



## Legislation Details (With Text)

<b>File #:</b>	21-0240	<b>Version:</b>	1	<b>Name:</b>	Transportation Development Agreement with GCMUD 80
<b>Type:</b>	Agenda Item	<b>Status:</b>			Approved
<b>File created:</b>	4/15/2021	<b>In control:</b>			Engineering
<b>On agenda:</b>	4/27/2021	<b>Final action:</b>			4/27/2021
<b>Title:</b>	Consider and take action on a resolution approving the Transportation Development Agreement associated with Galveston County Municipal Utility District No. 80 as it relates to conditions set forth in the City's Master Mobility Plan and the existing Utility Agreement between the City and Galveston County Municipal Utility District No. 80 (Director of Engineering)				

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**Attachments:** 1. Data Sheet, 2. Proposed Resolution, 3. Exhibit A - M.U.D. 80 Transportation Development Agreement, 4. M.U.D. 80 Utility Agreement - Section 8.03, 5. City calculated Capital Recovery Fees Information

Date	Ver.	Action By	Action	Result
4/27/2021	1	City Council	Approved	Pass

Consider and take action on a resolution approving the Transportation Development Agreement associated with Galveston County Municipal Utility District No. 80 as it relates to conditions set forth in the City's Master Mobility Plan and the existing Utility Agreement between the City and Galveston County Municipal Utility District No. 80 (Director of Engineering)

In May 2020, City Council approved the M.U.D. 80 Utility Agreement (UA). Section 8.03 of the UA requires the City and the Developer to enter into a Transportation Development Agreement (TDA) whereby the City shall award Impact Fee Credit to the Developer equal to the costs associated with the design and construction of certain roadways shown on the City's Master Mobility Plan.

The UA assumed that the Developer would develop a subdivision of approximately 407 single family homes and estimated that a total Roadway Capital Recovery Fee (CRF) of \$1,986,160 would be collected. In lieu of collecting these fees, the Developer will construct the remaining 2 lanes of League City Parkway (LCP) from approximately Magnolia Creek to the Maple Leaf Drive intersection (referred to as "Additional Extension Project"). The UA also noted that (a) if the 2-lane section of LCP cost more than the fees collected, the City would reimburse the Developer for overages, or (b) if the 2-lane section of LCP did not use all of the fees expected to be collected, then the City will credit the remaining fees to the Developer towards the cost of design and construction of the 4-lane LCP segment from Campbell Elementary to the CoLC City Limits with the City of Friendswood.

The attached TDA is required per the UA and details how construction will be handled and how fees will be addressed, but a summary of this agreement is as follows:

This development falls in the City's Transportation Service Area 4 which has a collection rate of \$4,491.20 per single family home. The Developer has presented a preliminary plan for the subdivision and it is expected that there will be approximately 380 single family lots which would equate to a total CRF collection of \$1,706,656 when the development is fully built out.

To build the remaining 2-lanes of LCP from approximately Magnolia Creek to the Maple Leaf Drive intersection is estimated to cost \$1,191,053 which would leave approximately \$515,603 for the City to either (a) reimburse the

Developer or (b) apply towards the reconstruction of the 4-lane segment of LCP (Campbell Elementary to City of Friendswood City Limits). To build this 4-lane segment of LCP is estimated to cost \$1,639,707.

The Developer has agreed to build all segments of LCP if the City will waive Roadway CRFs for their development. In essence the Developer is willing to pay for \$2,830,760 worth of roadway improvements for a waiver of \$1,706,656 in Roadway CRFs. In return the City will agree to the following:

- As long as the Developer has awarded construction contracts for the LCP improvements (both 2-lane and 4-lane segments) and all portions of LCP is substantially complete with the exception of the portion over Magnolia Creek, the City will allow permits for Section 1 of the development to be issued assuming all other requirements for permitting have been met,
- The 2-lane portion of LCP between Maple Leaf Drive and Westover Park Avenue will be constructed concurrently with the Section 1 public improvements of the development (unless Section 1 is 20 lots or less, then constructed with Section 2),
- The 2-lane portion of LCP between Westover Park Avenue and Magnolia Creek will be constructed concurrently with the public improvements for production lots south of LCP.

The Developer has also agreed that prior to platting more than 150 lots within the development, a second point of entry into the development will be provided. This point of entry will require the Developer to design and begin construction of a roadway within the existing McFarland Drive ROW that will connect to both the development and LCP. The roadway will be completed and dedicated to the City prior to the Developer reaching 250 developed lots.

Staff recommends approval of this agreement.

**Attachments:**

1. Data Sheet
2. Proposed Resolution
3. M.U.D. 80 Transportation Development Agreement
4. M.U.D. 80 Utility Agreement - Section 8.03
5. City calculated Capital Recovery Fees Information

CONTRACT ORIGINATION: Transportation Development Agreement with Galveston County Municipal Utility District No. 80 reviewed and approved by City Attorney's office

**FUNDING**

{X} NOT APPLICABLE

**STRATEGIC PLANNING**

{ X } Addresses Strategic Planning Critical Success Factor #1 - Develop & Maintain our Infrastructure