



## Legislation Text

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File #: TMP-2249, Version: 1

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**Consider approving Resolution No. 2017-052 authorizing an Agreement for Developer Assumption of Texas Department of Transportation Advance Funding Agreement Project with CADG Mercer Crossing Holding, LLC regarding for U-turns lanes on IH635 service road east of Luna Road; and take appropriate action.**

### BACKGROUND:

February 14, 2017, the City Council approved Resolution No. 2017-028 providing for the establishment of Mercer Crossing Public Improvement District in accordance with a petition request from a property owner representing greater than 50% of the property within the requested district. The developer CADG Mercer Crossing Holdings, LLC has requested public improvements associated with the development of the property located on the west side. They are requesting a U-turn on the east and westbound frontage road along IH635 located 2950 feet east of Luna Road.

### DISCUSSION:

The Developer's Construction Agreement sets forth provisions to public improvements associated with development of the property that were stated in the original Mercer Crossing Public Improvement District. All funding for the construction will be provided by the developer.

The provision to have the east and westbound U-turns along IH635 service road 2950 feet east of Luna Road requires Texas Department of Transportation approval. In order to construct the improvements, the developer is given the option to advance the funds for the construction of the U-turns in the amount of \$738,108.00.

This is a companion item to the Local Project Advance Funding Agreement with the Texas Department of Transportation.

### RECOMMENDATION:

City Administration recommends approving Resolution No. 2017-052 authorizing an Agreement for Developer Assumption of Texas Department of Transportation Advance Funding Agreement Project with CADG Mercer Crossing Holding, LLC regarding for U-turns lanes on IH635 service road east of Luna Road.

### POSSIBLE COUNCIL ACTION:

1. I move to approve Resolution No. 2017-052 authorizing an Agreement for Developer Assumption of Texas Department of Transportation Advance Funding Agreement Project with CADG Mercer Crossing Holding, LLC regarding for U-turns lanes on IH635 service road east of Luna Road.
2. I move to approve Resolution No. 2017-052 authorizing an Agreement for Developer Assumption of Texas Department of Transportation Advance Funding Agreement Project with CADG Mercer Crossing Holding, LLC regarding for U-turns lanes on IH635 service road east of Luna Road, with modifications.
3. I move to table the issue for further study or take no action.

### ATTACHMENTS:

1. Location Map

2. Resolution No. 2017-052
3. Developer Assumption of TxDOT Advance Funding Agreement