

# Mayor and Council Communication

DATE: 08/27/24

M&C FILE NUMBER: M&C 24-0751

LOG NAME: 20KELLER HICKS ROAD IMPROVEMENTS

**SUBJECT**

(CD 10) Adopt Appropriation Ordinance to Provide Additional Funding for the Keller Hicks Road from Lauren Way to US 377 Project in the Amount of \$371,847.00, and Amend the Fiscal Years 2024-2028 Capital Improvement Program

**RECOMMENDATION:**

It is recommended that the City Council:

1. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Developer Contribution Fund in the amount of \$371,847.00 from available Developer Cash Contributions for the purpose of funding the Keller Hicks Road from Lauren Way to US 377 project (City Project No. 100146); and
2. Amend the Fiscal Years 2024-2028 Capital Improvement Program.

**DISCUSSION:**

On October 17, 2023, the City Council authorized a Construction Contract with McMahon Contracting for Keller Hicks Road from Lauren Way to US 377 (M&C 23-0886). On January 31, 2024, D.R. Horton - Texas LTD, entered into a Future Improvement Agreement (City Secretary No. 60879) with the City to provide funding for its share of the cost of the Keller Hicks Road improvements, as part of the requirements of its adjacent single-family residential project.

The purpose of this M&C is to appropriate eligible Future Improvement Agreement funding from D.R. Horton - Texas LTD, in the amount of \$371,847.00 for Keller Hicks Road from Lauren Way to US 377. This project will improve the existing two-lane asphalt road with a three-lane concrete road, including a center turn lane, ten-foot shared paths, drainage, and illumination improvements. The amount is the estimated construction, material testing, and inspection costs for which the developer is responsible in conformance with development policies.

This project is included in the 2018 Bond Program. The funding for this project is shown in the following table:

Fund	Existing Funding	Additional Funding	Project Total
34018 - 2018 Bond Program Fund	\$2,255,067.00		\$2,255,067.00
30108 - Transportation Impact Fee Capital Fund	\$2,998,523.13		\$2,998,523.13
30106 - Intergovernmental Contribution Fund	\$1,499,303.60		\$1,499,303.60
30100 - General Capital Projects	\$2,744,933.00		\$2,744,933.00
34017 - Tax Note 2017 Fund	\$100,000.00		\$100,000.00
39008 - Transportation Impact Fee Capital Legacy Fund	\$411,476.87		\$411,476.87
30104 - Developer Contribution Fund		\$371,847.00	\$371,847.00
<b>Project Total</b>	<b>\$10,009,303.60</b>	<b>\$371,847.00</b>	<b>\$10,381,150.60</b>

Funding for this Developer Contribution was not included in the Fiscal Years 2024-2028 Capital Improvement Program (CIP) because the Future Improvements Agreement was not executed at the time. The action in this M&C will amend the Fiscal Years 2024-2028 Capital Improvement Program as approved in connection with Ordinance 26453-09-2023.

Funding is budgeted in the Developer Contribution Fund for the TPW Dept Highway & Streets Department for the purpose of funding the Keller Hicks Rd (377 to Katy) projects.

The project is located in COUNCIL DISTRICT 10

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that funds are currently available in the Unspecified-All Funds project within the Developer Contribution Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available in the Developer Contribution Fund for the Keller Hicks Rd (377 to Katy) project. Prior to an expenditure being incurred, the Transportation & Public Works Department has the responsibility of verifying the availability of funds.

**Submitted for City Manager's Office by:**    Jessica McEachern    5804

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