

**RESOLUTION NO. 2017-02-XXX (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A UTILITY IMPACT FEE CREDIT AGREEMENT FOR THE CONSTRUCTION OF AN OVERSIZED OFF-SITE SANITARY SEWER MAIN AND RELATED INFRASTRUCTURE IMPROVEMENTS, WITH GFB MCKINNEY II, LLC, BEING EXTENDED TO THE VINEYARDS PH. 1 ADDITION AND VINEYARDS PHASE II ADDITION**

**WHEREAS,** the City has discussed entering into a Utility Impact Fee Credit Agreement with GFB McKinney II, LLC (“Developer”) for the installation of an oversized off-site sanitary sewer main, in order to serve the Developer’s property and future development in the area; and

**WHEREAS,** the Developer is developing approximately 63.79 acres of land, known as The Vineyards Ph. 1 Addition and Vineyards Phase II Addition, generally located along the south side of Collin McKinney Parkway and approximately 300 feet east of Stacy Road; and

**WHEREAS,** the City’s Wastewater Collection System Master Plan requires the extension of a wastewater main that is larger than the City’s standard twelve-inch (12”) diameter wastewater mains, and which is also larger than the wastewater main required to serve the Subdivision; and

**WHEREAS,** the Developer has agreed to extend the oversized main and all necessary appurtenances related to the oversized main to the property in exchange for a combination of utility impact fee credits and cash reimbursement for the difference in cost to construct the oversized main as compared to the cost to construct the City’s minimum standard twelve-inch (12”) diameter line; and

**WHEREAS,** the Developer will receive utility impact fee credits, calculated in accordance with the Ordinance, totaling 471.04 Service Unit Equivalents; and

**WHEREAS,** the City Council of the City of McKinney concurs that the agreement is beneficial to both the City and the development.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:**

Section 1. The City Council of the City of McKinney, Texas, hereby authorizes the City Manager to enter into a Utility Impact Fee Credit Agreement for the oversizing of a master-planned sanitary sewer line, with GFB McKinney II, LLC.

Section 2. The impact fee credits that shall attach to the property under the associated agreement are 471.04 Service Unit Equivalents. Following full development of the property, the City may reimburse the Developer for any unused Service Unit Equivalents, in an amount not to exceed \$33,073.23.

Section 2. The City Council hereby authorizes using funds from WW4354 (Undesignated Oversize Participation) to fulfill the obligations of this agreement.

Section 3. This Resolution shall take effect immediately from and after the date of passage and is so resolved.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 21<sup>ST</sup> DAY OF FEBRUARY, 2017.**

CITY OF MCKINNEY, TEXAS

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BRIAN LOUGHMILLER  
Mayor

ATTEST:

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SANDY HART, TRMC, MMC  
City Secretary  
Denise Vice, TRMC  
Assistant City Secretary

APPROVED AS TO FORM:

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MARK S. HOUSER  
City Attorney