



## COUNCIL AGENDA ITEM MEMORANDUM

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**DEPT./DIVISION SUBMISSION & REVIEW:**

Brynn Myers, City Manager  
Erin Smith, Assistant City Manager

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a Developer Participation Agreement with The Ridge at Knob Creek Land Investments, LLC for the construction of a lift station serving approximately 263 acres of land, 2,150 linear feet of 12" gravity sewer, 2,500 linear feet of 8" gravity sewer, 1,300 linear feet of force main, removal of the existing Waters Edge lift station, and, in a future phase of the development, removal of the existing Crestview lift station off 40th Street, in a total not to exceed amount of \$3,028,970.

**BACKGROUND:** The Ridge at Knob Creek Land Investments, LLC ("Developer") is in the process of developing the first phase of the Ridge at Knob Creek development to include single family homes, duplexes, and commercial located along the west side of Loop 363 just south of the Doshier Farm Wastewater Treatment Plant. The City and Developer desire to enter into a Developer Participation Agreement pursuant to the Pro Rata Ordinance adopted by the Temple City Council on September 19, 2024. The Developer understands that the City will participate in the construction of a lift station serving 263 acres of land, gravity sewer mains and force mains connecting lift stations, removal of the existing Waters Edge lift station, and, in a future phase of the development, removal of the existing Crestview lift station off 40<sup>th</sup> Street up to the not to exceed amount of \$3,028,970, or 100% of the actual costs of the improvements, whichever is less.

The City's total contribution to the Project will not exceed \$3,028,970; this amount is reimbursable to Developer upon presentation of paid invoices to the City showing funds expended towards the Project.

Developer's obligations for the Project are as follows:

- Create a plat and engineered construction plans for the approximately 92.68 acres of land located in the Crestview Neighborhood.
- Construct the Knob Creek Regional Lift Station to serve 153 acres of future developable area and 110 acres of existing development, a total of approximately 263 acres as shown on the

attached map, providing sufficient capacity to serve 2,552 Living Equivalent Units as defined in the Pro Rata Ordinance adopted by the Temple City Council on September 19, 2024.

- Remove the existing Waters Edge lift station.
- Remove the existing Crestview lift station off 40<sup>th</sup> Street in a future phase of the development.
- Construct 2,150 linear feet of 12" gravity sewer, 2,500 linear feet of 8" gravity sewer, and 1,300 linear feet of force main.
- Dedicate 66 feet of right-of-way for the construction of Avenue N. Construct Avenue N collector street from Loop 363 to the western property boundary with a 36-foot pavement width from front of curb to front of curb. The Avenue N street section shall include two (2) 12-foot travel lanes and a 12-foot center turn lane.
- Construct a 10-foot-wide shared use path along the southern side of the roadway.
- Install street trees with a minimum 2-inch diameter at the breast height within an 8-foot wide landscaping strip in accordance with the Unified Development Code on both sides of Avenue N. Street trees shall be installed between the 10-foot-wide shared use path and Avenue N on the southern side of the roadway.
- Construct an alley, local street, or private street behind properties fronting Avenue N for access. No driveways shall be constructed along the future Avenue N collector street.
- Dedicate a minimum 15-foot-wide trail easement along Loop 363 to the City of Temple with the subdivision plat and construct a 10-foot-wide thoroughfare connector trail within the easement in accordance with the 2020 Parks and Trails Master Plan.
- Dedicate 5.22 acres of parkland to serve the development.

Pursuant to the Pro Rata Ordinance adopted by the Temple City Council on September 19, 2024, the Developer understands that the City will participate in the construction of a lift station serving 263 acres of land, 8-inch gravity sewer main connecting lift stations, removal of the existing Waters Edge lift station, and, in a future phase of the development, removal of the existing Crestview lift station off 40<sup>th</sup> Street up to the not to exceed amount of \$3,028,970, or 100% of the actual costs of the improvements, whichever is less. The City shall contribute no more than the Not to Exceed Amount and Developer shall bear the cost, if any, of the Project construction which exceeds the City's contribution under Section 3 below. Developer agrees to provide full documentation to the City of the actual amounts spent towards eligible costs. Subject to verification of such records by the City, the City agrees to reimburse Developer for construction of the Project up to the Not to Exceed Amount.

City obligations for the Project are as follows:

- The City agrees to reimburse the Developer for construction of the Project up to the not to exceed amount of \$3,028,970, or 100% of the actual costs of the improvements, whichever is less, as outlined above. Final payment will be made to Developer once satisfactory documentation showing funds expended has been received and the City has accepted the improvements.
- Developer bears 100% of the cost of the Project over the Not to Exceed Amount. Eligible expenses to be reimbursed by the City include the cost of labor and materials for the Project as outlined in Exhibit A, provided that the total reimbursement by the City cannot exceed the Not to Exceed Amount.
- After acceptance of the said improvements, the City shall maintain those improvements at its own expense, subject to any warranties by the contractors or maintenance bonds on said improvements.

**ALIGNMENT WITH ADOPTED PLANS:**

| Plan           | Comments   |
|----------------|--|
| Strategic Plan | This item supports the City of Temple’s Strategic Plan goals of “Beautiful Spaces and Unique Experiences” and “Infrastructure and Systems that Support Exceptional Services and Community Growth”, as well as the Strategic Plan commitments of “Enhance and expand our infrastructure of parks, recreation centers, green spaces, and trails to encourage active living and wellness;” “Develop a safe, connected, and well-maintained mobility system that incorporates all modes of travel including vehicular, pedestrian, bicycle, transit, and air;” and “Plan for, design, construct, and maintain high quality water, wastewater, and drainage infrastructure systems, and services that meet the needs of the community now and in the future.” |

**STAFF RECOMMENDATION:** Adopt resolution as presented in item description.

**BOARDS & COMMISSIONS RECOMMENDATION:** This item was not reviewed by any of the official boards and commissions.

**FISCAL IMPACT:** A budget adjustment is being presented to Council for approval to appropriate funding for a Developer Participation Agreement with Ridge at Knob Creek Land Investments, LLC for construction of a lift station serving approximately 263 acres of land, 2,150 linear feet of 12” gravity sewer, 2,500 linear feet of 8” gravity sewer, 1,300 linear feet of force main, removal of the existing Crestview lift station off 40th Street, and removal of the existing Waters Edge lift station. After approval of the budget adjustment, funding in the total not to exceed amount of \$3,028,970, will be available in account 561-5400-535-6723, project 103268 as shown below:

|                                  |           |             |
|----------------------------------|-----------|-------------|
| Project Budget                   | \$        | -           |
| Budget Adjustment                |           | 3,028,970   |
| Encumbered/Committed to Date     |           | -           |
| Knob Creek Land Investments, LLC |           | (3,028,970) |
| <b>Remaining Project Funds</b>   | <b>\$</b> | <b>-</b>    |

**ATTACHMENTS:**

- Resolution
- Developer Participation Agreement
- Budget Adjustment