

REPORT TO THE BOARD OF MAYOR & ALDERMEN

DATE: September 14, 2026

FROM: Dale Perryman, P.E., Town Engineer

SUBJECT: Refund Partial Development Fees for Criss Cross, Phase 2, DD# 13-007

INTRODUCTION:

The purpose of this agenda item is for the Board of Mayor and Aldermen to consider the approval for the refund of a portion of the "Payment in Lieu Construction" fee for Criss Cross, Phase 2. (Exhibit 1)

BACKGROUND:

See below for actions related to Criss Cross, Phase 2.

Action	Date	Current Amount	Reduction/Increased Amount	Amount Remaining
DA Approved	Aug. 12, 2013	X	X	X
Payment-in-Lieu-of-Construction	Sept. 9, 2013	\$129,740.00	X	X
Refund 1	Jan. 11, 2024	\$129,740.00	- \$108,500.00	\$21,240.00
*Final Refund	Aug. 24, 2026	\$21,240.00	-\$21,240.00	\$0.00

***Pending BMA Approval**

DISCUSSION:

When a developer proposes a subdivision and develops lots, they are required to pay fees in accordance with a resolution originally approved in 1998. This resolution has been amended over the years as necessary. These fees help offset operational and transmission costs and fund Town infrastructure improvements. In this case, the "Payment-in-Lieu-of-Construction" was held for the construction of Criss Cross Lane, Crooked Creek Road, landscaping, irrigation, and sod. The Criss Cross Homeowners' Association (HOA) has completed the installation of the required items and is requesting a refund for those items. Since the Development Fees are paid by the Developer, they can only be refunded to the Developer; however, he has signed acknowledgment assigning remaining funds to the HOA upon completion of the improvements. (Exhibit 2)

STAFF RECOMMENDATION:

Staff has inspected and confirms the landscaping requirements meet Town Standards and recommends the approval of the refund.

BUDGET IMPACT:

Funds were deposited on September 11, 2013 and are available for disbursement.

ATTACHMENTS:

[Exhibit 1 - Vicinity Map](#)

[Exhibit 2 - Electronic Signed Acknowledgement](#)

PROPOSED MOTION:

To approve the refund of part of the Development Fees in the amount of \$21,240.00 which represents the portion of the "Payment in Lieu of Construction" set aside for landscaping.

Board Action: **Motion By**_____ **Seconded By**_____

Vote Total	Hall	Jordan	Robbins	Marshall	Stamps	Fraser
Yes						
No						
Abstain						