

City Council Agenda Memo

From: Jackie Lanning, City Engineer

Council Meeting: October 13, 2020

Subject: Resolution 20-081, a Resolution Authorizing Real Estate Sale Acquisition Agreement

Person(s) Responsible: Jackie Lanning, City Engineer

Summary:

This resolution will authorize the real estate sale acquisition agreement between the City of Brookings and Mike and Kathy McClemons to transfer approximately 3.48 acres to the City of Brookings.

Background:

The City retained the services of Civil Design Inc. to design the street construction project for 15th Street South and 7th Avenue South as shown on the attached map. The street project includes water and sanitary sewer mains and services, grading, gravel, curb and gutter, asphalt pavement, storm sewer, detention pond, and wetland mitigation. The City Council held a public hearing on October 23, 2018 on the Resolution of Necessity for this project, which was tabled for storm drainage and easement discussions with land owners.

Item Details:

City staff have been working with property owners Mike and Kathy McClemons related to their property, which is adjacent to the 15th Street South and 7th Avenue South project. Mr. and Mrs. McClemons have agreed to convey approximately 3.48 acres of land to the City as described in the attached agreement and exhibit. In exchange for the property, the City agrees to pay for platting costs, waive all assessments that the McClemons would otherwise be responsible for, and to pay for surveying and engineering costs to design and construct an earthen channel from 15th Street South to the north entrance of the McClemons Addition detention pond.

Upon approval of the agreement, the City will proceed with several tasks, including working through the permit application process with the Army Corps of Engineers for the earthen channel, and perform surveying and platting of the parcel to be transferred to the City. The City will also hold a public hearing at an upcoming City Council meeting on the Resolution of Necessity for the street assessment project.

Legal Consideration:

The property to be transferred to the City will be determined upon surveying and platting. The Mayor, City Clerk, City Attorney and City Manager are authorized to execute the documents to complete the land transaction.

Strategic Plan Consideration:

The street construction project furthers the accomplishment of City Council Strategic Initiative of Improving the Existing Stormwater System Through Systematic Prioritization with the construction of the detention pond. The street construction project will also provide the infrastructure necessary for the Affordable Housing project located on the south side of the future 15th Street South.

Financial Consideration:

The City will be responsible for the approximate assessment cost of \$178,668 for the street assessment along the frontage of the property being transferred to the City. The proposed assessment cost for the City has been included in the 2021 budget for this project.

Options and Recommendation:

The City Council has the following options:

1. Approve as presented
2. Amend
3. Deny
4. Move the item to a study session
5. Do nothing

Staff recommends approval of the resolution as presented.

Supporting Documentation:

Resolution
Agreement
Area Map
Exhibit