



## ENGINEERING SERVICES

**To:** Mayor and Town Council

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

**Through:** Harlan Jefferson, Town Manager  
Rebecca Zook, Executive Director of Development & Infrastructure Services

**Re:** Town Council Meeting – April 12, 2022

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### **Agenda Item:**

Consider and act upon authorizing the Town Manager to execute a Roadway Construction Reimbursement Agreement between MSW Prosper 380 II, LP, and the Town of Prosper, Texas, related to the construction of roadways within the Town's Tax Increment Reinvestment Zone No. 2 (TIRZ No. 2).

### **Description of Agenda Item:**

MSW Prosper 380 II, LP, is proposing to construct the following roadways within the boundaries of the Town's Tax Increment Reinvestment Zone No. 2 (TIRZ No. 2):

- 4 lanes concrete pavement: Mahard Parkway from Toyota and Texas Health Resources, extending north to the intersection of Prairie Drive.
- 4 lanes concrete pavement: Prairie Drive from the intersection of Mahard Parkway, extending east to the intersection of Shawnee Trail.
- 4 lanes concrete pavement: Shawnee Trail from the intersection of Prairie Drive, extending north to the future intersection of Lovers Lane.
- 4 lanes concrete pavement: Prairie Drive East from the intersection of Shawnee Trail, extending east to the Dallas North Tollway.

The construction of the roadways also includes installation of underground utilities (water, sanitary sewer and storm drainage), median landscaping and street lighting.

The purpose of the Roadway Construction Reimbursement Agreement is to outline the obligations of the Town of Prosper and MSW Prosper 380 II, LP related to the design, construction, and reimbursement from funds collected in TIRZ No. 2.

**Budget Impact:**

The estimated cost for the design and construction of the proposed roadways within TIRZ No. 2 is approximately \$14,399,970.

**Legal Obligations and Review:**

Terrence Welch of Brown & Hofmeister, L.L.P., has reviewed the agreement as to form and legality. MSW Prosper 380 II, LP, agrees to pay the Town reasonable attorney's fees charged to the Town by the Town's legal counsel associated with preparation and negotiation of this Agreement, in an amount not to exceed \$3,000.

**Attached Documents:**

1. Roadway Construction Reimbursement Agreement

**Town Staff Recommendation:**

Town staff recommends that the Town Council authorize the Town Manager to execute a Roadway Construction Reimbursement Agreement between MSW Prosper 380 II, LP, and the Town of Prosper, Texas, related to the construction of roadways within the Town's Tax Increment Reinvestment Zone No. 2 (TIRZ No. 2).

**Proposed Motion:**

I move to authorize the Town Manager to execute a Roadway Construction Reimbursement Agreement between MSW Prosper 380 II, LP, and the Town of Prosper, Texas, related to the construction of roadways within the Town's Tax Increment Reinvestment Zone No. 2 (TIRZ No. 2).