



NORTH EAST INDEPENDENT SCHOOL DISTRICT

Date: May 9, 2011

Presenter: Brian Gottary
Garrett Sullivan,
Executive Director, CM&E

Subject: Las Lomas (formerly Knights Cross) Elementary School
Plat Approval

Related Page(s): Attachment

CONSENT ITEM

BACKGROUND INFORMATION

The Interlocal Agreement (ILA) between twelve Public School Districts and the City of San Antonio, of which North East I.S.D. is a signatory, requires that the Board of Trustees adopt a formal resolution to ensure required off-site improvements in the public rights-of-way adjacent to school properties are constructed within three years of Plat approval for the project per Section 5.10g of the ILA.

5.10g. Required Security Under Section 35-4223 of the Unified Development Code ("UDC") During the term of this AGREEMENT, CITY will not require DISTRICT to post a performance bond, letter of credit, trust AGREEMENT, cash or other form of security in favor of CITY normally required under Section 35-437 of the UDC and related provisions; provided that in lieu of posting such security, DISTRICT provides CITY with a formal Resolution passed and approved by its Board of Trustees assuring construction, within three years, of all items that would normally be the subject of the security. The resolution shall be delivered to CITY prior to recordation of the plat. The assurances provided under the resolution shall survive any termination of this AGREEMENT and failure of DISTRICT to comply with the assurances to complete the construction as resolved by the DISTRICT's Board of Trustees, shall be considered a breach of this AGREEMENT. Upon breach, CITY may pursue any and all legal and equitable remedies available to it.

In the case of Las Lomas Elementary School (formerly Knights Cross Elementary School), the current construction contract with Summit Builders includes on-site and off-site public drainage improvements. On-site drainage improvements include earthen and concrete channels along the western property boundary and a section of an underground drainage system along the southern property boundary. Off-site drainage improvements include concrete riprap along a portion of the western property boundary and an underground drainage system and the associated outfall extending from the southern property boundary.

As a separate construction project, Yantis Company has been contracted to construct the Hardy Oak Boulevard Extension Project adjacent to the school site (Phase II). The Phase II construction includes an underground public drainage system extending from just inside the eastern property boundary of the school, across Hardy Oak and eastward to an existing low. The Hardy Oak Extension Phase II Project is currently under construction.

ADMINISTRATIVE CONSIDERATION

These are approved projects within the 2007 Bond Program. Funds for these projects were included in the 2007 Bond Sale (\$498,049,000.00) of July 2007. No additional funding is required to support the Board Resolution.

RECOMMENDATION

It is recommended that the Board of Trustees approve the Resolution which guarantees that both on-site and off-site drainage improvements in the adjoining public right-of-way at the Las Lomas (formerly Knights Cross) Elementary School will be completed within three years of Plat approval as required by the Interlocal Agreement between the Twelve Public School Districts and the City of San Antonio (Section 5.10g).

BOARD ACTION REQUIRED

Approval/Disapproval