



ENGINEERING SERVICES

To: Mayor and Town Council

From: Hulon T. Webb, Jr., P.E., Director of Engineering Services

Through: Mario Canizares, Town Manager
Chuck Ewings, Assistant Town Manager

Re: Wastewater Impact Fees Reimbursement Agreement
(Park Place and Prosper Hills)

Town Council Meeting – September 26, 2023

Strategic Visioning Priority: 1. Acceleration of Infrastructure

Agenda Item:

Consider and act upon authorizing the Town Manager to execute a Wastewater Impact Fees Reimbursement Agreement between PPP 100 DEV LLC, PROSPER HILLS LP, and the Town of Prosper, Texas, related to the extension of a wastewater line to serve the Park Place and Prosper Hills developments.

Description of Agenda Item:

PPP 100 DEV LLC, and PROSPER HILLS LP, are developing the Park Place and Prosper Hills developments and are planning on constructing a ten-inch (10") wastewater line, as depicted on the Town of Prosper Wastewater Master Plan. Since the proposed wastewater line is depicted on the Town of Prosper Wastewater System Capital Improvement Plan, the actual costs for the design and construction of the improvements are eligible for reimbursement of wastewater impact fees collected by the development.

The purpose of the Wastewater Impact Fees Reimbursement Agreement is to outline the obligations of the Town of Prosper, PPP 100 DEV LLC, and PROSPER HILLS LP, related to the design, construction, and reimbursement of collected wastewater impact fees to fund the projects.

Budget Impact:

The total estimated cost for the design and construction of the wastewater line is \$186,169. The current anticipated wastewater impact fees owed by the Park Place and Prosper Hills developments are \$1,046,962. In the event that full reimbursement has not been made to PPP 100 DEV LLC, and PROSPER HILLS LP, by the Town after the expiration of ten (10) years from the date of the Town's acceptance of the wastewater line, the Town will reimburse PPP 100 DEV LLC, and PROSPER HILLS LP, any shortfall.

Legal Obligations and Review:

Terrence Welch of Brown & Hofmeister, L.L.P., has reviewed the agreement as to form and legality. PPP 100 DEV LLC, and PROSPER HILLS LP, will contribute up to \$2,000 towards the legal preparation fees.

Attached Documents:

1. Town of Prosper Wastewater System Capital Improvement Plan
2. Wastewater Impact Fees Reimbursement Agreement

Town Staff Recommendation:

Town staff recommends that the Town Council authorize the Town Manager to execute a Wastewater Impact Fees Reimbursement Agreement between PPP 100 DEV LLC, PROSPER HILLS LP, and the Town of Prosper, Texas, related to the extension of a wastewater line to serve the Park Place and Prosper Hills developments.

Proposed Motion:

I move to authorize the Town Manager to execute a Wastewater Impact Fees Reimbursement Agreement between PPP 100 DEV LLC, PROSPER HILLS LP, and the Town of Prosper, Texas, related to the extension of a wastewater line to serve the Park Place and Prosper Hills developments.