

RESOLUTION NO. _____

A RESOLUTION APPROVING A DEVELOPER PARTICIPATION CONTRACT BETWEEN THE CITY OF MANSFIELD AND HMH GARDEN HEIGHTS, LP FOR COST PARTICIPATION FOR DRAINAGE IMPROVEMENTS ALONG NATIONAL PARKWAY ADJACENT TO THE GARDEN HEIGHTS, PHASE FOUR ADDITION; APPROPRIATING FUNDS; AND DIRECTING AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE DEVELOPER PARTICIPATION CONTRACT.

WHEREAS, Garden Heights, Phase Four, (the “Development”) is a residential development in the City of Mansfield, which has been platted and is under construction plan review; and

WHEREAS, the Development has frontage on the north side of National Parkway where there is a large capacity storm drainage route; and

WHEREAS, HMH Garden Heights, LP (the “Developer”) has agreed to construct approximately 780 feet of the off-site drainage improvements along National Parkway in underground box culverts instead of as an open channel; and

WHEREAS, the City has agreed to fund the extension of the construction of the underground box culvert drainage to the west of Sage Drive by approximately 405 feet; and

WHEREAS, the City of Mansfield Engineering staff has concluded that it is necessary to construct these off-site public improvements for the ultimate widening of National Parkway; and

WHEREAS, the Developer will construct the offsite drainage improvements with the subdivision and the City will participate in the cost of a portion of the improvements upon completion and acceptance as specified in the Developer Participation Contract; and

WHEREAS, the expenditure of the funds stated herein will be secured from the Drainage Utility Fund and through Roadway Impact Fee credits as specified in the Developer Participation Contract; and

WHEREAS, it is recognized that it is in the best interest of the citizens of the City of Mansfield that the construction provided for herein be started at the earliest possible date to ensure necessary service and delivery.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THAT:

SECTION 1.

The City Manager is hereby authorized and directed to execute the Developer Participation Contract attached hereto with HMM Garden Heights, LP for cost participation for drainage improvements adjacent to the Garden Heights, Phase Four Addition.

SECTION 2.

Funding is hereby authorized in the amount of Two Hundred Nineteen Thousand Four Hundred and 00/100 Dollars (\$219,400) from the Drainage Utility Fund, to be paid to the Developer at the time of acceptance of the public improvements by the City.

SECTION 3.

Roadway Impact Fee credits are hereby authorized for Garden Heights, Phase Four in the amount of One Hundred Sixty Thousand Six Hundred and 00/100 Dollars (\$160,600), to be credited at the time of building permits, not in the form of cash payment from the City.

PASSED AND APPROVED THIS THE 23rd day of January, 2017.

David L. Cook, Mayor

ATTEST:

Jeanne Heard, City Secretary