

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

AGENDA OF: August 21, 2018	AGENDA ITEM: BUS - A
DATE SUBMITTED: August 15, 2018	DEPARTMENT: Planning & Development
PREPARED BY: Brant Gary, Asst. City Manager	PRESENTER: Brant Gary, Asst. City Manager
SUBJECT:	CONSIDERATION AND POSSIBLE ACTION TO APPROVE A RESOLUTION NO. 2018-400 APPROVING A PETITION FOR CONSENT TO THE ADDITION OF ADDITIONAL LAND INTO FORT BEND COUNTY MUD NO. 182
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Resolution 2018-400 2. Signed Petition to Consent 3. Legal Description 4. Vicinity Map of Area

EXECUTIVE SUMMARY

The City has been petitioned by the Property Owners, Edward Bartsch, Margaret Bartsch and Damar Corporation, and Fort Bend County Municipal Utility District No. 182 (the District) seeking consent to annex additional land into the District. The land and the District are in the City’s Extra Territorial Jurisdiction north of the current city limits, west of FM 1463, and adjacent to the Tamarron Development, which is the current District boundaries. The District was created in 2006, by Order of the Texas Commission on Environmental Quality (TCEQ) and was organized for the purposes found in Chapter 54, Texas Water Code to provide for:

1. The control, storage, preservation and distribution of its storm water, floodwater, the water of its rivers and streams for irrigation, power and all other useful purposes;
2. The reclamation and irrigation of its arid, semiarid, and other land needing irrigation;
3. The reclamation and drainage of its overflowed land and other land needing drainage;
4. The conservation and development of its forests, water, and hydro eclectic power;
5. The navigation of its inland and coastal waters;
6. The control, abatement and change of any shortage or harmful excess of water;
7. The protection, preservation and restoration of the purity and sanitary condition of water within the state;
8. The preservation of all natural resources of the state; and
9. The construction, operation and maintenance of roads serving the District.

The District is empowered and authorized to purchase, construct, acquire, own, operate, maintain, repair, improve, or extend inside and outside its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary to accomplish the purposes for which the District was organized.

The attached resolution provides the City’s consent for the annexation of the additional land, 37.414 acres, into the District, which will facilitate development in this area, which will provide for the general nature of the work to be done within the tract as stated above. The development is in an area that is experiencing substantial and sustained residential and commercial growth. The estimated cost of the project is \$1.7M.

RECOMMENDATION

City staff recommends that the City Council approve Resolution No. 2018-400 providing consent to the annexation of additional land, 37.414 acres, into the boundaries of Fort Bend County MUD No. 182.

RESOLUTION NO. 2018-400

A RESOLUTION OF THE CITY OF FULSHEAR, TEXAS, CONSENTING TO THE ADDITION OF CERTAIN LAND INTO FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 182 AND IMPOSING CONDITIONS ON SAME.

* * * * *

WHEREAS, the City of Fulshear, Texas (the "City") received the Petition for Consent to Addition of Land to a Municipal Utility District ("Petition") of Fort Bend County Municipal Utility District No. 182 (the "District"), Edward F. Bartsch, Margaret Bartsch, and Darmar Corporation, a Texas Corporation (collectively, "Petitioner"), attached hereto as **Exhibit A**; and

WHEREAS, the Petition seeks to add that certain 37.414 acre tract of land described therein (the "Land") to the District, the same being wholly located in the extraterritorial jurisdiction ("ETJ") of the City; and

WHEREAS, section 54.0165 of the Texas Water Code and section 42.0425 of the Texas Local Government Code provide that the District may not add land that is located in the ETJ of the City unless the City Council of the City of Fulshear, Texas (the "City Council") gives its written consent in accordance with section 54.016 of the Texas Water Code; and

WHEREAS, section 54.016 of the Texas Water Code provides that the City Council may, in its written consent, provide for certain conditions or restrictions on the District; and

WHEREAS, the City Council desires to give its consent to the addition of the Land to the District; and

WHEREAS, the City Council desires to place certain conditions or restrictions on the District in giving such consent;

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

Section 1. That the facts set out in the preamble are true and correct and are incorporated herein for all purposes.

Section 2. That the City Council hereby gives its written consent to the addition of the Land to the District, subject to the conditions or restrictions provided for herein.

Section 3. That in giving its consent, the City Council hereby places the condition or restriction on the District that upon there being fifty (50) qualified electors

BUS-3

residing within the District, the District must hold all public meetings of the District's board of directors within the City or the City's ETJ, provided that this condition or restriction will be null and void if:

(a) the District receives a written request of at least fifty (50) qualified electors that the District hold meetings at either a specified or unspecified location outside of the City and City's ETJ; and

(b) the District provides a copy of the request described by subsection (a) to the City prior to the first meeting held at a location outside of the City and the City's ETJ pursuant to such request.

Section 4. In no way is this Resolution considered an "allocation agreement" between the District and the City, as provided under Texas Water Code Section 54.016.

PASSED, APPROVED, and ADOPTED on the 21st day of August, 2018.

Aaron Groff, Mayor

ATTEST:

Kimberly Kopecky, City Secretary

COATS | ROSE

A PROFESSIONAL CORPORATION

SAMUEL JOHNSON
ATTORNEY

SIJOHNSON@COATSROSE.COM
DIRECT: (713) 653-5722
FAX: (713) 651-0220

July 26, 2018

Via FedEx

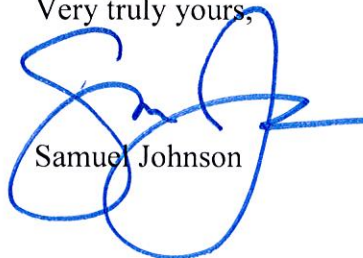
Kim Kopecky
City Secretary
City of Fulshear
30603 F.M. 1093
Fulshear, TX 77441

**RE: Fort Bend County Municipal Utility District No. 182 (the "District") –
Petition for Consent to Addition of Land to a Municipal Utility District**

Secretary Kopecky:

Enclosed is an original Petition for Consent to Addition of Land to a Municipal Utility District. The District wishes to annex a 37-acre tract into the District and is seeking the City of Fulshear's consent. Please let me know if there is anything further that you need from my office. Thank you for your assistance in this matter.

Very truly yours,



Samuel Johnson

Enclosure

9 GREENWAY PLAZA, STE 1000, HOUSTON, TEXAS 77046
PHONE: (713) 651-0111 FAX: (713) 651-0220
coatsrose.com

PETITION FOR CONSENT TO
ADDITION OF LAND TO A MUNICIPAL UTILITY DISTRICT

TO THE HONORABLE MAYOR AND CITY
COUNCIL OF THE CITY OF FULSHEAR, TEXAS:

The undersigned Edward F. Bartsch, Margaret Bartsch, and Darmar Corporation, a Texas Corporation (collectively, the "Property Owners") and Fort Bend County Municipal Utility District No. 182 (the "District"), respectfully petition the City of Fulshear, Texas for its consent to the addition of land to the District. In support of this Petition, the District would show the following:

I.

The land sought to be added to the District (the "Tract") is described by metes and bounds in Exhibit "A", attached hereto and made a part hereof for all purposes.

II.

The Tract is located wholly within Fort Bend County, Texas, and within the extraterritorial jurisdiction of the City of Fulshear, Texas, as such term is determined pursuant to Chapter 42 V.T.C.A. Local Government Code.

III.

Property Owners are the holder of title to the Tract as shown by the Fort Bend County Tax Rolls and conveyances of record. There are no liens on the Tract.

IV.

The District was organized, created by Order of the Texas Commission on Environmental Quality ("TCEQ"), dated March 16, 2006. The District is organized for the purposes found in Chapter 54, Texas Water Code, as amended, and V.T.C.A. Spec. Dist. Code Chapter 8176 to provide for:

- (1) the control, storage, preservation, and distribution of its storm water and floodwater, the water of its rivers and streams for irrigation, power and all other useful purposes;
- (2) the reclamation and irrigation of its arid, semiarid, and other land needing irrigation;
- (3) the reclamation and drainage of its overflowed land and other land needing drainage;
- (4) the conservation and development of its forests, water, and hydroelectric power;

- (5) the navigation of its inland and coastal water;
- (6) the control, abatement, and change of any shortage or harmful excess of water;
- (7) the protection, preservation, and restoration of the purity and sanitary condition of water within the state;
- (8) the preservation of all natural resources of the state; and
- (9) the construction, operation and maintenance of roads serving the District.

The District is empowered and authorized to purchase, construct, acquire, own, operate, maintain, repair, improve, or extend inside and outside its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary to accomplish the purposes for which the District is organized.

V.

The general nature of the work to be done by and within the Tract at the present time is the construction, maintenance and operation of a waterworks system for domestic and commercial purposes; the construction, maintenance and operation of a sanitary sewer collection system and sewage disposal plant; the control, abatement and amendment of the harmful excess of waters and the reclamation and drainage of overflowed lands within the lands to be included within the District; and the construction, installation, maintenance, purchase and operation of roads, parks and recreational facilities and of such additional facilities, systems, plants and enterprises as shall be consistent with the purposes for which the District is organized.

VI.

There is a necessity for the improvements above described because the Tract is located within an area that is experiencing substantial and sustained residential and commercial growth, is urban in nature and is not supplied with adequate water, sanitary sewer and drainage facilities and services. The health and welfare of the future inhabitants of the Tract require the acquisition and installation of an adequate waterworks, sanitary sewer and storm drainage system, roads and park and recreational facilities.

The purchase, construction, extension, improvement, maintenance and operation of such waterworks system and storm and sanitary sewer collection and disposal systems will conserve and preserve the natural resources of this State by promoting and protecting the purity and sanitary condition of the State's waters and will promote and protect the public health and welfare of the community; therefore, a public necessity exists for the inclusion of the Tract within the District.

VII.

Said proposed improvements are practicable and feasible, in that the terrain of the Tract is of such a nature that a waterworks system and sanitary and storm sewer systems can be constructed at a reasonable cost; and said land will be rapidly developed for commercial, multi-family and/or residential purposes.

VIII.

A preliminary investigation has been instituted to determine the cost of the project attributable to the Tract, and it is now estimated by those filing this Petition, from such information as they have at this time, that the ultimate cost of the development contemplated will be approximately \$1,700,000.

WHEREFORE, the undersigned respectfully prays that this Petition be granted in all respects and that the City Council of the City of Fulshear, Texas, adopt a resolution giving its written consent to the addition of the Tract to the District.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

RESPECTFULLY SUBMITTED THIS July 26, 2018.

“DISTRICT”

FORT BEND COUNTY MUNICIPAL UTILITY
DISTRICT NO. 182

[Signature]
President, Board of Directors

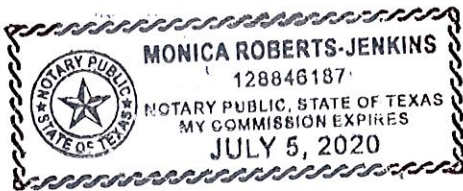
ATTEST:

[Signature]
Secretary, Board of Directors

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §


This instrument was acknowledged before me on the 26th day of July 2018, by D. Scott Sullivan, President and Rebecca Kerr, Secretary of the Board of Directors of Fort Bend County Municipal Utility District No. 182, a political subdivision, on behalf of said political subdivision.

[Signature]
Notary Public in and for
the State of Texas



“PROPERTY OWNERS”

DARMAR CORPORATION,
a Texas corporation

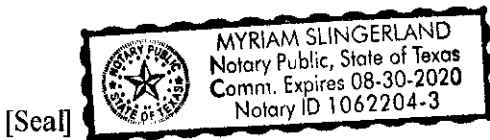
By: 
Name: Janet K Bartsch
Title: President



EDWARD F. BARTSCH


MARGARET BARTSCH

THE STATE OF TEXAS §
 §
COUNTY OF Ft. Bend §

This instrument was acknowledged before me on July 26, 2018, by Janet K. Bartsch, the President of Darmar Corporation, a Texas corporation on behalf of said corporation.

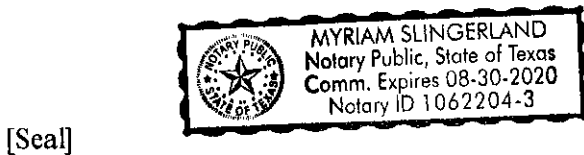


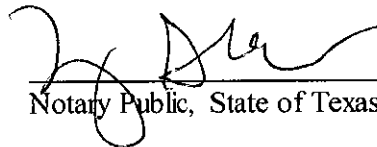


Notary Public, State of Texas

THE STATE OF TEXAS §
 §
COUNTY OF Ft. Bend §

This instrument was acknowledged before me on July 26, 2018, by Edward F. Bartsch.

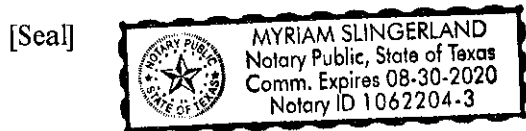





Notary Public, State of Texas

THE STATE OF TEXAS §
 §
COUNTY OF Ft. Bend §

This instrument was acknowledged before me on July 26, 2018, by Margaret Bartsch.





Notary Public, State of Texas

County: Fort Bend
Project: Tamarron-Bartsch
Job No.: 132648
MB No.: 18-209

FIELD NOTES FOR 37.414 ACRES

Being a tract containing 37.414 acres of land located in the A.G. Sharpless Survey, Abstract Number 322, in Fort Bend County, Texas; Said 37.414 acre being a portion of a call 56.1664 acre tract of land recorded in the name of Darmar Corporation in Volume 797, Page 867 of the Fort Bend County Deed Records (F.B.C.D.R.) and a call 1.9829 acre tract of land recorded in the name of Edward Bartsch, et ux in Volume 2207, Page 1350 of the F.B.C.D.R.; Said 37.414 acre tract being more particularly described by metes and bounds as follows (coordinates & bearings are based on the Texas Coordinate System, NAD '83, South Central Zone):

Beginning at 3/4-inch iron rod found at the Northwesterly corner of said 56.1664 acre tract, a southwesterly corner of Reserve "H", Tamarron, Section 1, a subdivision plat recorded in Plat Number 20140153 of the Fort Bend County Plat Records (F.B.C.P.R.) a northeasterly corner of Reserve "B", Tamarron, Section 16, a subdivision recorded in Plat Number 20170238 of the F.B.C.P.R. and on the westerly line of aforesaid A.G. Sharpless Survey;

Thence, with the southerly line of said Reserve "H", a call 2.000 acre tract of land recorded in Volume 1589, Page 757 of the F.B.C.D.R., and the southerly line of the remainder of a call 631.26 acre tract of land recorded in the name of D.R. Horton – Texas, Ltd. in Fort Bend County Clerk's File (F.B.C.C.F.) Number 2013000056, North 87 degrees 54 minutes 06 seconds East, a distance of 3208.76 feet to a 5/8-inch iron rod set;

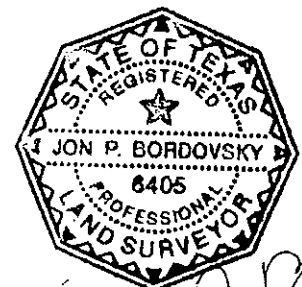
Thence, through and across aforesaid 56.1664 acre tract, South 02 degrees 05 minutes 54 seconds East, a distance of 507.01 feet to a 1/2-inch iron pipe found on the northerly line of Reserve "A", Creek Falls at Cross Creek Ranch, Section Eight, a subdivision recorded in Plat Number 20160197 of the F.B.C.P.R.;

Thence, with said northerly line and the northerly lines of Reserve "C", Creek Falls at Cross Creek Ranch, Section Nine, a subdivision recorded in Plat Number 20160199 of the F.B.C.P.R., Reserve "B" Creek Falls at Cross Creek Ranch, Section Eleven, a subdivision recorded in Plat Number 20180054 of the F.B.C.P.R. and Reserve "A", Tamarron, Section 24, a subdivision recorded in Plat Number 20180125 of the F.B.C.P.R., South 87 degrees 52 minutes 22 seconds West, a distance of 3209.97 feet to a 5/8-inch iron rod found on the easterly line of aforesaid Reserve "B" and westerly line of said A.G. Sharpless Survey;

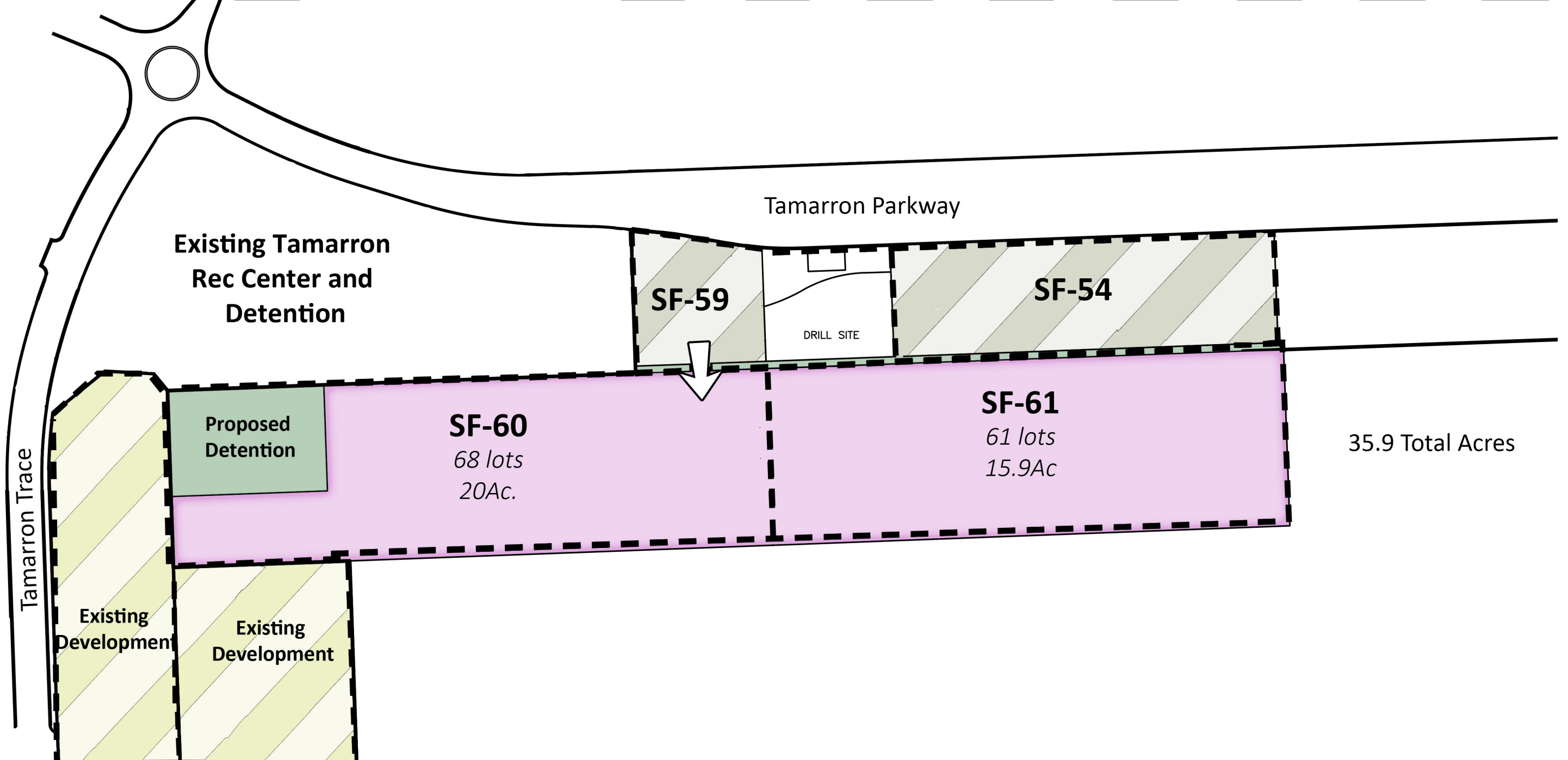
Thence, with said easterly line of Reserve "B", North 01 degree 57 minutes 46 seconds West, a distance of 508.63 feet to the **Point of Beginning** and containing 37.414 acres of land.

THIS DESCRIPTION WAS PREPARED IN CONNECTION WITH A LAND TITLE SURVEY FILED UNDER GBI PARTNERS' JOB NUMBER 132648.

GBI PARTNERS, L.P.
TBPLS FIRM #10130300
(281)499-4539
July 16, 2018



BUS-12



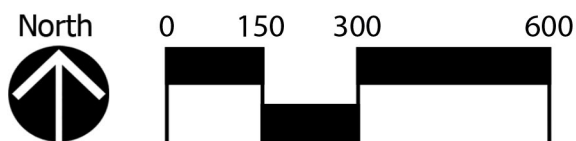
TAMARRON

Conceptual Land Plan

1,567 Ac. Master Planned Community

Fulshear, Texas

Katy, Texas



©Copyright 2018 LJA, Inc. This exhibit shows pertinent items necessary to convey a concept & it is not intended to include all physical characteristics of the area. Data & other information provided is estimated unless specified. Information provided within should be considered a graphic representation to aid in determining plan component relationships & is subject to change without notice. Property boundaries, easements, existing & proposed road alignments & other information shown is approximate & without the benefit of current surveying data. Information provided is subject to change without notice.

Prepared For:



Planning & Landscape Architecture
Sustainable Design
Community Planning
Urban Design
Landscape Architecture

LJA Engineering, Inc.

BUS 43
14000 Park Drive, Suite 600
Houston, Texas 77042-3703
713.953.5200 f 713.953.5026

25231 Grogan's Mill Road, Suite 330
The Woodlands, Texas 77380
281.210.1750 f 281.210.1799

AGENDA OF:	August 21, 2018	AGENDA ITEM:	BUS- B
DATE SUBMITTED:	August 8, 2018	DEPARTMENT:	Economic Development
PREPARED BY:	Angela Fritz Eco. Dev. Director	PRESENTER:	Same
SUBJECT:	FY19 Administrative Services Agreement – CDC (A)		
ATTACHMENTS:	1. Resolution 2018-396		
EXPENDITURE REQUIRED:	N/A		
AMOUNT BUDGETED:			
FUNDING ACCOUNT:			
ADDITIONAL APPROPRIATION REQUIRED:	N/A		
FUNDING ACCOUNT:			

EXECUTIVE SUMMARY

The proposed Administrative Services Agreement for Fiscal Year 2018-2019 (FY19) was adopted by the A Corporation at their July 30, 2018 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, and provides for a direct transfer of community event funds to the City’s General Fund to be administered by the City Manager.

The FY19 Agreement as proposed also includes the provision of a “Shared Services Fee” to be paid to the City to cover EDC support costs incurred outside the Economic Development Department (Administration & Finance).

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.

RECOMMENDATION

Staff recommends approval of Resolution 2018-396, approving an administrative services agreement between the City and the City of Fulshear Development Corporation for Fiscal Year 2018-2019.

RESOLUTION NO. 2018-396

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS APPROVING AN ADMINISTRATIVE SERVICES AGREEMENT BETWEEN THE CITY AND THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (TYPE A)

WHEREAS, the City Council of the City of Fulshear, Texas is desirous of ensuring efficient and effective administration for its Economic Development Corporations; and

WHEREAS, the City of Fulshear Development Corporation has previously acted to approve the tenets and facets of the Administrative Services Agreement attached hereto;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS THAT: The Administrative Services Agreement for Fiscal Year 2018-2019 is hereby approved in the form as attached to this document as "Exhibit A".

This Resolution duly passed this _____ day of August, 2018.

Aaron Groff, Mayor

ATTEST:

Kim Kopecky, City Secretary

**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; 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 City Hall facilities, the 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 all services related to State of Texas requirements for Economic Development Corporation's reporting. Maintain all public documents and records of the Corporation.
4. 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. Except that expenditures under \$10,000 identified during the budgeting process from the promotional and studies line items in the Projects Fund may be expended by staff in accordance with the budget without additional approval of the Corporation.

b. Economic Development Coordinator 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 **CORPORATION's** Investment Policy, as may be adopted and amended from time to time.
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. General legal services for the Corporation, including advice, the review and preparation of resolutions, general contracts, and other legal documents or records for the Corporation shall be funded by the Corporation in its operating budget (600). Legal services provided in regard to specific Corporation-initiated projects will be charged to the individual project. Funds for general economic development legal services not specific to the Corporations will be provided for in the Economic Development Department operating budget (Fund 100).

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's costs for performing such services in an amount not to exceed the total "**ASA Reimbursement**" line item in the Corporation's approved fiscal year budget, a copy of which is attached hereto as Exhibit "A".

Estimated amounts 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 "ASA Reimbursement" 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, Professional and Legal Services, 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 and be due upon presentment of an invoice from the City to the Corporation (except for Community Events funding).

In addition, the **CORPORATION** agrees to pay the CITY a fee for related support costs in an amount not to exceed the total "**ASA Shared Services Fee**" line item in the Corporation's approved fiscal year budget. This fee shall be paid in advance in four quarterly payments to the City for associated City General Fund costs to administer the Corporation.

For Fiscal Year 2019, the ASA Shared Services Fee includes costs for the City Manager, Chief Financial Officer, Finance Manager, and Part-time Accounts Payable and Payroll Clerk, for time and related costs.

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 Fiscal Year 2019, 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, 2019.**

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 30th day of July,
2018, and by the CITY on the _____ day of _____, 2018, at Fulshear, Fort Bend
County, Texas, to be **effective on October 1, 2018**.

CITY OF FULSHEAR DEVELOPMENT CORPORATION

By:  _____
Jason Maklary, Secretary

By:  _____
Andrew Van Chau, President

CITY OF FULSHEAR

By: _____
Kim Kopecky, City Secretary

By: _____
Aaron Groff, Mayor

CDC_A FUND 600 (OPERATING)

08/01/2018

			FY2017	FY2018	FY2018		FY 2019
			Actual	Budget	Estimate	Add'l. Funds	Proposed Budget
Revenues		Beginning Fund Balance	659,388	705,866	872,624		1,038,842
Tax							
	600-41301	Sales & Use Tax Revenue	461,609	403,200	492,126	44,291	536,417
		Total Tax	461,609	403,200	492,126	44,291	536,417
Interest Earned							
	600-46000	Interest Revenue	7,262	1,000	1,000		1,000
		Total Interest Earned	7,262	1,000	1,000	-	1,000
		Total Revenues	468,871	404,200	493,126	44,291	537,417
Expenditures							
Administration							
Supplies							
	600-5-100-5311-00	Supplies	38	250	250		250
	600-5-100-5326-00	Uniforms/Shirts	-	-	-		-
	600-5-100-5381-00	Board Meeting Expenses	-	-	-		-
		Total Supplies	38	250	250	-	250
Contractual							
	NEW LINE ITEM	MEETING SECURITY	-	-	-	2,500	2,500
	600-5-100-5411-00	Admin Prof. Serv. - Legal	6,747	10,000	3,000		10,000
	600-5-100-5411-04	Professional Svcs - Admin	-	-	-		-
	600-5-100-5411-09	Professional Svcs-Acctig/Audit	-	-	-		-
	600-5-100-5411-10	Professional Svcs - Consulting	2,891	2,900	2,900		2,900
	600-5-100-5421-04	Admin - Indemnity Insurance	390	400	475		475
	600-5-100-5469-01	Admin - Administrative Fee	88,948	-	-		-
	600-5-100-5475-00	Admin - Bank Charges	-	400	-		-
		Total Contractual	98,976	13,700	6,375	2,500	15,875
Other Charges							
	600-5-100-5526-00	Admin - Public Notices	109	100	200	100	200
	600-5-100-5527-00	Dues & Memberships	-	-	-		-
	600-5-100-5528-00	Travel & Training	-	-	-		5,000
	600-5-100-5528-05	Continuing Education	430	5,000	1,000		-
		Total Other Charges	539	5,100	1,200	100	5,200
Transfers							
	600-5-000-5900-10	Xfer Out - Gen Fund 100 - ASA REIMBURSEMENT	-	151,648	151,648	8,452	160,100
	NEW LINE ITEM	Xfer Out - Gen Fund - ASA SHARED SERVICES FEE	-	-	-	35,000	35,000
	600-5-000-5900-11	Xfer Out - Gen Fund - Community Events	-	24,420	24,420	13,080	37,500
	600-5-000-5900-61	Xfer Out - 601 Projects Fund	155,200	143,015	143,015	(35,732)	107,283
		Total Transfers	155,200	319,083	319,083	20,800	339,883
		Total Administration Expenditures	254,753	338,133	326,908	23,400	361,208
		Revenue Over(Under) Expenditures	214,118	66,067	166,218	20,891	176,209
		Ending Fund Balance	873,506	771,933	1,038,842		1,215,051
							Restricted Fund Balance (90 days operating)
							90,302
							Estimated Unrestricted Fund Balance
							1,124,749

CDC_A FUND 601 (PROJECTS) 08/01/2018

Account Number	Account Description	FY2017 Actual	FY2018 Budget	FY 2018	FY 2018	FY 2019	Estimated Cumulative Balance
				Estimate EDC PURPOSES	Estimate FINANCE PURPOSES	Proposed Budget - Additional Funds	
Beginning Fund Balance		150,010	203,810	252,648	252,648		387,423
Revenues							
Interest Earned							
601-46000	Interest Revenue	1,151	100	2,800	2,800	100	100
Total Interest Earned		1,151	100	2,800	2,800	100	100
Other Revenue							
601-49202	LOAN PROCEEDS	-	-	-	-	-	-
601-49500	XFER IN - Fund Balance	-	-	-	-	-	-
601-49560	XFER IN - 4/A EDC FUND 600	155,200	143,015	143,015	143,015	107,283	107,283
Total Other Revenue		155,200	143,015	143,015	143,015	107,283	107,283
Total Revenue		156,351	143,115	145,815	145,815	107,383	107,383
Budgeted Revenue + Rollover Balance		306,361	346,925	398,463	398,463		494,806
Expenditures							
Contractual							
601-5-000-5470-01	Targeted Incentives	-	74,170	-	74,170	53,642	127,812
601-5-000-5470-02	Promotional Expenses	11,868	62,303	11,040	62,303	53,642	104,905
601-5-000-5470-03	Studies expense	5,346	94,655	-	94,655	-	94,655
601-5-000-5470-04	Community Events	36,500	1,000	-	1,000	(1,000)	-
Total Contractual		53,713	232,128	11,040	232,128	106,283	327,371
Capital Outlay							
601-5-000-5600-08	Capital Outlay - Land	-	-	-	-	-	-
601-5-000-5600-09	Katy-Fulshear/Huggins Road FY18	-	71,250	-	71,250	-	71,250
601-5-000-5600-10	Texas Heritage Parkway Project FY18	-	91,125	-	91,125	-	91,125
Total Capital Outlay		-	162,375	-	162,375	-	162,375
TOTAL EXPENDITURES		53,713	394,503	11,040	394,503	106,283	489,746
Revenues Over(Under) Expenditures		102,638	(251,388)	134,775	(248,688)	1,100	(382,363)
Ending Fund Balance		252,648	(47,578)	387,423	3,960		5,060

RESOLUTION NO. 2018-396

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS APPROVING AN ADMINISTRATIVE SERVICES AGREEMENT BETWEEN THE CITY AND THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (TYPE A)

WHEREAS, the City Council of the City of Fulshear, Texas is desirous of ensuring efficient and effective administration for its Economic Development Corporations; and

WHEREAS, the City of Fulshear Development Corporation has previously acted to approve the tenets and facets of the Administrative Services Agreement attached hereto;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS THAT: The Administrative Services Agreement for Fiscal Year 2018-2019 is hereby approved in the form as attached to this document as "Exhibit A".

This Resolution duly passed this 21ST day of August, 2018.

Aaron Groff, Mayor

ATTEST:

Kim Kopecky, City Secretary

AGENDA OF:	August 21, 2018	AGENDA ITEM:	BUS- C
DATE SUBMITTED:	August 8, 2018	DEPARTMENT:	Economic Development
PREPARED BY:	Angela Fritz Eco. Dev. Director	PRESENTER:	Same
SUBJECT:	FY19 Administrative Services Agreement – FDC (B)		
ATTACHMENTS:	1. Resolution 2018-397		
EXPENDITURE REQUIRED:	N/A		
AMOUNT BUDGETED:			
FUNDING ACCOUNT:			
ADDITIONAL APPROPRIATION REQUIRED:	N/A		
FUNDING ACCOUNT:			

EXECUTIVE SUMMARY

The proposed Administrative Services Agreement for Fiscal Year 2018-2019 (FY19) was adopted by the B Corporation at their July 30, 2018 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, and provides for a direct transfer of community event funds to the City’s General Fund to be administered by the City Manager.

The FY19 Agreement as proposed also includes the provision of a “Shared Services Fee” to be paid to the City to cover EDC support costs incurred outside the Economic Development Department (Administration & Finance).

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.

RECOMMENDATION

Staff recommends approval of Resolution 2018-397, approving an administrative services agreement between the City and the Fulshear Development Corporation for Fiscal Year 2018-2019.

RESOLUTION NO. 2018-397

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS APPROVING AN ADMINISTRATIVE SERVICES AGREEMENT BETWEEN THE CITY AND THE FULSHEAR DEVELOPMENT CORPORATION (TYPE B)

WHEREAS, the City Council of the City of Fulshear, Texas is desirous of ensuring efficient and effective administration for its Economic Development Corporations; and

WHEREAS, the Fulshear Development Corporation has previously acted to approve the tenets and facets of the Administrative Services Agreement attached hereto;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS THAT: The Administrative Services Agreement for Fiscal Year 2018-2019 is hereby approved in the form as attached to this document as "Exhibit A".

This Resolution duly passed this _____ day of August, 2018.

Aaron Groff, Mayor

ATTEST:

Kim Kopecky, City Secretary

**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; 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 City Hall facilities, the 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 all services related to State of Texas requirements for Economic Development Corporation's reporting. Maintain all public documents and records of the Corporation.
4. 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.

At no time shall any funds be expended from the projects fund (701) without prior Corporation approval. Except that expenditures under \$10,000 identified during the budgeting process from the promotional and studies line items may be expended by staff in accordance with the budget without additional approval of the Corporation.

b. Economic Development Coordinator 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 **CORPORATION's** Investment Policy, as may be adopted and amended from time to time.
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. General legal services for the Corporation, including advice, the review and preparation of resolutions, general contracts, and other legal documents or records for the Corporation shall be funded by the Corporation in its operating budget (700). Legal services provided in regard to specific Corporation-initiated projects will be charged to the individual project. Funds for general economic development legal services not specific to the Corporations will be provided for in the Economic Development Department operating budget (Fund 100).

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's costs for performing such services in an amount not to exceed the total "**ASA Reimbursement**" line item in the Corporation's approved fiscal year budget, a copy of which is attached hereto as Exhibit "A".

Estimated amounts 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 700) under the "ASA Reimbursement" 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, Professional and Legal Services, 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 and be due upon presentment of an invoice from the City to the Corporation (except for Community Events funding).

In addition, the **CORPORATION** agrees to pay the CITY a fee for related support costs in an amount not to exceed the total "**ASA Shared Services Fee**" line item in the Corporation's approved fiscal year budget. This fee shall be paid in advance in four quarterly payments to the City for associated City General Fund costs to administer the Corporation.

For Fiscal Year 2019, the ASA Shared Services Fee includes costs for the City Manager, Chief Financial Officer, Finance Manager, and Part-time Accounts Payable and Payroll Clerk, for time and related costs.

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 Fiscal Year 2019, 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, 2019.**

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 30th day of July,
2018, and by the **CITY** on the _____ day of _____, 2018, at Fulshear, Fort Bend
County, Texas, to be **effective on October 1, 2018**.

FULSHEAR DEVELOPMENT CORPORATION

By: Stacy Mangum
~~Carol Riggs, Secretary~~ Stacy Mangum

By: J.W. Wauson
J.W. Wauson, President

CITY OF FULSHEAR

By: _____
Kim Kopecky, City Secretary

By: _____
Aaron Groff, Mayor

FDC_B FUND 700 (OPERATING) 07/31/2018

Account Number		Account Description	FY2017 Actual	FY2018 Budget	FY 2018 Estimate	Add'tl. Funds	FY 2019 Proposed Budget
Beginning Fund Balance			826,079	882,833	1,043,487		1,215,061
Revenues							
Tax							
700-41301		Sales & Use Tax Revenue	461,608	403,200	492,126	44,291	536,417
Total Tax			461,608	403,200	492,126	44,291	536,417
Interest Earned							
700-46000		Interest Revenue	7,262	750	6,581	-	5,000
Total Interest Earned			7,262	750	6,581	-	5,000
Other Revenue							
700-49560		XFER IN 4/A EDC FUND 600	2,500	-	-	-	-
Total Other Revenue			2,500	-	-	-	-
Total Revenues			471,370	403,950	498,707	44,291	541,417
Expenditures							
Administrative Supplies							
700-5-100-5311-00		Supplies	38	250	250	-	250
Total Supplies			38	250	250	-	250
Contractual							
NEW LINE ITEM		MEETING SECURITY	-	-	-	2,500	2,500
700-5-100-5411-00		Admin Prof. Service - Legal	6,162	7,500	4,000	-	7,500
700-5-100-5421-04		Admin - Indemnity Insurance	461	500	600	100	600
700-5-100-5469-01		Admin - Administrative Fee	91,448	-	-	-	-
Total Contractual			98,071	8,000	4,600	2,600	10,600
Other Charges							
700-5-100-5526-00		Public Notices	108	100	200	100	200
700-5-100-5528-00		Travel & Training	545	-	-	-	8,000
700-5-100-5528-05		Continuing Education	-	8,000	1,000	-	-
Total Other Charges			653	8,100	1,200	100	8,200
Transfers							
700-5-000-5900-10		Xfer Out - Gen Fund 100 - ASA REIMBURSEMENT	-	151,648	151,648	-	160,100
NEW LINE ITEM		Xfer Out - Gen Fund - ASA SHARED SERVICES FEE	-	-	-	35,000	35,000
700-5-000-5900-11		Xfer Out - Gen Fund - Community Events	-	24,420	24,420	13,080	37,500
700-5-000-5900-71		Xfer Out - 701 Projects Fund	155,200	143,015	143,015	-	107,283
Total Transfers			155,200	319,083	319,083	48,080	339,883
Total Administrative			253,962	335,433	325,133	50,780	358,933
Community Development Contractual							
700-5-400-5471-00		Community Grants	-	10,000	2,000	-	10,000
Total Contractual			-	10,000	2,000	-	10,000
Total Community Development			-	10,000	2,000	-	10,000
Total Expenditures			253,962	345,433	327,133	50,780	368,933
Revenues Over(Under) Expenditures			217,408	58,517	171,574	(6,489)	172,484
Ending Fund Balance			1,043,487	941,350	1,215,061		1,387,545
							Restricted Fund Balance (90 days operating) 92,233
							Estimated Unrestricted Fund Balance 1,295,312

FDC_B FUND 701 (PROJECTS) 07/31/2018

Account Number	Account Description	FY2017 Actual	FY2018 Budget	FY 2018 Estimate EDC Purposes	FY 2018 Estimate FINANCE Purposes	FY19 BUDGET (Add'l. Funds)	Estimated Cumulative Balance
Beginning Fund Balance		150,010	192,460	224,452	224,452		336,488
Revenues							
Interest Earned							
701-46000	INTEREST	1,152	100	1,248	1,248	100	100
Total Interest Earned		1,152	100	1,248	1,248	100	100
Other Revenue							
701-49570	XFER IN -Operating Fund 700	155,200	143,015	143,015	143,015	107,283	107,283
Total Other Revenue		155,200	143,015	143,015	143,015	107,283	107,283
Total Revenue		156,352	143,115	144,263	144,263	107,383	107,383
Budgeted Revenue + Rollover Balance		306,362	335,575	368,715	368,715		443,871
Expenditures							
Contractual							
701-5-000-5470-01	Targeted Incentives	-	74,170	-	74,170	53,642	127,812
701-5-000-5470-02	Promotional Expenses	40,005	34,165	32,228	34,165	53,642	55,579
701-5-000-5470-03	Studies Expenses	5,346	94,654	-	94,654	-	94,654
701-5-000-5470-04	Community Events	36,500	1,000	-	1,000	(1,000)	-
Total Contractual		81,851	203,989	32,228	203,989	106,284	278,045
Capital Outlay							
701-5-000-5600-09	Katy-Fulshear/Huggins Road - FY18	-	71,250	-	71,250	-	71,250
701-5-000-5600-10	Texas Heritage Parkway Project - FY18	-	91,125	-	91,125	-	91,125
Total Capital Outlay		-	162,375	-	162,375	-	162,375
Total Expenditures		81,851	366,364	32,228	366,364	106,284	440,420
Revenue Over(Under) Expenditures		74,501	(223,249)	112,036	(222,101)	1,099	(333,037)
Ending Fund Balance		224,511	(30,789)	336,488	2,351		3,450

RESOLUTION NO. 2018-397

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS APPROVING AN ADMINISTRATIVE SERVICES AGREEMENT BETWEEN THE CITY AND THE FULSHEAR DEVELOPMENT CORPORATION (TYPE B)

WHEREAS, the City Council of the City of Fulshear, Texas is desirous of ensuring efficient and effective administration for its Economic Development Corporations; and

WHEREAS, the Fulshear Development Corporation has previously acted to approve the tenets and facets of the Administrative Services Agreement attached hereto;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS THAT: The Administrative Services Agreement for Fiscal Year 2018-2019 is hereby approved in the form as attached to this document as "Exhibit A".

This Resolution duly passed this 21ST day of August, 2018.

Aaron Groff, Mayor

ATTEST:

Kim Kopecky, City Secretary

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

AGENDA OF:	August 21, 2018	AGENDA ITEMS:	BUS- D & E
DATE SUBMITTED:	August 8, 2018	DEPARTMENT	Economic Development
PREPARED BY:	Angela Fritz, Economic Development Director	PRESENTER:	Same
SUBJECTS:	City of Fulshear Development Corporation (A) FY 2018 - 2019 Projects Approval		
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Resolution No. 2018-398 2. CDC Public Notice of Projects 		
EXPENDITURE REQUIRED:	N/A		
AMOUNT BUDGETED:			
FUNDING ACCOUNT:			
ADDITIONAL APPROPRIATION REQUIRED:	N/A		
FUNDING ACCOUNT:			

EXECUTIVE SUMMARY

On July 30, the City of Fulshear Development Corporation (CDC) declared projects for Fiscal Year 2018-2019 (FY19), finding that budgeted expenditures will promote or develop new or expanded business enterprises. The CDC adopted Resolution CDC 18-01 at the same meeting, declaring the projects, directing staff to publish notice of the same, and setting a public hearing date for August 6, 2018.

The project notice was run in the legal section of the City’s paper of record, the Fort Bend Herald, on Thursday, August 2, beginning a 60-day period for public petition regarding the expenditures. A public hearing on the projects was held at the Corporation’s August 6, 2018 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 being greater than \$10,000.

RECOMMENDATION

Staff recommends adoption of Resolution No. 2018-398 authorizing the City of Fulshear Development Corporation’s projects and expenditures for Fiscal Year 2018-2019.

RESOLUTION NO. 2018-398

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 18-01 on July 30, 2018, 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 2018-2019, is \$37,500; 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 18-01 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__.

Aaron Groff, Mayor
City of Fulshear, Texas

ATTEST:

Kim Kopecky, City Secretary
City of Fulshear, Texas

BUS-35

RESOLUTION NO. CDC 18-01

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 2018-2019, 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 2018-2019, 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 2018-2019 is \$295,465; and

WHEREAS, the Corporation wishes to participate in specific projects during Fiscal Year 2018-2019, 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 2018-2019 is \$37,500;

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 2018-2019, being land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the Board of Directors to promote new or expanded business development.

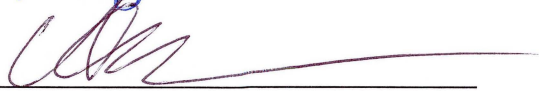
Section 2. The Board hereby proposes to undertake a specific project during Fiscal Year 2018-2019 being expenditures for community events found by the Board of Directors to promote new or expanded business development.

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 6, 2018, at 6:30 p.m. at Fulshear City Hall, 39603 FM 1093, Fulshear, Texas 77441.

PASSED AND APPROVED this 30th DAY OF July, 2018.



Andrew Van Chau, President
City of Fulshear Development Corporation

ATTEST:



Jason Maklary, Secretary
City of Fulshear Development Corporation

PUBLISHER'S AFFIDAVIT

Public Notice (A)

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.

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

8-2

, A.D. 2018

[Signature]

Lee Hartman
Publisher

SUBSCRIBED AND SWORN BEFORE ME by Lee Hartman, who

X a) is personally known to me, or

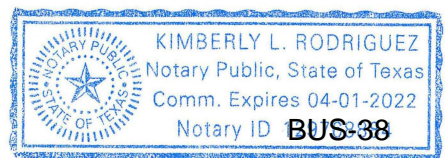
b) provided the following evidence to establish his/her identity,

on this the 6 day of August, A.D. 2018 to certify which witness my hand and seal of office.

[Signature]
Notary Public, State of Texas

(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 projects: Land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the Board of Directors to promote new or expanded business development. The CDC will conduct a public hearing to solicit citizen input regarding the proposed general type of projects identified above. The public hearing will be held at the Fulshear City Hall, 39603 FM 1093, Fulshear, Texas, on Monday, August 6, 2018, 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) 346-1796



RESOLUTION NO. 2018-398

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 18-01 on July 30, 2018, 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 2018-2019, is \$37,500; 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 18-01 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 21ST DAY OF AUGUST, 2018.

Aaron Groff, Mayor
City of Fulshear, Texas

ATTEST:

Kim Kopecky, City Secretary
City of Fulshear, Texas

BUS-39

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

AGENDA OF:	August 21, 2018	AGENDA ITEMS:	BUS- F & G
DATE SUBMITTED:	August 8, 2018	DEPARTMENT	Economic Development
PREPARED BY:	Angela Fritz, Economic Development Director	PRESENTER:	Same
SUBJECTS:	Fulshear Development Corporation (B) FY 2018-2019 Projects Approval		
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Resolution No. 2018-399 2. FDC Public Notice of Projects 		
EXPENDITURE REQUIRED:	N/A		
AMOUNT BUDGETED:			
FUNDING ACCOUNT:			
ADDITIONAL APPROPRIATION REQUIRED:	N/A		
FUNDING ACCOUNT:			

EXECUTIVE SUMMARY

On July 30, the Fulshear Development Corporation (FDC) declared projects for Fiscal Year 2018-2019 (FY19), finding that budgeted expenditures will promote or develop new or expanded business enterprises. The CDC adopted Resolution FDC 18-01 at the same meeting, declaring the projects, directing staff to publish notice of the same, and setting a public hearing date for August 20, 2018.

The project notice was run in the legal section of the City's paper of record, the Fort Bend Herald, on Thursday, August 2, beginning a 60-day period for public petition regarding the expenditures. A public hearing on the projects is to be held at the Corporation's August 20, 2018 Meeting. Due to the timing of agenda preparation for this Council meeting, staff will provide Council an update on any speakers at the August 20 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 being greater than \$10,000.

RECOMMENDATION

Staff recommends adoption of Resolution No. 2018-399 authorizing the Fulshear Development Corporation's projects and expenditures for Fiscal Year 2018-2019.

RESOLUTION NO. 2018-399

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

WHEREAS, the FULSHEAR DEVELOPMENT CORPORATION (the "Corporation") was created by the City pursuant to Chapter 505 of the Development Corporation Act, Texas Local Government Code, as amended (the "Act"); and

WHEREAS, the Corporation adopted Resolution FDC 18-01 on July 30, 2018, attached hereto as "Exhibit A;" and

WHEREAS, Resolution FDC 18-01 proposes a project of the Corporation for Fiscal Year 2018-2019, being expenditures for community events found by the Board of Directors to promote new or expanded business development the estimated amount of expenditures for such project in fiscal year 2018-2019 is \$37,500; and

WHEREAS, Resolution FDC 18-01 proposes a project of the Corporation for Fiscal Year 2018-2019, being expenditures for holiday decorating services found by the Board of Directors to promote new or expanded business development the estimated amount of expenditures for such project in fiscal year 2018-2019 is \$19,018; 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 FDC 18-01 and the associated expenditure of funds, being expenditures for community events and holiday decorating services found by the Board of Directors to promote new or expanded business development.

PASSED AND APPROVED this ____ DAY OF _____, 201__.

Aaron Groff, Mayor
City of Fulshear, Texas

ATTEST:

Kim Kopecky, City Secretary City of Fulshear, Texas

BUS-41

RESOLUTION NO. FDC 18-01

A RESOLUTION OF THE FULSHEAR DEVELOPMENT CORPORATION (FDC), A "TYPE B" ECONOMIC DEVELOPMENT SALES TAX CORPORATION, DECLARING THE PROJECTS TO BE UNDERTAKEN BY THE CORPORATION FOR FISCAL YEAR 2018-2019, DIRECTING STAFF TO PUBLISH NOTICE OF SAME, AND SETTING A PUBLIC HEARING.

WHEREAS, the FULSHEAR DEVELOPMENT CORPORATION (the "Corporation") was created by the City of FULSHEAR, Texas (the "City") pursuant to Chapter 505 of the Development Corporation Act, Texas local Government Code, as amended (the "Act");

WHEREAS, the Corporation wishes to participate in a general type of projects during Fiscal Year 2018-2019, 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 projects in fiscal year 2018-2019 is \$308,190; and

WHEREAS, the Corporation wishes to participate in specific projects during Fiscal Year 2018-2019, 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 2018-2019 is \$37,500; and

WHEREAS, the Corporation wishes to participate in specific projects during Fiscal Year 2018-2019, being expenditures for holiday decorating services 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 2018-2019 is \$19,018;

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 2018-2019, being land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the Board of Directors to promote new or expanded business development.

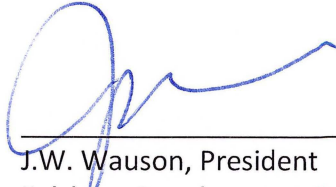
Section 2. The Board hereby proposes to undertake specific projects during Fiscal Year 2018-2019 being expenditures for community events and for holiday decorating services found by the Board of Directors to promote new or expanded business development.

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.

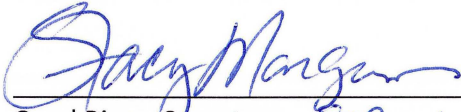
Section 5. The Board hereby sets a public hearing for one or more of such projects on Monday, August 20, 2018, at 6:30 p.m. at Fulshear City Hall, 39603 FM 1093, Fulshear, Texas 77441.

PASSED AND APPROVED this 30th DAY OF July, 2018.



J.W. Wauson, President
Fulshear Development Corporation

ATTEST:



~~Carol Riggs, Secretary~~ STACY MANGUM
Fulshear Development Corporation

PUBLISHER'S AFFIDAVIT

Public Notice
(B)

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.

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

8-2

_____, A.D. 2018



Lee Hartman
Publisher

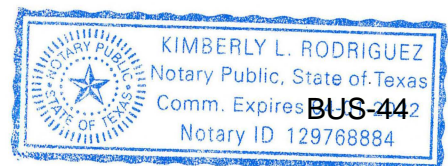
SUBSCRIBED AND SWORN BEFORE ME by Lee Hartman, who

X a) is personally known to me, or

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

on this the 6 day of August, A.D. 2018 to certify which witness my hand and seal of office.


Notary Public, State of Texas



(CLIPPING) (S)

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

The FDC, a Type B Economic Development Sales Tax Corporation, hereby gives notice, pursuant to the Texas Local Government Code, Sec. 505.160, that the Corporation has proposed to undertake the following general type of projects:

Land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the Board of Directors to promote new or expanded business development.

The FDC will conduct a public hearing to solicit citizen input regarding the proposed general type of projects identified above. The public hearing will be held at the Fulshear City Hall, 39603 FM 1093, Fulshear, Texas, on Monday, August 20, 2018, 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) 346-1796

RESOLUTION NO. 2018-399

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

WHEREAS, the FULSHEAR DEVELOPMENT CORPORATION (the "Corporation") was created by the City pursuant to Chapter 505 of the Development Corporation Act, Texas Local Government Code, as amended (the "Act"); and

WHEREAS, the Corporation adopted Resolution FDC 18-01 on July 30, 2018, attached hereto as "Exhibit A;" and

WHEREAS, Resolution FDC 18-01 proposes a project of the Corporation for Fiscal Year 2018-2019, being expenditures for community events found by the Board of Directors to promote new or expanded business development the estimated amount of expenditures for such project in fiscal year 2018-2019 is \$37,500; and

WHEREAS, Resolution FDC 18-01 proposes a project of the Corporation for Fiscal Year 2018-2019, being expenditures for holiday decorating services found by the Board of Directors to promote new or expanded business development the estimated amount of expenditures for such project in fiscal year 2018-2019 is \$19,018; 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 FDC 18-01 and the associated expenditure of funds, being expenditures for community events and holiday decorating services found by the Board of Directors to promote new or expanded business development.

PASSED AND APPROVED this 21ST DAY OF AUGUST, 2018.

Aaron Groff, Mayor
City of Fulshear, Texas

ATTEST:

Kim Kopecky, City Secretary City of Fulshear, Texas

BUS-45

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

AGENDA OF:	August 14, 2018	AGENDA ITEMS:	BUS-H
DATE SUBMITTED:	August 21, 2018	DEPARTMENT	Public Works
PREPARED BY:	Sharon Valiante Director of Public Works	PRESENTER:	Sharon Valiante, Director of Public Works
SUBJECT:	Ordinance 2018-1283 – Altering Speed Zones – School Zones		
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Ordinance 2018-1283 2. Reference School Zone Exhibits from Traffic Studies – Katy ISD & Lamar CISD 3. Reference – School Traffic Study Area Maps 		
EXPENDITURE REQUIRED:	N/A		
AMOUNT BUDGETED:	N/A		
FUNDING ACCOUNT:	N/A		
ADDITIONAL APPROPRIATION REQUIRED:	N/A		
FUNDING ACCOUNT:			

EXECUTIVE SUMMARY

Texas law provides for a prime facia speed limit of 30 MPH on local and/or urban roads and can be posted without formal adoption by Cities. Reduced speed limits should be used for school zones during the hours when children are going to and from school. Any speed limits lower, or higher, than the prime facia speed limit must be adopted by City Ordinance.

Pedestrian crossing activity should be the primary basis for reduced school speed zones. However, irregular traffic and pedestrian movements must also be considered when children are being dropped off and picked up from school. Other factor to take into consideration for setting school speed zones are: sound engineering practices, geometrics, and traffic patterns/flows.

Katy Independent School District (Katy ISD) completed a new elementary school in July of 2018. The new elementary school, Campbell Elementary, is located at 3701 Cross Creek Bend Lane. During the design phase, a Traffic Engineering evaluation was completed that established a recommended school zone with recommended speed limit postings for a reduced speed, or a speed lower than the prime facia speed of 30 MPH, at specific times during the school week of Monday – Friday. The school zone with the appropriate speed limit signs have just recently been installed and are in place for the startup of the 2018-2019 school year.

Lamar Consolidated Independent School District (Lamar CISD) completed a new school campus in 2016, Fulshear High School and Leaman Junior High School. At the completion of the campuses, the complex was in the City's Extra Territorial Jurisdiction (ETJ). During the design phase, a Traffic Engineering evaluation was completed that established a recommended school zone with recommended speed limit postings for a reduced speed, or a speed lower than the posted speed limit of 35 MPH for specific times during the school week of Monday – Friday. The recommended speed limits are posted in accordance with the recommendations from the Traffic Engineering Evaluation. In 2018, the City annexed the complex and changed the name of the adjacent roadway from Bois D'Arc to Charger Way.

Therefore, the Ordinance 2018-1283, was prepared to establish the school zone limits and to adopt the reduced or altered speed limits during school zone hours for each of these locations.

The proposed effective school zone hours are: 7:00 a.m. – 8:30 a.m. and 2:45 p.m. -4:00 p.m., Monday thru Friday. The proposed effective reduced or school zone speed limit is 20 MPH during these time frames.

RECOMMENDATION

Staff recommends that council approve Ordinance 2018-1283 establishing school zone limits, establishing effective times and adopting the reduced or altered speed zones for school zones located in Katy ISD and Lamar CISD, for Campbell Elementary, Leaman Junior High and Fulshear High Schools.

ORDINANCE NO. 2018-1283

AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, ESTABLISHING OR ALTERING A REGULATORY SPEED ZONE ON VARIOUS STREETS OR PORTIONS OF STREETS WITHIN THE CITY; PROVIDING FOR A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL AND PROVIDING FOR AN EFFECTIVE DATE.

* * * * *

WHEREAS, Transportation Code section 545.352 establishes prima facie reasonable and prudent speed limits for various categories of public roads, streets and highways; and

WHEREAS, Transportation Code section 545.356 empowers the City of Fulshear, Texas, to alter those prima facie limits on public roads, streets, and highways in the City as determined from the results of an engineering and traffic investigation conducted according to the procedures adopted by the Texas Transportation Commission; and

WHEREAS, the City has conducted the prescribed engineering and traffic investigations to determine reasonable and safe prima facie maximum speed limits for those portions of those certain public roads, streets, and highways described in Exhibits A and B; and

WHEREAS, Exhibits A and B describe speed zones for sections of public roads, streets, and highways where engineering and traffic investigations justify the need to alter the speeds;

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

Section 1. The reasonable and prudent prima facie maximum speed limits set forth in Exhibit A are declared as tabulated in said exhibit and, subject to section 545.356(c), Transportation Code, are in effect from 7:00 a.m. to 8:30 a.m., Monday through Friday, and from 2:45 p.m. to 4:00 p.m., Monday through Friday.

Section 2. The reasonable and prudent prima facie maximum speed limits set forth in Exhibit B are declared as tabulated in said exhibit and, subject to section 545.356(c), Transportation Code, are in effect from 6:15 a.m. to 8:15 a.m., Monday through Friday, and from 3:30 p.m. to 4:00 p.m., Monday through Friday.

Section 3. The City Manager or his designee is hereby authorized to proceed with the erection of appropriate signs and other traffic control devices to effect this ordinance.

Section 4. **Penalty.** Any person who violates or causes, allows, or permits another to violate any provision of this ordinance, rule, or police regulation of the city shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine or penalty not to exceed five hundred dollars (\$500.00), provided that if such rule, ordinance, or police regulation governs fire safety, zoning, or public health and sanitation, other than the dumping of refuse, the fine or penalty shall not exceed two thousand dollars (\$2,000.00), and further provided that if such rule, ordinance, or police regulation governs the dumping of refuse, the fine or penalty shall not exceed four thousand dollars (\$4,000.00). Each occurrence of any violation of this ordinance, rule, or police regulation shall constitute a separate offense. Each day on which any such violation of this ordinance, rule, or police regulation occurs shall constitute a separate offense.

Section 5. **Severability.** In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Fulshear, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 6. **Repeal.** All other ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 7. **Effective date.** This Ordinance shall be effective and in full force when published as required by law.

PASSED, APPROVED, and ADOPTED this, the 21st day of August, 2018.

Aaron Groff, Mayor

ATTEST:

Kimberly Kopecky, City Secretary

EXHIBIT A

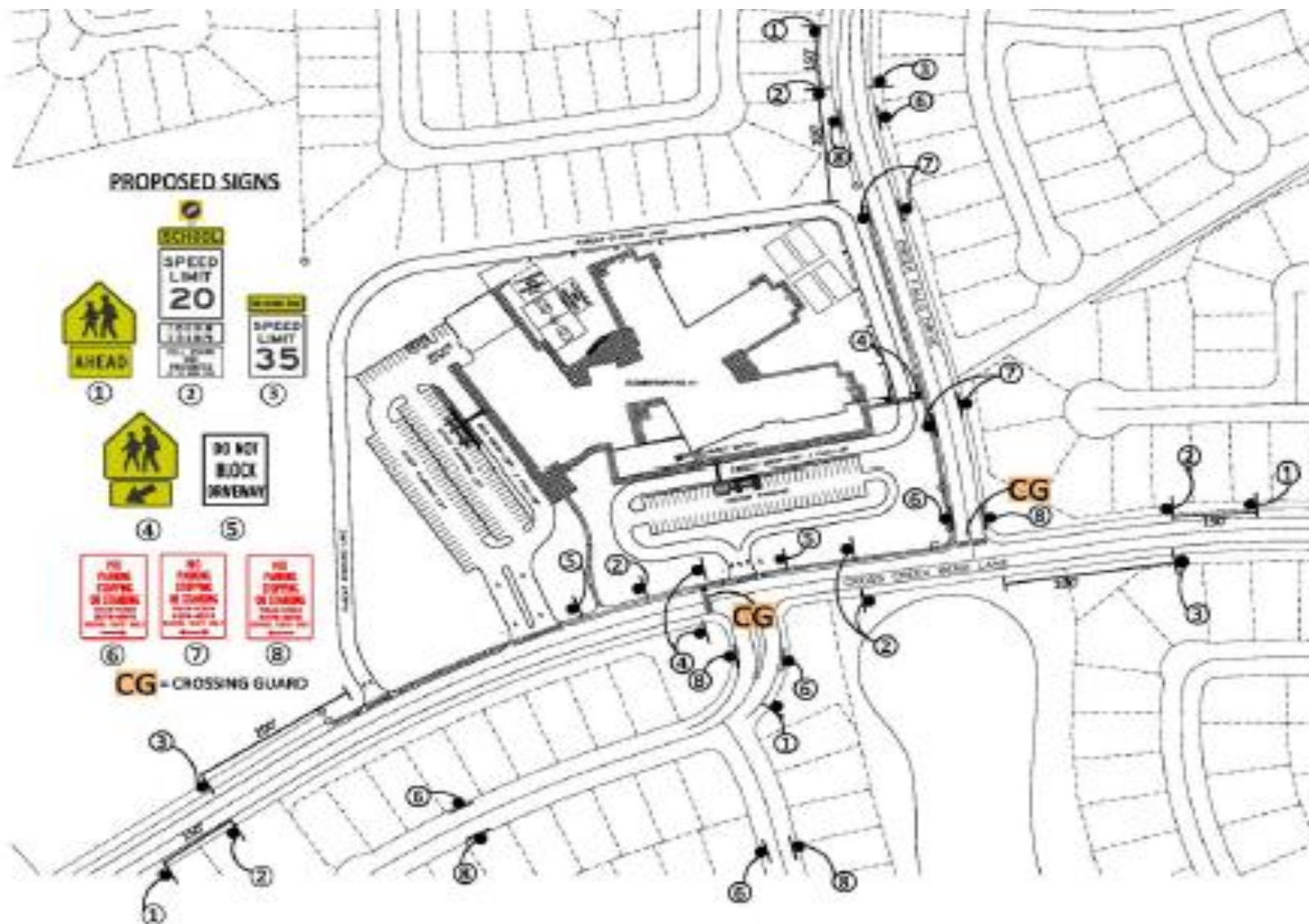
School Speed Zones
Campbell Elementary
Katy ISD

<u>Street</u>	<u>Speed</u>	<u>Limits of Zone</u>
Cross Creek Bend Lane	20 MPH	From a point 200 feet west of Parent Stacking Lane to a point 200 feet east of Creek Falls Drive
Creek Falls Drive	20 MPH	From a point 810 feet north of Cross Creek Bend Lane to the intersection of Cross Creek Bend Lane

EXHIBIT B

School Speed Zones
Lamar CISD School Complex
Lamar CISD

<u>Street</u>	<u>Speed</u>	<u>Limits of Zone</u>
Charger Way	20 MPH	From a point 600 feet north of FM 1093 to a point 3970 feet north of FM 1093



KATY ISD #41 NOW NAMED AS CAMPBELL ELEMENTARY – TRAFFIC ENGINEERING EVALUATION
 RECOMMENDATIONS PER TRAFFIC ENGINEERS, INC.

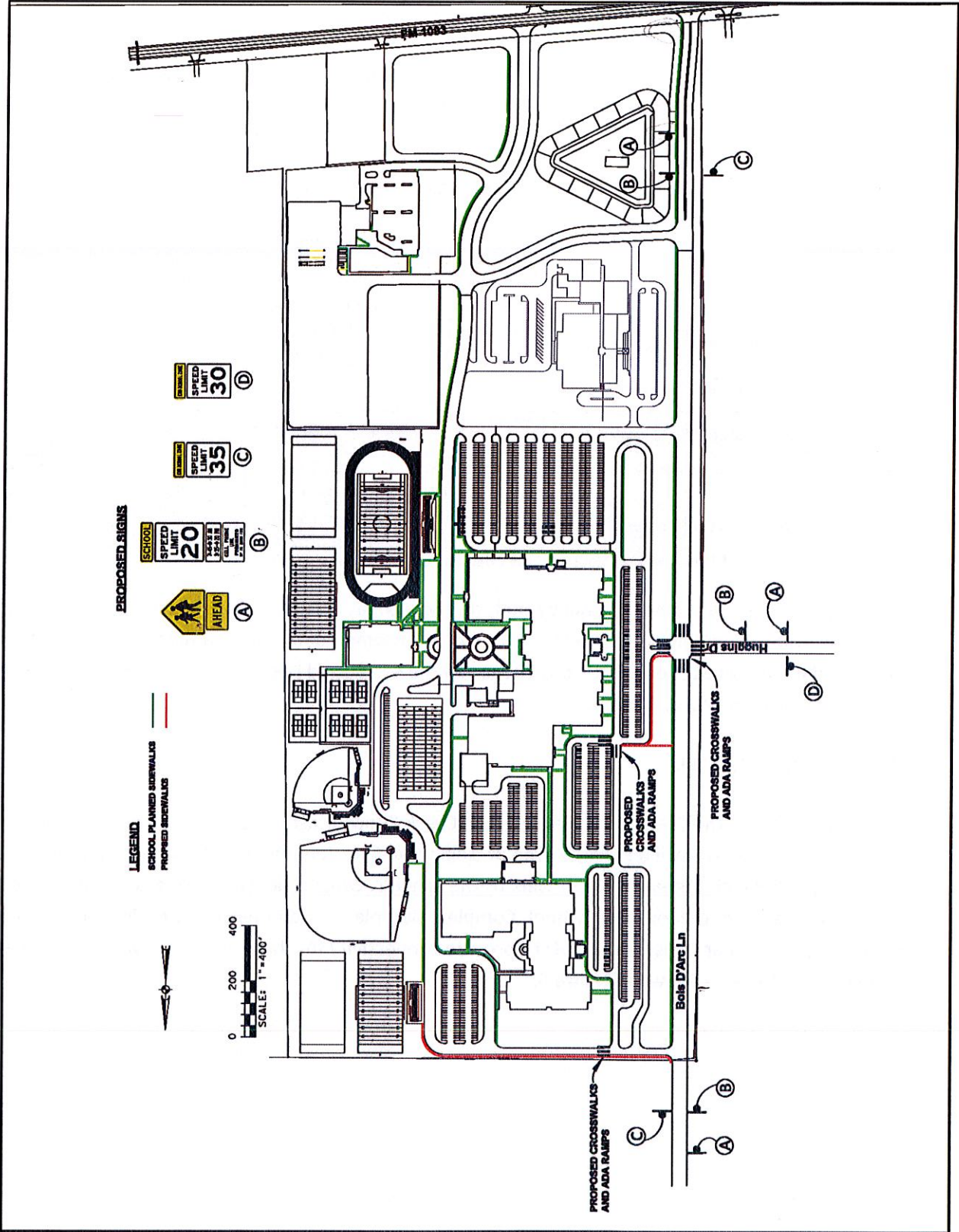
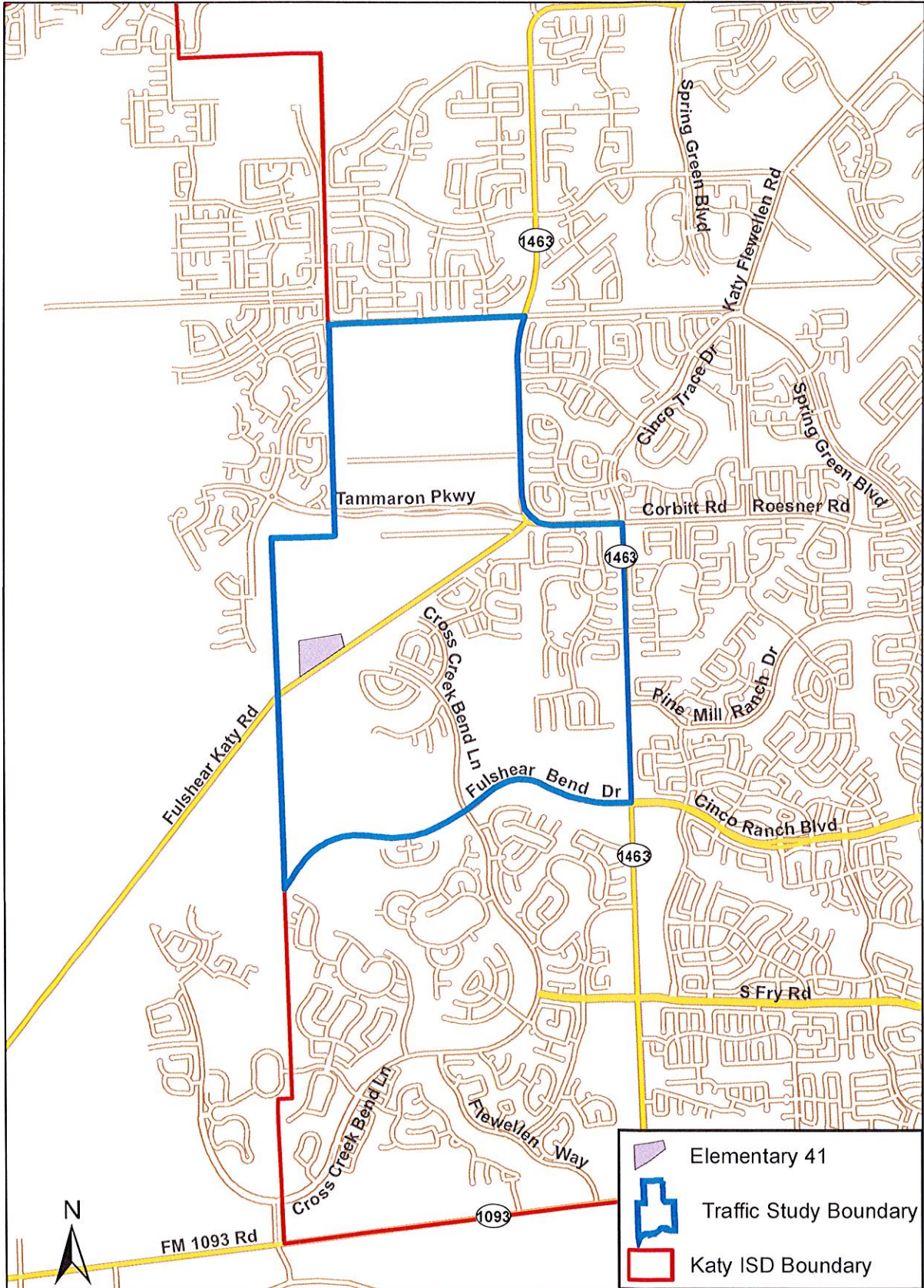


FIGURE 5 PROPOSED PEDESTRIAN TRAFFIC FACILITIES

Traffic Study Area for Katy ISD Elementary 41





LAMAR CISD TRAFFIC STUDY AREA MAP – LEAMAN JUNIOR HIGH AND FULSHEAR HIGH SCHOOL