

RESOLUTION NO. 2017-05-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 WATER MAIN AND RELATED INFRASTRUCTURE IMPROVEMENTS, WITH CROSS DEVELOPMENT, LLC, BEING EXTENDED TO THE CALIBER COLLISION NORTHWEST ADDITION

WHEREAS, the City has discussed entering into a Utility Impact Fee Credit Agreement with Cross Development, LLC (“Developer”) for the installation of an oversized water main, in order to serve the Developer’s property and future development in the area, and;

WHEREAS, Developer is developing approximately 6.026 acres of land, known as Caliber Collision Northwest Addition, generally located along the east side of Custer Road and approximately 500 feet north of U.S. Highway 380, and;

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

WHEREAS, 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, Developer will receive utility impact fee credits, calculated in accordance with the Ordinance, totaling 62.81 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 water line, with Cross Development, LLC.

Section 2. The impact fee credits that shall attach to the property under the associated agreement are 62.81 Service Unit Equivalents. Following the City’s acceptance of the 18” water main, the City may reimburse the Developer for any unused Service Unit Equivalents, in an amount not to exceed \$75,625.82.

Section 3. Impact fees paid by the Developer for Lot 1, Block A, prior to earning impact fee credits described in the associated agreement, may also be refunded by the City, in an amount not to exceed \$5,696.68.

Section 4. The City Council hereby authorizes using funds from WA4337 (Undesignated Oversize Participation) to fulfill the obligations of the oversize reimbursement, in an amount not to exceed \$75,625.82.

Section 5. 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 16th DAY OF MAY, 2017.

CITY OF MCKINNEY, TEXAS

BRIAN LOUGHMILLER
Mayor

ATTEST:

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

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney