



BOARD OF SCHOOL TRUSTEES

KELLER INDEPENDENT SCHOOL DISTRICT

6C. Action

Date: February 13, 2006

SUBJECT: COMPROMISE SETTLEMENT AGREEMENT AND RELEASE

BOARD GOAL: All systems in the Keller Independent School District will be effective, efficient, and accountable in support of the district's mission

FISCAL NOTE: None

Background Information:

- The district is constructing an elementary school located at 11773 Brae Birch Lane in the northwest portion of the district
- In late fall, it was discovered that a portion of the above-named site was altered without the knowledge or consent of the district by a homebuilder or other party developing property adjacent to the school site
 - The site was altered in such a way that water that previously drained directly from the district's site into the public drainage system was now going to drain onto the adjoining property in violation of the district's permit
 - It was determined by the district's engineer that the construction of a retaining wall approximately 527 linear feet in length was the most feasible way of maintaining the drainage plan that was originally approved by the City of Fort Worth

Administrative Considerations:

- The developer of the adjoining property, Centurion American, has agreed to construct the retaining wall as designed by the district, subject to the supervision of the district's construction manager
 - The district shall bear no cost in the construction of the retaining wall
 - The developer will be held to the same requirements and conditions as would be any contractor doing construction work for the district

- A copy of the agreement with the developer is included
- The district's engineer will be available to address questions regarding the design and function of the retaining wall

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The Administration recommends that the Board approve the Compromise Settlement Agreement and Release as submitted herein.

Respectively submitted,

Bill Stone
Asst. Superintendent of Business Operations