wastewater force main installed in the public right-of-way from Tractor Supply to Chicken Express. These are the requirements for acceptance of the public improvements for the Tractor Supply site:

- Completion of construction items noted during the site walk-through on November 5, 2004
- Receipt of the Maintenance Bond from the contractor
- Receipt of Record Drawings from Tractor Supply's engineer

Staff will provide an update on the status of this request at the City Council meeting. Copies of the site walk-through letter to Tractor Supply's contractor and a letter requested by the utility subcontractor for bonding purposes are attached.

FINANCIAL/BUDGET:

There are no financial considerations associated with this item.

November 8, 2004

Mr. Duane Bingham
TS Taylor I Ltd.
806 Avenue U
Marble Falls, Texas 78654

Re: Taylor Tractor Supply – Construction Deficiencies

Dear Mr. Bingham:

On November 5, 2004, City of Taylor staff met with Kirk of Middlebrook Utilities to walk the Tractor Supply site and determine if any construction items remained outstanding and whether a recommendation to accept the public improvements for Tractor Supply could be made to City Council. The following items need to be corrected:

- Clean debris off of the east side of the project, especially debris on the adjacent property.
- Finish construction of the sloped end treatments on the driveway culvert.
- Adjust valve covers and meter boxes to grade at the northwest corner of the property.
- Drainage over the pavement along the east side of the building near the loading dock is not being directed into the detention pond as intended. We flowed a fire hydrant while we were walking the site and found that most of the water did not flow down the concrete flume but instead drained to the east of the flume and was eroding the soil along the flume. This will eventually undermine the flume. Some water also drained off the east side of the pavement into the adjacent property. I recommend that a stand up curb be installed along the east side of the paved area up to the concrete flume to ensure that the drainage flows down the flume as intended.
- The light attached to the grinder pump control panel is not a sufficient alarm to indicate when there are problems with the pump – it is unlikely that anyone will see the light. Consider adding a horn to the alarm system or wiring an additional alarm light inside the building.
- The manhole cover on the vault for the force main double-check valve along the south property line is grouted shut. Please free the cover. Our staff is concerned that the double check valve assembly will be a maintenance problem for the store. The double-check assembly for a 1.5 inch force main has very little flow area through it and debris is likely to settle in the assembly and eventually freeze the mechanisms. There is a single-check valve located next to the grinder pump that should perform satisfactorily for the system. Consider removing the double-check assembly.

- Landscaping has not been fully restored in front of the Chicken Express where the force main was laid.

As a reminder, there are a couple of administrative items that need to be taken care of prior to going to City Council for acceptance of the public improvements:

- Record Drawings – the City’s inspector, Dennis Kleppe, should review your marked up plan sets prior to submittal to Hejl, Lee & Associates to verify the accuracy of the plans. We require 3 paper copies and 1 digital copy of the record drawings. The digital copy should be in a format that can be used to update our base maps. (AutoCAD 2002 is acceptable.)
- Maintenance Bond – valued at 10% of the public improvements and in effect for 2 years from the time the improvements are accepted by the City Council. The public improvements for this site are the water and wastewater facilities that were installed in public R.O.W. Any facilities on the private side of a water meter do not need to be covered by the bond.

Please turn in the required documentation to Dennis Kleppe and let us know when the construction items have been completed. If you have any questions, please contact me at (512) 352-3633.

Yours truly,

David Simons
Capital Projects Manager

DS/same

Cc: Frank Salvato, City of Taylor
Dennis Kleppe, City of Taylor

November 18, 2004

Mr. Malcolm Middlebrook
Middlebrook Utilities, Inc.
1336 Huntington Trail
Round Rock, Texas 78664

Re: Tractor Supply, Taylor, Texas – Maintenance Bond for Public Utilities

Dear Mr. Middlebrook:

Per your request, I have written this letter for your use with your bonding company. Middlebrook Utilities was hired by TS Taylor I Ltd. (Duane Bingham's company) to install public water and wastewater facilities associated with the new Tractor Supply project in Taylor. For construction projects the City of Taylor requires Maintenance Bonds valued at 10% of the total cost of public improvements and valid for a period of 2 years from the time of final acceptance of the public improvements by the Taylor City Council. The standard requirements for acceptance of public improvements include the following:

- Construction of improvements per approved construction plans and any authorized changes to those plans
- Correction of construction deficiencies noted after substantial completion of the improvements during a walk-through of the project by the City's Engineering staff
- Submittal of Record Drawings to the City of Taylor by the project's Design Engineer that are based on the contractor's City-approved as-built records.
- Submittal of a Maintenance Bond as described above
- Payment of Engineering Plan Review and Inspection Fees. (Note that the Engineering fees were waived for this project because the City of Taylor participated in the cost to construct the public improvements.)

At the current time Middlebrook Utilities is still working to correct a deficiency noted in the project's grinder pump alarm, installing a box around a blow-off valve, and repairing damage done to sod and a sprinkler system while Middlebrook Utilities was trenching in front of an adjacent property. When these specific items have been corrected, Duane Bingham has corrected other problems noted on the project, and the Record Drawings and Maintenance Bond have been delivered to the City, Engineering staff will make a recommendation to City Council to accept the public improvements. Please note that the acceptance of public improvements is one of the conditions that must be met before the City's Building Official can issue a Certificate of Occupancy for the new building.

The City Council meets again on November 23, 2004 (next Tuesday) and the Agenda for the meeting will be finalized later today. Please expedite the completion of Middlebrook Utilities' responsibilities on this project. If you have any questions, please contact me at (512) 352-3633.

Yours truly,

David Simons
Capital Projects Manager

DS/same

Cc: Duane Bingham, TS Taylor I Ltd.
Charles Cunningham, City of Taylor
Frank Salvato, City of Taylor
Bob van Til, City of Taylor



November 18, 2004

ALAN - 512 836 2677

Duane Bingham
 Bingham Construction, Inc.
 608 Hwy. 281, Suite 100
 Marble Falls, Texas 78654

Via fax: 830-693-0024

RE: Conditional Certificate of Occupancy for 3600 N. Main (Tractor Supply)

Dear Mr. Bingham:

In accordance with section 1.8.4 of the Taylor Zoning Ordinance, I am approving a conditional certificate of occupancy for a period of six month from the date of this letter. The conditional certificate of occupancy shall not be construed as in any way altering the respective rights, duties or obligations of the owners, or of the City, relating to the use or occupancy of the premise or any other matter covered by the Taylor Zoning Ordinance or any other relevant ordinances.

The approval of the permanent certificate of occupancy is contingent on the completion of the following items:

- Construct a fence along the east property line of the project
- Finalize and file the plat
- Clean debris off of the east side of the project, especially debris on the adjacent property.
- Finish construction of the sloped end treatments on the driveway culvert.
- Adjust valve covers and meter boxes to grade at the northwest corner of the property.
- Drainage over the pavement along the east side of the building near the loading dock is not being directed into the detention pond as intended. We flowed a fire hydrant while we were walking the site and found that most of the water did not flow down the concrete flume but instead drained to the east of the flume and was eroding the soil along the flume. This will eventually undermine the flume. Some water also drained off the east side of the pavement into the adjacent property. I recommend that a stand up curb be installed along the east side of the paved area up to the concrete flume to ensure that the drainage flows down the flume as intended.
- The light attached to the grinder pump control panel is not a sufficient alarm to indicate when there are problems with the pump – it is unlikely that anyone will see the light. Consider adding a horn to the alarm system or wiring an additional alarm light inside the building.
- The manhole cover on the vault for the force main double-check valve along the south property line is grouted shut. Please free the cover. Our staff is concerned

that the double check valve assembly will be a maintenance problem for the store. The double-check assembly for a 4.5 inch force main has very little flow area through it and debris is likely to settle in the assembly and eventually freeze the mechanisms. There is a single check valve located next to the grinder pump that should perform satisfactorily for the system. Consider removing the double-check assembly.

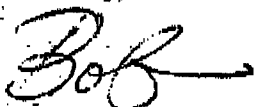
- Landscaping has not been fully restored in front of the Chicken Express where the force main was laid.
- Record Drawings - the City's inspector, Dennis Kleppe, should review your marked up plan sets prior to submittal to Hejl, Lee & Associates to verify the accuracy of the plans. We require 3 paper copies and 1 digital copy of the record drawings. The digital copy should be in a format that can be used to update our base maps. (AutoCAD 2002 is acceptable.)
- Maintenance Bond - valued at 10% of the public improvements and in effect for 2 years from the time the improvements are accepted by the City Council. The public improvements for this site are the water and wastewater facilities that were installed in public R.O.W. Any facilities on the private side of a water meter do not need to be covered by the bond.

Failure to complete the above mentioned items might result in the conditional certificate being rescinded and the permanent certificate of occupancy being delayed, or documents being filed against you in municipal court for violations of the Taylor Development Ordinances.

Please sign the letter and return a signed copy to my attention as acknowledgement of the above listed items.

Thanks you for your cooperation. Please let me know if you have any additional questions.

Sincerely,



Bob van Til, AICP
Director of Community Development



Mr. Duane Bingham (Printed name)

Signature

Date

11/18-04