



Staff Report

Agenda Item: DEVELOPMENT AGREEMENT WITH VERDE VALLEY CHRISTIAN CHURCH – Discussion and consideration of a Development Agreement for the extension of Water and Sewer lines with the Verde Valley Christian Church

Staff Contact: Ron Doba, Utilities Director
Sherry Bailey, Community Development Director

Meeting Date: April 8, 2008

Background:

The Verde Valley Christian Church has been working with staff for the past nine months on their new church. They appeared before the Design Review Board in May of 2007 and received approval of their 20,000 square foot church which will accommodate a congregation of 500 people and allow for expansion in the future.

Originally the applicant intended to drill a well and construct a package plant for the treatment of wastewater. Staff worked with them and asked that they evaluate the cost of extending both the water and sewer lines from the Centerville Road and Broadway to their property rather than follow through on their original intention. When talking with VVCC it was anticipated that the water line would be extended by the town from the Mountain Gate property line to Broadway. However, the cost estimate received at the time Mountain Gate was prepared to move forward was greater than the town was prepared to spend. The cost estimate for the Centerville Road waterline extension was \$100,424.63 and is enclosed.

Recently the Verde Valley Christian Church looked at the cost of extending the water and sewer lines from the Mountain Gate property line to their property and upgrading the lines to the 8 inch lines necessary for both sewer and water mains. They are willing to design and construct the project, but are asking participation by the town. The applicant has proposed the town be responsible for the project materials as stated in the engineers estimate attached to this staff report. Staff has prepared a development agreement for the line extension for council consideration that would limit the town's participation to the \$97, 588.71 as stated in the engineer's estimate. The material cost to the town is reflective of the current downturn in construction prices and below the public works project threshold. The council should be aware that the water line extension going to the church only goes to the driveway of the church and does not comply with Section 19-3-3 of the new water code requiring extension along the full property frontage. The Code provides for an exemption to the requirement if approved by the Water Division Director. The exemption is being recommended in this case because the Code was not in place when then plans were made for this project. If the Council wishes, it can require the waterline extension along the full property frontage and should anticipate the materials cost to increase (est. 15% - 20%). This requirement will also increase the church's cost and they may decide to stay with the well and on-site treatment.

This project would provide water and sewer availability to an area of the town that presently is not served. The Future Land Use as specified by the General Plan for much of the area along Broadway is Neighborhood Commercial. Having sewer and water available to that area makes it much more attractive to development.

Recommendation:

Staff recommends approving the development agreement with Verde Valley Christian Church for the town's participation in the extension of water and sewer lines along Broadway and Centerville Road.

**TOWN OF CLARKDALE
WATER AND SEWER MAIN EXTENSION
DEVELOPMENT AGREEMENT**

THIS AGREEMENT (the "Agreement") made entered into by and between the TOWN OF CLARKDALE, a municipal corporation of the State of Arizona (the "Town"), and VERDE VALLEY CHRISTIAN CHURCH, an Arizona non-profit religious organization (the "Applicant") is entered into pursuant to Arizona Revised Statutes § 9-500.05 as of the _____ day of _____, 2008.

RECITALS

WHEREAS the Town hereby agrees to the extension of its water and sewer distribution systems ("Distribution Systems"); and

WHEREAS the Applicant has applied to the Town for permission to extend such water and sewer lines necessary of the Distribution Systems to serve the real property described in Exhibit "A", attached hereto;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the parties hereby promise and agree as follows:

1. The Applicant shall lay and construct said water and sewer lines and appurtenances pursuant to the plan and profile thereof showing the location of water lines, sizes of lines, location of valves and other appurtenances, such plans having been prepared by the Applicant, and approved by the Town, and attached hereto as "Exhibit B". The Applicant shall give written notice of the date of commencement of such work to the Utilities Director at least seven (7) days prior to the commencement thereof, and submit said plans for a construction permit as required by Town ordinance.

2. Before commencement of any work herein agreed upon, the Applicant shall submit a request for a Work in the Right-of-Way permit.

3. The Applicant shall, in good and first class workmanlike manner, and at Applicant's own cost and expense, including equipment and labor, perform all work necessary to construct said water and sewer lines in a manner meeting or exceeding all of the specifications and requirements of the Town. Applicant shall perform all work in strict compliance with the plans and specifications, as approved by the Town.

4. The Town agrees to furnish all the materials as outlined in the accompanying Engineers Materials Estimate in an amount of up to, but not exceeding \$97,588.71, as shown in Exhibit "C", attached hereto. The Town shall purchase all of said materials off of the approved State of Arizona bid, to ensure that said materials have been obtained by a competitive bid process by the State of Arizona.

5. The Applicant agrees to hold the Town harmless and to indemnify the Town against any liability for damages of claims by reason of such construction.

6. The Applicant and/or Applicant's Contractor shall furnish a Performance Bond in the amount of the construction excluding the cost of materials, in a form satisfactory to the Town.

7. At all times during the progress of said construction work, the Town shall have the right, at the Applicant's cost and expense, to inspect, including chlorination and line test, the materials, workmanship and all parts of the construction of said Distribution System. All work done shall be completed to the satisfaction of the Town. Any work done not conforming to the specifications of the Town for said work shall be removed and replaced to the satisfaction of the Town at the Applicant's expense.

8. Upon completion of the Distribution System as herein provided, and acceptance thereof by the Town, and the performance by the Applicant of all the requirements herein, the Town agrees to permit the connection of the Distribution System to the distribution system of the Town, such connection to be at the sole expense of the Applicant, but under the supervision and direction of the Town, and subject to Town's inspection.

9. Upon completion of said Distribution System in accordance with the terms and provisions hereof, it shall become a part of the distribution system of the Town; and the Town shall be the sole owner thereof. Thereafter the Town shall be responsible for future maintenance of said Distribution System.

IN WITNESS WHEREOF the parties have executed this agreement on the day and year first above written.

TOWN OF CLARKDALE

VERDE VALLEY CHRISTIAN CHURCH

By: _____
Doug Von Gausig, Mayor

By: _____
Its: _____

ATTEST:

By: _____
Kathy Bainbridge, Town Clerk

APPROVED AS TO FORM:

Robert S. Pecharich, Town Attorney

EXHIBIT A

This map has been provided for informational purposes only and is not necessarily engineering accuracy. Every effort has been made to ensure this map is as accurate as possible. The Town of Clarkdale shall assume no liability for the information contained on this map.

Exhibit-A

Legend

-  Streets
-  Clarkdale_Boundary
-  Clarkdale Parcel
-  Proposed Sewer / Water Lines
-  Parcel No. 400-07-005

Parcel No. 400-07-005

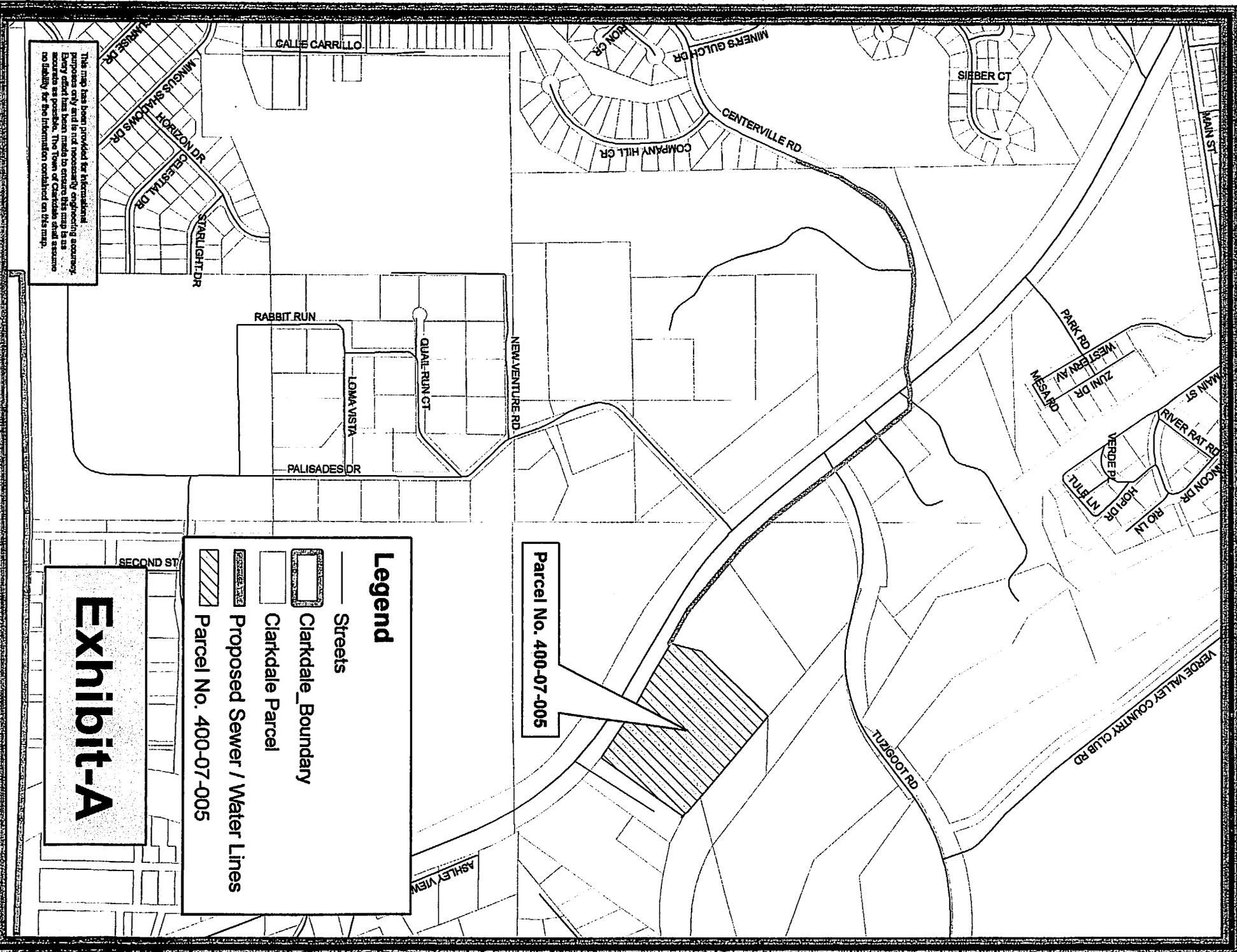


EXHIBIT B

Price Proposal for
Water line Centerville Road
 Approx. 1600 LF Sta # 26+00- Broadway Rd

Item No.	Description	Qty	Unit	Unit Price inc. Tax	Total
	8" DIP Water	1600	LF	\$44.31	\$70,896.00
	8" Valve Box and Cover	5	EA	\$1,392.60	\$6,963.00
	8" Cap	1	EA	\$316.50	\$316.50
	Hydrant & 6" Valve	1	EA	\$3,554.93	\$3,554.93
	Replace Subgrade/inc Survey	1	LS	\$14,179.20	\$14,179.20
	Quality Control	1	LS	\$3,165.00	\$3,165.00
Option	Air Release Valve	1	EA	\$1,350.00	\$1,350.00
TOTAL					\$100,424.63

EXHIBIT C



P.O. Box 1245
1010 N. Main St.
Cottonwood, Arizona 86326
Tel 928-639-0776
Fax: 928-639-3801

2/15/2008

Ron Doba, Utilities Director
Town of Clarkdale
P.O. Box 308
890 Main Street
Clarkdale, AZ 86324

Re: Material Cost for the Broadway water and sewer (Verde Valley Christian Church)

Dear Mr. Doba

As requested, we have solicited and received quotations for the materials for the above project. I have attached the quoted prices for your review. The following is a breakdown of the material cost for the above referenced project:

Most responsive supplier for pipe and fixtures **HD supply** at \$64,463 plus tax

Bedding material **Hanson Aggregate @ \$8.75 ton +/- 1,000 tons cost \$8,750 plus tax**

Concrete slurry **Hanson Aggregate @ \$100 CY +/- 100 CY cost \$10,000 plus tax**

Misc. Asphalt Paving **Hanson Aggregate @ \$60 ton +/- 10 tons \$600 plus tax**

Manholes Yavapai Precast

48" Manhole bases \$426 each 4 cost of \$1704 plus tax

48" barrel \$63 ft +/- 12ft cost \$756 plus tax

24" grade rings \$40 each 8 cost \$320 plus tax

Joint sealant \$11 per roll 12 cost of \$132 plus tax

Manhole frame and cover \$289 each 4 cost of \$1,156 plus tax

Delivery to Clarkdale \$340 plus tax

Ron Doba, Utilities Director
Town of Clarkdale
P.O. Box 308
890 Main Street
Clarkdale, AZ 86324
Material Cost for the Broadway water and sewer (Verde Valley Christian Church)

60" Manhole bases \$565 each 2 cost of \$1,130 plus tax

60" barrel \$85 ft +/- 12ft cost \$1,020 plus tax

24" grade rings \$40 each 4 cost \$160 plus tax

Joint sealant \$11 per roll 12 cost of \$132 plus tax

Manhole frame and cover \$289 each 2 cost of \$578 plus tax

Delivery to Clarkdale \$340 plus tax

Total Material Cost \$91,581 tax \$6,007.71

Total opinion of cost \$97,588.71

Please feel free to give me telephone call if you have any questions.

Respectfully,



Tom L. Pender, P.E.

Attachments: Material Quotes

C: Matt Fabritz, VVCC