



ENGINEERING SERVICES

To: Mayor and Town Council

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

Through: Bob Scott, Interim Town Manager
Chuck Ewings, Executive Director of Development and Infrastructure Services

Re: Professional Engineering Services Agreement - Freese and Nichols, Inc.
Water, Wastewater, and Roadway Impact Fee Update

Town Council Meeting – February 14, 2023

Agenda Item:

Consider and act upon authorizing the Interim Town Manager to execute a Professional Engineering Services Agreement between Freese and Nichols, Inc., and the Town of Prosper, Texas, related to the Water, Wastewater, and Roadway Impact Fee Update project.

Description of Agenda Item:

Chapter 395 of the Texas Local Government Code requires an impact fee analysis before impact fees can be created and assessed. Chapter 395 defines an impact fee as “a charge or assessment imposed by a political subdivision against new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to the new development.” Chapter 395 identifies impact fee eligible costs, which includes fees paid to the consultant preparing or updating the impact fee Capital Improvement Plan (CIP). Chapter 395 also requires that a political subdivision imposing an impact fee update the land use assumptions and capital improvements plan at least every five years. The Town of Prosper adopted its current water, wastewater, and roadway impact fees on February 28, 2017.

The purpose of this project is to update the Town’s water, wastewater, and roadway CIP and impact fees in accordance with Chapter 395 of the Texas Local Government Code. Major tasks include the following, and are further detailed in the attached agreement:

- Kickoff Meeting, Data Collection & Land Use Assumptions
- Water and Wastewater System Analysis and CIP Update
- Water and Wastewater Impact Fee Analysis
- Roadway Impact Fee Analysis
- Impact Fee Report Development and Meeting Attendance

At the April 9, 2019, Town Council meeting, the Town Council approved a list of qualified engineering firms, which included services for engineering studies. Freese and Nichols, Inc., is included on the list and has successfully completed several projects for the Town including the previous 2006, 2011, and 2017 Water, Wastewater, and Roadway Impact Fee Update projects.

Budget Impact:

The cost for the Water, Wastewater, and Roadway Impact Fee Update project is \$299,600. The 2022-2023 Capital Improvement Program includes funding in the following accounts, 630-5410-50-00-2210-WA (\$100,000), 640-5410-50-00-2210-WW (\$100,000), 660-5410-50-00-2210-ST (\$50,000), and in 680-5410-50-00-2210-ST (\$50,000), for a total budget of \$300,000.

Legal Obligations and Review:

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the standard Professional Engineering Services Agreement as to form and legality.

Attached Documents:

1. Professional Engineering Services Agreement

Town Staff Recommendation:

Town staff recommends that the Town Council authorize the Interim Town Manager to execute a Professional Engineering Services Agreement between Freese and Nichols, Inc., and the Town of Prosper, Texas, related to the Water, Wastewater, and Roadway Impact Fee Update project.

Proposed Motion:

I move to authorize the Interim Town Manager to execute a Professional Engineering Services Agreement between Freese and Nichols, Inc., and the Town of Prosper, Texas, related to the Water, Wastewater, and Roadway Impact Fee Update project.