



Legislation Details (With Text)

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**File created:** 9/26/2018      **In control:** Road and Drainage District Governing Body

**On agenda:** 10/23/2018      **Final action:** 10/23/2018

**Title:** Drainage Easement Agreement Between MQ Coco Plum LLC and North Port Road and Drainage District for Proposed Gateway at Cocoplum Development

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit 1 - Drainage Easement Agreement, 2. Exhibit A - Drainage Easement Sketch and Description, 3. PowerPoint Presentation

Date	Ver.	Action By	Action	Result
10/23/2018	1	Road and Drainage District Governing Body	motion to approve	Pass

**TO:** Honorable Mayor & Members of the North Port Commission

**FROM:** Peter D. Lear, CPA, CGMA, City Manager

**TITLE:** Drainage Easement Agreement Between MQ Coco Plum LLC and North Port Road and Drainage District for Proposed Gateway at Cocoplum Development.

**Recommended Action**

Approve Drainage Easement Agreement Between MQ Coco Plum LLC and North Port Road and Drainage District for Proposed Gateway at Cocoplum Development.

**Background Information**

Currently, in a severe storm, water in the Cocoplum Waterway overflows through a low area along the waterway's south bank, into a shallow ditch across the proposed Gateway at Cocoplum development towards the US 41 stormwater drainage swale. The proposed Gateway at Cocoplum Development is located at the northeast corner of US 41 and Salford Boulevard.

The developer, MQ Coco Plum LLC, proposes to redirect the stormwater through a new underground piped conveyance system to be installed by the developer. This will allow road and parking to be constructed over the underground piped conveyance system. Exhibit 1, Drainage Easement Agreement, is proposed to be executed between the developer and the North Port Road and Drainage District to allow continuation of the Cocoplum Waterway overflow into the new underground piped conveyance system. Exhibit A contains the proposed Drainage Easement Sketch and Description. The sufficiency of the piped conveyance system was reviewed and approved by the City's Stormwater Manager through the site development review (SDR) process under project number MAS-16-023.

Following are key points in the drainage easement:

- The Developer (Grantor) shall install, operate and maintain the new underground piped conveyance system in perpetuity.
- The City (Grantee) shall assist only if needed in emergencies or if Grantor fails to maintain/repair the system and

public health and safety is at risk from a stormwater drainage backup.

- In such instances, the Grantee will be allowed access to perform the needed work and Grantor shall reimburse Grantee for all reasonable costs and expenses.

The Exhibit 1 Drainage Easement Agreement and Exhibit A - Drainage Easement Sketch and Description have been reviewed and approved by the City Attorney.

The Exhibit A - Drainage Easement Sketch and Description have been reviewed and approved by the City's contracted Surveyor.

### **Strategic Plan**

Infrastructure

### **Financial Impact**

Not applicable.

### **Procurement**

Not applicable.

Attachments:

1. Exhibit 1 - Drainage Easement Agreement
2. Exhibit A - Drainage Easement Sketch and Description
3. PowerPoint Presentation

**Prepared by:** Elizabeth Wong, P.E., Stormwater Manager

**Department Director:** Juliana B. Bellia