

**BUSINESS**

AGENDA MEMO  
 BUSINESS OF THE CITY COUNCIL  
 CITY OF FULSHEAR, TEXAS

<b>AGENDA OF:</b>	August 15, 2017	<b>AGENDA ITEM:</b>	A
<b>DATE SUBMITTED:</b>	August 10, 2017	<b>DEPARTMENT:</b>	Building Services
<b>PREPARED BY:</b>	Michelle Killebrew, Building Official	<b>PRESENTER:</b>	Michelle Killebrew, Building Official
<b>SUBJECT:</b>	<b>Special Use Request – 8310 Wilson Street</b>		
<b>ATTACHMENTS:</b>	<b>Application, Site Plan, Survey, and Related Documents</b>		
<b>EXPENDITURE REQUIRED:</b>			\$0
<b>AMOUNT BUDGETED:</b>			\$0
<b>ACCOUNT:</b>	Development Services		
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>			\$0
<b>ACCOUNT NO:</b>			

**EXECUTIVE SUMMARY**

The owner of the property located at 8310 Wilson Street, is requesting a Special Use Permit for the property indicated. The property is within the Downtown District and was previously occupied for residential use. They are requesting to use the property for commercial use, specifically to allow a business/office use.

We have been provided the following documents as required by Sec. 1-283 of the City’s Zoning Ordinance (2012-1069) which include the attached items referenced:

- **Completed Special Use Application:** Completed Application from the Owner/Owner’s Representative. (See PH Item 1)
- **Owner Affidavit:** The owner has submitted proof of ownership and affidavit. (See PH Item 2)
- **Vicinity Map:** Ariel map of the surrounding property has been submitted. (See PH Item 3)
- **Context Map:** Map shows existing layout, pavement, and access points. Staff accepts this document as there will be no new buildings allowed without further approval via Special Use Permit(s) and/or building permit(s). (See PH Item 4)
- **Survey:** A survey was provided which shows the existing lot and the building that sits on it, along with metes and bounds for the property. (See PH Item 5)
- **Compliance with the Comprehensive plan:** After review of the request from the applicant, City Staff finds that the requested use of a restaurant/bar is **an approved** and desired use within the Downtown District (See PH Item 6)
- **Site Plan:** The site plan shows the building layout, and the proposed parking areas. Staff accepts these document as there will be no new buildings allowed without further approval via Special Use Permit(s) and/or building permit(s). Additional parking will be created for the business use, such parking will be of crushed granite or similar material in order to preserve the tree. (See PH Item 7)

- **Landscape Plan:** The applicant provided an overview of the current landscaping and indicated that no modifications were planned at this time. (See PH Item 7)
- **Grading and Drainage Plan:** The applicant provided an overview of the current drainage flows and indicated that no modifications were planned at this time that would affect the grading and/or drainage of the area. (See PH Item 8)
- **Lighting Plan:** The applicant provided a letter and it that indicates no changes will be made to the existing lighting on the property. (See PH Items 1 & 9)
- **Elevations:** The applicant provided pictures of the exterior of the building and indicated that no modifications were planned at this time. (See PH Item 10)
- **Traffic Impact Study:** This requirement is waived based on the determination of the City Engineer. However, it is staff's recommendation that such parking will be of crushed granite or similar material to preserve the tree, with the addition of parking blocks to protect the building. (See PH Item 11)
- **Signage:** The owner will insure that any signage will meet the city sign ordinance, or the owner may request a variance. (See PH Item 2 Statement of Intended Use)
- **Notification to the Public:** This has been completed. Notice was published in an approved newspaper and a notice was also sent by the City to a verified listing of adjacent property owners within 300' as required by ordinance. (See PH Item 12)
  - **Sign Notification on the Property:** The sign has been duly posted by the applicant. (Verified by Staff; no attachment item included)
- **Planning & Zoning Commission Hearing:** On August 4, 2017, the Planning and Zoning Commission conducted a public hearing and unanimously recommended approval with the conditions that 1.) The parking would be approved with crushed granite or similar material with the addition of parking blocks for the number of parking spaces as provided on the site plan. (See PH Item 13)

### STAFF RECOMMENDATION

Staff recommends the Planning and Zoning Commission recommend approval to City Council for the Special Use Permit requesting the use of a business/office to be located at 8310 Wilson Street, with certain conditions applied. Staff recommends that those conditions include the following:

- 1.) The parking lot in front of the building be crushed granite or similar material in order to preserve the tree located near the proposed parking area. We suggest delegating parking spots with parking blocks, yellow indicating parking, blue indicating handicap parking.

It is Staff's understanding that if the City Council approves of this request with conditions, that any conditions would be required, along with any code requirements for a change of use, prior to issuance of a Certificate of Occupancy.

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<b>AGENDA OF:</b>	August 15, 2017	<b>AGENDA ITEM:</b>	B
<b>DATE SUBMITTED:</b>	August 11, 2017	<b>DEPARTMENT:</b>	Administration
<b>PREPARED BY:</b>	Paula Ryan, Assistant City Manager	<b>PRESENTER:</b>	Paula Ryan, Assistant City Manager
<b>SUBJECT:</b> Health Insurance Renewal for City Employees for Plan Year 2017-2018 (Effective November 1, 2017)			
<b>ATTACHMENTS:</b> Texas Municipal League (TML) MultiState Intergovernmental Employee Benefits Pool Rerate Notice and Benefit Verification Form for City of Fulshear Plan Year 2017-2018			

**EXECUTIVE SUMMARY**

The size of the City of Fulshear group (less than 50) for health insurance purposes is defined as a small group in the state of Texas. As such, the City currently participates in the Texas Municipal League (TML) MultiState Intergovernmental Employee Benefit Pool (IEBP) which is political subdivision pooling to provide a value-based collaborative solution to health insurance coverage. Staff has evaluated various options given the size of our group, as well as other factors, and is confident that remaining with the TML-IEBP health insurance plan is still the best, overall option at this time. Although we are presented with a 15% increase in medical premiums for this Plan Year 2017-2018, this is still less than market increases elsewhere. Further, our dental, vision, basic life, and AD&D premiums have all remained the same with no increases.

**RECOMMENDATION**

Staff recommends that City Council authorize the City Manager to enter into the TML MultiState Intergovernmental Employee Benefits Pool health insurance renewal for City of Fulshear employees, for Plan Year 2017-2018, Effective November 1, 2017.



# TML MultiState Intergovernmental Employee Benefits Pool Rerate Notice and Benefit Verification Form

## Fulshear

Original

Plan Year 2017-2018 (12 Months)

Rates are subject to change if there is any legislation passed during the plan year affecting benefits. Supplemental benefits cannot be accessed without accessing the TML MultiState IEBP Medical Benefit Plan

### Medical

#### Employer Group Medical Plan

Plan	Benefit Percent	In Net Ded	Out Net Ded	In Net OOP	Office Visit	XRay & Lab in OV	Rates	Current	New
P85-100-30-Mac A	80/50	\$1000	\$1250	\$3000	\$30	No	Employee:	\$586.06	\$673.98
							Spouse:	\$603.64	\$694.20
							Child(ren):	\$445.40	\$512.22
							Family:	\$1,347.88	\$1,550.06

### Dental III

	Current Rate	New Rate
Employee:	\$37.64	\$37.64
Spouse:	\$39.62	\$39.62
Child(ren):	\$43.58	\$43.58
Family:	\$77.90	\$77.90

### Vision B

	Current Rate	New Rate
Employee:	\$9.00	\$9.00
Family:	\$18.00	\$18.00

### Calendar Year Pre-65 Retiree Medical

No Pre-65 Retiree Medical Coverage

### Calendar Year Pre-65 Retiree Dental

No Pre-65 Retiree Dental Coverage

### Calendar Year Pre-65 Retiree Vision

No Pre-65 Retiree Vision Coverage

### LTD

No LTD Coverage

**STD**

No STD Coverage

**Basic Life and AD&D: Plan 10 (\$25,000)**

	<u>Current Rate</u>	<u>New Rate</u>
Life:	\$0.230	\$0.230
AD&D:	\$0.035	\$0.035

**Dependent Life**

No Dependent Life Coverage

**Voluntary AD&D**

No Voluntary AD&D Coverage

**Additional Employee Life and AD&D**

No Additional Employee Life and AD&D Coverage

**Basic & Additional Retiree Life**

No Basic & Additional Retiree Life Coverage

**Continuation of Coverage (COC)**

Yes

**Benefit Waiting Period**

Medical: 30 days after date of hire

Life: 30 days after date of hire

**Medical Network**

Choice Plus

**Flex, HRA, HSA & RRA**

Flex Admin

HRA Admin

HSA Admin

RRA Admin

No

No

No

No

**Select one of the following options for Flex:**

**Select one or all of the following options for HRA, HSA & RRA:**

Debit Card Flex (\$3.70 per participant per month)

HRA (\$3.70 per participant per month - debit card only)

Paper Flex (\$5 per participant per month)

Qualified HSA (\$3.70 per participant per month - debit card only)

RRA (\$3.70 per participant per month - debit card only)

If employer accesses Debit Card Flex and/or HRA, HSA or RRA, only one charge of \$3.70 per participant per month will be incurred.

## Medication Therapy Management Program

**MAC A Plan:** If a brand name drug is dispensed and a generic alternate drug exists, the **Covered Individual** pays the difference between the brand name and generic price in addition to the appropriate copayment for the brand name. The cost difference between the brand name and generic price does not apply to any individual deductibles or out of pocket amounts. The MAC differential applies to all prescriptions purchased through this program when a generic alternate is available.

**MAC C Plan:** If a brand name drug is dispensed and a generic alternate drug exists, the Covered Individual pays the appropriate brand copay.

**Lessor of Benefit:** Through the OptumRx network contract, the covered individual's out of pocket expense is managed by the pharmacy network agreement that the covered individual will receive the most advantageous pricing. This would be determined by the lessor of pharmacy contracts, Usual & Customary cost (U&C), copayments or the discounted cost the covered individual would be charged. Due to the lessor of Benefit the OptumRx Reportal will be an important price transparency resource to ensure covered individual is purchasing the prescription from the most cost effective pharmacy.

### Prescribed Over the Counter No Cost Share Prescriptions

#### Covered Individual Out of Pocket (OOP)

Prescribed (Doctor Ordered) Over the Counter Alternates and Prescription Networks	Retail: (up to 34 day supply max unless noted otherwise)	Mail/Maintenance: (up to 90 day dispensement)	SpecialtyRx/Biotech/Biosimilar: (up to 34 day dispensement)
<ul style="list-style-type: none"> <li>• Smoking Cessation (Nicorette Gum, Nicotine Replacement Lozenge, Nicotine Replacement Patch, Nicotrol Inhaler, Nicotrol Nasal Spray), Quantity Limit - six (6) months per plan year</li> <li>• Aspirin, Folic Acid, Fluoride Chemoprevention Supplements, Fluoride chew tablets, drop (not toothpaste, rinses) children age zero to five (0-5) years, Iron Deficiency Supplements, Vitamin D supplementation to prevent falls in community-dwelling adults age sixty-five (65) years and older who are at an increased risk for falls (per prescription), and Bisacodyl EC Tab/Magnesium Citrate Sol/PEG 3350 (generic Miralax) adults age fifty to seventy-five (50-75) (bowel preparation for colonoscopy)</li> </ul>	\$0.00	N/A	N/A

### Retail and Mail Order Covered Individual Copayments

#### Covered Individual Out of Pocket (OOP)

Prescribed Over the Counter Alternates and Prescription Networks	Retail: (up to 34 day supply max unless noted otherwise)	Mail/Maintenance: (up to 90 day dispensement)	SpecialtyRx/Biotech/Biosimilar: (up to 34 day dispensement)
Network Retail: 34 day <u>Non-Cost Share most Generic</u> Dispensement	\$5.00 (up to 34 day supply)	N/A	N/A
Network Retail: 90 day <u>Non-Cost Share most Generic</u> Dispensement	\$14.00 (35 up to 90 day supply)	\$42.00	
OptumRx Network <u>Non-Cost Share</u> Best Brand/Formulary List	\$43.00	\$129.00	
OptumRx Network <u>Non-Cost Share</u> Non-Best Brand/Non-Formulary List	\$65.00	\$195.00	
OptumRx Network Cost Share	\$120.00	\$360.00	
BriovaRx, The OptumRx Specialty/Biotech Pharmacy	N/A	N/A	\$100.00 (up to 34 day supply)
BriovaRx, The OptumRx Biosimilar Generic Pharmacy	N/A	N/A	\$75.00 (up to 34 day supply)
Prescription Refill Control Standards	75%	70%	





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<b>AGENDA OF:</b>	August 15, 2017	<b>AGENDA ITEM:</b>	C
<b>DATE SUBMITTED:</b>	August 10, 2017	<b>DEPARTMENT:</b>	Finance
<b>PREPARED BY:</b>	Wes Vela, Chief Financial Officer	<b>PRESENTER:</b>	Wes Vela, Chief Financial Officer
<b>SUBJECT: FY18 Preliminary Budget Presentation</b>			
<b>ATTACHMENTS:</b>			
<b>EXPENDITURE REQUIRED:</b>			N/A
<b>AMOUNT BUDGETED:</b>			N/A
<b>ACCOUNT NO.:</b>			
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>			N/A
<b>ACCOUNT NO.:</b>			

**EXECUTIVE SUMMARY**

City Staff will present an overview of the Preliminary FY18 Budget. The presentation will cover various items related to the FY18 Budget. This will include information concerning City departments, operating funds, the tax rate, assessed valuations, and other items concerning the budget process. City Staff will be available to address any questions or other items desired by Council. For some items, it may be necessary for City Staff to collect additional information in order to properly address those questions and/or issues at a later time.

**RECOMMENDATION**

As no formal action is being requested at this time, City Staff has no recommendation for City Council action.

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<b>AGENDA OF:</b>	August 15, 2017	<b>AGENDA ITEM:</b>	D
<b>DATE SUBMITTED:</b>	August 10, 2017	<b>DEPARTMENT:</b>	Finance
<b>PREPARED BY:</b>	Wes Vela, Chief Financial Officer	<b>PRESENTER:</b>	Wes Vela, Chief Financial Officer
<b>SUBJECT: FY18 Proposed Tax Rate and Setting of Public Hearings</b>			
<b>ATTACHMENTS: Effective &amp; Rollback Tax Rate Calculations; Certified Assessed &amp; Taxable</b>			
<b>EXPENDITURE REQUIRED:</b>			N/A
<b>AMOUNT BUDGETED:</b>			N/A
<b>ACCOUNT NO.:</b>			
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>			N/A
<b>ACCOUNT NO.:</b>			

**EXECUTIVE SUMMARY**

Fort Bend County Appraisal District has certified the Taxable Value for the City of Fulshear. And the County Tax Collector has prepared the calculations for the Effective Tax Rate and for the Rollback Tax Rate. Both the certified tax roll information and tax rate calculations are attached.

The tax rates for the 2017 Tax Year are:

Effective Tax Rate	\$0.146937
Rollback Tax Rate	\$0.158691

2016 Tax Year Rate (this year's rate) is \$0.15901

The proposed FY2018 Budget is prepared using the Rollback Tax Rate of \$0.158691

If the City Council chooses a tax rate that exceeds the Effective Tax Rate then the City Council must take a record vote on a specific rate and schedule two public hearings. Staff recommends that the public hearings be scheduled for to meet the notice requirements:

August 29, 2017 at 7:00 p.m. – Irene Stern Center  
September 12, 2017 at 7:00 p.m. – Irene Stern Center

**RECOMMENDATION**

Staff recommends if the City Council chooses a tax rate that exceeds the effective tax rate then to take a record vote and schedule two public hearings.

# 2017 Tax Rate Calculation Worksheet

Date: 07/28/2017 07:07 AM

## Taxing Units Other Than School Districts or Water Districts

### City of Fulshear

Taxing Unit Name

Phone (area code and number)



Taxing Unit's Address, City, State, Zip

Taxing Unit's Website Address

**GENERAL INFORMATION:** Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the effective tax rate and rollback tax rate for the taxing unit. These tax rates are expressed in dollars per \$100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll and the estimated values of properties under protest. School districts do not use this form, but instead use Comptroller Form 50-859 Tax Rate Calculation Worksheet for School Districts. Water districts as defined under Water Code Section 49.001(1) do not use this form, but instead use Comptroller Form 50-858 Water District Rollback Tax Rate Worksheet. This worksheet is provided to assist taxing units in determining tax rates. The information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

<b>SECTION 1: Effective Tax Rate (No New Taxes)</b>	
The effective tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of taxes (no new taxes) if applied to the same properties that are taxed in both years. When appraisal values increase, the effective tax rate should decrease.	
The effective tax rate for a county is the sum of the effective tax rates calculated for each type of tax the county levies.	
<b>Effective Tax Rate Activity</b>	<b>Amount/Rate</b>
<b>1. 2016 total taxable value.</b> Enter the amount of 2016 taxable value on the 2016 tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-third over-appraisal corrections from these adjustments. This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (will deduct taxes in Line 14). <sup>1</sup>	\$1,172,018,037
<b>2. 2016 tax ceilings.</b> Counties, cities and junior college districts. Enter 2016 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in 2016 or a prior year for homeowners age 65 or older or disabled, use this step. <sup>2</sup>	\$0
<b>3. Preliminary 2016 adjusted taxable value.</b> Subtract Line 2 from Line 1.	\$1,172,018,037
<b>4. 2016 total adopted tax rate.</b>	\$0.156901/\$100
<b>5. 2016 taxable value lost because court appeals of ARB decisions reduced 2016 appraised value.</b>	
<b>A. Original 2016 ARB Values.</b>	\$0
<b>B. 2016 values resulting from final court decisions.</b>	\$0
<b>C. 2016 value loss.</b> Subtract B from A. <sup>3</sup>	\$0
<b>6. 2016 taxable value, adjusted for court-ordered reductions.</b> Add Line 3 and Line 5C.	\$1,172,018,037
<b>7. 2016 taxable value of property in territory the taxing unit deannexed after Jan. 1, 2016.</b> Enter the 2016 value of property in deannexed territory. <sup>4</sup>	\$0
<b>8. 2016 taxable value lost because property first qualified for an exemption in 2017.</b> Note that lowering the amount or percentage of an existing exemption does not create a new exemption or reduce taxable value. If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount.	

Do not include value lost to freeport or goods-in-transit exemptions.	
A. <b>Absolute exemptions.</b> Use 2016 market value:	\$24,032
B. <b>Partial exemptions.</b> 2017 exemption amount or 2017 percentage exemption times 2016 value:	\$7,393,727
C. <b>Value loss.</b> Add A and B. <sup>5</sup>	\$7,417,759
<b>9. 2016 taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in 2017.</b> Use only properties that qualified in 2017 for the first time; do not use properties that qualified in 2016.	
A. <b>2016 market value:</b>	\$0
B. <b>2017 productivity or special appraised value:</b>	\$0
C. <b>Value loss.</b> Subtract B from A. <sup>6</sup>	\$0
<b>10. Total adjustments for lost value.</b> Add lines 7, 8C and 9C.	\$7,417,759
<b>11. 2016 adjusted taxable value.</b> Subtract Line 10 from Line 6.	\$1,164,600,278
<b>12. Adjusted 2016 taxes.</b> Multiply Line 4 by Line 11 and divide by \$100.	\$1,827,269
<b>13. Taxes refunded for years preceding tax year 2016.</b> Enter the amount of taxes refunded by the taxing unit for tax years preceding tax year 2016. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2016. This line applies only to tax years preceding tax year 2016. <sup>7</sup>	\$5,441
<b>14. Taxes in tax increment financing (TIF) for tax year 2016.</b> Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2017 captured appraised value in Line 16D, enter 0. <sup>8</sup>	\$0
<b>15. Adjusted 2016 taxes with refunds and TIF adjustment.</b> Add Lines 12 and 13, subtract Line 14. <sup>9</sup>	\$1,832,710
<b>16. Total 2017 taxable value on the 2017 certified appraisal roll today.</b> This value includes only certified values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 18). These homesteads include homeowners age 65 or older or disabled. <sup>10</sup>	
A. <b>Certified values:</b>	\$1,345,938,171
B. <b>Counties:</b> Include railroad rolling stock values certified by the Comptroller's office:	\$0
C. <b>Pollution control and energy storage system exemption :</b> Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property:	\$0
D. <b>Tax increment financing:</b> Deduct the 2017 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the 2017 taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in Line 21 below. <sup>11</sup>	\$0

E. <b>Total 2017 value.</b> Add A and B, then subtract C and D.	\$1,345,938,171
<b>17. Total value of properties under protest or not included on certified appraisal roll.</b> <sup>12</sup>  A. <b>2017 taxable value of properties under protest.</b> The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value. <sup>13</sup>  B. <b>2017 value of properties not under protest or included on certified appraisal roll.</b> The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about, but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value. <sup>14</sup>  C. <b>Total value under protest or not certified:</b> Add A and B.	\$30,707,666  \$0  \$30,707,666
<b>18. 2017 tax ceilings.</b> Counties, cities and junior colleges enter 2017 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing units adopted the tax ceiling provision in 2016 or a prior year for homeowners age 65 or older or disabled, use this step. <sup>15</sup>	\$0
<b>19. 2017 total taxable value.</b> Add Lines 16E and 17C. Subtract Line 18.	\$1,376,645,837
<b>20. Total 2017 taxable value of properties in territory annexed after Jan. 1, 2016.</b> Include both real and personal property. Enter the 2017 value of property in territory annexed. <sup>16</sup>	\$2,084,260
<b>21. Total 2017 taxable value of new improvements and new personal property located in new improvements.</b> New means the item was not on the appraisal roll in 2016. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, 2016, and be located in a new improvement. New improvements <b>do</b> include property on which a tax abatement agreement has expired for 2017. <sup>17</sup>	\$127,287,499
<b>22. Total adjustments to the 2017 taxable value.</b> Add Lines 20 and 21.	\$129,371,759
<b>23. 2017 adjusted taxable value.</b> Subtract Line 22 from Line 19.	\$1,247,274,078
<b>24. 2017 effective tax rate.</b> Divide Line 15 by Line 23 and multiply by \$100. <sup>18</sup>	\$0.146937/\$100
<b>25. COUNTIES ONLY.</b> Add together the effective tax rates for each type of tax the county levies. The total is the 2017 county effective tax rate. <sup>19</sup>	

<sup>1</sup>Tex. Tax Code Section 26.012(14)

<sup>2</sup>Tex. Tax Code Section 26.012(14)

<sup>3</sup>Tex. Tax Code Section 26.012(13)

<sup>4</sup>Tex. Tax Code Section 26.012(15)

<sup>5</sup>Tex. Tax Code Section 26.012(15)

<sup>6</sup>Tex. Tax Code Section 26.012(15)

<sup>7</sup>Tex. Tax Code Section 26.012(13)

<sup>8</sup>Tex. Tax Code Section 26.03(c)

<sup>9</sup>Tex. Tax Code Section 26.012(13)

<sup>10</sup>Tex. Tax Code Section 26.012

<sup>11</sup>Tex. Tax Code Section 26.03(c)

<sup>12</sup>Tex. Tax Code Section 26.01(c) and (d)

<sup>13</sup>Tex. Tax Code Section 26.01(c)

<sup>14</sup>Tex. Tax Code Section 26.01(d)

<sup>15</sup>Tex. Tax Code Section 26.012(6)

<sup>16</sup>Tex. Tax Code Section 26.012(17)

**SECTION 2: Rollback Tax Rate**

The rollback tax rate is split into two separate rates:

1. **Maintenance and Operations (M&O):** The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus eight percent. This rate accounts for such things as salaries, utilities and day-to-day operations.
2. **Debt:** The debt tax rate includes the debt service necessary to pay the taxing unit's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The rollback tax rate for a county is the sum of the rollback tax rates calculated for each type of tax the county levies. In most cases the rollback tax rate exceeds the effective tax rate, but occasionally decreases in a taxing unit's debt service will cause the effective tax rate to be higher than the rollback tax rate.

Rollback Tax Rate Activity	Amount/Rate
<b>26. 2016 maintenance and operations (M&amp;O) tax rate.</b>	\$0.156901/\$100
<b>27. 2016 adjusted taxable value.</b> Enter the amount from Line 11.	\$1,164,600,278
<b>28. 2016 M&amp;O taxes.</b>	
A. Multiply Line 26 by Line 27 and divide by \$100.	\$1,827,269
B. <b>Cities, counties and hospital districts with additional sales tax:</b> Amount of additional sales tax collected and spent on M&O expenses in 2016. Enter amount from full year's sales tax revenue spent for M&O in 2016 fiscal year, if any. Other taxing units enter 0. Counties exclude any amount that was spent for economic development grants from the amount of sales tax spent.	\$0
C. <b>Counties:</b> Enter the amount for the state criminal justice mandate. If second or later year, the amount is for increased cost above last year's amount. Other taxing units enter 0.	\$0
D. <b>Transferring function:</b> If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in H below. The taxing unit receiving the function will add this amount in H below. Other taxing units enter 0.	\$0
E. <b>Taxes refunded for years preceding tax year 2016:</b> Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2016. This line applies only to tax years preceding tax year 2016.	\$5,441
F. <b>Enhanced indigent health care expenditures:</b> Enter the increased amount for the current year's enhanced indigent health care expenditures above the preceding tax year's enhanced indigent health care expenditures, less any state assistance.	\$0
G. <b>Taxes in TIF:</b> Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2017 captured appraised value in Line 16D, enter 0.	\$0
H. <b>Adjusted M&amp;O Taxes.</b> Add A, B, C, E and F. For taxing unit with D, subtract if discontinuing function and add if receiving function. Subtract G.	\$1,832,710

<b>29. 2017 adjusted taxable value.</b> Enter Line 23 from the Effective Tax Rate Worksheet.	\$1,247,274,078
<b>30. 2017 effective maintenance and operations rate.</b> Divide Line 28H by Line 29 and multiply by \$100.	\$0.146937/\$100
<b>31. 2017 rollback maintenance and operation rate.</b> Multiply Line 30 by 1.08.	\$0.158691/\$100
<p><b>32. Total 2017 debt to be paid with property taxes and additional sales tax revenue.</b>  Debt means the interest and principal that will be paid on debts that:</p> <ul style="list-style-type: none"> <li>(1) are paid by property taxes,</li> <li>(2) are secured by property taxes,</li> <li>(3) are scheduled for payment over a period longer than one year and</li> <li>(4) are not classified in the taxing unit's budget as M&amp;O expenses.</li> </ul> <p>A. <b>Debt</b> also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. Enter debt amount.</p> <p>B. Subtract <b>unencumbered fund amount</b> used to reduce total debt.</p> <p>C. Subtract <b>amount paid</b> from other resources.</p> <p>D. <b>Adjusted debt.</b> Subtract B and C from A.</p>	<p style="text-align: right;">\$0</p> <p style="text-align: right;">\$0</p> <p style="text-align: right;">\$0</p> <p style="text-align: right;">\$0</p>
<b>33. Certified 2016 excess debt collections.</b> Enter the amount certified by the collector.	\$0
<b>34. Adjusted 2017 debt.</b> Subtract Line 33 from Line 32D.	\$0
<b>35. Certified 2017 anticipated collection rate.</b> Enter the rate certified by the collector. If the rate is 100 percent or greater, enter 100 percent.	100.00%
<b>36. 2017 debt adjusted for collections.</b> Divide Line 34 by Line 35	\$0
<b>37. 2017 total taxable value.</b> Enter the amount on Line 19.	\$1,376,645,837
<b>38. 2017 debt tax rate.</b> Divide Line 36 by Line 37 and multiply by \$100.	\$0/\$100
<b>39. 2017 rollback tax rate.</b> Add Lines 31 and 38.	\$0.158691/\$100
<b>40. COUNTIES ONLY.</b> Add together the rollback tax rates for each type of tax the county levies. The total is the 2017 county rollback tax rate.	

**SECTION 3: Additional Sales Tax to Reduce Property Taxes**

Cities, counties and hospital districts may levy a sales tax specifically to reduce property taxes. Local voters by election must approve imposing or abolishing the additional sales tax. If approved, the taxing unit must reduce its effective and rollback tax rates to offset the expected sales tax revenue.

This section should only be completed by a county, city or hospital district that is required to adjust its effective tax rate and/or rollback tax rate because it adopted the additional sales tax.

Activity	Amount/Rate
<b>41. Taxable Sales.</b> For taxing units that adopted the sales tax in November 2016 or May 2017, enter the Comptroller's estimate of taxable sales for the previous four quarters. <sup>20</sup> Taxing units that adopted the sales tax before November 2016, skip this line.	\$0
<b>42. Estimated sales tax revenue.</b> Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue. <sup>21</sup> <b>Taxing units that adopted the sales tax in November 2016 or in May 2017.</b> Multiply the amount on Line 41 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95. <sup>22</sup>  <b>- or -</b> <b>Taxing units that adopted the sales tax before November 2016.</b> Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.	\$0
<b>43. 2017 total taxable value.</b> Enter the amount from Line 37 of the Rollback Tax Rate Worksheet.	\$1,376,645,837
<b>44. Sales tax adjustment rate.</b> Divide Line 42 by Line 43 and multiply by \$100.	\$0/\$100
<b>45. 2017 effective tax rate, unadjusted for sales tax.</b> <sup>23</sup> Enter the rate from Line 24 or 25, as applicable, on the Effective Tax Rate Worksheet.	\$0.146937/\$100
<b>46. 2017 effective tax rate, adjusted for sales tax.</b> <b>Taxing units that adopted the sales tax in November 2016 or in May 2017.</b> Subtract Line 44 from Line 45. Skip to Line 47 if you adopted the additional sales tax before November 2016.	\$0.146937/\$100
<b>47. 2017 rollback tax rate, unadjusted for sales tax.</b> <sup>24</sup> Enter the rate from Line 39 or 40, as applicable, of the Rollback Tax Rate Worksheet.	\$0.158691/\$100
<b>48. 2017 rollback tax rate, adjusted for sales tax.</b> Subtract Line 44 from Line 47.	\$0.158691/\$100

<sup>17</sup>Tex. Tax Code Section 26.012(17)

<sup>18</sup>Tex. Tax Code Section 26.04(c)

<sup>19</sup>Tex. Tax Code Section 26.04(d)

<sup>20</sup>Tex. Tax Code Section 26.041(d)

<sup>21</sup>Tex. Tax Code Section 26.041(i)

<sup>22</sup>Tex. Tax Code Section 26.041(d)

<sup>23</sup>Tex. Tax Code Section 26.04(c)

<sup>24</sup>Tex. Tax Code Section 26.04(c)



**SECTION 4: Additional Rollback Protection for Pollution Control**

A taxing unit may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The taxing unit's expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The taxing unit must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a taxing unit that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

Additional Rollback Protection for Pollution Control Activity	Amount/Rate
<b>49. Certified expenses from the Texas Commission on Environmental Quality (TCEQ).</b> Enter the amount certified in the determination letter from TCEQ. <sup>25</sup> The taxing unit shall provide its tax assessor-collector with a copy of the letter. <sup>26</sup>	\$0
<b>50. 2017 total taxable value.</b> Enter the amount from line 37 of the Rollback Tax Rate Worksheet.	\$1,376,645,837
<b>51. Additional rate for pollution control.</b> Divide line 49 by Line 50 and multiply by \$100.	\$0/\$100
<b>52. 2017 rollback tax rate, adjusted for pollution control.</b> Add Line 51 to one of the following lines (as applicable): Line 39, Line 40 (counties) or Line 48 (taxing units with the additional sales tax).	\$0.158691/\$100

**SECTION 5: Total Tax Rate**

Indicate the applicable total tax rates as calculated above.

Effective tax rate (Line 24; line 25 for counties; or line 46 if adjusted for sales tax)	\$0.146937
Rollback tax rate (Line 39; line 40 for counties; or line 48 if adjusted for sales tax)	\$0.158691
Rollback tax rate adjusted for pollution control (Line 52)	\$0.158691

**SECTION 6: Taxing Unit Representative Name and Signature**

Enter the name of the person preparing the tax rate as authorized by the taxing unit.

**print here** ◇

Printed Name of Taxing Unit Representative

**sign here** \_\_\_\_\_

Taxing Unit Representative

\_\_\_\_\_

Date

<sup>25</sup>Tex. Tax Code Section 26.045(d)

<sup>26</sup>Tex. Tax Code Section 26.045(i)



## COUNTY TAX ASSESSOR / COLLECTOR

Fort Bend County, Texas

Patsy Schultz, RTA  
County Tax Assessor/Collector  
1317 Eugene Heimann Circle  
Richmond, TX 77469-3623

(281) 341-3710  
Fax (281) 341-9267  
Email: schulpat@co.fort-bend.tx.us  
www.fortbendcountytexas.gov

### CERTIFICATION OF 2017 TAX YEAR ANTICIPATED COLLECTION RATE

I, Patsy Schultz, Tax Assessor Collector for  
**City of Fulshear**

Certify that the anticipated tax collection rate for 2017 tax year for  
**City of Fulshear** is estimated at 100%.

**Please record this certification into the minutes of your next governing body meeting.**

  
\_\_\_\_\_  
Patsy Schultz, PCC  
Fort Bend County Tax Assessor/Collector

  
\_\_\_\_\_  
Date



## COUNTY TAX ASSESSOR / COLLECTOR

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### SUBMISSION OF 2017 TAX YEAR APPRAISAL ROLL AND NEW PROPERTY VALUE

I, Patsy Schultz, Tax Assessor Collector for **City of Fulshear** submit the following information from the 2017 Certified Appraisal Roll for your review:

- Taxable Value of New Property is \$ 127,287,499
- Appraised Value of All Properties is \$ 1,767,253,385
- Taxable Value of All Properties is \$ 1,345,938,171

Please record receipt of the above information into the minutes of your next meeting.

  
Patsy Schultz, PCC  
Fort Bend County Tax Assessor/Collector

  
Date



# FORT BEND CENTRAL APPRAISAL DISTRICT

2801 B.F. Terry Blvd. Rosenberg, Texas 77471-5600  
Phone (281) 344-8623 | Fax (281) 344-8632  
www.fbcad.org

## CERTIFICATION OF 2017 APPRAISAL ROLL

FOR C04 CITY OF FULSHEAR

"I", Glen T. Whitehead, Chief Appraiser for Fort Bend Central Appraisal District, solemnly swear that the attached is that portion of the approved appraisal roll of the Fort Bend Central Appraisal District which lists property taxable by and constitutes the appraisal roll.

2017 Appraisal Roll:

Total Market Value	<u>\$1,767,253,385</u>
Total Assessed Value	<u>\$1,508,754,516</u>
Total Taxable Value	<u>\$1,345,938,171</u>
Number of Accounts	<u>5860</u>

  
\_\_\_\_\_  
Glen T. Whitehead  
Chief Appraiser

JULY 21<sup>ST</sup>, 2017  
Date

  
\_\_\_\_\_  
Received By

7/31/17  
\_\_\_\_\_  
Date

# Effective Tax Rate Report

Tax Year: 2017

Taxing Unit: C04 - City of Fulshear

## NEW EXEMPTIONS:

	COUNT	2016 ABSOLUTE EX VALUES	2017 PARTIAL EX VALUES
NEW EXEMPT PROPERTY	55	\$24,032	
NEW HS EXEMPTIONS	410		\$6,876,399
NEW PRO EXEMPTIONS	23		\$1,120
NEW OA EXEMPTIONS	54		\$270,000
NEW DP EXEMPTIONS	0		\$0
NEW DV1 EXEMPTIONS	1		\$5,000
NEW DV2 EXEMPTIONS	1		\$7,500
NEW DV3 EXEMPTIONS	5		\$50,000
NEW DV4 EXEMPTIONS	3		\$36,000
NEW DVX EXEMPTIONS	3		\$147,708
NEW HB366 EXEMPTIONS	0		\$0
NEW PC EXEMPTIONS	0		\$0

ABSOLUTE EX TOTAL		\$24,032
PARTIAL EX TOTAL	(+)	\$7,393,727
2016 TAXABLE VALUE LOST DUE TO PROPERTY BECOMING EXEMPT IN 2017	(=)	\$7,417,759

## NEW ANNEXED PROPERTY:

	COUNT	APPRAISED VALUE	TAXABLE VALUE
NEWLY ANNEXED PROPERTY	18	\$2,084,260	\$2,084,260
IMPROVEMENT SEGMENTS	3	\$0	
LAND SEGMENTS	19	\$0	
MINERAL	0	\$0	
OTHER	0	\$0	

TAXABLE VALUE ON NEWLY ANNEXED PROPERTY:	\$2,084,260
--	-------------

## NEW AG APPLICATIONS:

NEW AG APPLICATIONS COUNT	0
2016 MARKET	\$0
2017 USE	(-) \$0
VALUE LOST DUE TO AG APPLICATIONS:	(=) \$0 (\$0 Taxable)

## NEW IMPROVEMENTS:

	COUNT	TOTAL APPRAISED VALUE <sup>1</sup>	NEW CURRENT TAXABLE <sup>2</sup>
NEW IMPROVEMENTS	416	\$149,324,226	\$112,314,787
RESIDENTIAL	407	\$133,634,060	\$105,022,949
COMMERCIAL	8	\$15,690,166	\$7,291,839
OTHER	1	\$0	\$0
NEW ADDITIONS	219	\$91,625,254	\$14,547,132

RESIDENTIAL	219	\$91,625,254	\$14,547,132
COMMERCIAL	0	\$0	\$0
OTHER	0	\$0	\$0
PERCENT COMPLETION CHANGED	2	\$834,320	\$364,080
TOTAL NEW PERSONAL VALUE	1	\$0	\$61,500
SECTION 52 & 59	0	\$0	\$0
REDUCED/EXPIRING ABATEMENTS	0	\$0	\$0
TOTALS:		\$241,783,800	\$127,287,499

<b>2016 TOTAL TAXABLE (EXCLUDES UNDER PROTEST)</b>	\$1,172,018,037
<b>2016 OA DP FROZEN TAXABLE</b>	\$0
<b>2016 TAX RATE</b>	0.1569
<b>2016 OA DP TAX CEILING</b>	\$0
<b>2017 CERTIFIED TAXABLE</b>	\$1,345,938,171
<b>2017 TAXABLE UNDER PROTEST</b>	\$34,119,629
<b>2017 OA FROZEN TAXABLE</b>	\$0
<b>2017 DP FROZEN TAXABLE</b>	\$0
<b>2017 TRANSFERRED OA FROZEN TAXABLE</b>	\$0
<b>2017 TRANSFERRED DP FROZEN TAXABLE</b>	\$0
<b>2017 OA FROZEN TAXABLE UNDER PROTEST</b>	\$0
<b>2017 DP FROZEN TAXABLE UNDER PROTEST</b>	\$0
<b>2017 TRANSFER OA WITH FROZEN TAXABLE UNDER PROTEST</b>	\$0
<b>2017 TRANSFER DP WITH FROZEN TAXABLE UNDER PROTEST</b>	\$0
<b>2017 APPRAISED VALUE</b>	\$1,546,949,066
<b>2017 OA DP TAX CEILING</b>	\$0

1. Includes all land and other improvements of properties with new improvement values.
2. Includes only new improvement value.

# Assessment Roll Grand Totals Report

FT. BEND CENTRAL APPRAISAL DISTRICT

Tax Year: 2017 As of: Certification

C04 - City of Fulshear (ARB Approved Totals)

Number of Properties: 5860

## Land Totals

Land - Homesite	(+)	\$242,312,520		
Land - Non Homesite	(+)	\$329,836,150		
Land - Ag Market	(+)	\$122,805,510		
Land - Timber Market	(+)	\$0		
Land - Exempt Ag/Timber Market	(+)	\$0		
<b>Total Land Market Value</b>	<b>(=)</b>	<b>\$694,954,180</b>	<b>(+)</b>	<b>\$694,954,180</b>

## Improvement Totals

Improvements - Homesite	(+)	\$906,986,118		
Improvements - Non Homesite	(+)	\$126,721,463		
<b>Total Improvements</b>	<b>(=)</b>	<b>\$1,033,707,581</b>	<b>(+)</b>	<b>\$1,033,707,581</b>

## Other Totals

Personal Property (311)		\$24,522,264	(+)	\$24,522,264
Minerals (0)		\$0	(+)	\$0
Autos (77)		\$14,069,360	(+)	\$14,069,360
<b>Total Market Value</b>			<b>(=)</b>	<b>\$1,767,253,385</b>
<b>Total Homestead Cap Adjustment (63)</b>				<b>(-)</b> <b>\$2,573,935</b>
<b>Total Exempt Property (655)</b>				<b>(-)</b> <b>\$133,636,964</b>

## Productivity Totals

Total Productivity Market (Non Exempt)	(+)	\$122,805,510		
Ag Use (161)	(-)	\$517,540		
Timber Use (0)	(-)	\$0		
<b>Total Productivity Loss</b>	<b>(=)</b>	<b>\$122,287,970</b>	<b>(-)</b>	<b>\$122,287,970</b>
<b>Total Assessed</b>			<b>(=)</b>	<b>\$1,508,754,516</b>

## Exemptions

			<b>(HS Assd</b>	<b>1,005,120,058 )</b>
(HS) Homestead Local (2477)	(+)	\$140,193,113		
(HS) Homestead State (2477)	(+)	\$0		
(O65) Over 65 Local (264)	(+)	\$3,834,891		
(O65) Over 65 State (264)	(+)	\$0		
(DP) Disabled Persons Local (14)	(+)	\$210,000		
(DP) Disabled Persons State (14)	(+)	\$0		
(DV) Disabled Vet (44)	(+)	\$398,000		
(DVX/MAS) Disabled Vet 100% (14)	(+)	\$4,460,981		
(PRO) Prorated Exempt Property (23)	(+)	\$727,490		
(AUTO) Lease Vehicles Ex (21)	(+)	\$12,989,740		
(HB366) House Bill 366 (11)	(+)	\$2,130		
<b>Total Exemptions</b>	<b>(=)</b>	<b>\$162,816,345</b>	<b>(-)</b>	<b>\$162,816,345</b>
<b>Net Taxable (Before Freeze)</b>			<b>(=)</b>	<b>\$1,345,938,171</b>

**AGENDA MEMO  
BUSINESS OF THE CITY COUNCIL  
CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b>	August 15, 2017	<b>AGENDA ITEM:</b>
<b>DATE SUBMITTED:</b>	August 9, 2017	<b>DEPARTMENT:</b> Administration
<b>PREPARED BY:</b>	Maureen Murray Executive Assistant	<b>PRESENTER:</b> CJ Snipes, City Manager
<b>SUBJECT:</b>	City Holidays	
<b>ATTACHMENTS:</b>	None	
<b>EXPENDITURE REQUIRED:</b>	\$0	
<b>AMOUNT BUDGETED:</b>	\$	
<b>ACCOUNT NO:</b>		
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>	\$0	
<b>ACCOUNT NO:</b>		

**EXECUTIVE SUMMARY**

Staff has realized the date for the Fort Bend County Fair is incorrect. The current date of September 22, 2017 is incorrect. The correct date is September 29, 2017.

**RECOMMENDATION**

Staff recommends that City Council approve date change from September 22, 2017 to September 29, 2017.



**RESOLUTION NO 2017-355**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS AMENDING  
RESOLUTION NO. 2016-322 SETTING HOLIDAYS FOR THE FISCAL YEAR 2016-2017 TO  
REFLECT THE CORRECT DATE FOR FORT BEND COUNTY FAIR DAY**

**WHEREAS**, the City Council of the City of Fulshear, Texas is desirous of honoring those dates important to the cultural and historic development of our community; and

**WHEREAS**, the previously adopted Resolution listed an incorrect date associated with Fort Bend County Fair Day

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

The following dates are hereby amended and revised to declare official City Holidays for the Fiscal Year 2016-2017:

- Veteran's Day - Wednesday, November 11, 2016
- Thanksgiving Day-Thursday, November 24, 2016
- Day after Thanksgiving - Friday, November 25, 2016
- Christmas Eve - Friday, December 23, 2016
- Christmas Day - Monday, December 26, 2016
- New Year's - Monday, January 2, 2017
- Dr. M. L. King Day- Monday, January 16, 2017
- Good Friday- Friday, April 14, 2017
- Memorial Day- Monday, May 29, 2017
- Independence Day-Tuesday, July 4, 2017
- Labor Day- Monday, September 4, 2017
- Fair Day- Friday, September 29, 2017***

Additionally, the City will provide each employee a Floating Holiday for use on or near their Birthday.

**This Resolution duly passed this 18<sup>th</sup> day of August, 2017.**

\_\_\_\_\_  
Jeff W. Roberts, Mayor

ATTEST:

\_\_\_\_\_  
D. Offord, City Secretary

**AGENDA MEMO  
BUSINESS OF THE CITY COUNCIL  
CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b>	August 15, 2017	<b>AGENDA ITEM:</b>	
<b>DATE SUBMITTED:</b>	August 10, 2017	<b>DEPARTMENT:</b>	Administration
<b>PREPARED BY:</b>	CJ Snipes, City Manager	<b>PRESENTER:</b>	CJ Snipes, City Manager
<b>SUBJECT:</b>	LCISD Annexation No. 2		
<b>ATTACHMENTS:</b>	Ordinance No. 2017-1249 Annexing Certain Land into the Municipal Limits		
<b>EXPENDITURE REQUIRED:</b>		\$0	
<b>AMOUNT BUDGETED:</b>		\$	
<b>ACCOUNT NO:</b>			
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>		\$0	
<b>ACCOUNT NO:</b>			

**EXECUTIVE SUMMARY**

The adoption of this Ordinance will complete the Annexation process for the entirety of the LCISD Campus located north of FM 1093.

**RECOMMENDATION**

Staff recommends that City Council approve the finalization of this annexation.

**AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF FULSHEAR, FORT BEND COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS AND PROPERTY BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY, WHERE APPLICABLE BY LAW; AND ADOPTING A SERVICE PLAN.**

\* \* \* \* \*

**WHEREAS**, the City of Fulshear, Texas (“City”) has heretofore previously accepted Lamar Consolidated Independent School District’s (“LCISD”) voluntary petition to annex certain property consisting of an 89.25 acre tract of land owned by LCISD into the City; and

**WHEREAS**, the property sought to be annexed meets the applicable requirements of law for annexation of property by voluntary petition of landowners of a sparsely occupied area pursuant to Section 43.028 of the Texas Local Government Code; and

**WHEREAS**, the property contains an approximate 89.25 acres of land, out of the Restricted Reserve “A” of the Lamar C.I.S.D. High School No. 5 Complex being called 124.49 acres in Clerk’s File No. 2008129534 and being situated in the Enoch Latham Survey, Abstract 50, Fort Bend County, Texas. Said 89.25 acre tract being more particularly described in Exhibit A (“Property”), which is attached hereto and incorporated herein for all purposes; and

**WHEREAS**, the procedures prescribed by the Texas Local Government Code and the laws of this State have been duly followed with respect to the Property;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS:**

**Section 1.** That all of the facts recited in the preamble to this Ordinance are hereby found by the City Council to be true and correct and are incorporated by reference herein and expressly made a part hereof, as if copied herein verbatim.

**Section 2.** That the property described in Exhibit A is hereby annexed into the City of Fulshear, Fort Bend County, Texas, and that the boundary limits of the City of Fulshear, Texas, are hereby extended to include the Property within the territorial limits of the City of Fulshear, Texas, and the same shall hereafter be included within the territorial limits of said City, and the inhabitants and Property thereof shall hereafter be

entitled to all the rights and privileges of other citizens of the City and shall be bound by the acts, ordinances, resolutions, and regulations of said City where applicable by law.

**Section 3.** That a Service Plan for the Property is hereby adopted and attached hereto and incorporated herein for all purposes as Exhibit B.

**Section 4.** That the City Secretary is hereby directed to file with the County Clerk of Fort Bend County, Texas, a certified copy of this Ordinance.

**Section 5. Effective date.** That this Ordinance shall be effective and in full force immediately upon its adoption.

**PASSED, APPROVED, and ADOPTED** this, the \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jeff W. Roberts, Mayor

**ATTEST:**

\_\_\_\_\_  
D. Gordon Offord, City Secretary

**FIELD NOTES FOR ANNEXATION**

**FIELD NOTES FOR A 89.25 ACRE TRACT** OF LAND OUT OF THE RESTRICTED RESERVE "A" OF THE LAMAR C.I.S.D. HIGH SCHOOL No. 5 COMPLEX BEING CALLED 124.49 ACRES IN CLERK'S FILE No. 2008129534 AND BEING SITUATED IN THE ENOCH LATHAM SURVEY, ABSTRACT 50, FORT BEND COUNTY, TEXAS.

COMMENCING: At a point in the intersection of the West right-of-way line of Charger Way formerly called Bois D'Arc Road and the North right-of-way line of F.M. 1093 (120 foot width) being the Southeast corner of the Naferdon Subdivision (Plat No. 20040024 Plat Records) and of Reserve "D" being called 1.895 acres in Clerk's File No. 2005011499, said point also being the Southwest corner of the above described Reserve "A"

THENCE: North 02° 53' 53" West a distance of 813.34 feet to a point for the Southwest corner & **PLACE OF BEGINNING** of this 89.25 acre tract, said point being located in the East line of a called 14.4764 acre tract (Clerk's File No. 2008036700) and an angle point in the existing City of Fulshear City Limits line;

THENCE: North 02° 53' 53" West a distance of 1441.58 feet along the existing City Limits line of the City of Fulshear to an angle point in the West line of this tract for the Northeast corner of a called 8.33 acre tract in Clerk's File No. 9520363 and the Southeast corner of a called 1-1/3 acre tract (Volume 2370, Page 1526 Official Records);

THENCE: North 01° 59' 50" West a distance of 553.20 feet with the existing City Limits line of the City of Fulshear to an angle point in the West line of this tract located in the East line of a called 50 acre tract (Volume 65, Page 87 Deed Records);

THENCE: North 02° 06' 09" West a distance of 359.50 feet with the existing City Limits line of the City of Fulshear to an angle point in the West line of this tract for the Northeast corner of a called 4 acre tract (Volume 182, Page 560 Deed Records) and the Southeast corner of a called 4 acre tract (Clerk's File No. 2004055416);

THENCE: North 02° 06' 22" West a distance of 557.71 feet with the existing City Limits line of the City of Fulshear to a Bolt found for the Northwest corner of this tract, same being the Northwest corner of the above described Reserve "A", said point being located in the common line of the Enoch Latham Survey, Abstract 50 and the Micahjah Autrey Survey, Abstract 100, also being located in the South line of a called 2,214.27 acre tract (Tract 3 described in Clerk's File No. 2010006543);

THENCE: North 87° 55' 12" East a distance of 1466.61 feet with the existing City Limits line of the City of Fulshear to a ½ inch iron rod found for the Northeast corner of this tract and the Northwest corner of a called 137.294 acre tract (Clerk's File No. 2008000068), said point being

**FIELD NOTES FOR ANNEXATION**

located in the South line of the 2,214.27 acre tract and in the common line of the Enoch Latham Survey, Abstract 50 and the Micahjah Autrey Survey, Abstract 100;

THENCE: South 03° 11' 19" East a distance of 2262.06 with the common line of this tract and the 137.294 acre tract to a point for the Southeast corner of this tract being located in the existing City Limits line of the City of Fulshear;

THENCE: With the South line of this tract and the existing City Limits line of the City of Fulshear the following calls:

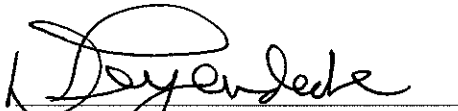
South 87° 19' 19" West a distance of 554.21 feet to a point;

South 02° 38' 50" East a distance of 454.04 feet to a point;

South 76° 28' 32" West a distance of 959.59 feet to the **PLACE OF BEGINNING** and containing 89.25 acres of land.

All bearings recited hereon are based on the South property line of this 89.25 acre tract running South 76° 28' 32" West.

This survey consists of a separate plat and a legal description.

  
\_\_\_\_\_

For Clay & Leyendecker, Inc.

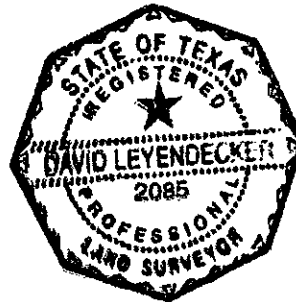
David Leyendecker, R.P.L.S.

Texas Registration No. 2085

April 11, 2017

Br

EnochLatham(FulshearAnnex)-89.25ac-17-058

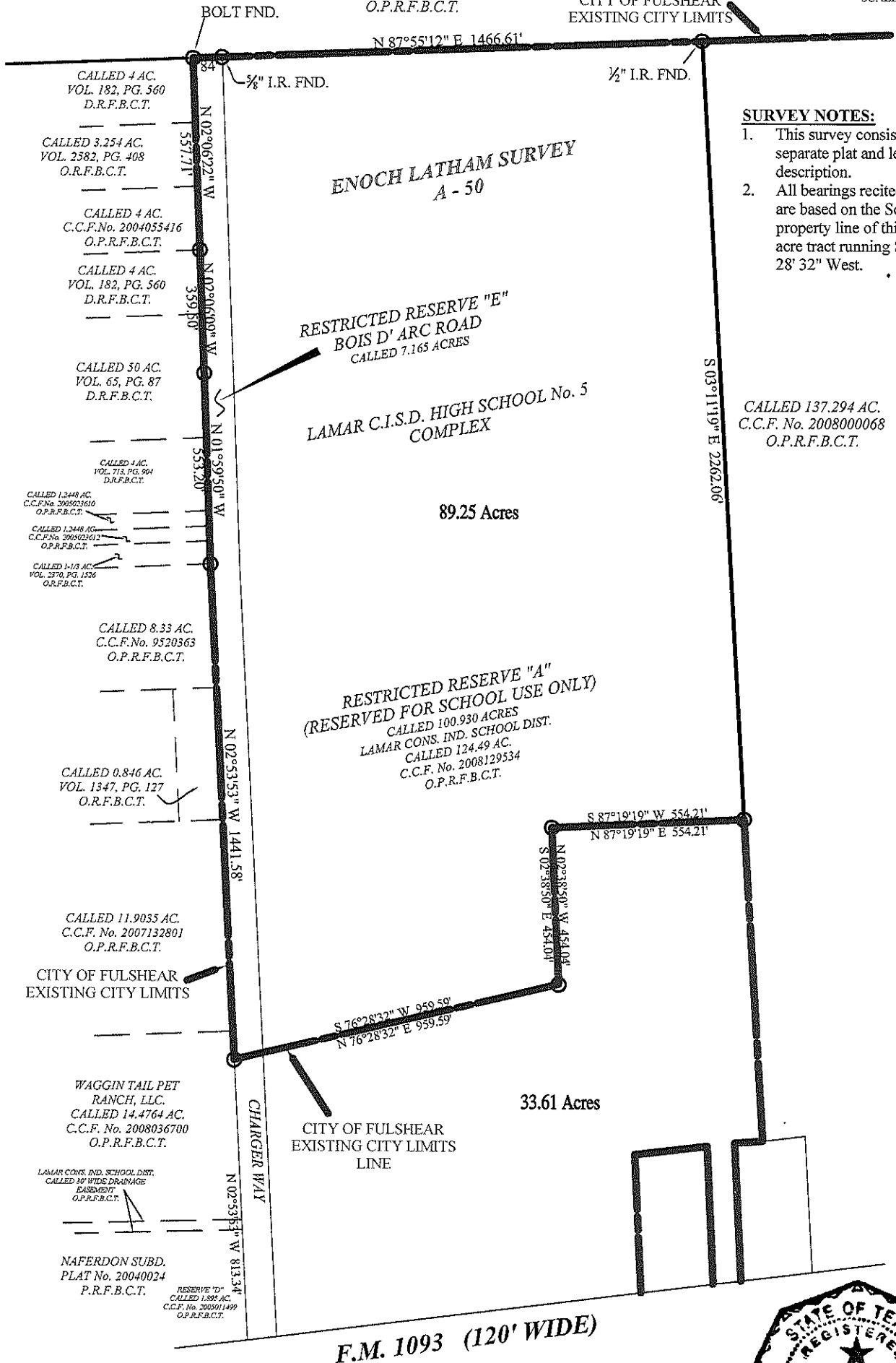
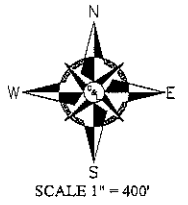


# Clay & Leyendecker, Inc.

Consulting Engineers & Surveyors  
Texas Registered Engineering Firm F-2309  
1350 Ave. D / Katy, Texas 77493 / (281) 391-0173

CALLED 2.214.27 AC.  
TRACT 3  
C.C.F. No. 2010006543  
O.P.R.F.B.C.T.

MICAHJAH AUTREY SURVEY  
A - 100



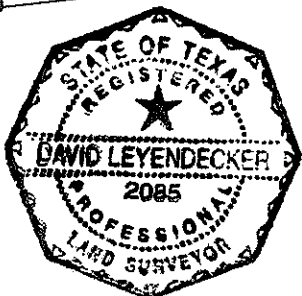
**SURVEY NOTES:**

1. This survey consists of a separate plat and legal description.
2. All bearings recited hereon are based on the South property line of this 89.25 acre tract running South 76° 28' 32" West.

CALLLED 137.294 AC.  
C.C.F. No. 2008000068  
O.P.R.F.B.C.T.

## PLAT FOR ANNEXATION

BEING AN 89.25 ACRE TRACT OF LAND OUT OF THE RESTRICTED RESERVE "A" OF THE LAMAR C.I.S.D. HIGH SCHOOL No. 5 COMPLEX BEING CALLED 124.49 ACRES IN CLERK'S FILE No. 2008129534 AND BEING SITUATED IN THE ENOCH LATHAM SURVEY, ABSTRACT 50, FORT BEND COUNTY, TEXAS.



*David Leyendecker*

For Clay & Leyendecker, Inc.  
David Leyendecker, R.P.L.S.  
Texas Registration No. 2085

Scale: 1" = 400'  
Date: 04-10-17  
Dwn. By: BR  
File: 17-058A

## EXHIBIT B

### CITY OF FULSHEAR, TEXAS, PROPOSED SERVICE PLAN FOR THE ANNEXATION OF LAND

#### I. INTRODUCTION

THIS SERVICE PLAN ("PLAN") IS MADE BY THE CITY OF FULSHEAR, TEXAS, ("CITY") PURSUANT TO THE LOCAL GOVERNMENT CODE. THIS PLAN PERTAINS TO THE FOLLOWING LAND ("TRACT"):

An 89.25 acre tract of land out of the Restricted Reserve "A" of the Lamar C.I.S.D. High School No. 5 Complex being called 124.49 acres in Clerk's File No. 2008129534 and being situated in the Enoch Latham Survey, Abstract 50, Fort Bend County, Texas, said 89.25 acres being more particularly described in Attachment 1, which is attached hereto and incorporated herein for all purposes.

#### II. TERM AND EFFECTIVE DATE

This PLAN is proposed to be in effect for a term of ten (10) years commencing on the effective date of the annexation of the TRACT. Renewal of this PLAN shall be at the discretion of the CITY and such discretion may be exercised by the City Council in such manner and for such time as the CITY may then direct.

#### III. SERVICE PLAN

A. Services. According to this PLAN, the CITY shall provide an equal or superior level of services to the TRACT as provided within the corporate boundaries of the CITY before annexation, including police protection; fire protection; emergency medical services; solid waste collection; operation and maintenance of water and wastewater facilities to the TRACT that are not within the service area of another water or wastewater utility; operation and maintenance of roads and streets, including road and street lighting; operation and maintenance of parks, playgrounds, and swimming pools; and operation and maintenance of any other publicly owned facility, building, or service. The CITY shall provide such services to the TRACT to the extent that the CITY currently offers such services to similarly situated landowners. The CITY shall provide such services on the effective date of annexation. The CITY has extended water and wastewater mains (capital improvements) to the TRACT such that no additional facilities are necessary to provide full municipal services to the TRACT.

This CITY may cause or allow public or private utilities, contractors, governmental entities and other public service organizations to provide such services to the TRACT, in whole or in part.

B. Scope and Quality of Proposed Service. The CITY shall provide services to the TRACT pursuant to any methods by which it extends or is authorized to extend



services to any other area of the CITY. Under this PLAN, the CITY shall not provide fewer services or a lower level of services to the TRACT than were in existence in the area immediately preceding the date of annexation. However, it is not the intent of this PLAN to require that a uniform level of services be provided to all areas of the CITY, including the TRACT, where differing characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

C. Fees. The CITY may impose a fee for a service to the TRACT if the same fee is imposed within the corporate boundaries of the CITY before annexation. The CITY may impose a fee to the TRACT, over and above ad valorem taxes and fees imposed within the corporate boundaries of the CITY before annexation, to maintain the level of services that existed to the TRACT before annexation, if applicable.

**NOTHING IN THIS PLAN SHALL BE INTERPRETED TO WAIVE OR OVERRIDE ANY PRE-EXISTING OBLIGATION THAT ANY OTHER PUBLIC AND/OR GOVERNMENTAL ENTITY CURRENTLY HAS TO CONSTRUCT AND/OR OTHERWISE MAINTAIN THE PUBLIC IMPROVEMENTS OR INFRASTRUCTURE CURRENTLY EXISTING TO THE TRACT.**

#### **IV. AMENDMENT; GOVERNING LAW**

This PLAN may not be amended or repealed except as provided by the Local Government Code or other controlling law. Neither changes in the methods or means of implementing any part of the services nor changes in the responsibilities of the various departments of the CITY shall constitute amendments to this PLAN, and the CITY reserves the right to make such changes. This PLAN is subject to, and shall be interpreted in accordance with the Local Government Code, the Constitution and laws of the federal government of the United States of America and the State of Texas.

#### **V. FORCE MAJEURE**

Should a *force majeure* interrupt the services described herein, the CITY shall resume services under this PLAN within a reasonable time after the cessation of the *force majeure*. The term "*force majeure*," for the purposes of this PLAN, shall include, but not be limited to, acts of God, acts of the public enemy, war, blockades, insurrection, riots, epidemics, lightning, earthquakes, fires, storms, floods, washouts, droughts, tornadoes, hurricanes, arrests and restraints of government, explosions, collisions, and any other inability imposed upon the CITY whether similar to those enumerated or otherwise, which is not within the control of the CITY.

#### **VI. ENTIRE PLAN**

This document along with the terms of the Development Agreement between the City and LCISD contains the entire and integrated PLAN relating to the TRACT and

supersedes all other negotiations, representations, plans and agreements, whether written or oral.

\_\_\_\_\_  
Jeff W. Roberts, Mayor

**ATTEST:**

\_\_\_\_\_  
D. Gordon Offord, City Secretary

**FIELD NOTES FOR ANNEXATION**

**FIELD NOTES FOR A 89.25 ACRE TRACT** OF LAND OUT OF THE RESTRICTED RESERVE "A" OF THE LAMAR C.I.S.D. HIGH SCHOOL No. 5 COMPLEX BEING CALLED 124.49 ACRES IN CLERK'S FILE No. 2008129534 AND BEING SITUATED IN THE ENOCH LATHAM SURVEY, ABSTRACT 50, FORT BEND COUNTY, TEXAS.

COMMENCING: At a point in the intersection of the West right-of-way line of Charger Way formerly called Bois D'Arc Road and the North right-of-way line of F.M. 1093 (120 foot width) being the Southeast corner of the Naferdon Subdivision (Plat No. 20040024 Plat Records) and of Reserve "D" being called 1.895 acres in Clerk's File No. 2005011499, said point also being the Southwest corner of the above described Reserve "A"

THENCE: North 02° 53' 53" West a distance of 813.34 feet to a point for the Southwest corner & **PLACE OF BEGINNING** of this 89.25 acre tract, said point being located in the East line of a called 14.4764 acre tract (Clerk's File No. 2008036700) and an angle point in the existing City of Fulshear City Limits line;

THENCE: North 02° 53' 53" West a distance of 1441.58 feet along the existing City Limits line of the City of Fulshear to an angle point in the West line of this tract for the Northeast corner of a called 8.33 acre tract in Clerk's File No. 9520363 and the Southeast corner of a called 1-1/3 acre tract (Volume 2370, Page 1526 Official Records);

THENCE: North 01° 59' 50" West a distance of 553.20 feet with the existing City Limits line of the City of Fulshear to an angle point in the West line of this tract located in the East line of a called 50 acre tract (Volume 65, Page 87 Deed Records);

THENCE: North 02° 06' 09" West a distance of 359.50 feet with the existing City Limits line of the City of Fulshear to an angle point in the West line of this tract for the Northeast corner of a called 4 acre tract (Volume 182, Page 560 Deed Records) and the Southeast corner of a called 4 acre tract (Clerk's File No. 2004055416);

THENCE: North 02° 06' 22" West a distance of 557.71 feet with the existing City Limits line of the City of Fulshear to a Bolt found for the Northwest corner of this tract, same being the Northwest corner of the above described Reserve "A", said point being located in the common line of the Enoch Latham Survey, Abstract 50 and the Micahjah Autrey Survey, Abstract 100, also being located in the South line of a called 2,214.27 acre tract (Tract 3 described in Clerk's File No. 2010006543);

THENCE: North 87° 55' 12" East a distance of 1466.61 feet with the existing City Limits line of the City of Fulshear to a ½ inch iron rod found for the Northeast corner of this tract and the Northwest corner of a called 137.294 acre tract (Clerk's File No. 2008000068), said point being

**FIELD NOTES FOR ANNEXATION**

located in the South line of the 2,214.27 acre tract and in the common line of the Enoch Latham Survey, Abstract 50 and the Micahjah Autrey Survey, Abstract 100;

THENCE: South 03° 11' 19" East a distance of 2262.06 with the common line of this tract and the 137.294 acre tract to a point for the Southeast corner of this tract being located in the existing City Limits line of the City of Fulshear;

THENCE: With the South line of this tract and the existing City Limits line of the City of Fulshear the following calls:

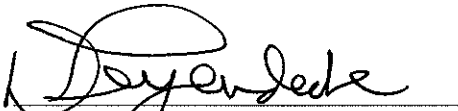
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South 76° 28' 32" West a distance of 959.59 feet to the **PLACE OF BEGINNING** and containing 89.25 acres of land.

All bearings recited hereon are based on the South property line of this 89.25 acre tract running South 76° 28' 32" West.

This survey consists of a separate plat and a legal description.

  
\_\_\_\_\_

For Clay & Leyendecker, Inc.

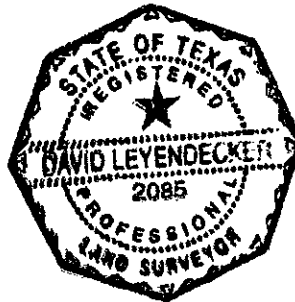
David Leyendecker, R.P.L.S.

Texas Registration No. 2085

April 11, 2017

Br

EnochLatham(FulshearAnnex)-89.25ac-17-058



**AGENDA MEMO  
BUSINESS OF THE CITY COUNCIL  
CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b>	August 15, 2017	<b>AGENDA ITEM:</b>	G
<b>DATE SUBMITTED:</b>	August 8, 2017	<b>DEPARTMENT:</b>	Economic Development
<b>PREPARED BY:</b>	Angela Fritz Eco. Dev. Director	<b>PRESENTER:</b>	Same
<b>SUBJECT:</b>	<b>Administrative Services Agreement – CDC (A)</b>		
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"> <li>1. FY 2017-2018 Administrative Services Agreement – City of Fulshear Development Corporation (Type A)</li> <li>2. FY 2016-2017 ASA Redline</li> </ol>		
<b>EXPENDITURE REQUIRED:</b>	N/A		
<b>AMOUNT BUDGETED:</b>			
<b>FUNDING ACCOUNT:</b>			
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>	N/A		
<b>FUNDING ACCOUNT:</b>			

**EXECUTIVE SUMMARY**

The proposed administrative services agreement was adopted by the A Corporation Board at their July 24, 2017 Meeting. The Agreement provides for the administration of Corporation funds via the City of Fulshear and its personnel, and for the reimbursement of the City’s General Fund for operational costs associated with the Economic Development department. The agreement runs concurrent with the budget and fiscal year, and is intended to be revisited annually in conjunction with City and Corporation budget development.

The FY2018 Agreement provides for a direct transfer of event funds to the City’s General Fund to be administered by the City Manager.

**RECOMMENDATION**

Staff recommends approval of the FY 2017-2018 Administrative Services Agreement between the City of Fulshear and the City of Fulshear Development Corporation.

**ADMINISTRATIVE SERVICES AGREEMENT BETWEEN  
THE CITY OF FULSHEAR DEVELOPMENT CORPORATION  
AND  
THE CITY OF FULSHEAR**

This Agreement is entered into by and between the **City of Fulshear Development Corporation** (hereinafter referred to as the "**Corporation**" and) the **City of Fulshear, Texas** (hereinafter referred to as the "**CITY**").

**WHEREAS**, the **CORPORATION** and CITY wish to aid, and cooperate with each other in coordinating certain functions and services including administrative services for the effective, efficient operation of the **CORPORATION**; and

**WHEREAS**, it is in the best interests of the CITY to cooperate with the **CORPORATION** in that the **CORPORATION** is a public instrumentality acting on behalf of the CITY in furtherance of the public purposes of the Development Corporation Act of 1979, now located in Texas Local Government Code, Title 12, Subtitle C1, Chapters 504 and 505; and

**WHEREAS**, the governing body of CITY has duly authorized this agreement; and

**WHEREAS**, the governing body of **CORPORATION** has duly authorized this agreement;

**NOW THEREFORE**, in consideration of the foregoing and further consideration of the mutual promises, covenants and conditions herein CITY and **CORPORATION** hereby agree as follows:

**Use of City Facilities**

1. The CITY will agree to allow the **CORPORATION** to use the City Council Chamber and City Hall Conference Room, Community Center, and additional City conference rooms without fee. Adequate office space for **CORPORATION** daily operations, utilities and common space (restrooms, break rooms and storage) will be provided by the City. Utilities include telephone service and hardware, internet connections, and shared building utilities. Also, the CITY agrees to allow the **CORPORATION** to post notices for public hearings, special or regular meetings or workshops.

2. The CITY agrees to share a Post Office box and a box at City Hall for receipt of mail to the **CORPORATION** and to disseminate any and all mail to the **CORPORATION** box at City Hall without charge.

## Services to be Provided

The CITY agrees to provide the following services to the **CORPORATION** pursuant to the City Manager's direction and approval, and such employees furnishing said services are to be considered at all times to be employees of the CITY.

- a. Economic Development Director Services
  1. Develop and implement strategies for the retention, expansion, and recruitment of business enterprises.
  2. Provide administrative services as required by the **CORPORATION**.
  3. Perform services related to the office of Executive Director of the **CORPORATION**.
  4. Perform all services related to State of Texas requirements for Economic Development Corporation's reporting. Maintain all public documents and records of the Corporation.
  5. Administer budgets (including Economic Development Department operating budget (100) and Corporation operating budget 600 and projects fund 601 in accordance with City, Corporation, and State purchasing and expenditure requirements. Once adopted, and approved by the City Council, the Economic Development Director shall be allowed to expend any funds within operating budgets (100, 600) to reimburse the City's expenditures for purposes described in the budgets without further Corporation approval. At no time shall any funds be expended from the projects fund (601) without prior Corporation approval of the expenditure.
- b. Economic Development Assistant Services
  1. Assist the Economic Development Director in the day-to-day operation of the **CORPORATION** and the development and implementation of sound, fact-based economic development strategies to retain, expand and recruit business enterprises.
- c. Finance and Accounting
  1. Payment of any and all bills submitted by the **CORPORATION** within **CORPORATION** budgetary and bylaw requirements. The

City accepts no responsibility for the accuracy of bills submitted.

2. Receive, manage and invest **CORPORATION** funds in accordance with the adopted **CORPORATION** Investment Policy.
3. Maintenance of accounting records, including but not limited to general ledger, income and expense accounts and balance sheet.
4. Processing and preparation of annual budget, including monthly budget reports.

d. Other Services

1. The **CORPORATION** may request other needed services from the CITY via the City Manager.
2. The City shall provide general legal services to the Corporation, including advice, the review and preparation of resolutions, general contracts, and other legal documents or records for the Corporation. Legal services provided in regard to specific **CORPORATION** projects will be charged to the individual project.

### Compensation

In consideration for the services and related costs provided by the CITY for the benefit of the **CORPORATION**, the **CORPORATION** agrees to reimburse the CITY Administrative Services Fees in an amount not to exceed to total "Administrative Services Fee" line item in the Corporation's approved fiscal year budget, a copy of which is attached hereto as Exhibit "A". Estimated fees will be prepared concurrently with the establishment of the annual budget, will be billed to the **CORPORATION** in arrears at least quarterly , and will be reconciled to actual costs incurred (except for funding for Community Events).

The Corporation shall provide payment as set forth in the Corporation's annual operating budget (Fund 600) under the "Administrative Services Agreement Fees" line item, equivalent to 50% of the City's Economic Development Department operating costs as outlined in the City's Fund 100 budget, which includes funding for Economic Development Personnel, Equipment and Supplies, Dues and Memberships, and Travel and Training. The Corporation's budget commitment is based upon budget projections provided by the City. Said sum shall be payable on a reimbursement basis to the City following presentment of an invoice from the City to the Corporation (except for Community Events funding).



The Corporation may provide funding as outlined in their annual operating budget (Fund 600), for transfers to the Corporation's Projects Fund (Fund 601) to be administered by City personnel under the direction of the Corporation. For FY 2018, these transfers include funding for promotional expenses and professional services (studies).

The Corporation will provide funding for Community Events as outlined in the budgets for transfers to the City's General Fund to be administered directly by the City under the City Manager's direction pursuant to the terms of agreements between the City and third parties for all community events.

### **Period of Duration**

This Agreement shall remain in force and effect for a one-year period. The parties agree to use best efforts to continue this Agreement from year to year. The Agreement shall be reviewed annually, and any modifications or extension of the terms and conditions of the Agreement shall be of no force and effect except in a subsequent document in writing signed by the parties hereto.

This agreement will have no force or effect until duly executed by all parties hereto, will run concurrent to the City and Corporation's fiscal year (October 1 through September 30), terminating at **12:01 a.m. on October 1, 2018**.

The **CORPORATION** and the CITY may cancel this agreement at any time upon sixty (60) days written notice to the other party. The obligations of the **CORPORATION**, including its obligation to pay the CITY for all costs incurred under this agreement prior to such notice, shall survive such cancellation, as well as any other obligation incurred under this agreement, until performed or discharged by the **CORPORATION**.

Nothing in this Agreement shall constitute a waiver by the Parties of governmental immunity nor shall the Parties' enforcement of any legal right or assertion of any affirmative defense arising out of this Agreement constitute a waiver of the Parties' governmental immunity. Nothing in this Agreement shall be construed as express or implied consent of the Parties to being sued.

**Execution**

Executed, in duplicate originals, by the CORPORATION on the 24<sup>th</sup> day of July, 20  , and by the CITY on the \_\_\_\_\_ day of \_\_\_\_\_, 20  , at Fulshear, Fort Bend County, Texas, to be **effective on October 1, 2017**.

**CITY OF FULSHEAR DEVELOPMENT CORPORATION**

By:   
Ken Knapp, Secretary

By:   
Roy Judice Gilmore, President

**CITY OF FULSHEAR**

By: \_\_\_\_\_  
Diana Gordon Offord, City Secretary

By: \_\_\_\_\_  
Jeff W. Roberts, Mayor

# EXHIBIT "A"

## CDC (A) Adopted July 24, 2017

Account No.	Account Description	FY16 Actual	FY17 Budget	FY17 YTD Estimated Actual	FY18 Base Budget	New Program	FY18 Proposed Budget
<b>600-Type A Development Corp</b>							
	<b>Beginning Fund Balance</b>	<b>577,504</b>	<b>610,522</b>	<b>659,388</b>	<b>705,867</b>		705,867
<b>Revenues:</b>							
<b>Tax</b>							
600-41301	Sales & Use Tax Revenue	333,467	338,498	338,498	403,200		403,200
	Total Tax	333,467	338,498	338,498	403,200	-	403,200
<b>Interest Revenue</b>							
600-46000	Interest Revenue	975	1,000	4,000	1,000		1,000
	Total Interest Revenue	975	1,000	4,000	1,000	-	1,000
	Total Revenues	334,442	339,498	342,498	404,200	-	404,200
<b>Expenditures:</b>							
600-5-100-5311-00	Supplies	85	250	250	250		250
600-5-100-5411-00	Admin Prof. Serv. - Legal	3,483	2,500	15,000	10,000		10,000
600-5-100-5411-10	Professional Svcs - Consult	3,235	2,900	2,900	2,900		2,900
600-5-100-5421-00	Admin - Indemnity Insurance	-	500	400	400		400
600-5-100-5469-00	Admin - Administrative Fee	-	122,059	122,059	-		-
600-5-100-5475-00	Admin - Bank Charges	-	400	-	400		400
600-5-100-5526-00	Admin - Public Notices	30	100	35	100		100
600-5-100-5528-05	Continuing Education	-	5,000	175	5,000		5,000
600-5-400-5411-00	CD- Tourism/City Events	36,599	-	-	-		-
600-5-400-5411-01	CD - Administration (MOU)	42,312	-	-	-		-
600-5-400-5411-10	CD- Marketing (MOU)	10,340	-	-	-		-
600-5-500-5527-00	Dues & Memberships (MOU)	5,975	-	-	-		-
600-5-700-5710-00	DEBT SERVICE APP FEES	500	-	-	-		-
600-5-700-5710-01	Debt Service Loan Principal	-	26,760	-	-		-
600-5-700-5710-02	Debt Service Loan Interest	-	17,500	-	-		-
600-5-700-5900-10	Xfer Out - Gen Fund 100	-	-	-	122,059		151,645
600-5-700-5900-11	Xfer Out-GF 100-Comm Events	36,599	-	-	24,420		24,420
600-5-700-5900-61	Xfer Out - 4A Cap Proj Fd 601	150,000	155,200	155,200	155,200		130,640
	Total Expenditures	289,158	333,168	296,019	320,729	-	325,755
	Revenues Over(Under) Expenditures	45,284	6,330	46,479	83,471	-	78,445
	<b>Ending Fund Balance</b>	<b>622,788</b>	<b>616,852</b>	<b>705,867</b>	<b>789,338</b>	<b>-</b>	<b>784,312</b>
<hr/>							
<b>601-Type A Corp Project Fund</b>							
	<b>Beginning Fund Balance</b>	<b>-</b>	<b>150,010</b>	<b>150,010</b>	<b>203,810</b>		<b>203,810</b>
<b>Revenues:</b>							
<b>Interest Revenue</b>							
601-46000	Interest Revenue	10	100	100	100		100
	Total Interest Revenue	10	100	100	100	-	100
<b>Other Revenue</b>							
601-49560	XFER IN - 4/A EDC FUND 600	150,000	155,200	155,200	130,640		130,640
	Total Other Revenue	150,000	155,200	155,200	130,640	-	130,640
	Total Revenues	150,010	155,300	155,300	130,740	-	130,740
<b>Expenditures:</b>							
601-5-000-5470-01	Targeted Incentives	-	33,850	-	40,320		40,320
601-5-000-5470-02	Promotional Expenses	-	33,850	22,500	40,320		40,320
601-5-000-5470-03	Studies expense	-	50,000	42,500	50,000		50,000
601-5-000-5470-04	Community Events	-	37,500	36,500	-		-
	Total Expenditures	-	155,200	101,500	130,640	-	130,640
	Net Revenues Over(Under) Expenditures	150,010	100	53,800	100	-	100
	<b>Ending Fund Balance</b>	<b>150,010</b>	<b>150,110</b>	<b>203,810</b>	<b>203,910</b>	<b>-</b>	<b>203,910</b>

**ADMINISTRATIVE SERVICES AGREEMENT BETWEEN  
THE CITY OF FULSHEAR DEVELOPMENT CORPORATION  
AND  
THE CITY OF FULSHEAR**

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**WHEREAS**, the **CORPORATION** and CITY wish to aid, and cooperate with each other in coordinating certain functions and services including administrative services for the effective, efficient operation of the **CORPORATION**; and

**WHEREAS**, it is in the best interests of the CITY to cooperate with the **CORPORATION** in that the **CORPORATION** is a public instrumentality acting on behalf of the CITY in furtherance of the public purposes of the Development Corporation Act of 1979, now located in Texas Local Government Code, Title 12, Subtitle C1, Chapters 504 and 505; and

**WHEREAS**, the governing body of CITY has duly authorized this agreement; and

**WHEREAS**, the governing body of **CORPORATION** has duly authorized this agreement;

**NOW THEREFORE**, in consideration of the foregoing and further consideration of the mutual promises, covenants and conditions herein CITY and **CORPORATION** hereby agree as follows:

**Use of City Facilities**

1. The CITY will agree to allow the **CORPORATION** to use the City Council Chamber and City Hall Conference Room, Community Center, and additional City conference rooms without fee. Adequate office space for **CORPORATION** daily operations, utilities and common space (restrooms, break rooms and storage) will be provided by the City. Utilities include telephone service and hardware, internet connections, and shared building utilities. Also, the CITY agrees to allow the **CORPORATION** to post notices for public hearings, special or regular meetings or workshops.

2. The CITY agrees to share a Post Office box and a box at City Hall for receipt of mail to the **CORPORATION** and to disseminate any and all mail to the **CORPORATION** box at City Hall without charge.

### Services to be Provided

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- a. Economic Development Director Services
  1. Develop and implement strategies for the retention, expansion, and recruitment of business enterprises.
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  5. Administer budgets (including Economic Development Department operating budget (100) and Corporation operating budget 600 and projects fund 601 in accordance with City, Corporation, and State purchasing and expenditure requirements. Once adopted, and approved by the City Council, the Economic Development Director shall be allowed to expend any funds within operating budgets (100, 600) to reimburse the City's expenditures for purposes described in the budgets without further Corporation approval, ~~with the exception of the "Dues and Memberships" and "Travel and Training" line items. Once detail for these two line items has been approved by the Corporation, staff may expend funds within the line item for such approved purposes. In the event of a proposed change to approved expenditures in either category, the proposed change(s) shall be presented to the Corporation for approval before funds may be expended.~~ At no time shall any funds be expended from the projects fund (601) without prior Corporation approval of the expenditure.
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  1. Assist the Economic Development Director in the day-to-day operation of the **CORPORATION** and the development and

Administrative Services Agreement

City of Fulshear Development Corporation and the City of Fulshear  
October 1, 2017 through September 30, 2018

Page 2 of 7

implementation of sound, fact-based economic development strategies to retain, expand and recruit business enterprises.

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Administrative Services Agreement  
City of Fulshear Development Corporation and the City of Fulshear  
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the City's Economic Development Department operating costs as outlined in the City's Fund 100 budget, which includes funding for Economic Development Personnel, Equipment and Supplies, Dues and Memberships, and Travel and Training. The Corporation's budget commitment is based upon budget projections provided by the City. Said sum shall be payable on a reimbursement basis to the City following presentation of ~~an detailed quarterly invoice from the City to the Corporation~~ (except for Community Events funding).

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~~The Corporation will also provide funding for Community Events as outlined in the budgets for transfers to the City's General Fund to be administered directly by the City under the City Manager's direction pursuant to the terms of agreements between the City and third parties for all community events that follow.~~

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- ~~• September 30~~

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This agreement will have no force or effect until duly executed by all parties hereto, will run concurrent to the City and Corporation's fiscal year (October 1 through September 30), terminating at **12:01 a.m. on October 1, 2018**.

The **CORPORATION** and the CITY may cancel this agreement at any time upon sixty (60)

days written notice to the other party. The obligations of the **CORPORATION**, including its obligation to pay the CITY for all costs incurred under this agreement prior to such notice, shall survive such cancellation, as well as any other obligation incurred under this agreement, until performed or discharged by the **CORPORATION**.

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REVISED DRAFT 07242018



**Execution**

Executed, in duplicate originals, by the **CORPORATION** on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and by the CITY on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at Fulshear, Fort Bend County, Texas, to be **effective on October 1, 2016**.

**CITY OF FULSHEAR DEVELOPMENT CORPORATION**

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By: \_\_\_\_\_ By: \_\_\_\_\_  
~~Fay Burke~~, Secretary  
~~Ewelina Forker~~, President

**CITY OF FULSHEAR**

By: \_\_\_\_\_ By: \_\_\_\_\_  
Diana Gordon Offord, City Secretary Jeff W. Roberts, Mayor

REVISED DRAFT 07242017

Exhibit A  
Adopted Fund ~~6700~~ and Fund ~~7601~~ Fiscal Year 2018 Budgets

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REVISED DRAFT 07242017

**AGENDA MEMO  
BUSINESS OF THE CITY COUNCIL  
CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b>	August 15, 2017	<b>AGENDA ITEM:</b>	H
<b>DATE SUBMITTED:</b>	August 8, 2017	<b>DEPARTMENT:</b>	Economic Development
<b>PREPARED BY:</b>	Angela Fritz Eco. Dev. Director	<b>PRESENTER:</b>	Same
<b>SUBJECT:</b>	<b>Administrative Services Agreement – FDC (B)</b>		
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"> <li>1. FY 2017-2018 Administrative Services Agreement – Fulshear Development Corporation (Type B)</li> <li>2. FY 2016-2017 ASA Redline</li> </ol>		
<b>EXPENDITURE REQUIRED:</b>	N/A		
<b>AMOUNT BUDGETED:</b>			
<b>FUNDING ACCOUNT:</b>			
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>	N/A		
<b>FUNDING ACCOUNT:</b>			

**EXECUTIVE SUMMARY**

The proposed administrative services agreement was adopted by the B Corporation Board at their July 17, 2017 Meeting. The Agreement provides for the administration of Corporation funds via the City of Fulshear and its personnel, and for the reimbursement of the City’s General Fund for operational costs associated with the Economic Development department. The agreement runs concurrent with the budget and fiscal year, and is intended to be revisited annually in conjunction with City and Corporation budget development.

The FY2018 Agreement provides for a direct transfer of event funds to the City’s General Fund to be administered by the City Manager.

**RECOMMENDATION**

Staff recommends approval of the FY 2017-2018 Administrative Services Agreement between the City of Fulshear and the Fulshear Development Corporation.

**ADMINISTRATIVE SERVICES AGREEMENT BETWEEN  
THE FULSHEAR DEVELOPMENT CORPORATION  
AND  
THE CITY OF FULSHEAR**

This Agreement is entered into by and between the **Fulshear Development Corporation** (hereinafter referred to as the "**Corporation**" and) the **City of Fulshear, Texas** (hereinafter referred to as the "**CITY**").

**WHEREAS**, the **CORPORATION** and CITY wish to aid, and cooperate with each other in coordinating certain functions and services including administrative services for the effective, efficient operation of the **CORPORATION**; and

**WHEREAS**, it is in the best interests of the CITY to cooperate with the **CORPORATION** in that the **CORPORATION** is a public instrumentality acting on behalf of the CITY in furtherance of the public purposes of the Development Corporation Act of 1979, now located in Texas Local Government Code, Title 12, Subtitle C1, Chapters 504 and 505; and

**WHEREAS**, the governing body of CITY has duly authorized this agreement; and

**WHEREAS**, the governing body of **CORPORATION** has duly authorized this agreement;

**NOW THEREFORE**, in consideration of the foregoing and further consideration of the mutual promises, covenants and conditions herein CITY and **CORPORATION** hereby agree as follows:

**Use of City Facilities**

1. The CITY will agree to allow the **CORPORATION** to use the City Council Chamber and City Hall Conference Room, Community Center, and additional City conference rooms without fee. Adequate office space for **CORPORATION** daily operations, utilities and common space (restrooms, break rooms and storage) will be provided by the City. Utilities include telephone service and hardware, internet connections, and shared building utilities. Also, the CITY agrees to allow the **CORPORATION** to post notices for public hearings, special or regular meetings or workshops.

2. The CITY agrees to share a Post Office box and a box at City Hall for receipt of mail to the **CORPORATION** and to disseminate any and all mail to the **CORPORATION** box at City Hall without charge.

## Services to be Provided

The CITY agrees to provide the following services to the **CORPORATION** pursuant to the City Manager's direction and approval, and such employees furnishing said services are to be considered at all times to be employees of the CITY.

- a. Economic Development Director Services
  1. Develop and implement strategies for the retention, expansion, and recruitment of business enterprises.
  2. Provide administrative services as required by the **CORPORATION**.
  3. Perform services related to the office of Executive Director of the **CORPORATION**.
  4. Perform all services related to State of Texas requirements for Economic Development Corporation's reporting. Maintain all public documents and records of the Corporation.
  5. Administer budgets (including Economic Development Department operating budget (100) and Corporation operating budget 700 and projects fund 701 in accordance with City, Corporation, and State purchasing and expenditure requirements. Once adopted, and approved by the City Council, the Economic Development Director shall be allowed to expend any funds within operating budgets (100, 700) to reimburse the City's expenditures for purposes described in the budgets without further Corporation approval, with the exception of the "Dues and Memberships" and "Travel and Training" line items. Once detail for these two line items has been approved by the Corporation, staff may expend funds within the line item for such approved purposes. In the event of a proposed change to approved expenditures in either category, the proposed change(s) shall be presented to the Corporation for approval before funds may be expended. At no time shall any funds be expended from the projects fund (701) without prior Corporation approval of the expenditure.
- b. Economic Development Assistant Services
  1. Assist the Economic Development Director in the day-to-day operation of the **CORPORATION** and the development and implementation of sound, fact-based economic development

strategies to retain, expand and recruit business enterprises.

c. Finance and Accounting

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### Compensation

In consideration for the services and related costs provided by the CITY for the benefit of the **CORPORATION**, the **CORPORATION** agrees to reimburse the CITY Administrative Services Fees in an amount not to exceed to total "Administrative Services Fee" line item in the Corporation's approved fiscal year budget, a copy of which is attached hereto as Exhibit "A". Estimated fees will be prepared concurrently with the establishment of the annual budget, will be billed to the **CORPORATION** quarterly based on the following schedule, and will be reconciled to actual costs incurred.

The Corporation shall provide payment as set forth in the Corporation's annual operating budget (Fund700) under the "Administrative Services Agreement Fees" line item, equivalent to 50% of the City's Economic Development Department operating costs as outlined in the City's Fund 100 budget, which includes funding for Economic Development Personnel, Equipment and

Supplies, Dues and Memberships, and Travel and Training. The Corporation's budget commitment is based upon budget projections provided by the City. Said sum shall be payable on a reimbursement basis to the City following presentment of a detailed quarterly invoice from the City to the EDC.

The Corporation may provide funding as outlined in their annual operating budget (Fund 700), for transfers to the Corporation's Projects Fund (Fund 701) to be administered by City personnel under the direction of the Corporation. For FY 2017, these transfers include funding for Community Events, Promotional Expenses, and Professional Services.

Quarterly payments to the CITY by the **CORPORATION** shall be made as expediently as possible upon invoice after the following dates:

- December 31
- March 31
- June 30
- September 30

#### **Period of Duration**

This Agreement shall remain in force and effect for a one-year period. The parties agree to use best efforts to continue this Agreement from year to year. The Agreement shall be reviewed annually, and any modifications or extension of the terms and conditions of the Agreement shall be of no force and effect except in a subsequent document in writing signed by the parties hereto.

This agreement will have no force or effect until duly executed by all parties hereto, will run concurrent to the City and Corporation's fiscal year (October 1 through September 30), terminating at **12:01 a.m. on October 1, 2017**.

The **CORPORATION** and the CITY may cancel this agreement at any time upon sixty (60) days written notice to the other party. The obligations of the **CORPORATION**, including its obligation to pay the CITY for all costs incurred under this agreement prior to such notice, shall survive such cancellation, as well as any other obligation incurred under this agreement, until performed or discharged by the **CORPORATION**.

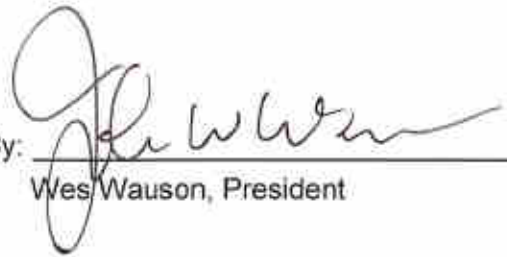
Nothing in this Agreement shall constitute a waiver by the Parties of governmental immunity nor shall the Parties' enforcement of any legal right or assertion of any affirmative defense arising out of this Agreement constitute a waiver of the Parties' governmental immunity. Nothing in this Agreement shall be construed as express or implied consent of the Parties to being sued.

**Execution**

Executed, in duplicate originals, by the CORPORATION on the 17<sup>th</sup> day of July, 2017, and by the CITY on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at Fulshear, Fort Bend County, Texas, to be **effective on October 1, 2017**.

**FULSHEAR DEVELOPMENT CORPORATION**

By:   
Carol Riggs, Secretary

By:   
Wes Wauson, President

**CITY OF FULSHEAR**

By: \_\_\_\_\_  
Diana Gordon Offord, City Secretary

By: \_\_\_\_\_  
Jeff W. Roberts, Mayor



# EXHIBIT "A"

## FDC (B) Adopted July 24, 2017

Account No.	Account Description	FY16 Actual	FY17 Budget	FY17 YTD Estimated Actual	FY18 Base Budget	New Program	FY18 Proposed Budget
<b>700-Type B Development Corp</b>							
	<b>Beginning Fund Balance</b>	<b>758,570</b>	<b>758,570</b>	<b>826,079</b>	<b>882,833</b>		<b>882,833</b>
<b>Revenues:</b>							
<b>Tax</b>							
700-41301	Sales & Use Tax Revenue	333,467	338,498	338,498	403,200		403,200
	Total Tax	333,467	338,498	338,498	403,200	-	403,200
<b>Interest Revenue</b>							
700-46000	Interest Revenue	2,747	750	4,000	750		750
	Total Interest Revenue	2,747	750	4,000	750	-	750
	<b>TOTAL REVENUES</b>	<b>336,214</b>	<b>339,248</b>	<b>342,498</b>	<b>403,950</b>	<b>-</b>	<b>403,950</b>
<b>Expenditures:</b>							
700-5-100-5411-00	Admin Prof. Service-Legal	3,327	2,500	7,500	7,500		7,500
700-5-100-5311-00	Supplies	120	250	250	250		250
700-5-100-5411-02	Prof. Services-Security	800					-
700-5-100-5421-04	Admin-Indemity Insurance	477	500	461	500		500
700-5-100-5469-00	Admin-Administrative Fee	-	122,059	122,059			-
700-5-400-5411-05	CD-City Events(MOU)	36,599					-
700-5-400-5411-01	CD-Administration(MOU)	42,311					-
700-5-400-5440-01	CD-Marketing (MOU)	10,340					-
700-5-400-5411-10	Tourism Development	18,225					-
700-5-400-5471-00	Community Grants						10,000
700-5-100-5528-05	Continuing Education		7,000	175	7,000	1,000	8,000
700-5-100-5526-00	Public Notices	31	100	100	100		100
700-5-500-5527-00	BD - Dues/Memberships (MOU)	5,975					-
700-5-700-5710-00	DEBT SERVICE APP FEES	500					-
700-5-700-5710-01	Debt Service - Principal	-	26,760				-
700-5-700-5710-02	Debt Service - Interest	-	17,500				-
700-5-700-5900-11	Xfer Out-GF 100-Comm Events				24,420		24,420
700-5-700-5900-10	Xfer Out - Gen Fund 100				122,059		151,645
700-5-700-5900-71	Xfer Out - 4B Cap Proj Fd 701	150,000	155,200	155,200	130,640		130,640
	Total Expenditures	268,705	331,869	285,745	292,469	1,000	333,055
	Net Revenues Over(Under) Expenditures	67,509	7,379	56,753	111,481	(1,000)	70,895
	<b>Ending Fund Balance</b>	<b>826,079</b>	<b>765,949</b>	<b>882,833</b>	<b>994,314</b>	<b>(1,000)</b>	<b>953,728</b>
<b>701-B Corp Project Fund</b>							
	<b>Beginning Fund Balance</b>	<b>-</b>	<b>150,010</b>	<b>150,010</b>	<b>192,460</b>		<b>192,460</b>
<b>Revenues:</b>							
<b>Interest Revenue</b>							
701-46000	INTEREST	10	100	100	100		100
	Total Interest Revenue	10	100	100	100	-	100
<b>Other Revenue</b>							
701-49570	XFER IN - 4/B EDC FUND 700	150,000	155,200	155,200	130,640		130,640
	Total Other Revenue	150,000	155,200	155,200	130,640	-	130,640
	Total Revenues	150,010	155,300	155,300	130,740	-	130,740
<b>Expenditures:</b>							
701-5-000-5470-01	Targeted Incentives	-	33,850	-	40,320		40,320
701-5-000-5470-02	Promotional Expenses	-	33,850	33,850	40,320		40,320
701-5-000-5470-03	Studies Expense	-	50,000	42,500	50,000		50,000
701-5-000-5470-04	Community Events	-	37,500	36,500			-
	Total Contractual	-	155,200	112,850	130,640	-	130,640
	Net Revenues Over(Under) Expenditures	150,010	100	42,450	100	-	100
	<b>Ending Fund Balance</b>	<b>150,010</b>	<b>150,110</b>	<b>192,460</b>	<b>192,560</b>	<b>-</b>	<b>192,560</b>

**ADMINISTRATIVE SERVICES AGREEMENT BETWEEN  
THE FULSHEAR DEVELOPMENT CORPORATION  
AND  
THE CITY OF FULSHEAR**

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Administrative Services Agreement  
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Administrative Services Agreement  
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REVISED DRAFT 07172018

**Execution**

Executed, in duplicate originals, by the **CORPORATION** on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and by the CITY on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at Fulshear, Fort Bend County, Texas, to be **effective on October 1, 2016**.

**FULSHEAR DEVELOPMENT CORPORATION**

By: \_\_\_\_\_ By: \_\_\_\_\_  
~~Fay Burke~~ ~~Carol Riggs~~ \_\_\_\_\_, Secretary  
~~Ewelina Forker~~ ~~Wes Wauson~~ \_\_\_\_\_, President

**CITY OF FULSHEAR**

By: \_\_\_\_\_ By: \_\_\_\_\_  
Diana Gordon Offord, City Secretary Jeff W. Roberts, Mayor

REVISED DRAFT 07/17/2017

Exhibit A  
Adopted Fund 700 and Fund 701 Fiscal Year 2018 Budgets

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REVISED DRAFT 07172017



**AGENDA MEMO  
BUSINESS OF THE CITY COUNCIL  
CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b>	August 15, 2017	<b>AGENDA ITEMS:</b> I & K
<b>DATE SUBMITTED:</b>	August 8, 2017	<b>DEPARTMENT:</b> Economic Development
<b>PREPARED BY:</b>	Angela Fritz, Economic Development Director	<b>PRESENTER:</b> Same
<b>SUBJECTS:</b>	City of Fulshear Development Corporation (A) FY 2018 Projects Approval	
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"> <li>1. Resolution No. 2017-_____</li> <li>2. CDC Public Notice of Projects</li> </ol>	
<b>EXPENDITURE REQUIRED:</b>	N/A	
<b>AMOUNT BUDGETED:</b>		
<b>FUNDING ACCOUNT:</b>		
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>	N/A	
<b>FUNDING ACCOUNT:</b>		

**EXECUTIVE SUMMARY**

On July 24, the City of Fulshear Development Corporation (CDC) took acted to declare projects for FY2018, finding that budgeted expenditures will promote or develop new or expanded business enterprises. The CDC adopted Resolution CDC 17-01 at the same meeting, declaring the projects, directing staff to publish notice of the same, and setting a public hearing date. A copy of Resolution CDC 17-01 is included as Exhibit A to City Council Resolution No. 2017-\_\_\_\_\_.

The project notice was run in the legal section of the City’s paper of record, the Fort Bend Herald, on Sunday, July 30, beginning a 60-day period for public petition regarding the expenditures. A public hearing on the projects was held at the Corporation’s August 7 Regular Meeting. There were no speakers during the public hearing.

In addition to the public notice and hearing requirements, the Texas Local Government Code requires the authorizing entity (City Council) to adopt a resolution authorizing the projects after giving the resolution at least two separate readings before the EDC may spend funds related to specific projects. This is due to the City’s population being under 20,000, and the proposed specific project expenditure amount - \$24,420 - being greater than \$10,000.

**RECOMMENDATION**

Staff recommends City Council adopt Resolution No. 2017-\_\_\_\_\_ authorizing the City of Fulshear Development Corporation’s projects and expenditures declared by Resolution CDC 17-01.

**RESOLUTION NO. 2017-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS  
AUTHORIZING PROJECTS OF THE  
CITY OF FULSHEAR DEVELOPMENT CORPORATION (CDC),  
A TYPE "A" ECONOMIC DEVELOPMENT SALES TAX CORPORATION**

WHEREAS, the CITY OF FULSHEAR DEVELOPMENT CORPORATION (the "Corporation") was created by the City pursuant to Chapter 504 of the Development Corporation Act, Texas Local Government Code, as amended (the "Act"); and

WHEREAS, the City adopted Ordinance No. 2011-1046 on October 1, 2011, approving the participation of the Corporation in projects previously approved only for 4B development corporations under the auspices of HB 3302; and

WHEREAS, the Corporation adopted Resolution CDC 17-01 on July 24, 2017, attached hereto as Exhibit A, proposing a project of the Corporation, being expenditures for community events found by the Board of Directors to promote new or expanded business development; and

WHEREAS, the estimated amount of expenditures for such project in fiscal year 2016-2017, is \$24,420; and

WHEREAS, the Corporation may not undertake such project until the City adopts this Resolution after at least two separate readings;

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

Section 1. The City hereby authorizes the project proposed by Resolution CDC 17-01 and the associated expenditure of funds, being expenditures for community events found by the Board of Directors to promote new or expanded business development.

PASSED AND APPROVED this \_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_.

\_\_\_\_\_  
Jeff W. Roberts, Mayor  
City of Fulshear, Texas

ATTEST:

\_\_\_\_\_  
Diana Gordon Offord, City Secretary  
City of Fulshear, Texas

# "EXHIBIT A"

## RESOLUTION NO. CDC 17-01

A RESOLUTION OF THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (CDC), A "TYPE A" ECONOMIC DEVELOPMENT SALES TAX CORPORATION, DECLARING THE PROJECTS TO BE UNDERTAKEN BY THE CORPORATION FOR FISCAL YEAR 2017-2018, DIRECTING STAFF TO PUBLISH NOTICE OF SAME, AND SETTING A PUBLIC HEARING.

WHEREAS, the CITY OF FULSHEAR DEVELOPMENT CORPORATION (the "Corporation") was created by the City of FULSHEAR, Texas (the "City") pursuant to Chapter 504 of the Development Corporation Act, Texas local Government Code, as amended (the "Act");

WHEREAS, the City of Fulshear adopted Ordinance No. 2011-1046 on October 1, 2011, in accordance with Section 504.171 of the Texas Local Government Code approving the participation of the Corporation in projects previously authorized only for "Type B" development corporations;

WHEREAS, the Corporation wishes to participate in a general type of projects during Fiscal Year 2017-2018, being land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the Board of Directors to promote new or expanded business development;

WHEREAS, the estimated total amount of expenditures for such types of general projects in fiscal year 2017-2018 is \$301,335; and

WHEREAS, the Corporation wishes to participate in specific projects during Fiscal Year 2017-2018, being expenditures for community events found by the Board of Directors to promote new or expanded business development;

WHEREAS, the estimated total amount of expenditures for such projects in fiscal year 2017-2018 is \$24,420;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CORPORATION THAT:

Section 1. The Board hereby proposes to undertake a general type of project during Fiscal Year 2017-2018, being land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the Board of Directors to promote new or expanded business development.

Section 2. The Board hereby proposes to undertake a specific project during Fiscal Year 2017-2018 being expenditures for community events found by the Board of Directors to promote new or expanded business development.

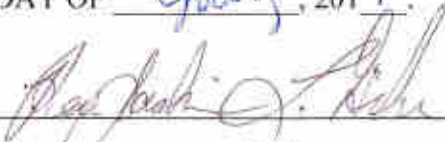
Section 3. The Board hereby finds that the funds expended will be used for eligible "costs" of "projects" as defined in the Act.

Section 4. The Board hereby directs staff to publish public notice as required by the Act.


Section 5. The Board hereby sets a public hearing for one or more of such projects on Monday, August 7, 2017, at 6:30 p.m. at Fulshear City Hall, 39603 FM 1093, Fulshear, Texas 77441.

"EXHIBIT A"

PASSED AND APPROVED this 24<sup>th</sup> DAY OF July, 2017.

  
\_\_\_\_\_  
Rev. Jackie Gilmore, President  
City of Fulshear Development Corporation

ATTEST:

  
\_\_\_\_\_  
Ken Krupp, Secretary  
City of Fulshear Development Corporation

PUBLISHER'S AFFIDAVIT

Handwritten notes: "CDC 'A'" and a signature.

THE STATE OF TEXAS §
COUNTY OF FORT BEND §

Before me, the undersigned authority, on this day personally appeared Lee Hartman who being by me duly sworn, deposes and says that he is the Publisher of Fort Bend Herald and that said newspaper meets the requirements of Section 2051.044 of the Texas Government Code, to wit:

- 1. it devotes not less than twenty-five percent (25%) of its total column lineage to general interest items;
2. it is published at least once each week;
3. it is entered as second-class postal matter in the county where it is published; and
4. it has been published regularly and continuously since 1959.
5. it is generally circulated within Fort Bend County.

(CLIPPING) (S)

PUBLIC NOTICE
OF THE GENERAL TYPE OF PROJECTS PROPOSED TO BE UNDERTAKEN BY THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (CDC), A "TYPE A" ECONOMIC DEVELOPMENT SALES TAX CORPORATION

The CDC, a Type A Economic Development Sales Tax Corporation, hereby gives notice, pursuant to the Texas Local Government Code, Sec. 504.171, that the Corporation has proposed to undertake the following general type of project:

As a general type of project: Land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the Board of Directors to promote new or expanded business development. The City of Fulshear Development Corporation will conduct a public hearing to solicit citizen input regarding the proposed general type of projects identified and described above. The public hearing will be held at the Fulshear City Hall, 39603 FM 1093, Fulshear, Texas, on Monday, August 7, 2017, at

6:30 p.m. Interested citizens are encouraged to attend and offer their comments. For more information, please contact: Angela Fritz, Economic Development Director, City of Fulshear, Telephone: (281) 348-1796.

Publisher further deposes and says that the attached notice was published in said newspaper on the following date(s) to wit:

7-30

\_\_\_\_\_, A.D. 2017

Handwritten signature of Lee Hartman.

Lee Hartman
Publisher

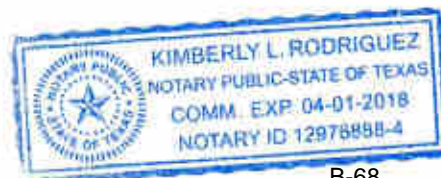
SUBSCRIBED AND SWORN BEFORE ME by Lee Hartman, who

X a) is personally known to me, or

b) provided the following evidence to establish his/her identity, \_\_\_\_\_

on this the 31 day of July, A.D. 2017 to certify which witness my hand and seal of office.

Handwritten signature of Notary Public, State of Texas.



**AGENDA MEMO  
BUSINESS OF THE CITY COUNCIL  
CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b>	August 15, 2017	<b>AGENDA ITEM:</b>	J
<b>DATE SUBMITTED:</b>	August 10, 2017	<b>DEPARTMENT:</b>	Administration
<b>PREPARED BY:</b>	CJ Snipes, City Manager	<b>PRESENTER:</b>	CJ Snipes, City Manager
<b>SUBJECT:</b>	Replacement for vacant Type B Board Position		
<b>ATTACHMENTS:</b>	Resolution No. 2017-359		
<b>EXPENDITURE REQUIRED:</b>			\$0
<b>AMOUNT BUDGETED:</b>			\$
<b>ACCOUNT NO:</b>			
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>			\$0
<b>ACCOUNT NO:</b>			

**EXECUTIVE SUMMARY**

The City has received a resignation for B Board Corporation member Jonathan Tristan. The attached Resolution would appoint a replacement for this vacancy. As of the drafting of this document staff is unaware of any candidate or nominee.

**RECOMMENDATION**

Staff recommends that City Council nominate and appoint a replacement from the pool of qualified applicants.

**RESOLUTION No. 2017-359**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS REMOVING, APPOINTING A REPLACEMENT MEMBER TO THE BOARD OF DIRECTORS FOR THE FULSHEAR 4B DEVELOPMENT CORPORATION**

**WHEREAS**, the City Council of the City of Fulshear, Texas is desirous of continuing the function of the City's 4B Community Development Corporation, and;

**WHEREAS**, the City Council of the City of Fulshear, Texas appreciates the service and dedication of those previously and currently serving and;

**WHEREAS**, the City has been informed of the resignation of Member Jonathan Tristan; and

**WHEREAS**, the City Council of the City of Fulshear, Texas has considered the merits of a replacement appointment and finds the person listed below as competent and eligible for service;

**NOW, THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS** that the Commission roster is changed: appointing the person listed below to serve the remainder of the term for the vacated position on the Board of Director's for the Fulshear B Development Corporation:

**1 – Members who will serve through June 2018**

\_\_\_\_\_

Term expires: June 1, 2018

Be named to serve as a Member of the Board of Directors to the Fulshear B Development Corporation for terms as designated above during which they are expected to duly executing those responsibilities.

**This resolution duly passed this \_\_\_\_\_ day of August, 2017.**

\_\_\_\_\_  
Jeff W. Roberts, Mayor  
City of Fulshear, Texas

ATTEST:

\_\_\_\_\_  
D. Gordon Offord, City Secretary  
City of Fulshear, Texas

**AGENDA MEMO  
BUSINESS OF THE CITY COUNCIL  
CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b>	August 15, 2017	<b>AGENDA ITEM:</b>	L
<b>DATE SUBMITTED:</b>	August 9, 2017	<b>DEPARTMENT:</b>	Police Department
<b>PREPARED BY:</b>	Lynn Raymer Exec. Assistant	<b>PRESENTER:</b>	Kenny Seymour Chief of Police
<b>SUBJECT:</b>	<b>PURCHASE OF BODY CAMERAS</b>		
<b>ATTACHMENTS:</b>	1. COBAN TECHNOLOGIES QUOTE #375633		
<b>EXPENDITURE REQUIRED:</b>	\$37,475.00		
<b>AMOUNT BUDGETED:</b>	\$35,545.00		
<b>FUNDING ACCOUNT:</b>	100-5210-5650-01 / CAPITAL TECH. <i>plus</i> FUNDS FROM BODY CAMERA GRANT		
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>			
<b>FUNDING ACCOUNT:</b>			

**EXECUTIVE SUMMARY**

Fulshear Police Department presents Council with the request purchase Coban Focus X1 Body Cameras (detailed quote attached). Fulshear Police Department has \$35,545.00 in their Capital Technology fund and was awarded \$11,000 in grant funding which requires a 25% City match (\$2,750). The required City match is covered in the PD Capital Technology fund.

Because of the proprietary nature of the technology, Finance has agreed that acquiring 3 bids is not necessary.

**RECOMMENDATION**

Staff recommends that City Council accept this expense.







COBAN Technologies, Inc.  
 11375 W. Sam Houston Pkwy S., Suite 800  
 Houston, TX 77031-2348  
 TEL: 281-925-0488, FAX: 281-925-0535

## SALES QUOTE

Quote No.: 375633  
 Date: 8/02/2017  
 Page: 1 of 1

Bill to: Attn: Chief Kenny Seymour  
 Fulshear Police Department  
 30603 FM 1093  
 City of Fulshear  
 Fulshear, TX 77441

Ship to: Attn: Chief Kenny Seymour  
 Fulshear Police Department  
 30603 FM 1093  
 City of Fulshear  
 Fulshear, TX 77441

Account No.: 58965	Your P/O No.:	Terms: Net 30
Sales Rep : RA	Shipping Via:	Due Date: 9/01/17

Line	Item Number	Description	Quantity	Unit Price	Extended
1	FOCUS-01-00	FOCUS X1 BODY CAMERA PACKAGE	20	405.00 /UT	8,100.00
2	WARR-X1-36ESP	FOCUS X1 BWC 36-Month Extended Service Plan	20	195.00 /KT	3,900.00
3	WLIC-26-01	COMMAND BWC SOLUTION LICENSE	20	90.00 /UT	1,800.00
4	WMAIN-125	COMMAND BWC RENEWAL	20	90.00 /UT	1,800.00
5	WMAIN-125	COMMAND BWC RENEWAL	20	90.00 /UT	1,800.00
6	WLIC-27	COMMAND I REDACT STAND ALONE 3YR PER SEAT	1	11,520.00 /KT	11,520.00
7	CR-RE-B3403	COBAN Render Engine 3403 by BOXX COBAN Render Engine 3403 by BOXX - Asus Eye Care WQHD 2560x1440 Monitor - 3 Year Enhanced Warranty	1	6,960.00 /KT	6,960.00
8	LSET-17	SETUP- BACKOFFICE SETUP PACKAGE A 2 Day 2 Day Onsite Back Office Setup (Configuration, Setup, Training)	1	3,095.00 /UT	3,095.00
9	LDISC-03	DISCOUNT- SERVICE	-1	1,500.00 /UT	(1,500.00)

Sub Total: 37,475.00

Sales Tax:

Total Amount: 37,475.00

Balance:	37,475.00
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