



CITY OF FULSHEAR  
DEVELOPMENT CORPORATION  
A Type "A" Economic Development Sales Tax Corporation

PO Box 279 / 30603 FM 1093 · Fulshear, Texas 77441  
281-346-1796  
www.fulsheartexas.gov

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**JOINT MEETING AGENDA**

THE STATE OF TEXAS · CITY OF FULSHEAR · COUNTY OF FORT BEND

Notice is hereby given of a meeting of the City of Fulshear Development Corporation (CDC) to be **held by videoconference** on Monday, July 20, 2020 at 5:30 p.m. to consider the below stated items. **Audio, and to the extent feasible, video of the meeting, will be available to the public via the following free-of-charge videoconference link:**

<https://global.gotomeeting.com/join/408226253>

*The above videoconference link allows for two-way communication with members of the public; however, to avoid disruption of the meeting by channel noise, audio feedback loops, or excessive background noise, members of the public may be muted by the presiding officer or the officer's designee except during the citizen's comments and public hearing portions of the agenda, if applicable. A recording of the meeting will be made available to the public.*

**Incidental Meeting Notice:** A quorum of the City of Fulshear City Council, Planning & Zoning Commission, City of Fulshear Development Corporation (Type A), Fulshear Development Corporation (Type B), Parks & Recreation Commission, Historic Preservation & Museum Commission, Zoning Board of Adjustment, or any or all of these, may be in attendance at the meeting specified in the foregoing notice, which attendance may constitute a meeting of such governmental body or bodies as defined by the Texas Open Meetings Act, Chapter 551, Texas Government Code. Therefore, in addition to the foregoing notice, notice is hereby given of a meeting of each of the above-named governmental bodies, the date, hour, place, and subject of which is the same as specified in the foregoing notice.

The Board of Directors of the City of Fulshear Development Corporation reserves the right to meet in closed/executive session for any of the below listed items should the need arise, and if authorized under the provisions of Title 5, Chapter 551, of the Texas Government Code including, but not limited to, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.087 (economic development negotiations).

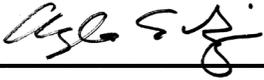
1. Call to Order
2. Citizen's Comments – Citizens who desire to address the Corporation regarding matters on the agenda will be received at this time. The number of speakers will be limited to the first ten (10) speakers and each speaker is limited to three (3) minutes. Comments or discussion by directors will only be made at the time the subject is scheduled for consideration.
3. Review and discuss update on small business grant program to support Fulshear businesses negatively impacted by COVID-19
4. Consideration and action on Resolution CDC 2020-06, a Resolution requesting the City of Fulshear modify the second Chapter 380 economic development program to continue providing grants to small businesses negatively affected by COVID-19

5. Public hearing on specific project being proposed by the Corporation for Fiscal Year 2019-2020 being expenditures for acquisition of a Customer Relationship Management (CRM) system for the Economic Development department of the City of Fulshear as called for in the Economic Development Strategy, found by the Board Directors to promote new or expanded business development, the amount of which is approximately \$7,500. Comments or discussion by the Board of Directors will only be made at the time the agenda item is taken up for deliberation by the board.
6. Consideration and possible action on Agreement with Coastal Cloud to implement an Economic Development Quick Start Solution to be used with the Salesforce customer relationship management platform
7. Consideration and action on Resolution CDC 2020-07, a resolution of the CDC declaring a specific project of the Corporation for Fiscal Year 2019-2020 being expenditures for acquisition of a Customer Relationship Management (CRM) system for the Economic Development department of the City of Fulshear as called for in the Economic Development Strategy, found by the Board Directors to promote new or expanded business development, the amount of which is approximately \$7,500
8. Consideration and action on budget allocation to fund acquisition of a Customer Relationship Management (CRM) system for the Economic Development department of the City of Fulshear
9. Consideration and action on financials and payables for the Corporation for the period ending May 31, 2020
10. Consideration of and action on Fiscal Year 2020-2021 Administrative Services Agreement by and between the Corporation and the City of Fulshear
11. Consideration of and action on Fiscal Year 2020-2021 Corporation Budgets
12. Consideration of and possible action on Resolution CDC 2020-08, a resolution of the CDC declaring projects of the Corporation for Fiscal Year 2020-2021, directing staff to publish notice of same, and setting a public hearing
13. Consideration and action on minutes of the Corporation for the June 22, 2020 Joint Annual Meeting
14. Hear update from City Council liaisons
15. Economic development report: Briefings or updates may be provided regarding City and Economic Development projects and programs, certificates of occupancy, conferences and meetings attended, upcoming meetings and events, business contacts and announcements, and economic indicators
  - a) Update on COVID-19 business support
  - b) Update on Broadband Discovery Project
  - c) Update on Innovation Hub Playbook Project
  - d) Update on Transit Feasibility Project
16. Future agenda items
17. Announcements
18. Adjournment

Note: In compliance with the American Disabilities Act, and to the extent applicable, this facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive service must be made at least 48 business hours prior to this meeting. Please contact the City Secretary's office at 281-346-1796 for further information.

I, Angela Fritz, Economic Development Director, do hereby certify that the above Notice of Meeting and Agenda for the City of Fulshear Development Corporation of the City of Fulshear, Texas was posted on **Thursday, July 16, 2020 before 5:00 PM**, in a place convenient and readily accessible at all times to the general public, in compliance with Chapter 551, TEXAS GOVERNMENT CODE.

Approved for posting by:



Angela Fritz, Economic Development Director



Jack Harper, City Manager



# FULSHEAR DEVELOPMENT CORPORATION

A Type "B" Economic Development Sales Tax Corporation

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## JOINT MEETING AGENDA

THE STATE OF TEXAS · CITY OF FULSHEAR · COUNTY OF FORT BEND

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The Board of Directors of the Fulshear Development Corporation reserves the right to meet in closed/executive session for any of the below listed items should the need arise, and if authorized under the provisions of Title 5, Chapter 551, of the Texas Government Code including, but not limited to, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.087 (economic development negotiations).

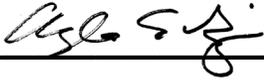
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3. Review and discuss update on small business grant program to support Fulshear businesses negatively impacted by COVID-19
4. Consideration and action on Resolution FDC 2020-06, a Resolution requesting the City of Fulshear modify the second Chapter 380 economic development program to continue providing grants to small businesses negatively affected by COVID-19

5. Public hearing on specific project being proposed by the Corporation for Fiscal Year 2019-2020 being expenditures for acquisition of a Customer Relationship Management (CRM) system for the Economic Development department of the City of Fulshear as called for in the Economic Development Strategy, found by the Board Directors to promote new or expanded business development, the amount of which is approximately \$7,500. Comments or discussion by the Board of Directors will only be made at the time the agenda item is taken up for deliberation by the board.
6. Consideration and possible action on Agreement with Coastal Cloud to implement an Economic Development Quick Start Solution to be used with the Salesforce customer relationship management platform
7. Consideration and action on Resolution FDC 2020-07, a resolution of the FDC declaring a specific project of the Corporation for Fiscal Year 2019-2020 being expenditures for acquisition of a Customer Relationship Management (CRM) system for the Economic Development department of the City of Fulshear as called for in the Economic Development Strategy, found by the Board Directors to promote new or expanded business development, the amount of which is approximately \$7,500
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11. Consideration of and action on Fiscal Year 2020-2021 Corporation Budgets
12. Consideration of and possible action on Resolution FDC 2020-08, a resolution of the FDC declaring projects of the Corporation for Fiscal Year 2020-2021, directing staff to publish notice of same, and setting a public hearing
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Approved for posting by:



Angela Fritz, Economic Development Director



Jack Harper, City Manager



**ECONOMIC DEVELOPMENT  
COMMUNICATION FORM  
July 20, 2020**

ITEM	TITLE
	<b>Small Business COVID-19 Grant Program Update</b>
<b>ITEM/MOTION</b>	
Review and discuss update on small business grant program to support Fulshear businesses negatively impacted by COVID-19	
<b>ESTIMATED EXPENDITURE:</b>	<b>BUDGET ACCOUNT:</b>

**SUBMITTED BY:**

Angela E. Fritz  
Economic Development Director

**SUPPORTING DOCUMENTS:**

1. [City of Fulshear COVID-19 Small Business Grant Program](#)

**EXECUTIVE SUMMARY**

**Program 1 (sales tax generators only; application window/deadline; group review/award):**

- Closed June 5, 2020
- 22 applications received
  - 8 eligible applicants received grants totaling \$38,750
  - 1 eligible but withdrew
  - 13 ineligible applicants, primarily due to not remitting sales tax to the City of Fulshear
- \$161,250 remaining of the \$200,000 total the EDCs allocated, approved for use in the second, expanded program

**Program 2 (expanded to include non-sales tax generators for FTE award; rolling application review):**

- Opened June 30 until funds run out, or August 14, 2020 @ 5 p.m., whichever comes first
- 20 applications received through 7/12 (8 reapplications from first program)
  - 3 eligible applicants under Sales Tax criteria received grants totaling \$14,750
  - 8 eligible applicants under FTE employee criteria received grants totaling \$6,000
  - 8 ineligible applicants due to self-responses on application
  - 1 application on hold for review
- ***\$140,500 remaining and approved for continued use in this second, expanded program***
  - 1 additional application received through 7/15 (not reviewed as of this report 7/16)

**Total for both Programs through 7/12/20:**

- ***42 applications received/reviewed (8 reapplications under second program)***
- ***19 grants awarded totaling \$59,500***
  - 11 under sales tax criteria totaling \$53,500; 8 under FTE criteria totaling \$6,000

One particular instance which was not contemplated when the programs were established is businesses who may not be required to register with the Secretary of State's office, and therefore, are ineligible under the program as it is currently established. To rectify this situation, in the next agenda item, staff has prepared a Resolution for the board's consideration to recommend to City Council to adopt a revision to the City's second Chpt. 380 Grant Program at their 7/21 meeting.

Should the Council concur with the EDCs' recommendations to revise to allow for alternate criteria (Assumed Name Certificate on/before March 19, 2020), and for this to be applied retroactive to applications already received under the second program, staff will complete the necessary updates to program information, applications, and notification, ASAP following Council action, as well completing reviews and processing any applications from this second round to which this provision might apply.

A couple other contextual notes re: other ongoing programs and funding opportunities:

- [Fort Bend County Grant Program \(County CARES Act funds\)](#) is still ongoing and eligible applicants could receive grants up to \$25,000. We are encouraging all of our businesses to apply for this.
  - ***As of 7/13, the County had received 48 applications that listed from businesses who listed Fulshear as their address***
- Federal programs that are still open: EIDL (loans); PPP funds; and Main Street loans
  - ***The SBA released data for PPP recipients in early July. As of July 8, 2020, doing a quick data sort for "Fulshear," there appear to have been approximately 270 entities that received under \$150,000, and approximately 18 entities who received more than \$150,000 through the program.***





**RESOLUTION NO. CDC 2020-06**

A RESOLUTION OF THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (CDC), REQUESTING THE CITY OF FULSHEAR MODIFY THE SECOND CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM TO CONTINUE PROVIDING GRANTS TO SMALL BUSINESSES NEGATIVELY AFFECTED BY COVID-19

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, on March 13, 2020, Governor Greg Abbott declared a State of Disaster for the State of Texas associated with the imminent threat and public health emergency resulting from the spread of COVID-19; and

WHEREAS, on March 19, 2020, Mayor Aaron Groff signed a Declaration of Local Disaster determining that extraordinary measures must be taken to contain COVID-19 and prevent its spread by supporting efforts of Local Health Authorities designed to mitigate the imminent threat and public health emergency resulting from COVID-19, and City Council consented to the continuation or renewal of this declaration on March 24, and April 21, 2020; and

WHEREAS, COVID-19 poses a substantial threat to the viability of local businesses; and

WHEREAS, the CDC wants to expand an expedient and efficient economic development program to provide grant funds to certain small businesses in the City of Fulshear to assist in mitigating the negative effects while providing working capital for business needs relative to additional costs required by the situation;

WHEREAS, the City may do so as authorized under Chapter 380 of the Texas Local Government Code; and

WHEREAS, the City established a program on May 19, 2020, for which applications closed on June 5, 2020; and

WHEREAS, the City established an expanded second program on June 16, 2020, in a total program amount not to exceed \$161,250, which the Corporations agreed to on June 22; and

WHEREAS, the Corporations wish to request that Council modify the parameters for this second program to allow for alternate eligibility criteria and the retroactive application of same as outlined in the draft of City of Fulshear Resolution 2020-477 attached hereto;

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

Section 1. The Corporation hereby requests the City of Fulshear amend its second Chapter 380 Economic Development Program to administer grants in an expedited manner to small businesses negatively impacted by COVID-19 under certain parameters as established in City of Fulshear Resolution 2020-474 adopted June 16, 2020, as outlined in draft City of Fulshear Resolution 2020-477 attached hereto;

Section 2. The Corporation hereby pledges to allocate funds in an amount not to exceed in total, the previously allocated \$100,000 per Corporation (\$200,000 total) to provide for reimbursement of the City's Chapter 380 economic development programs to distribute grants to eligible applicants, which, for the second program, would amount to \$80,625 per Corporation.

**PASSED AND APPROVED this 20<sup>TH</sup> DAY OF JULY, 2020.**

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Andrew Van Chau, President  
City of Fulshear Development Corporation

ATTEST:

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Prasad Garkhedkar, Secretary  
City of Fulshear Development Corporation

DRAFT



**RESOLUTION NO. FDC 2020-06**

**A RESOLUTION OF THE FULSHEAR DEVELOPMENT CORPORATION (FDC), REQUESTING THE CITY OF FULSHEAR MODIFY THE SECOND CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM TO CONTINUE PROVIDING GRANTS TO SMALL BUSINESSES NEGATIVELY AFFECTED BY COVID-19**

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, on March 13, 2020, Governor Greg Abbott declared a State of Disaster for the State of Texas associated with the imminent threat and public health emergency resulting from the spread of COVID-19; and

WHEREAS, on March 19, 2020, Mayor Aaron Groff signed a Declaration of Local Disaster determining that extraordinary measures must be taken to contain COVID-19 and prevent its spread by supporting efforts of Local Health Authorities designed to mitigate the imminent threat and public health emergency resulting from COVID-19, and City Council consented to the continuation or renewal of this declaration on March 24, and April 21, 2020; and

WHEREAS, COVID-19 poses a substantial threat to the viability of local businesses; and

WHEREAS, the FDC wants to expand an expedient and efficient economic development program to provide grant funds to certain small businesses in the City of Fulshear to assist in mitigating the negative effects while providing working capital for business needs relative to additional costs required by the situation;

WHEREAS, the City may do so as authorized under Chapter 380 of the Texas Local Government Code; and

WHEREAS, the City established a program on May 19, 2020, for which applications closed on June 5, 2020; and

WHEREAS, the City established an expanded second program on June 16, 2020, in a total program amount not to exceed \$161,250, which the Corporations agreed to on June 22; and

WHEREAS, the Corporations wish to request that Council modify the parameters for this second program to allow for alternate eligibility criteria and the retroactive application of same as outlined in the draft of City of Fulshear Resolution 2020-477 attached hereto;

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

Section 1. The Corporation hereby requests the City of Fulshear amend its second Chapter 380 Economic Development Program to administer grants in an expedited manner to small businesses negatively impacted by COVID-19 under certain parameters as established in City of Fulshear Resolution 2020-474 adopted June 16, 2020, as outlined in draft City of Fulshear Resolution 2020-477 attached hereto;

Section 2. The Corporation hereby pledges to allocate funds in an amount not to exceed in total, the previously allocated \$100,000 per Corporation (\$200,000 total) to provide for reimbursement of the City's Chapter 380 economic development programs to distribute grants to eligible applicants, which, for the second program, would amount to \$80,625 per Corporation.

**PASSED AND APPROVED this 20<sup>TH</sup> DAY OF JULY, 2020.**

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Thomas C. Kuykendall, Jr., President  
Fulshear Development Corporation

ATTEST:

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Jason Maklary, Secretary  
Fulshear Development Corporation

DRAFT



RESOLUTION NO. 2020-477

A RESOLUTION OF THE CITY OF FULSHEAR, TEXAS, AMENDING RESOLUTION NO. 2020-474, REGARDING AN ECONOMIC DEVELOPMENT PROGRAM TO PROMOTE STATE OR LOCAL ECONOMIC DEVELOPMENT AND TO STIMULATE BUSINESS AND COMMERCIAL ACTIVITY IN THE CITY BY PROVIDING GRANTS TO CERTAIN LOCAL BUSINESSES AFFECTED BY COVID-19.

\* \* \* \* \*

**WHEREAS**, on June 16, 2020, by the adoption of Resolution No. 2020-474, the City of Fulshear, Texas (the "City"), established an economic development program to promote state or local economic development and to stimulate business and commercial activity in the city by providing grants to certain local businesses affected by COVID-19; and

**WHEREAS**, the City desires to revise this program and provide for its continued administration to make grants of public money and to accept contributions, gifts, or other resources to develop and administer the program; and

**WHEREAS**, the City desires these revisions to be applied retroactively to the program and to any applications already received;

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 Section 6(1)(a) of Resolution No. 2020-474 is amended to read as follows:

- "(a) have an effective Texas Secretary of State registration date of on or before March 19, 2020; or, if an unincorporated person who is not registered with the Texas Secretary of State, have a valid Assumed Name Certificate (DBA) filed with the Fort Bend County Clerk for the business's City of Fulshear location on or before March 19, 2020;"

Section 3. That Section 6(2)(a) of Resolution No. 2020-474 is amended to read as follows:

- "(a) have an effective Texas Secretary of State registration date of on or before March 19, 2020; or, if an unincorporated person who is not registered with the Texas Secretary of

State, have a valid Assumed Name Certificate (DBA) filed with the Fort Bend County Clerk for the business's City of Fulshear location on or before March 19, 2020;”

Section 4. Effect of Amendments on Applications. The amendments to Resolution No. 2020-474 made by this Resolution shall apply to all applications submitted pursuant to Resolution No. 2020-474, regardless of whether the application was submitted before or after this Resolution becoming effective.

Section 5. Severability Clause. If any word, section, article, phrase, paragraph, sentence, clause, or portion of this Resolution or application thereof to any person or circumstance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Resolution; and the City Council hereby declares it would have passed such remaining portions of this Resolution despite such invalidity which remaining portions shall remain in full force and effect.

Section 6. Effective Date. This resolution shall take effect immediately after its passage and approval.

PASSED, APPROVED, and ADOPTED on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Aaron Groff, Mayor

**ATTEST:**

\_\_\_\_\_  
Kimberly Kopecky, City Secretary

RESOLUTION NO. 2020-474

A RESOLUTION OF THE CITY OF FULSHEAR, TEXAS, ESTABLISHING AND PROVIDING FOR THE ADMINISTRATION OF AN ECONOMIC DEVELOPMENT PROGRAM TO PROMOTE STATE OR LOCAL ECONOMIC DEVELOPMENT AND TO STIMULATE BUSINESS AND COMMERCIAL ACTIVITY IN THE CITY BY PROVIDING GRANTS TO CERTAIN LOCAL BUSINESSES AFFECTED BY COVID-19.

\* \* \* \* \*

**WHEREAS**, pursuant to Chapter 380 of the Texas Local Government Code, the City of Fulshear, Texas (the "City") may establish and provide for the administration of one or more programs, including programs for making loans and grants of public money and providing personnel and services of the municipality, to promote state or local economic development and to stimulate business and commercial activity in the City; and

**WHEREAS**, the City may administer a program by the use of City personnel; may contract for the administration of a program, and may accept contributions, gifts, or other resources to develop and administer a program; and

**WHEREAS**, the City recognizes that certain local businesses have been affected by the COVID-19 pandemic to the extent that they have contemplated closing, whether permanently or temporarily, laying off or furloughing employees, or any combination thereof; and

**WHEREAS**, the City finds that, under the circumstances currently existing as a result of COVID-19, the making of grants of public money to certain eligible businesses as set forth herein promotes state or local economic development and stimulates business and commercial activity in the City;

**WHEREAS**, the City establish a 380 program that ended June 5,2020 via Resolution 2020-470 to provide for the administration of an economic development program for making grants of public money and for accepting contributions, gifts, or other resources to develop and administer the program; and

**WHEREAS**, the City desires to establish and provide for the administration of second economic development program to continue making grants of public money and to accept contributions, gifts, or other resources to develop and administer the program;

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 pursuant to Chapter 380 of the Texas Local Government Code, the City Council hereby establishes as an economic development program the making of grants of public money to certain eligible businesses as set forth herein.

Section 3. Grant Program. The City shall make one grant in the applicable amount set forth herein to each eligible business that timely submits a complete application as provided for herein, provided that the aggregate amount of such grants does not exceed \$ 161,250 (the Maximum Aggregate Grant Amount), and that businesses are only eligible for a single grant award under either this program of the program established by Resolution No. 2020-470.

Section 4. Source of Grant Funds. The City shall make payment of grant funds using either current revenues available to the City or from contributions, gifts, or other resources which may hereafter be accepted by the City for the purpose of funding such grants.

Section 5. Individual Grant Amounts. Subject to the Maximum Aggregate Grant Amount, the individual grant amount awarded to each eligible business that timely submits a complete application shall be determined according to one of the following two tables based on the table that provides the greatest possible grant amount to the applicant according to the applicant’s specific eligibility criteria. Grants will be awarded on a first-received, first-reviewed basis until the Maximum Aggregate Grant Amount is exhausted or until 5 p.m. Friday, August 14, 2020, whichever comes first:

1. Based on the average monthly sales tax remitted to the comptroller for City of Fulshear sales taxes (2%) under Subchapter I, Chapter 151, Tax Code, for monthly reporting periods between February 1, 2019, and January 31, 2020:

Monthly Average Range Minimum	Monthly Average Range Maximum	Grant Amount
\$0	\$100	\$1,000
\$101	\$125	\$1,333
\$126	\$150	\$1,666
\$151	\$175	\$2,000
\$176	\$200	\$2,333
\$201	\$225	\$2,667
\$226	\$250	\$3,000
\$251	\$275	\$3,333
\$276	\$300	\$3,667
\$301	\$325	\$4,000
\$326	\$350	\$4,250
\$351	\$375	\$4,500
\$376	\$400	\$4,750
\$401	>\$401	\$5,000

2. Based on the number of full time equivalent (FTE) employees as of January 1, 2020:

FTE Employees	Grant Amount
2-5	\$500
6-10	\$1,000
11-15	\$1,500
16-20	\$2,000
21-35	\$2,500

Section 6. Eligibility Criteria. To be eligible for a grant as provided herein, a business must:

1. For City of Fulshear businesses who remit sales tax to the City:
  - (a) have an effective Texas Secretary of State registration date of on or before March 19, 2020;
  - (b) be operated for-profit;
  - (c) have a valid sales tax permit issued by the Texas Comptroller under Subchapter F, Chapter 151, Tax Code, that is not cancelled, suspended, or revoked;
  - (d) attest to experiencing a negative financial impact as a direct result of the COVID-19 state of disaster in Texas declared by the governor on March 13, 2020;
  - (e) be open for business or, if closed, intend to reopen for business;
  - (f) have a physical location within the City of Fulshear where business activity is conducted; provided, however, home-based businesses are not eligible;
  - (g) have a Federal Employer Identification Number (FEIN);
  - (h) have an active right to transact business in Texas as indicated by the franchise tax account status reported by the Texas Comptroller online using the FEIN;
  - (i) have a total of no less than 2 and no more than 35 full time equivalent employees;
  - (j) have sought other state, federal, or lending-institution based financial resources on or after March 13, 2020;
  - (k) have a valid Certificate of Occupancy;
  - (l) have all applicable permits of the City of Fulshear and of the State of Texas required to operate the business;

- (m) have submitted a complete application as provided for herein;
- (n) have executed an unsworn statement, under penalty of perjury, declaring that the eligibility information reported on the application is true and correct; and
- (o) have submitted a Form W-9 and any other required vendor documentation as indicated on the application as being necessary for administration of grant funds.

2. For City of Fulshear businesses who do not remit sales tax to the City:

- (a) have an effective Texas Secretary of State registration date of on or before March 19, 2020;
- (b) be operated for-profit;
- (c) attest to experiencing a negative financial impact as a direct result of the COVID-19 state of disaster in Texas declared by the governor on March 13, 2020;
- (d) be open for business or, if closed, intend to reopen for business;
- (e) have a physical location within the City of Fulshear where business activity is conducted; provided, however, home-based businesses are not eligible;
- (f) have a Federal Employer Identification Number (FEIN);
- (g) have an active right to transact business in Texas as indicated by the franchise tax account status reported by the Texas Comptroller online using the FEIN;
- (h) have a total of no less than 2 and no more than 35 full time equivalent employees;
- (i) have sought other state, federal, or lending-institution based financial resources on or after March 13, 2020;
- (j) have a valid Certificate of Occupancy;
- (k) have all applicable permits of the City of Fulshear and of the State of Texas required to operate the business;
- (l) have submitted a complete application as provided for herein;
- (m) have executed an unsworn statement, under penalty of perjury, declaring that the eligibility information reported on the application is true and correct; and
- (n) have submitted a Form W-9 and any other required vendor documentation as indicated on the application as being necessary for administration of grant funds.

Section 7. Application. Within 7 days of the effective date of this Resolution, staff members of the City of Fulshear shall develop an application which includes the information required for a business to be eligible for a grant as provided for herein.

Businesses wishing to submit an application may access the application via the City's website. The application and program guidelines shall be accessible from the City's website. All applications and backup documentation shall be submitted in the manner prescribed by the application. Incomplete applications and applications submitted in a manner other than as provided for herein shall be invalid. Applications will be accepted on a rolling basis and grants awarded on a first-received, first-reviewed basis until the Maximum Aggregate Grant Amount is exhausted or until 5 p.m. Friday, August 14, 2020, whichever comes first. Applications may not be supplemented, modified, or amended after submission.

Section 8. Determination of Eligibility. The program shall be administered by the following City personnel who shall review each timely submitted application strictly for completeness and eligibility as provided for herein, and who shall make a final recommendation to the City Manager for disbursements:

- (a) Economic Development Director; and
- (b) Chief Financial Officer.

Section 9. Disbursement of Grant Funds. Upon determination of the eligibility of a business and the individual grant amount as provided for herein, the City shall promptly tender payment of the applicable grant amount in the name of the eligible business.

Section 10. Severability Clause. If any word, section, article, phrase, paragraph, sentence, clause, or portion of this Resolution or application thereof to any person or circumstance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Resolution; and the City Council hereby declares it would have passed such remaining portions of this Resolution despite such invalidity which remaining portions shall remain in full force and effect.

Section 11. Effective Date. This resolution shall take effect immediately after its passage and approval.

PASSED, APPROVED, and ADOPTED on the 16 day of June, 2020.

  
\_\_\_\_\_  
Aaron Groff, Mayor

ATTEST:





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Kimberly Kopecky, City Secretary





**ECONOMIC DEVELOPMENT  
COMMUNICATION FORM  
July 20, 2020**

ITEM	TITLE
	<b>Public Hearing – Customer Relationship Management Software Overlay Acquisition</b>
<b>ITEM/MOTION</b>	
<p><b>CDC: Public hearing</b> on specific project being proposed by the Corporation for Fiscal Year 2019-2020 being expenditures for acquisition of a Customer Relationship Management (CRM) system for the Economic Development department of the City of Fulshear as called for in the Economic Development Strategy, found by the Board Directors to promote new or expanded business development, the amount of which is approximately \$7,500.</p> <p><b>FDC: Public hearing</b> on specific project being proposed by the Corporation for Fiscal Year 2019-2020 being expenditures for acquisition of a Customer Relationship Management (CRM) system for the Economic Development department of the City of Fulshear as called for in the Economic Development Strategy, found by the Board Directors to promote new or expanded business development, the amount of which is approximately \$7,500.</p> <p>Comments or discussion by the Boards of Directors will only be made at the time the agenda item is taken up for deliberation by the boards.</p>	
<b>ESTIMATED EXPENDITURE:</b>	<b>BUDGET ACCOUNT:</b>

**SUBMITTED BY:**

**SUPPORTING DOCUMENTS:**

Angela E. Fritz  
Economic Development Director

<b>EXECUTIVE SUMMARY</b>
<p>A public hearing is required by statute for Type B projects to provide members of the public an opportunity to comment on the boards' proposed projects.</p> <p>This is not a discussion item for the boards. It is a formal means by which to receive comments from the public related to the proposed expenditures. The Board Presidents will each open the public hearing, call for any comments from individuals present, and then close the public hearing.</p>



**FULSHEAR ECONOMIC DEVELOPMENT  
COMMUNICATION FORM  
July 20, 2020**

ITEM	TITLE
	<b>Agreement – Customer Relationship Management Tool Quick Start Services</b>
<b>ITEM/MOTION</b>	
Consideration and possible action on Agreement with Coastal Cloud to implement an Economic Development Quick Start Solution to be used with the Salesforce customer relationship management platform	
<b>ESTIMATED EXPENDITURE: \$7,500</b>	<b>BUDGET ACCOUNT:</b>

**SUBMITTED BY:**

Angela E. Fritz  
Economic Development Director

**SUPPORTING DOCUMENTS:**

1. Final Agreement and Statement of Work for Services by Coastal Cloud – 07/08/2020

**EXECUTIVE SUMMARY**

Establishing a Customer Relationship Management (CRM) platform is a critical component of implementing the City's Economic Development Strategy. To this end, staff has worked with representatives of Salesforce and Coastal Cloud to develop proposals for the implementation of Customer Relationship Management (CRM) software for the City specific to the needs of the Economic Development department. Salesforce is a software-as-a-service (SAAS) which uses data analysis to improve business relationships. It will allow economic development staff to manage and track interactions with existing and potential businesses.

A copy of the final Agreement and Statement of Work for Coastal Cloud's services is included for the boards' consideration. The Agreement includes standard terms and was prepared on the EDCs' behalves by the City's purchasing coordinator in conjunction with legal counsel. ***The cost of purchasing the Economic Development Quick Start Solution will be a one-time expenditure of \$15,000 (a total of \$7,500 for each board).*** It is recommended that the one-time initial Quick Start Solution project be funded from the EDCs' Projects Funds Strategic Plan Implementation line item. Additional details regarding this are included on the subsequent budget allocation item for same.

The Agreement and Statement of Work provide for Coastal Cloud installation of the Economic Development Quick Start Solution on the Salesforce.com platform for the City's general economic development purposes. Installation and setup will be done in tandem with activation of Salesforce licenses, and will include customization of the platform specific to economic development to monitor, track, and report on lead generation, BR&E development and visits, land inquiries, and many other aspects of daily operations. Salesforce also works to integrate, through the Coastal Cloud setup for economic development, contacts and correspondence across various platforms. Coastal Clouds Quick Start Solution will also include the migration of

existing data into Salesforce, and virtual admin and end-user trainings for staff. The timeline for Coastal Cloud's work is approximately 6 weeks from project initiation.

***Staff recommends approval of the Agreement and associated Statement of Work, and authorization for the City Manager or their designee to complete the necessary paperwork and proceed with implementation of the CRM tool for the City's economic development purposes in alignment with the City's adopted Economic Development Strategy.***

The recurring annual operational costs for the Salesforce licenses and support (approximately \$3,800 per year) will be paid for from the economic development department's operating budget.

Items to hold public hearings, approve the necessary budget allocations, and declare the projects, are included in this meeting agenda in order that they may be brought forward to City Council at their meeting the following day, July 21, for the final necessary statutory approvals required before the project expenditures may be made.

**AGREEMENT**  
**#2020-59**  
**Services for Quick Start Solution**

THIS AGREEMENT (“Agreement”), effective **the date of last signature of this agreement** (“Effective Date”), is entered into by and between the City of Fulshear, Texas (“CITY” or “Client”), a State of Texas political subdivision, with offices located at 30603 FM 1093, Fulshear, Texas 77441, and

**Coastal Cloud, LLC**  
201 E. Jefferson  
Louisville, KY 40202  
Attn: Chandler Jenkins  
[chandler.jenkins@coastalcloud.us](mailto:chandler.jenkins@coastalcloud.us)  
(502) 494-1248

hereinafter referred to as “CONTRACTOR”.

**ARTICLE I**  
**RETENTION OF THE CONTRACTOR**

1.1 The CONTRACTOR is being retained to provide goods and services described below to the CITY based on the CONTRACTOR’s demonstrated competence and requisite qualifications to perform the scope of the work described herein. The CONTRACTOR has special knowledge and expertise that is of interest to the CITY. CITY agrees to and hereby does retain the CONTRACTOR, as an independent CONTRACTOR, and the CONTRACTOR agrees to provide the service to the CITY, in accordance with the terms and conditions provided in this Agreement.

**ARTICLE II**  
**SCOPE OF SERVICES**

2.1 The CONTRACTOR will provide the goods and services described in the **Appendix A** (collectively, “Services”) which is hereby incorporated by this reference as the Statement of Work and made a part of this Agreement, and shall be subject to the terms and conditions in this Agreement. In the event of a conflict between any term or provision in this Agreement and any term or provision in a Statement of Work, the term or provision in this Agreement shall control unless the conflicting term or provision in this Agreement is referenced, and expressly stated not to apply, in such Statement of Work.

2.1 Any agreed-upon changes to a Statement of Work shall be set forth in an Amended Statement of Work. CONTRACTOR will not implement any changes or any new services until an Amended Statement of Work has been duly executed by the CITY. CITY shall not be liable for any amounts not included in a duly executed Statement of Work or Amended Statement of Work.

2.2 All Services rendered under this Agreement will be performed by the CONTRACTOR: i) with due care; ii) in accordance with generally prevailing industry standards; and iii) in compliance with all applicable laws, government regulatory requirements.

### ARTICLE III TERM

- 3.1 **Term.** This Agreement will commence on the effective date and shall remain in effect until on an auto renewing basis, unless earlier terminated as provided herein.
- 3.2 **Termination.** Either Party may terminate this Agreement or any Statement of Work at any time, with or without cause, upon thirty (30) days' prior written notice. Upon its receipt of notice of termination of this Agreement or Statement of Work, CONTRACTOR shall follow any instructions of CITY respecting work stoppage. CONTRACTOR shall cooperate with CITY and CITY's designees to provide for an orderly conclusion of the Services. CONTRACTOR shall use its best efforts to minimize the amount of any non-cancelable obligations and shall assign any contracts related thereto to CITY, or CITY's designee, at its request. If CITY elects to continue any activities underlying a terminated Statement of Work after termination, CONTRACTOR shall cooperate with CITY to provide for an orderly transfer of CONTRACTOR's responsibilities with respect to such Statements of Work to CITY or its designee. Upon the effective date of any such termination, the CONTRACTOR shall submit a final invoice for payment in accordance with Article IV, and CITY shall pay such amounts as are due to CONTRACTOR through the effective date of termination. CITY shall only be liable for payment of services rendered before the effective date of termination. If Agreement is terminated, certain reporting requirements identified in this Agreement shall survive termination of this Agreement.

### ARTICLE IV COMPENSATION

- 4.1 **Fees.** In consideration for the Services rendered by CONTRACTOR to CITY under this Agreement, and for each duly executed Statement of Work, CITY will pay CONTRACTOR the **fees as stated in Appendix A**. The total fees paid under this agreement shall not exceed **\$15,000.00**.
- 4.2 **Invoices.** CONTRACTOR shall submit an invoice every month, or as otherwise stated in a Statement of Work, for Services provided. CITY shall pay undisputed amounts in such invoice within thirty (30) days of receipt. Invoices should be submitted to:

City of Fulshear  
Attn: Accounting  
PO Box 279  
Fulshear, TX 77441  
(281) 346-1796  
Email: [accounting@fulsheartexas.gov](mailto:accounting@fulsheartexas.gov)

Costs incurred prior to execution of this Agreement are not eligible for reimbursement. There shall be no obligation whatsoever to pay for performance of this Agreement from the monies of the CITY, other than from the monies designated for this Agreement.

The City will only pay for services rendered and shall not pre-pay for work that has not been performed.

If CITY disputes any invoice CITY shall timely pay the undisputed portion and promptly notify CONTRACTOR in writing of the nature of the dispute as to the remainder, and the parties will use their best efforts to resolve the dispute expeditiously. In the event the dispute is not resolved within thirty (30) days after receipt by CONTRACTOR of the

notice of such dispute, CONTRACTOR may suspend performance of the Services, without limitation or waiver of any other right or remedy available under this Agreement or at law.

## **ARTICLE V RELATIONSHIP BETWEEN THE PARTIES**

5.1 **Independent Contractor.** It is understood and agreed that the relationship described in this Agreement between the Parties is contractual in nature and is not to be construed to create a partnership or joint venture or agency relationship between the parties. Neither party shall have the right to act on behalf of the other except as expressly set forth in this Agreement. CONTRACTOR will be solely responsible for and will pay all taxes related to the receipt of payments hereunder. No CONTRACTOR personnel shall obtain the status of or otherwise be considered a CITY employee by virtue of their activities under this Agreement. For the avoidance of doubt, in no event will CITY pay, reimburse, or otherwise be responsible, financially or otherwise, for any insurance, health care, or similar costs or benefits relating to CONTRACTOR, its affiliates, or any of their employees, subcontractors, or agents. The rights and obligations of CITY under this Agreement may be exercised or performed on its behalf by one or more of its affiliates.

## **ARTICLE VI REPRESENTATION AND WARRANTIES**

6.1 **Representations and Warranties.** CONTRACTOR represents and warrants that:

- 6.1.1 As of the Effective Date of this Agreement, it is not a party to any oral or written contract or understanding with any third party that is inconsistent with this Agreement or would affect the CONTRACTOR's performance under this Agreement or that will in any way limit or conflict with its ability to fulfill the terms of this Agreement. The CONTRACTOR further represents that it will not enter into any such agreement during the Term of this Agreement;
- 6.1.2 CONTRACTOR will provide to CITY, with each deliverable to be provided under this Agreement, a written summary sheet listing any third party software or other intellectual property contained within the deliverable, if any, together with licenses permitting CITY to use such third-party software and intellectual property in connection with its use of the deliverable and the terms, conditions, and status of the license of such software and intellectual property. Except for the third-party software and intellectual property described in the written summary provided to CITY in connection with the preceding sentence, the CONTRACTOR warrants and represents that all work product created under this Agreement shall be original work of the CONTRACTOR or in the public domain and shall not infringe any copyright, trademark, trade secret, patent or other Intellectual Property right of any third party;
- 6.1.3 CONTRACTOR and its employees and subcontractors have all of the necessary qualifications, licenses, permits, and registrations to perform the Services in accordance with the terms and conditions of this Agreement, and at all times during the Term, all such qualifications, licenses, permits, and registrations shall be current and in good standing; and
- 6.1.4 CONTRACTOR shall, and shall cause its representatives to, comply with all municipal, state, and federal laws, rules, and regulations applicable to the performance of the CONTRACTOR's obligations under this Agreement.

## **ARTICLE VII CONFIDENTIAL INFORMATION AND OWNERSHIP**

7.1 **Confidential Information.** CONTRACTOR acknowledges that any information it or its employees, agents, or subcontractors obtain regarding the operation of CITY, its products, services, data, policies, customers, personnel, and other aspect of its operation ("Confidential Information") is proprietary and confidential, and shall not be revealed,

sold, exchanged, traded, or disclosed to any person, company, or other entity during the period of the CONTRACTOR's retention hereunder or at any time thereafter without the express written permission of CITY. CONTRACTOR shall use commercially reasonable means to secure CITY's Confidential Information.

Notwithstanding anything in this Agreement to the contrary, CONTRACTOR shall have no obligation of confidentiality with respect to information that (i) is or becomes part of the public domain through no act or omission of CONTRACTOR; (ii) was in CONTRACTOR's lawful possession prior to the disclosure and had not been obtained by CONTRACTOR either directly or indirectly from the CITY; (iii) is lawfully disclosed to CONTRACTOR by a third party without restriction on disclosure; (iv) is independently developed by CONTRACTOR without use of or reference to the CITY's Confidential Information; or (v) is required to be disclosed by law or judicial, arbitral or governmental order or process, provided CONTRACTOR gives the CITY prompt written notice of such requirement to permit the CITY to seek a protective order or other appropriate relief. CONTRACTOR acknowledges that CITY must strictly comply with the Public Information Act, Chapter 552, Texas Government Code, in responding to any request for public information. This obligation supersedes any conflicting provisions of this Agreement. In the event a request for public information is made, a determination on whether information is confidential or proprietary will be made by the Office of the Attorney General of the State of Texas.

7.2 **Ownership.** All final documents, reports, information, or materials are and shall at all times be and remain, upon payment of CONTRACTOR's invoices, the property of CITY and shall not be subject to any restriction or limitation on their future use by, or on behalf of, CITY, except otherwise provided herein.

7.3 **Texas Government Code 552, Subchapter J:** Effective January 1, 2020, the requirements of Subchapter J, Chapter 552, Texas Government Code, may apply to this Agreement and the CONTRACTOR agrees that this Agreement can be terminated if the CONTRACTOR knowingly or intentionally fails to comply with a requirement of that subchapter.

## ARTICLE VIII GENERAL PROVISIONS

8.1 **Notices.** All notices from one Party to another Party regarding this Agreement shall be in writing and delivered to the addresses shown below:

If to CITY:

City of Fulshear  
Attn: Purchasing Office  
PO Box 279  
Fulshear, TX 77441  
(281) 346-8812  
[coberrender@fulsheartexas.gov](mailto:coberrender@fulsheartexas.gov)

If to CONTRACTOR:

**Coastal Cloud, LLC**  
201 E. Jefferson  
Louisville, KY 40202  
Attn: Chandler Jenkins  
[chandler.jenkins@coastalcloud.us](mailto:chandler.jenkins@coastalcloud.us)  
(502) 494-1248

The above contact information may be modified without requiring an amendment to the Agreement, provided that written notification of such modification is provided to the other party no less than ten (10) days before such modification is to become effective.

8.2 **Limitation of Liability.** In no event shall either party be liable for special, consequential, incidental, indirect or punitive loss, damages or expenses arising out of or relating to this Agreement, whether arising from a breach of contract or warranty, or arising in tort, strict liability, by statute or otherwise, even if it has been advised of their possible existence or if such loss, damages or expenses were reasonably foreseeable.

Notwithstanding any provision hereof to the contrary, neither party's liability shall be limited by this Article with respect to claims arising from breach of any confidentiality obligation, arising from such party's infringement of the other party's intellectual property rights, covered by any express indemnity obligation of such party hereunder, arising from or with respect to injuries to persons or damages to tangible property, or arising out of the gross negligence or willful misconduct of the party or its employees.

8.3 **Conflict of Interest.** During the term of this Agreement, and all extensions hereto and for a period of one (1) year thereafter, neither party, shall, without the prior written consent of the other, directly or indirectly, whether for its own account or with any other persons or entity whatsoever, employ, solicit to employ or endeavor to entice away any person who is employed by the other party.

8.4 **Force Majeure.** In the event that either party hereto is prevented from or delayed in the performance of any of its obligations hereunder by reason of force majeure, defined as acts of God, war, riots, storms, fires or any other cause whatsoever beyond the reasonable control of the party, the party so prevented or delayed shall be excused from the performance of any such obligation to the extent and during the period of such prevention or delay. The period of time applicable to such requirement shall be extended for a period of time equal to the period of time such Party was delayed. Each Party must inform the other in writing within reasonable time of the existence of such force majeure.

8.5 **Ability to Perform.** CONTRACTOR agrees promptly to inform CITY of any event or change in circumstances which may reasonably be expected to negatively affect the CONTRACTOR's ability to perform its obligations under this Agreement in the manner contemplated by the parties.

8.6 **No Indemnification by City.**

The Parties expressly acknowledge that the City's authority to indemnify and hold harmless any third party is governed by Article XI, Section 7 of the Texas Constitution, and any provision that purports to require indemnification by the City is invalid. Nothing in this Agreement requires that the City incur debt, assess or collect funds, or create a sinking fund.

8.7 **Governing Law.** This Agreement will be governed by and construed in accordance with the laws of the State of Texas, United States of America. The mandatory and exclusive venue for the adjudication or resolution of any dispute arising out of this Agreement shall be in Fort Bend County, Texas.

8.8 **Waiver.** Failure by either party to insist on strict adherence to any one or more of the terms or conditions of this Agreement, or on one or more occasions, will not be construed as a waiver, nor deprive that party of the right to require strict compliance with the same thereafter.

8.9 **Entire Agreement.** This Agreement contains the entire agreement of the parties and supersedes all other agreements, discussions, representations or understandings between the parties with respect to the subject matter hereof. No amendments hereto, or waivers or releases of obligations hereunder, shall be effective unless agreed to in writing by the parties hereto.

8.10 **Assignment.** This Agreement may not be assigned by either Party without the prior written consent of the other Party.

8.11 **Severability.** In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect

any other provision(s) hereof, and this Agreement shall be revised so as to cure such invalid, illegal, or unenforceable provision(s) to carry out as near as possible the original intents of the Parties.

- 8.12 **Amendments.** This Agreement may be amended only by a written amendment executed by both Parties, except that any alterations, additions, or deletions to the terms of this Agreement, which are required by changes in Federal and State law or regulations or required by the funding source, are automatically incorporated into this Agreement without written amendment hereto and shall become effective on the date designated by such law or regulation.
- 8.13 **Dispute Resolution.** The parties to this Agreement agree to the extent possible and not in contravention of any applicable State or Federal law or procedure established for dispute resolution, to attempt to resolve any dispute between them regarding this Agreement informally through voluntary mediation, arbitration or any other local dispute mediation process before resorting to litigation.
- 8.14 **Funding.** The Parties understand and acknowledge that the funding of this Agreement is contained in the City's annual budget and is subject to the approval of the City in each fiscal year. The Parties further agree that should the governing body of the City fail to approve a budget that includes sufficient funds for the continuation of this Agreement, or should the governing body of the City fail to certify funds for any reason, then and upon the occurrence of such event, this Agreement shall automatically terminate as to the City and the City shall then have no further obligation to the other Party. When the funds budgeted or certified during any fiscal year by the City to discharge its obligations under this Agreement are expended, the other Party's *sole and exclusive remedy* shall be to terminate this Agreement.
- 8.15 **Public Information.** This Agreement is public information. To the extent, if any, that any provision of this Agreement is in conflict with Texas Government Code Chapter 552, as amended (the "Texas Public Information Act"), such provision shall be void and have no force or effect.

## ARTICLE IX ADDITIONAL REQUIREMENTS

- 9.1 **Equal Employment Opportunity.** CONTRACTOR shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, sexual orientation, gender identity, or national origin. CONTRACTOR shall take affirmative actions to ensure that applicants are employed, and that employees are treated, during their employment, without regard to their race, religion, color, sex, sexual orientation, gender identity, or national origin. Such actions shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
- 9.2 **Insurance.** For the entire term of the Agreement ("Term"), CONTRACTOR shall maintain Comprehensive General Liability insurance coverage of \$1,000,000 per occurrence, \$2,000,000 in the aggregate or medical malpractice insurance (whichever applies), CONTRACTOR shall also maintain the following insurance: (i) Worker's Compensation coverage with statutory limits for the State of Texas, including Employers Liability coverage of \$500,000 per accident; (ii) Commercial Automobile Liability coverage of \$1,000,000 Combined Single Limit; (iii) for engineers and architects only: Professional Liability coverage of \$1,000,000 per occurrence; and (iv) for builders only: Builder's Risk coverage in the amount of the construction cost, including protection against named windstorm and flood. All policies must contain a waiver of subrogation against City. Comprehensive General Liability and Commercial Automobile Liability policies must name CITY as Additional Insured. CONTRACTOR shall pay all insurance deductibles and deductibles must not exceed \$10,000 unless approved in advance by City. CONTRACTOR shall provide City Certificates of Insurance evidencing these insurance requirements prior to the start of work. The CONTRACTOR shall notify the CITY in the event of any change in the required coverage or cancellation, and shall give such notices not less than 30 days prior to the change or cancellation. The CONTRACTOR shall provide a

replacement Certificate of Insurance prior to such change or cancellation. The CONTRACTOR agrees to waive all the CONTRACTOR's, its officers, employees, agents, assigns, and successors' rights of subrogation, except under the Professional Liability, against the CITY, its officers, employees, and elected representatives for injuries, including death, property damage, or other loss covered by insurance and the CONTRACTOR will provide a waiver of subrogation endorsement against the CITY. The CITY must be named or listed on the endorsement. **COVERAGES SHALL BE WITH A COMPANY (WITH AT LEAST AN A- BEST RATING) ACCEPTABLE TO THE CITY PURCHASING AND RISK MANAGEMENT DIVISION AND A COPY OF THE CERTIFICATE OF COVERAGE SHALL BE DELIVERED TO THE CITY ON OR BEFORE THE DATE OF THIS AGREEMENT.**

**9.2 House Bill 89 Certification**

Conditioned upon its requirements, the undersigned certifies that the Company named above, under the provisions of Subtitle F, title 10, Government Code Chapter 2271:

Does not boycott Israel currently; and  
Will not boycott Israel during the term of the contract.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

**Coastal Cloud, LLC**

**City of Fulshear**

DocuSigned by:  
Tim Hale 7/8/2020  
Signature Date  
Tim Hale  
Printed Name  
President  
Title

\_\_\_\_\_  
Signature Date  
Jack Harper  
Printed Name  
City Manager  
Title

**APPENDIX A**



July 1, 2020

Ms. Angela Fritz  
City of Fulshear, TX Economic Development  
30603 FM 1093  
Fulshear, TX 77441

Dear Ms. Fritz,

Thank you for the opportunity and potential to assist the City of Fulshear, TX Economic Development by installing our Economic Development Quick Start Solution on the Salesforce.com platform. This letter summarizes our understanding of the project scope, deliverables, and schedule. It also includes an estimate of our professional fees and expenses.

### **Project Scope and Deliverables**

Our Salesforce.com Economic Development (ED) Quick Start Implementation includes the following:

- Provide a baseline configuration of Salesforce.com based on our economic development template. (Estimate it is 80% of functionality needed).
- Review baseline configuration with the City of Fulshear, TX Economic Development
- Implement design changes (Estimate 20% configuration changes)
- Provide documentation to the City of Fulshear, TX Economic Development Team for Lightning for Outlook Setup
- We will work with your team to oversee and support data migration tasks
- Create a set of reports and dashboards to track projects, economic development, lead generation, incentive programs, properties, BR&E visits, staff activity, event management, and marketing efforts
- Create User Profiles & Roles (up to 2 users)
- Complete the Project Management activities for this project
- 1 Training Class for all users - 2 hour session via webinar
- 1 Training Class for 1-2 Expert Users - via webinar



- Provide Training Documentation (1 guide for super users, 1 guide for basic ‘end’ users)
- Conduct 1 Follow-up Training Class (‘Office Hours’) - 1 hour session via webinar
- Assumptions:
  - 1) Continued post-implementation support is available via our Managed Services, but not included in this price estimate.

We understand City of Fulshear, TX Economic Development personnel will participate actively in the Salesforce.com Economic Development Quickstart project activities, and we will have access to key members of the City of Fulshear, TX Economic Development team. In addition, we assume City of Fulshear, TX Economic Development will provide the workspace, productivity tools, access to Salesforce.com (and related systems) and necessary LAN connections needed for this project. Salesforce licenses will need to be procured directly from Salesforce. We are happy to assist with introductions and information regarding licenses required.

We estimate the project will take approximately 4 to 6 weeks to complete and we will work with the City of Fulshear, TX Economic Development to determine a start date.

### **Confidentiality**

We acknowledge that we will have access to confidential information of the City of Fulshear, TX Economic Development (“Confidential Information”), whether in oral, visual or written form, which includes, but is not limited to the technical, business or other information and materials that City of Fulshear, TX Economic Development deems to be proprietary, confidential or trade secret information. Confidential Information shall include written information disclosed by City of Fulshear, TX Economic Development to us, whether disclosed before or during the term of this agreement, and other information identified as confidential or proprietary, or reasonably understood to be confidential or proprietary due to the nature of the information and/or the circumstances of its disclosure. Confidential Information shall include information generated by us or our representatives that contains, reflects, or is derived from the disclosed information. Confidential Information does not include: (i) information that is or becomes publicly available independent of any act which constitutes a violation of this agreement; (ii) information that is already in our possession at the time of its disclosure by City of Fulshear, TX Economic Development; (iii) information that a third party discloses to us without violating any duty of confidentiality to City of Fulshear, TX Economic Development that exists by agreement or operation of law; (iv) information that is independently developed by us without access to Confidential Information; or (v) information that is approved for



release by written authorization of City of Fulshear, TX Economic Development.

We agree to maintain the confidentiality of the Confidential Information and to only use the Confidential Information in carrying out our rights and obligations under this agreement. Access to the Confidential Information will be restricted to only those employees who: (i) require access in the course of their assigned duties and responsibilities in connection with this agreement; and (ii) have agreed in writing to be bound by provisions no less restrictive than those set forth in this section. In the event the disclosure of Confidential Information is required under a lawful order of a court or governmental body, we agree to promptly notify the City of Fulshear, TX Economic Development and to provide City of Fulshear, TX Economic Development with a copy of the order, if permitted by applicable law.

### **Professional Fees & Expenses**

Work for this project will be performed for a fixed fee of \$15,000. This price includes the implementation of our Economic Development Quickstart Template and scope outlined above.

If Coastal expects any issue with the budget, we will notify City of Fulshear, TX Economic Development in advance with potential corrective actions. A budget increase will only be approved based upon a mutually agreed upon Change Request (CR) to this agreement. If a CR is required, we will charge on a time & materials basis upon actual hours worked at an hourly rate of \$195. The requirements for any other significant expenses would be determined and approved by the City of Fulshear, TX Economic Development prior to incurring the expense.

We expect the City of Fulshear, TX Economic Development will pay all invoices within 30 days of invoice. In no event shall Coastal Cloud's liability hereunder exceed fees paid hereunder.

We would be very pleased with the opportunity to assist you, and the City of Fulshear, TX Economic Development, with this exciting project. If you have any questions or if we can be of any additional service, please contact me at (859) 619-4706 or by email at [erik.dunnigan@coastalcloud.us](mailto:erik.dunnigan@coastalcloud.us). We look forward to working with you on this exciting project.

Very truly yours,  
Erik Dunnigan  
Coastal Cloud LLC



**FULSHEAR ECONOMIC DEVELOPMENT  
COMMUNICATION FORM  
July 20, 2020**

ITEM	TITLE
	<b>Project Declaration – Customer Relationship Management (CRM) Acquisition</b>

**ITEM/MOTION**

Consideration and possible action on Resolution CDC 2020-07, a resolution of the CDC declaring a specific project of the Corporation for Fiscal Year 2019-2020

Consideration and possible action on Resolution FDC 2020-07, a resolution of the FDC declaring a specific project of the Corporation for Fiscal Year 2019-2020

**ESTIMATED EXPENDITURE:**

**BUDGET ACCOUNT:**

**SUBMITTED BY:**

**SUPPORTING DOCUMENTS:**

1. Resolution CDC 2020-07
2. Resolution FDC 2020-07

Angela E. Fritz  
Economic Development Director

**EXECUTIVE SUMMARY**

This item allows the Corporations to consider designating a specific project for Fiscal Year 2019-2020.

Following each Corporation's actions on their respective Resolutions, the projects declaration will be presented to City Council for consideration at their upcoming meeting (7/21). Once City Council approves a Resolution on two separate readings authorizing the project, funds related to the specific projects may be expended by the Corporations.



**RESOLUTION NO. CDC 2020-07**

A RESOLUTION OF THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (CDC), A "TYPE A" ECONOMIC DEVELOPMENT SALES TAX CORPORATION, DECLARING A SPECIFIC PROJECT TO BE UNDERTAKEN BY THE CORPORATION FOR FISCAL YEAR 2019-2020

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"); and

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; and

WHEREAS, the Corporation adopted a general type of project for Fiscal Year 2019-2020 on July 8, 2019, being land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the Board of Directors to promote new or expanded business development in an estimated total amount of \$825,612; and

WHEREAS, the Corporation wishes to participate in a specific project during Fiscal Year 2019-2020 being expenditures for acquisition of a Customer Relationship Management (CRM) system for the Economic Development department of the City of Fulshear as called for in the Economic Development Strategy, found by the Board Directors to promote new or expanded business development; and

WHEREAS, the estimated total amount of expenditures for such projects in fiscal year 2019-2020 is \$7,500;

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

Section 1. The Board hereby proposes to undertake a specific project during Fiscal Year 2019-2020 being expenditures for acquisition of a Customer Relationship Management (CRM) system for the economic development department of the City of Fulshear as called for in the Economic Development Strategy, found by the Board Directors to promote new or expanded business development.

Section 2. The Board hereby finds that the funds expended will be used for eligible "costs" of "projects" as defined in the Act.

PASSED AND APPROVED THIS 20<sup>th</sup> DAY OF JULY, 2020.

ATTEST:

\_\_\_\_\_  
Andrew Van Chau, President  
City of Fulshear Development Corporation

\_\_\_\_\_  
Prasad Garkhedkar, Secretary  
City of Fulshear Development Corporation



**RESOLUTION NO. FDC 2020-07**

A RESOLUTION OF THE FULSHEAR DEVELOPMENT CORPORATION (FDC), A "TYPE B" ECONOMIC DEVELOPMENT SALES TAX CORPORATION, DECLARING THE A SPECIFIC PROJECT TO BE UNDERTAKEN BY THE CORPORATION FOR FISCAL YEAR 2019-2020

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"); and

WHEREAS, the Corporation adopted a general type of project for Fiscal Year 2019-2020 on July 15, 2019, being land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the Board of Directors to promote new or expanded business development in an estimated total amount of \$808,644; and

WHEREAS, the Corporation wishes to participate in a specific project during Fiscal Year 2019-2020 being expenditures for acquisition of a Customer Relationship Management (CRM) system for the Economic Development department of the City of Fulshear as called for in the Economic Development Strategy, found by the Board Directors to promote new or expanded business development; and

WHEREAS, the estimated total amount of expenditures for such projects in fiscal year 2019-2020 is \$7,500;

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

Section 1. The Board hereby proposes to undertake a specific project during Fiscal Year 2019-2020 being expenditures for acquisition of a Customer Relationship Management (CRM) system for the economic development department of the City of Fulshear as called for in the Economic Development Strategy, found by the Board Directors to promote new or expanded business development.

Section 2. The Board hereby finds that the funds expended will be used for eligible "costs" of "projects" as defined in the Act.

PASSED AND APPROVED THIS 20<sup>th</sup> DAY OF JULY, 2020.

ATTEST:

\_\_\_\_\_  
Thomas C. Kuykendall, Jr., President  
Fulshear Development Corporation

\_\_\_\_\_  
Jason Maklary, Secretary  
Fulshear Development Corporation





**FULSHEAR ECONOMIC DEVELOPMENT  
COMMUNICATION FORM  
July 20, 2020**

<b>ITEM</b>	<b>TITLE</b>
	<b>Budget Allocation – Customer Relationship Management Tool</b>
<b>ITEM/MOTION</b>	
<p><b>CDC:</b> Consideration and action on budget allocation to fund acquisition of a Customer Relationship Management (CRM) system for the Economic Development Department of the City of Fulshear</p> <p><b>FDC:</b> Consideration and action on budget allocation to fund acquisition of a Customer Relationship Management (CRM) system for the Economic Development Department of the City of Fulshear</p>	
<b>ESTIMATED EXPENDITURE:</b>	<b>BUDGET ACCOUNT:</b>

**SUBMITTED BY:**

**SUPPORTING DOCUMENTS:**

Angela E. Fritz  
Economic Development Director

<b>EXECUTIVE SUMMARY</b>			
<p>There is adequate funding budgeted in each Corporation’s projects funds under the “Eco Dev Strat Plan Implementation” line item. This item is included to allow for the specific allocation of \$7,500 per EDC from same to purchase Economic Development Quick Start Solution for the Salesforce platform, a critical component for advancing the objectives of the Economic Development Strategic Plan.</p>			
	<b>Total Unallocated FY20 Budget</b>	<b>Requested Allocation</b>	<b>Remaining FY20 Budget</b>
601-5-000-5600-12 (ED Strat Plan Implementation)	\$94,000	\$7,500	\$86,500
701-5-000-5600-12 (ED Strat Plan Implementation)	\$94,000	\$7,500	\$86,500



**ECONOMIC DEVELOPMENT  
COMMUNICATION FORM  
July 20, 2020**

ITEM	TITLE
	CDC & FDC Financials and Payables
<b>ITEM/MOTION</b>	
<p><b>CDC:</b> Consideration and action on financials and payables for the Corporation for the period ending May 31, 2020</p> <p><b>FDC:</b> Consideration and action on financials and payables for the Corporation for the period ending May 31, 2020</p>	
<p><b>EXPENDITURE:</b> \$9,137.13 <b>EXPENDITURE:</b> \$9,137.13</p>	<p><b>BUDGET ACCOUNT/S:</b> 600-5-900-5900-10 <b>BUDGET ACCOUNT/S:</b> 700-5-900-5900-10</p>

**SUBMITTED BY:**

Angela E. Fritz  
Economic Development Director

**SUPPORTING DOCUMENTS:**

- **EDC Sales Tax Revenue Report & Detail – July 13, 2020**
- **Financials as of May 31, 2020**
  - CDC: Vela Memo, Operating Fund, & Projects Fund
  - FDC: Vela Memo, Operating Fund, & Projects Fund
- **Payables**
  - CDC: City Reimbursement – May 2020 - \$9,137.13
  - FDC: City Reimbursement – May 2020 - \$9,137.13

**EXECUTIVE SUMMARY**

**Sales Tax**

Sales tax revenues received in July (**May** remittances) were **up 31%** from the same period the previous year. Overall, the Corporation's **sales tax revenues total \$633,172.18** for FY20 or **76% of budget with 67% of periods reported**.

**Financials**

There were no **CDC Operating Fund (600) expenditures** reported in May. Notable **CDC Projects Fund (601) expenditures** reported include payment to HRGreen for the broadband discovery project in the amount of \$11,427.44.

There were no **FDC Operating Fund (700) expenditures** reported in May. Notable **FDC Projects Fund (701) expenditures** reported include payment to HRGreen for the broadband discovery project in the amount of \$11,427.45.

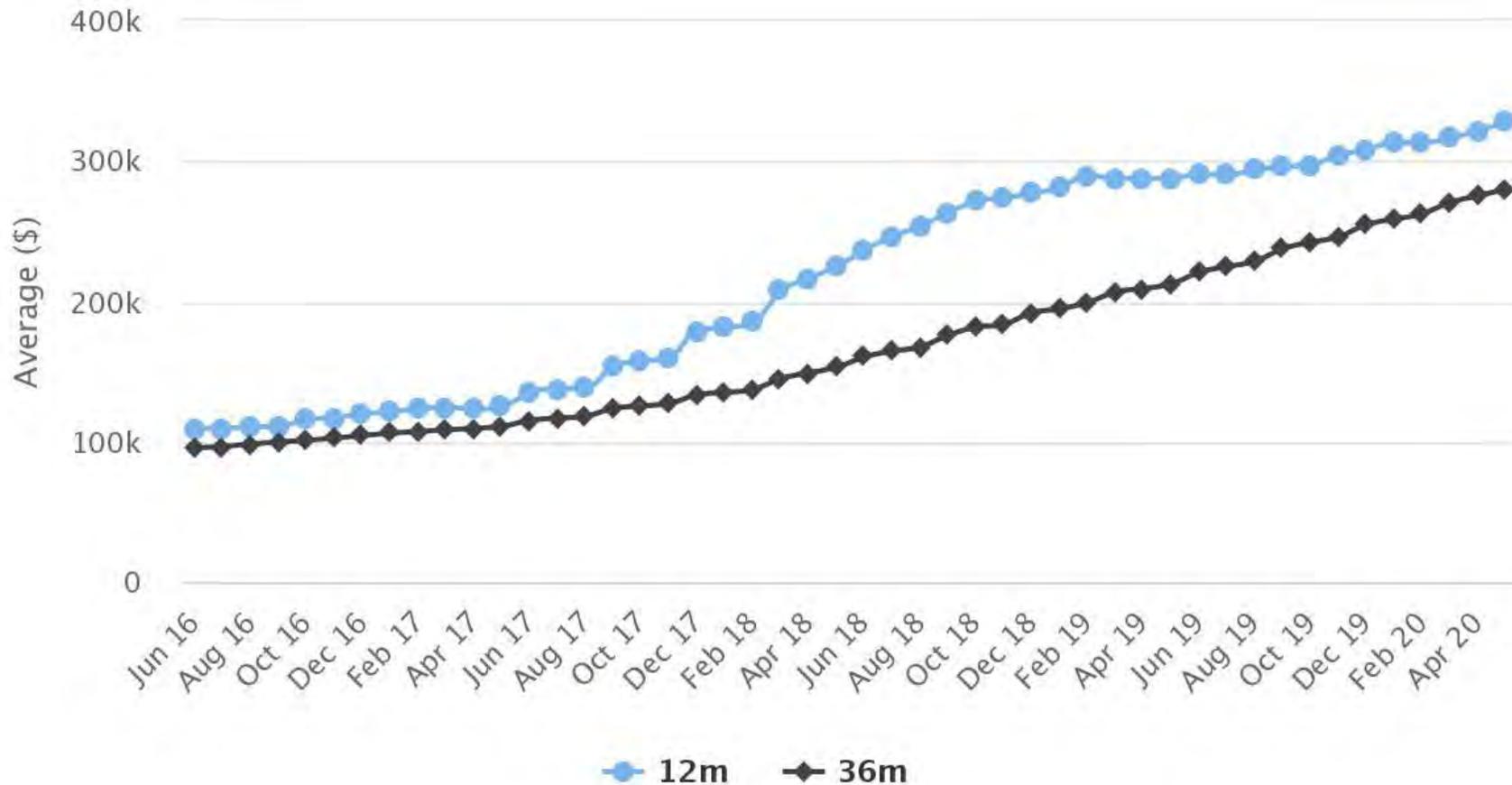
**Payables**

The **reimbursement** register for **May** for the Boards' consideration includes funds to be paid to the City for expenditures (100) pursuant to the Administrative Services Agreement amounting to **\$9,137.13 per Corporation**.





12m over 36m Moving Averages – May 2020 | ZacTax



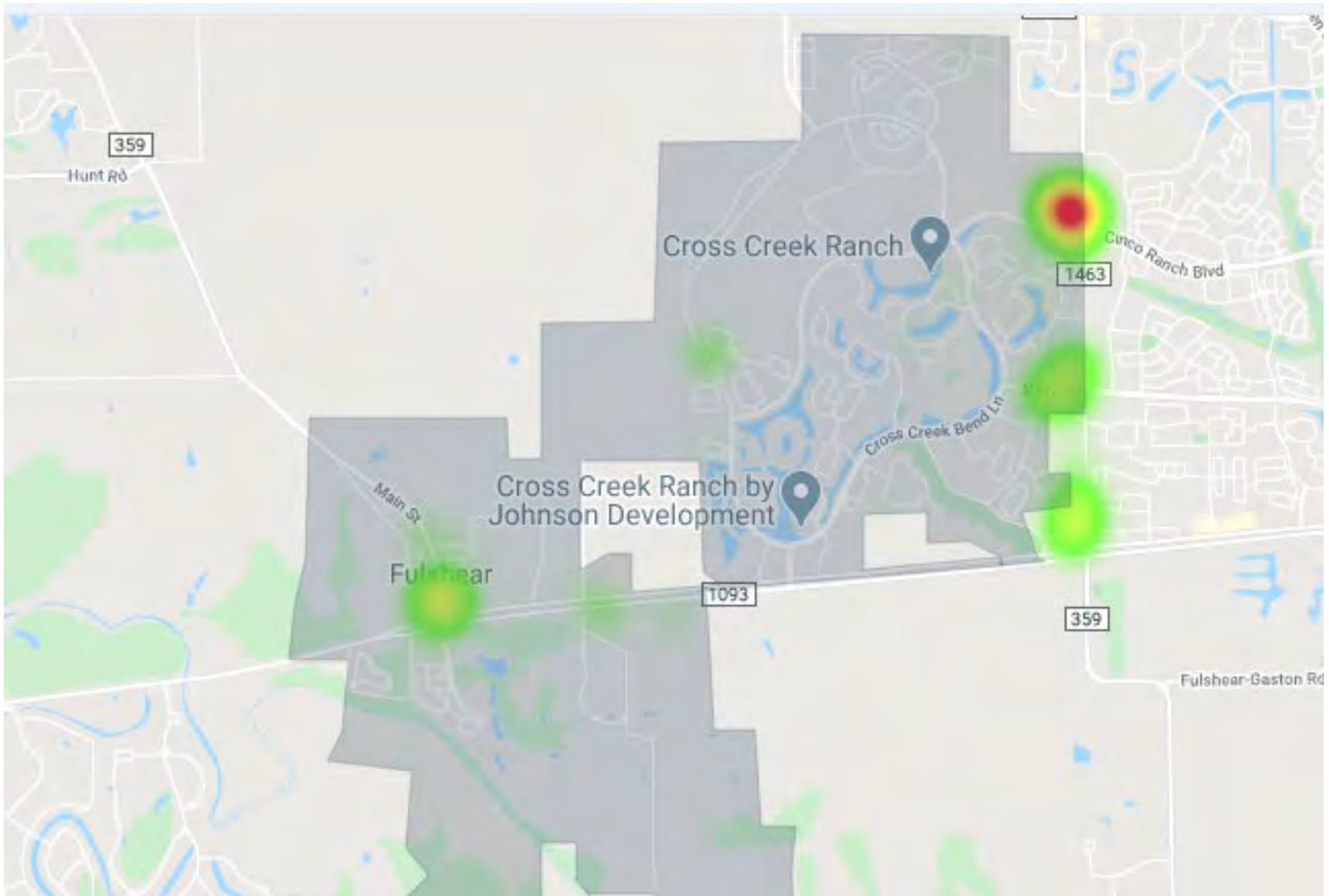
**12 month moving average: May: \$327,763**

(April: \$321,877; March: \$316,531; February: \$313,235; **January 2020: \$313,477**; December: \$308,239.57; November: \$304,371.27; October: \$295,979.13; September: \$295,979.13; August: \$293,940.86; July: \$290,318.90; June: \$290,589.08; May: \$287,896.61; April: \$287,868.79; March: \$287,950.68; February: \$289,683.30; **January 2019: \$281,257.48**; December: \$277,217.46; **November: \$273,964.07**; October: \$271,832; September: \$263,277; August: \$253,923)

**36 month moving average: May: \$280,214**

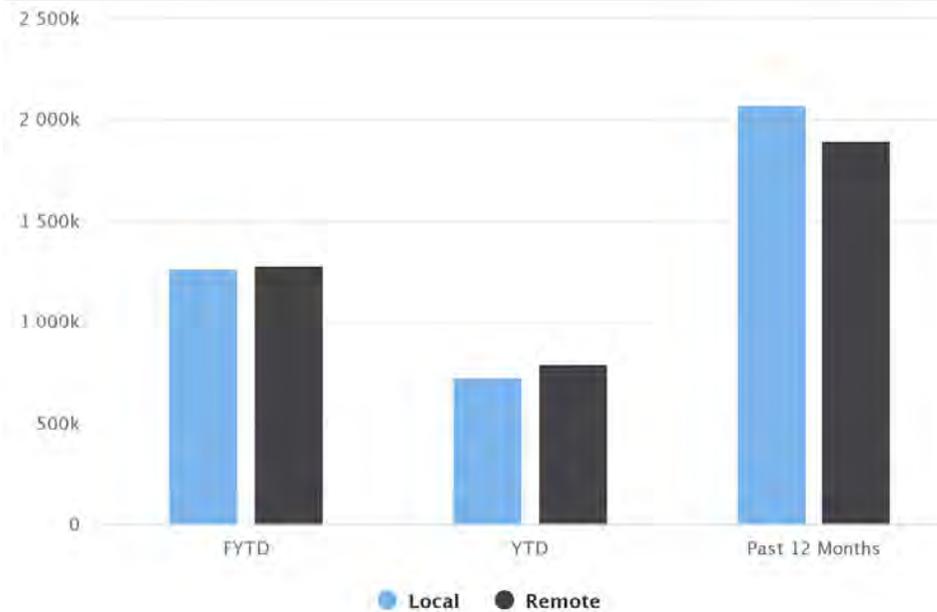
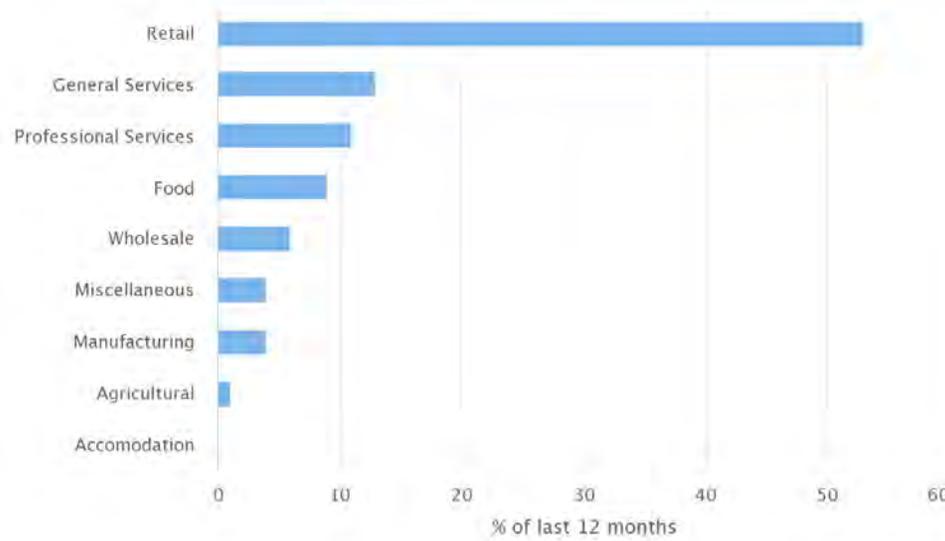
(April: \$275,432; March: \$270,698; February: \$262,690; **January 2020: \$258,717**; December: \$254,932; November: \$246,204.06; October: \$237,708.66; September: \$237,708.66; August: \$228,726.43; July: \$224,959.69; June: \$220,840.41; May: \$212,658.55; April: \$209,240.66; March: \$206,778.18; February: \$199,364.59; **January 2019: \$194,778.14**; December: \$192,064.97; **November: \$183,823.28**; October: \$181,716; September: \$176,100; August: \$167,625)

Heatmap – May 2020 | ZacTax



## Industry Percentages & Local vs. Remote – May 2020

### Industry Percentages









# CITY OF FULSHEAR

## Finance Department

PO Box 279 / 29378 McKinnon, Suite A  
Fulshear, Texas 77441  
[www.fulsheartexas.gov](http://www.fulsheartexas.gov)

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### MEMORANDUM

To: Type A Corp - Development Corporation  
From: Wes Vela, Chief Financial Officer, City of Fulshear  
Date: July 6, 2020  
Subject: Monthly Financial Reports

Attached you will find the Type A Corp Development Corp. Financial Reports for the period **October 1, 2019 through May 31, 2020** for both the operating fund and capital projects fund. This period represents **67%** of the operating period.

If you have any questions, please don't hesitate to call me at 281.346.8805.

# Budget Report

## Account Summary

Fulshear, TX

For Fiscal: 2019-2020 Period Ending: 05/31/2020

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
<b>Fund: 600 - 4/A OPERATING FUND</b>							
<a href="#">600-41301</a>	Sales & Use Tax Revenue	832,624.00	832,624.00	106,935.82	488,672.01	-343,951.99	58.69 %
<a href="#">600-46000</a>	Interest Revenue	32,000.00	32,000.00	794.77	18,117.73	-13,882.27	56.62 %
<b>Department: 100 - Administrative</b>							
<a href="#">600-100-5311-00</a>	Supplies	250.00	250.00	0.00	0.00	250.00	0.00 %
<a href="#">600-100-5411-00</a>	Admin Prof. Serv. - Legal	10,000.00	10,000.00	0.00	195.00	9,805.00	1.95 %
<a href="#">600-100-5411-10</a>	Professional Svcs - Consulting	2,900.00	2,900.00	0.00	0.00	2,900.00	0.00 %
<a href="#">600-100-5413-00</a>	Meeting Security	3,000.00	3,000.00	0.00	280.33	2,719.67	9.34 %
<a href="#">600-100-5421-04</a>	Admin - Indemnity Insurance	475.00	475.00	0.00	0.00	475.00	0.00 %
<a href="#">600-100-5526-00</a>	Admin - Public Notices	500.00	500.00	0.00	0.00	500.00	0.00 %
<a href="#">600-100-5528-00</a>	Travel & Training	0.00	0.00	0.00	544.12	-544.12	0.00 %
<a href="#">600-100-5528-05</a>	Continuing Education	5,000.00	5,000.00	0.00	194.63	4,805.37	3.89 %
<b>Department: 100 - Administrative Total:</b>		<b>22,125.00</b>	<b>22,125.00</b>	<b>0.00</b>	<b>1,214.08</b>	<b>20,910.92</b>	<b>5.49 %</b>
<b>Department: 900 - Transfers</b>							
<a href="#">600-900-5900-10</a>	XFER OUT - Gen Fund 100	176,963.00	176,963.00	0.00	81,623.03	95,339.97	46.12 %
<a href="#">600-900-5900-11</a>	XFER OUT - Community Events	37,500.00	37,500.00	0.00	37,500.00	0.00	100.00 %
<a href="#">600-900-5900-61</a>	XFER OUT 4/A Project Fund 601	745,275.00	745,275.00	0.00	745,275.00	0.00	100.00 %
<a href="#">600-900-5901-10</a>	Xfer Out GF 100-shared service	35,000.00	35,000.00	0.00	26,250.00	8,750.00	75.00 %
<b>Department: 900 - Transfers Total:</b>		<b>994,738.00</b>	<b>994,738.00</b>	<b>0.00</b>	<b>890,648.03</b>	<b>104,089.97</b>	<b>89.54 %</b>
<b>Fund: 600 - 4/A OPERATING FUND Surplus (Deficit):</b>		<b>-152,239.00</b>	<b>-152,239.00</b>	<b>107,730.59</b>	<b>-385,072.37</b>	<b>-232,833.37</b>	<b>252.94 %</b>
<b>Fund: 601 - 4/A - PROJECTS FUND</b>							
<a href="#">601-46000</a>	Interest Revenue	8,000.00	8,000.00	889.62	11,229.42	3,229.42	140.37 %
<a href="#">601-49560</a>	XFER IN - 4/A EDC FUND 600	745,275.00	745,275.00	0.00	745,275.00	0.00	100.00 %
<b>Department: 000 - Non-Departmental</b>							
<a href="#">601-000-5470-01</a>	Targeted Incentives	83,262.00	219,210.00	0.00	0.00	219,210.00	0.00 %
<a href="#">601-000-5470-02</a>	Promotional Expenses	83,262.00	185,065.00	0.00	0.00	185,065.00	0.00 %
<a href="#">601-000-5470-03</a>	Studies expense	125,000.00	173,180.00	11,427.44	12,147.45	161,032.55	7.01 %
<a href="#">601-000-5600-09</a>	Katy-Fulshear/Huggins Rd-ST20B	28,750.00	100,000.00	0.00	0.00	100,000.00	0.00 %
<a href="#">601-000-5600-10</a>	Texas Heritage Pkwy Proj-ST20C	0.00	91,125.00	0.00	0.00	91,125.00	0.00 %
<a href="#">601-000-5600-11</a>	Livable Center Implement (EDC)	125,000.00	125,000.00	0.00	0.00	125,000.00	0.00 %
<a href="#">601-000-5600-12</a>	Ec Dev Strat Plan Implem (EDC)	125,000.00	125,000.00	0.00	0.00	125,000.00	0.00 %
<a href="#">601-000-5600-13</a>	Gateway, Corridor and Placemak	50,000.00	50,000.00	0.00	0.00	50,000.00	0.00 %
<b>Department: 000 - Non-Departmental Total:</b>		<b>620,274.00</b>	<b>1,068,580.00</b>	<b>11,427.44</b>	<b>12,147.45</b>	<b>1,056,432.55</b>	<b>1.14 %</b>
<b>Department: 900 - Transfers</b>							
<a href="#">601-900-5900-30</a>	XFER OUT -#300 ST20D FM1093	0.00	87,500.00	0.00	0.00	87,500.00	0.00 %
<a href="#">601-900-5900-51</a>	XFER Out - #501 WMP-W18K	25,000.00	50,000.00	0.00	0.00	50,000.00	0.00 %
<a href="#">601-900-5901-30</a>	XFER OUT - #300 FPT19A Parks	0.00	50,000.00	0.00	0.00	50,000.00	0.00 %
<a href="#">601-900-5901-51</a>	XFER OUT-#5010D20B-Dntown Drng	100,000.00	100,000.00	0.00	0.00	100,000.00	0.00 %
<a href="#">601-900-5902-30</a>	XFER OUT - #300 FPT19B Livab	0.00	50,000.00	0.00	0.00	50,000.00	0.00 %
<a href="#">601-900-5902-51</a>	XFER OUT - #501 WMP-WW18E	0.00	75,000.00	0.00	0.00	75,000.00	0.00 %
<b>Department: 900 - Transfers Total:</b>		<b>125,000.00</b>	<b>412,500.00</b>	<b>0.00</b>	<b>0.00</b>	<b>412,500.00</b>	<b>0.00 %</b>
<b>Fund: 601 - 4/A - PROJECTS FUND Surplus (Deficit):</b>		<b>8,001.00</b>	<b>-727,805.00</b>	<b>-10,537.82</b>	<b>744,356.97</b>	<b>1,472,161.97</b>	<b>-102.27 %</b>
<b>Report Surplus (Deficit):</b>		<b>-144,238.00</b>	<b>-880,044.00</b>	<b>97,192.77</b>	<b>359,284.60</b>	<b>1,239,328.60</b>	<b>-40.83 %</b>

## Group Summary

Departmen...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
<b>Fund: 600 - 4/A OPERATING FUND</b>						
	864,624.00	864,624.00	107,730.59	506,789.74	-357,834.26	58.61 %
100 - Administrative	22,125.00	22,125.00	0.00	1,214.08	20,910.92	5.49 %
900 - Transfers	994,738.00	994,738.00	0.00	890,648.03	104,089.97	89.54 %
<b>Fund: 600 - 4/A OPERATING FUND Surplus (Deficit):</b>	<b>-152,239.00</b>	<b>-152,239.00</b>	<b>107,730.59</b>	<b>-385,072.37</b>	<b>-232,833.37</b>	<b>252.94 %</b>
<b>Fund: 601 - 4/A - PROJECTS FUND</b>						
	753,275.00	753,275.00	889.62	756,504.42	3,229.42	100.43 %
000 - Non-Departmental	620,274.00	1,068,580.00	11,427.44	12,147.45	1,056,432.55	1.14 %
900 - Transfers	125,000.00	412,500.00	0.00	0.00	412,500.00	0.00 %
<b>Fund: 601 - 4/A - PROJECTS FUND Surplus (Deficit):</b>	<b>8,001.00</b>	<b>-727,805.00</b>	<b>-10,537.82</b>	<b>744,356.97</b>	<b>1,472,161.97</b>	<b>-102.27 %</b>
<b>Report Surplus (Deficit):</b>	<b>-144,238.00</b>	<b>-880,044.00</b>	<b>97,192.77</b>	<b>359,284.60</b>	<b>1,239,328.60</b>	<b>-40.83 %</b>





# CITY OF FULSHEAR

## Finance Department

PO Box 279 / 29378 McKinnon, Suite A  
Fulshear, Texas 77441  
[www.fulsheartexas.gov](http://www.fulsheartexas.gov)

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### MEMORANDUM

To: Type B Corp - Development Corporation  
From: Wes Vela, Chief Financial Officer, City of Fulshear  
Date: July 6, 2020  
Subject: Monthly Financial Reports

Attached you will find the Type B- Development Corp. Financial Reports for the period **October 1, 2019 through May 31, 2020** for both the operating fund and capital projects fund. This period represents **67%** of the operating period.

If you have any questions, please don't hesitate to call me at 281.346.8805.

# Budget Report

## Account Summary

Fulshear, TX

For Fiscal: 2019-2020 Period Ending: 05/31/2020

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
<b>Fund: 700 - 4/B OPERATING FUND</b>						
<a href="#">700-41301</a>	Sales & Use Tax Revenue	832,624.00	832,624.00	106,935.81	488,671.96	-343,952.04 58.69 %
<a href="#">700-46000</a>	Interest Revenue	35,500.00	35,500.00	1,330.93	22,641.98	-12,858.02 63.78 %
<a href="#">700-49571</a>	XFER IN - 4/B Project Fund 701	0.00	0.00	0.00	745,275.00	745,275.00 0.00 %
<b>Department: 100 - Administrative</b>						
<a href="#">700-100-5311-00</a>	Supplies	250.00	250.00	0.00	0.00	250.00 0.00 %
<a href="#">700-100-5411-00</a>	Admin Prof. Service - Legal	7,500.00	7,500.00	0.00	195.00	7,305.00 2.60 %
<a href="#">700-100-5413-00</a>	Meeting Security	3,000.00	3,000.00	0.00	192.19	2,807.81 6.41 %
<a href="#">700-100-5421-04</a>	Admin - Indemnity Insurance	600.00	600.00	0.00	0.00	600.00 0.00 %
<a href="#">700-100-5526-00</a>	Public Notices	500.00	500.00	0.00	0.00	500.00 0.00 %
<a href="#">700-100-5528-00</a>	Travel & Training	8,000.00	8,000.00	0.00	2,904.13	5,095.87 36.30 %
<b>Department: 100 - Administrative Total:</b>		<b>19,850.00</b>	<b>19,850.00</b>	<b>0.00</b>	<b>3,291.32</b>	<b>16,558.68 16.58 %</b>
<b>Department: 400 - Community Development</b>						
<a href="#">700-400-5471-00</a>	Community Grants	10,000.00	10,000.00	0.00	0.00	10,000.00 0.00 %
<b>Department: 400 - Community Development Total:</b>		<b>10,000.00</b>	<b>10,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>10,000.00 0.00 %</b>
<b>Department: 900 - Transfers</b>						
<a href="#">700-900-5900-10</a>	Xfer Out - Gen Fund 100	176,963.00	176,963.00	0.00	98,260.87	78,702.13 55.53 %
<a href="#">700-900-5900-11</a>	Community Events	37,500.00	37,500.00	0.00	37,500.00	0.00 100.00 %
<a href="#">700-900-5901-10</a>	XFER Out GF 100 shared service	35,000.00	35,000.00	0.00	26,250.00	8,750.00 75.00 %
<a href="#">700-900-5901-71</a>	Xfer Out 4/B Project Fund 701	745,275.00	745,275.00	0.00	745,275.00	0.00 100.00 %
<b>Department: 900 - Transfers Total:</b>		<b>994,738.00</b>	<b>994,738.00</b>	<b>0.00</b>	<b>907,285.87</b>	<b>87,452.13 91.21 %</b>
<b>Fund: 700 - 4/B OPERATING FUND Surplus (Deficit):</b>		<b>-156,464.00</b>	<b>-156,464.00</b>	<b>108,266.74</b>	<b>346,011.75</b>	<b>502,475.75 -221.14 %</b>
<b>Fund: 701 - 4/B PROJECTS FUND</b>						
<a href="#">701-46000</a>	INTEREST	6,650.00	6,650.00	396.88	7,697.48	1,047.48 115.75 %
<a href="#">701-49570</a>	XFER IN - 4/B EDC FUND 700	745,275.00	745,275.00	0.00	0.00	-745,275.00 0.00 %
<b>Department: 000 - Non-Departmental</b>						
<a href="#">701-000-5470-01</a>	Targeted Incentives	83,262.00	219,210.00	0.00	0.00	219,210.00 0.00 %
<a href="#">701-000-5470-02</a>	Promotional Expenses	83,262.00	121,046.00	0.00	14,693.00	106,353.00 12.14 %
<a href="#">701-000-5470-03</a>	Studies expense	125,000.00	173,179.00	11,427.45	12,147.46	161,031.54 7.01 %
<a href="#">701-000-5600-09</a>	Katy-Fulshear/Huggins Rd-ST20B	28,750.00	57,500.00	0.00	0.00	57,500.00 0.00 %
<a href="#">701-000-5600-11</a>	Livable Center Implement (EDC)	125,000.00	250,000.00	0.00	0.00	250,000.00 0.00 %
<a href="#">701-000-5600-12</a>	Ec Dev Strat Plan Implemt(EDC)	125,000.00	250,000.00	0.00	0.00	250,000.00 0.00 %
<a href="#">701-000-5600-13</a>	Gateway, Corridor, Placemaking	50,000.00	100,000.00	0.00	0.00	100,000.00 0.00 %
<b>Department: 000 - Non-Departmental Total:</b>		<b>620,274.00</b>	<b>1,170,935.00</b>	<b>11,427.45</b>	<b>26,840.46</b>	<b>1,144,094.54 2.29 %</b>
<b>Department: 900 - Transfers</b>						
<a href="#">701-900-5900-30</a>	Xfer Out #300 ST19D FM1093	0.00	87,500.00	0.00	0.00	87,500.00 0.00 %
<a href="#">701-900-5900-51</a>	Xfer Out #501 WMP-W18K	25,000.00	50,000.00	0.00	0.00	50,000.00 0.00 %
<a href="#">701-900-5901-30</a>	Xfer Out #300 FPT19A Parks	0.00	50,000.00	0.00	0.00	50,000.00 0.00 %
<a href="#">701-900-5901-51</a>	Xfer Out - #501 WMP-WW18E	0.00	75,000.00	0.00	0.00	75,000.00 0.00 %
<a href="#">701-900-5902-30</a>	Xfer Out-#300 FPT19B Livab	0.00	50,000.00	0.00	0.00	50,000.00 0.00 %
<a href="#">701-900-5902-51</a>	Xfer Out #501 D20B Dntwn Drain	100,000.00	100,000.00	0.00	0.00	100,000.00 0.00 %
<b>Department: 900 - Transfers Total:</b>		<b>125,000.00</b>	<b>412,500.00</b>	<b>0.00</b>	<b>0.00</b>	<b>412,500.00 0.00 %</b>
<b>Fund: 701 - 4/B PROJECTS FUND Surplus (Deficit):</b>		<b>6,651.00</b>	<b>-831,510.00</b>	<b>-11,030.57</b>	<b>-19,142.98</b>	<b>812,367.02 2.30 %</b>
<b>Report Surplus (Deficit):</b>		<b>-149,813.00</b>	<b>-987,974.00</b>	<b>97,236.17</b>	<b>326,868.77</b>	<b>1,314,842.77 -33.08 %</b>

## Group Summary

Departmen...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
<b>Fund: 700 - 4/B OPERATING FUND</b>						
	868,124.00	868,124.00	108,266.74	1,256,588.94	388,464.94	144.75 %
100 - Administrative	19,850.00	19,850.00	0.00	3,291.32	16,558.68	16.58 %
400 - Community Development	10,000.00	10,000.00	0.00	0.00	10,000.00	0.00 %
900 - Transfers	994,738.00	994,738.00	0.00	907,285.87	87,452.13	91.21 %
<b>Fund: 700 - 4/B OPERATING FUND Surplus (Deficit):</b>	<b>-156,464.00</b>	<b>-156,464.00</b>	<b>108,266.74</b>	<b>346,011.75</b>	<b>502,475.75</b>	<b>-221.14 %</b>
<b>Fund: 701 - 4/B PROJECTS FUND</b>						
	751,925.00	751,925.00	396.88	7,697.48	-744,227.52	1.02 %
000 - Non-Departmental	620,274.00	1,170,935.00	11,427.45	26,840.46	1,144,094.54	2.29 %
900 - Transfers	125,000.00	412,500.00	0.00	0.00	412,500.00	0.00 %
<b>Fund: 701 - 4/B PROJECTS FUND Surplus (Deficit):</b>	<b>6,651.00</b>	<b>-831,510.00</b>	<b>-11,030.57</b>	<b>-19,142.98</b>	<b>812,367.02</b>	<b>2.30 %</b>
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# Budget Report

## Account Summary

For Fiscal: 2019-2020 Period Ending: 05/31/2020

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
<b>Fund: 100 - GENERAL FUND</b>						
<b>Department: 180 - Economic Development</b>						
<a href="#">100-180-5210-00</a>	Salaries	167,199.00	167,199.00	12,861.40	109,321.92	57,877.08 65.38 %
<a href="#">100-180-5210-03</a>	Auto Allowance	4,800.00	4,800.00	369.24	3,138.54	1,661.46 65.39 %
<a href="#">100-180-5230-00</a>	Payroll Tax Expense	12,791.00	12,791.00	1,012.14	9,090.35	3,700.65 71.07 %
<a href="#">100-180-5235-00</a>	Employee Health Benefits	17,714.00	17,714.00	0.00	12,275.52	5,438.48 69.30 %
<a href="#">100-180-5238-00</a>	Retirement Contribution	12,298.00	12,298.00	1,035.96	9,410.24	2,887.76 76.52 %
<a href="#">100-180-5239-00</a>	Workers Compensation	403.00	403.00	0.00	403.00	0.00 100.00 %
<a href="#">100-180-5311-00</a>	Supplies	2,500.00	2,500.00	0.00	295.02	2,204.98 11.80 %
<a href="#">100-180-5314-00</a>	Publications/Ref Material	730.00	730.00	0.00	245.00	485.00 33.56 %
<a href="#">100-180-5316-00</a>	Minor Tools & Equipment	2,000.00	2,000.00	0.00	0.00	2,000.00 0.00 %
<a href="#">100-180-5381-00</a>	Meeting Expenses	2,000.00	2,000.00	0.00	5.87	1,994.13 0.29 %
<a href="#">100-180-5411-10</a>	Prof. Services - Consulting	25,000.00	25,000.00	0.00	11,758.40	13,241.60 47.03 %
<a href="#">100-180-5411-14</a>	Prof. Service Legal & Engineer	10,000.00	10,000.00	2,496.00	12,295.10	-2,295.10 122.95 %
<a href="#">100-180-5434-00</a>	Telecommunications	2,200.00	2,200.00	146.97	902.49	1,297.51 41.02 %
<a href="#">100-180-5440-00</a>	Marketing	32,500.00	32,500.00	0.00	1,825.52	30,674.48 5.62 %
<a href="#">100-180-5472-00</a>	Business Devlpmnt & Retention	7,500.00	7,500.00	0.00	0.00	7,500.00 0.00 %
<a href="#">100-180-5520-00</a>	Printing	2,500.00	2,500.00	0.00	0.00	2,500.00 0.00 %
<a href="#">100-180-5527-00</a>	Dues & Memberships	2,325.00	2,325.00	200.00	1,538.41	786.59 66.17 %
<a href="#">100-180-5527-01</a>	Dues & Memberships - Org.	17,250.00	17,250.00	0.00	7,480.00	9,770.00 43.36 %
<a href="#">100-180-5528-00</a>	Travel & Training	14,500.00	14,500.00	0.00	5,293.73	9,206.27 36.51 %
<a href="#">100-180-5530-00</a>	Technology Maintenance	51,000.00	51,000.00	0.00	0.00	51,000.00 0.00 %
<a href="#">100-180-5531-00</a>	Mileage	1,500.00	1,500.00	152.54	552.71	947.29 36.85 %
<b>Department: 180 - Economic Development Total:</b>		<b>388,710.00</b>	<b>388,710.00</b>	<b>18,274.25</b>	<b>185,831.82</b>	<b>202,878.18 47.81 %</b>
<b>Fund: 100 - GENERAL FUND Total:</b>		<b>388,710.00</b>	<b>388,710.00</b>	<b>18,274.25</b>	<b>185,831.82</b>	<b>202,878.18 47.81 %</b>
<b>Report Total:</b>		<b>388,710.00</b>	<b>388,710.00</b>	<b>18,274.25</b>	<b>185,831.82</b>	<b>202,878.18 47.81 %</b>

CDC: 600-5-900-5900-10 \$9,137.13

Approved:

Date:

FDC: 700-5-900-5900-10 \$9,137.13

Approved:

Date:



**ECONOMIC DEVELOPMENT  
COMMUNICATION FORM  
July 20, 2020**

ITEM	TITLE
	<b>FY21 Administrative Services Agreements</b>
<b>ITEM/MOTION</b>	
<b>CDC_A:</b> Consideration of and action on Fiscal Year 2020-2021 Administrative Services Agreement by and between the Corporation and the City of Fulshear	
<b>FDC_B:</b> Consideration of and action on Fiscal Year 2020-2021 Administrative Services Agreement by and between the Corporation and the City of Fulshear	
<b>ESTIMATED EXPENDITURE:</b> N/A	<b>BUDGET ACCOUNT:</b> N/A

**SUBMITTED BY:**

Angela E. Fritz  
Economic Development Director

**SUPPORTING DOCUMENTS:**

1. Redline Draft FY21 Administrative Services Agreements
  - CDC\_A / FDC\_B
2. FY20 Administrative Services Agreements for reference
  - CDC\_A / FDC\_B

**EXECUTIVE SUMMARY**

The Administrative Services Agreements (ASAs) between the Corporations and the City outline services provided by the City for the administration of the Corporations, along with funding provided by the Corporations to compensate for same as well as to provide for the City's general economic development operations in support of Fulshear's Economic Development Strategy adopted in late 2019. [An illustration of this relationship can be found on page 113 of the Strategy available here.](#)

A proposed draft of the FY21 ASAs encompassing revisions recommended in the Strategy is attached for review and consideration. [These proposed revisions are related to the broad goal of Organizational Alignment "structure the City of Fulshear's economic development tools, resources, and oversight for efficient service delivery and investment management," and specific to action 4.2.2 \(page 23 of Strategy\) "revise the ASA to incorporate the strategies of Goal 1: Business Development."](#) The Business Development Goal of the Strategy is explained as "support business growth and tax-base diversification in Fulshear with a suite of economic development services." In addition to the proposed revisions to the ASAs, the economic development director will work with the City Manager to update economic development staff job duties as outlined in action 4.2.3 in alignment with these revisions, and in accordance with the Strategy.

There are no other substantive changes proposed for the FY21 Administrative Services Agreements.

Copies of the adopted EDC Operational Funds (600 & 700) and Projects Funds (601 & 701) budgets will be included with each associated ASA as exhibits for direct reference. After the Corporations adopt the ASAs, they will be presented to Council in August for consideration before being final.



**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 the provision of economic development services for the CITY in accordance with the adopted Fulshear Economic Development Strategy (2019); 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. Direct departmental operations in accordance with the Fulshear Economic Development Strategy (2019), specifically the strategies of Goal 1: Business Development to support business growth and tax-base diversification in Fulshear with a suite of economic development services by 1) developing a toolbox to support economic development efforts; 2) serving as primary point of contact and project manager for high impact projects; 3) forging strong partnerships to create a support network for current and future businesses in Fulshear; 4) keeping a pulse on the new and existing business community; and 5) selectively recruiting new businesses to Fulshear.

~~4. Assist with facilitating the implementation of the Strategy respective to the roles outlined therein, and related to the Strategy's three additional goals: strategic investment, transformative projects, and organizational alignment. 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. Prepare (in coordination with Finance Department) and administer budgets including Economic Development Department operating budget (Fund 100) and Corporation operating budget (Fund 600) and projects fund budget (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 (Fund 100 and Fund 600) for purposes described in the budgets without further Corporation approval.

At no time shall any funds be expended from the projects fund (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 with departmental in the development and implementation of sound, fact-based economic development strategies to retain, expand and recruit business enterprises, and in the day-to-day operations of the CITY's and CORPORATION's economic development programs and support services for the EDCs and other economic development programs.~~

c. Finance and Accounting

~~1.~~ 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. The CORPORATION follows the CITY's adopted and amended Investment Policy.

3. Maintenance of accounting records, including but not limited to general ledger, income and expense accounts, balance sheet, and annual financial report/audit.

4. Process annual budgets, and provide monthly budget reports and Corporation financials.

d. Other Services

1. The **CORPORATION** may request other needed services from the CITY via the City Manager.

2. 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). General legal services specific to ~~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 (Fund 600). Legal services provided in regard to specific

Corporation-initiated 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'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 less any marketing expenditures which will be reimbursed directly from the projects fund promotional line item for expenditure tracking purposes. This ~~which~~ includes funding for Economic Development Personnel, Equipment and Supplies, Dues and Memberships, Professional and Legal Services, Travel and Training, and Programming. 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 2021~~0~~, the ASA Shared Services Fee includes costs for the City Manager, Chief Financial Officer, Finance Manager, and Accounts Payable/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 2021~~0~~, these transfers include funding for targeted incentives; promotional expenses; and land acquisition; as well as rollover funding for professional services (studies, planning, and program development) and ~~Corporation Livable Center Implementation projects, Corporation Economic Development Strategic Plan Strategy Implementation projects, and Corporation Gateway, Corridor, and Placemaking Enhancements.~~

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, 2020~~1~~**.

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.

DRAFT

**Execution**

Executed, in duplicate originals, by the **CORPORATION** on the \_\_\_\_\_ day of \_\_\_\_\_,  
2020~~19~~, and by the CITY on the \_\_\_\_\_ day of \_\_\_\_\_, 2019~~20~~, at Fulshear, Fort Bend  
County, Texas, to be *effective on October 1, 2019~~20~~*.

**CITY OF FULSHEAR DEVELOPMENT CORPORATION**

By: \_\_\_\_\_ ~~By Attest:~~ \_\_\_\_\_

~~\_\_\_\_\_~~  
~~Andrew Van Chau, President~~ \_\_\_\_\_ ~~Jason Maklary Prasad Garkhedkar, Secretary~~  
\_\_\_\_\_ ~~Andrew Van Chau, President~~

**CITY OF FULSHEAR**

By: \_\_\_\_\_ ~~By Attest:~~ \_\_\_\_\_

~~Kim Kopecky, City Secretary~~ \_\_\_\_\_ ~~Aaron Groff, Mayor~~ \_\_\_\_\_  
~~Kim Kopecky, City Secretary~~

Exhibit A  
Adopted Fund 600 and Fund 601 Fiscal Year 2021~~0~~ Budgets

DRAFT



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

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Assist with facilitating the implementation of the Strategy respective to the roles outlined therein, and related to the Strategy's three additional goals: strategic investment, transformative projects, and organizational alignment. Develop and implement strategies for the retention, expansion, and recruitment of business enterprises.

4-2. Provide administrative services as required by the **CORPORATION**.

2-3. Perform all services related to State of Texas requirements for Economic Development Corporation's reporting. Maintain all public documents and records of the Corporation.

3-4. Prepare (in coordination with Finance Department) and administer budgets including Economic Development Department operating budget (Fund 100) and Corporation operating budget (Fund 700) and projects fund budget (Fund 701) in accordance with City, Corporation, and State purchasing and expenditure requirements.

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~~in the development and implementation of sound, fact-based economic development strategies to retain, expand and recruit business enterprises, and in the day-to-day operation of the CITY's and CORPORATION's economic development programs.~~

~~1.~~

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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 2021~~0~~, the ASA Shared Services Fee includes costs for the City Manager, Chief Financial Officer, Finance Manager, and Accounts Payable/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 2020~~1~~, these transfers include funding for targeted incentives; promotional expenses; and land acquisition; as well as rollover funding for professional services (studies, planning, and program development) ~~and; Corporation Livable Center Implementation projects; Corporation Economic Development Strategic Plan y Implementation projects; and Corporation Gateway, Corridor, and Placemaking Enhancements.~~

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, 2020~~1~~.**

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.

DRAFT

**Execution**

Executed, in duplicate originals, by the **CORPORATION** on the \_\_\_\_\_ day of \_\_\_\_\_,  
~~2019~~2020, and by the **CITY** on the \_\_\_\_\_ day of \_\_\_\_\_, ~~2019~~2020, at Fulshear, Fort Bend  
County, Texas, to be *effective on October 1, ~~2019~~2020*.

**FULSHEAR DEVELOPMENT CORPORATION**

By: \_\_\_\_\_ ~~By Attest:~~ \_\_\_\_\_  
~~Carol Riggs, Secretary~~ \_\_\_\_\_ ~~J.W. Wauson~~ Thomas C. Kuykendall, Jr., President \_\_\_\_\_  
~~Jason Maklary, Secretary~~ \_\_\_\_\_

**CITY OF FULSHEAR**

By: \_\_\_\_\_ ~~By Attest:~~ \_\_\_\_\_  
~~Aaron Groff, Mayor~~ \_\_\_\_\_ — \_\_\_\_\_ Kim Kopecky, City Secretary  
~~Aaron Groff, Mayor~~ \_\_\_\_\_

Exhibit A  
Adopted Fund 700 and Fund 701 Fiscal Year 2021~~0~~ Budgets

DRAFT



RESOLUTION NO. 2019-428

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

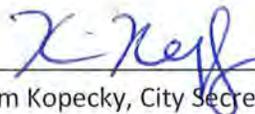
WHEREAS, the City of Fulshear Development Corporation has previously acted to approve the tenets and facets of the Administrative Services Agreement attached hereto;

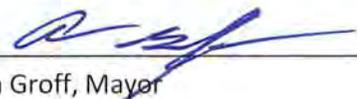
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS THAT: The Administrative Services Agreement for Fiscal Year 2019-2020 is hereby approved in the form as attached to this document as "Exhibit A".

This Resolution duly passed this 20<sup>th</sup> day of August, 2019.



ATTEST:

  
\_\_\_\_\_  
Kim Kopecky, City Secretary

  
\_\_\_\_\_  
Aaron Groff, Mayor

**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 the provision of economic development services for the **CITY**; 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. Prepare (in coordination with Finance Department) and administer budgets including Economic Development Department operating budget (Fund 100) and Corporation operating budget (Fund 600) and projects fund budget (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 (Fund 100 and Fund 600) for purposes described in the budgets without further Corporation approval.

At no time shall any funds be expended from the projects fund (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 development and implementation of sound, fact-based economic development strategies to retain, expand and recruit business enterprises, and in the day-to-day operation of the CITY's and CORPORATION's economic development programs.
- 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. The CORPORATION follows the CITY's adopted and amended Investment Policy.

3. Maintenance of accounting records, including but not limited to general ledger, income and expense accounts, balance sheet, and annual financial report/audit.
  4. Process annual budgets, and provide monthly budget reports and Corporation financials.
- d. Other Services
1. The **CORPORATION** may request other needed services from the CITY via the City Manager.
  2. 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). 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 (Fund 600). Legal services provided in regard to specific Corporation-initiated 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'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, Travel and Training, and Programming. 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 2020, the ASA Shared Services Fee includes costs for the City Manager, Chief Financial Officer, Finance Manager, and Accounts Payable/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 2020, these transfers include funding for targeted incentives; promotional expenses; professional services (studies, planning, and program development); Corporation Livable Center Implementation projects, Corporation Economic Development Strategic Plan Implementation projects; and Corporation Gateway, Corridor, and Placemaking Enhancements.

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, 2020.**

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 8<sup>th</sup> day of July, 2019, and by the CITY on the 20<sup>th</sup> day of August, 2019, at Fulshear, Fort Bend County, Texas, to be *effective on October 1, 2019*.

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

**EXHIBIT "A" TO FY20 CDC\_A ADMINISTRATIVE SERVICES AGREEMENT  
ADOPTED FUND 600 FY20 BUDGET**

CDC\_A FUND 600 (OPERATING)  
08/02/2019

		FY2018	FY 2019	FY2019	New	FY2020
		Actual	Budget	Estimate	Program	Proposed Budget
		<b>Beginning Fund Balance</b>	<b>886,914</b>	<b>1,424,798</b>	<b>1,410,509</b>	<b>1,500,308</b>
<b>Revenues</b>						
<b>Tax</b>						
600-41301	Sales & Use Tax Revenue	789,832	617,780	717,780		832,624
Total Tax		789,832	617,780	717,780	-	832,624
<b>Interest Earned</b>						
600-46000	Interest Revenue	16,083	1,000	32,000		32,000
Total Interest Earned		16,083	1,000	32,000	-	32,000
Total Revenues		<u>805,915</u>	<u>618,780</u>	<u>749,780</u>	-	<u>864,624</u>
<b>Expenditures</b>						
<b>Administration</b>						
<b>Supplies</b>						
600-5-100-5311-00	Supplies	68	250	250		250
Total Supplies		68	250	250	-	250
<b>Contractual</b>						
600-5-100-5411-00	Admin Prof. Serv. - Legal	2,457	10,000	5,000		10,000
600-5-100-5411-10	Professional Svcs - Consulting	2,353	2,900	2,900		2,900
600-5-100-5413-00	Meeting Security	-	2,500	2,500		3,000
600-5-100-5421-04	Admin - Indemnity Insurance	475	475	475		475
600-5-100-5469-01	Admin-Administrative Fee	-	-	-		-
600-5-100-5475-00	Admin - Bank Charges	-	-	-		-
Total Contractual		5,285	15,875	10,875	-	16,375
<b>Other Charges</b>						
600-5-100-5526-00	Admin - Public Notices	150	200	200		500
600-5-100-5527-00	Dues & Memberships	-	-	-		-
600-5-100-5528-00	Travel & Training	-	-	-		5,000
600-5-100-5528-05	Continuing Education	1,094	5,000	5,000		-
Total Other Charges		1,244	5,200	5,200	-	5,500
<b>Transfers</b>						
600-5-100-5900-10	Xfer Out - Gen Fund 100	93,999	160,100	160,100		176,963
600-5-100-5900-10	Xfer Out-Gen Fund 100-share service		35,000	35,000		35,000
600-5-100-5900-11	Xfer Out - Community Events	24,420	37,500	37,500		37,500
600-5-100-5900-61	XFER OUT 4/A Project Fund 601	143,015	411,056	411,056	578,750	745,275
Total Transfers		261,434	643,656	643,656	578,750	994,738
Total Administration Expenditures		<u>268,031</u>	<u>664,981</u>	<u>659,981</u>		<u>1,016,863</u>
Revenue Over(Under) Expenditures		537,884	(46,201)	89,799		(152,239)
<b>Ending Fund Balance</b>		<b>1,424,798</b>	<b>1,378,597</b>	<b>1,500,308</b>		<b>1,348,069</b>
						<b>Restricted Fund Balance (90 days operating)</b>
						<b>254,216</b>
						<b>Estimated Unrestricted Fund Balance</b>
						<b>1,093,854</b>

**EXHIBIT "A" TO FY20 CDC\_A ADMINISTRATIVE SERVICES AGREEMENT  
ADOPTED FUND 601 FY20 BUDGET**

CDC\_A FUND 601 (PROJECTS FUND)  
08/02/2019

Account Number		Account Description	FY2018 Actual	FY 2019 Budget	FY2019 Estimate	New Program	FY2020 Proposed Budget
Beginning Fund Balance			252,648	4,960	389,007		347,007
<b>Revenues</b>							
<b>Interest Earned</b>							
601-46000	Interest Revenue		4,384	100	8,000		8,000
Total Interest Earned			4,384	100	8,000		8,000
<b>Other Revenue</b>							
601-49560	XFER IN - 4/A EDC FUND 600		143,015	411,056	411,056		745,275
Total Other Revenue			143,015	411,056	411,056		745,275
Total Revenue			147,399	411,156	419,056		753,275
<b>Expenditures</b>							
<b>Contractual</b>							
601-5-000-5470-01	Targeted Incentives		-	61,778	61,778	-	83,262
601-5-000-5470-02	Promotional Expenses		11,040	61,778	61,778	-	83,262
601-5-000-5470-03	Studies, Planning & Program Development		-	-	50,000	125,000	125,000
601-5-000-5470-04	Community Events		-	-	-	-	-
Total Contractual			11,040	123,556	173,556	125,000	291,524
<b>Capital Outlay</b>							
601-5-000-5600-08	Capital Outlay - Land		-	-	-	-	-
601-5-000-5600-09	Katy-Fulshear/Huggins Road (CoF CIP ST20B)		71,250	-	-	28,750	28,750
601-5-000-5600-10	Texas Heritage Parkway Project (CoF CIP ST20C)		91,125	-	-	-	-
NEW LINE ITEM	Livable Center Implementation (EDC)		-	-	-	125,000	125,000
NEW LINE ITEM	Eco Dev Strat Plan Implementation (EDC)		-	-	-	125,000	125,000
NEW LINE ITEM	Gateway, Corridor & Placemaking Enhancements (EDC)		-	-	-	50,000	50,000
Total Capital Outlay			162,375	-	-	328,750	328,750
<b>Transfers</b>							
601-5-000-5930-05	Xfer Out-#300 ST20D FM1093 (CoF)		-	87,500	87,500	-	-
601-5-000-5930-06	Xfer Out-#300 FPT19A Parks (CoF)		-	50,000	50,000	-	-
601-5-000-5930-07	Xfer Out-#300 FPT19B Livab (CoF)		-	50,000	50,000	-	-
601-5-000-5951-02	Xfer Out-#501 WMP-W18K (CoF)		-	25,000	25,000	25,000	25,000
601-5-000-5951-03	Xfer Out-#501 WMP-WW18E (CoF)		-	75,000	75,000	-	-
NEW LINE ITEM	Xfer Out -#.... - D20B - Downtown Drng. East (CoF)		-	-	-	100,000	100,000
Total Transfers			-	287,500	287,500	125,000	125,000
TOTAL EXPENDITURES			173,415	411,056	461,056	578,750	745,274
Revenues Over(Under) Expenditures			(26,016)	100	(42,000)	(578,750)	8,001
Ending Fund Balance			226,632	5,060	347,007		355,008



RESOLUTION NO. 2019-429

**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 2019-2020 is hereby approved in the form as attached to this document as "Exhibit A".

This Resolution duly passed this 20<sup>th</sup> day of August, 2019.



  
\_\_\_\_\_  
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 the provision of economic development services for the **CITY**; 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. Prepare (in coordination with Finance Department) and administer budgets including Economic Development Department operating budget (Fund 100) and Corporation operating budget (Fund 700) and projects fund budget (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 (Fund 100 and Fund 700) for purposes described in the budgets without further Corporation approval.

At no time shall any funds be expended from the projects fund (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 development and implementation of sound, fact-based economic development strategies to retain, expand and recruit business enterprises, and in the day-to-day operation of the CITY's and CORPORATION's economic development programs.

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.
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1. The **CORPORATION** may request other needed services from the CITY via the City Manager.
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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'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, Travel and Training, and Programming. 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).

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For Fiscal Year 2020, the ASA Shared Services Fee includes costs for the City Manager, Chief Financial Officer, Finance Manager, and Accounts Payable/Payroll Clerk, for time and related costs.

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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, 2020**.

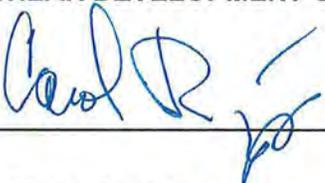
The **CORPORATION** and the CITY may cancel this agreement at any time upon sixty (60) days written notice to the other party. The obligations of the **CORPORATION**, including its obligation to pay the CITY for all costs incurred under this agreement prior to such notice, shall survive such cancellation, 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 15<sup>th</sup> day of July, 2019, and by the **CITY** on the 20<sup>th</sup> day of August, 2019, at Fulshear, Fort Bend County, Texas, to be **effective on October 1, 2019**.

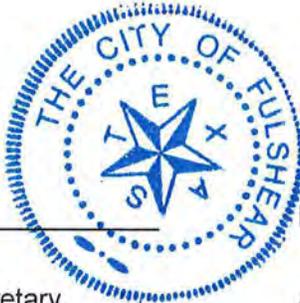
**FULSHEAR DEVELOPMENT CORPORATION**

By:   
Carol Riggs, Secretary

By: , President  
J.W. Wauson, President

**CITY OF FULSHEAR**

By:   
Kim Kopecky, City Secretary



By:   
Aaron Groff, Mayor

**EXHIBIT "A" TO FY20 FDC\_B ADMINISTRATIVE SERVICES AGREEMENT  
ADOPTED FUND 700 FY20 BUDGET**

FDC\_B FUND 700 (OPERATING)  
08/02/2019

Account Number	Account Description	FY2018 Actual	FY 2019 Budget	FY2019 Estimate	New Program	FY2020 Proposed Budget
<b>Beginning Fund Balance</b>		<b>1,043,695</b>	<b>1,215,061</b>	<b>1,583,752</b>		<b>1,676,826</b>
<b>Revenues</b>						
<b>Tax</b>						
700-41301	Sales & Use Tax Revenue	789,832	617,780	717,780		832,624
	Total Tax	789,832	617,780	717,780		832,624
<b>Interest Earned</b>						
700-46000	Interest Revenue	18,526	5,000	35,500		35,500
	Total Interest Earned	18,526	5,000	35,500		35,500
<b>Other Revenue</b>						
700-49560	XFER IN 4/A EDC FUND 600	-	-	-		-
	Total Other Revenue	-	-	-		-
	<b>Total Revenues</b>	<b>808,358</b>	<b>622,780</b>	<b>753,280</b>		<b>868,124</b>
<b>Expenditures</b>						
<b>Administrative</b>						
<b>Supplies</b>						
700-5-100-5311-00	Supplies	250	250	250		250
	Total Supplies	250	250	250		250
<b>Contractual</b>						
700-5-100-5411-00	Admin Prof. Service - Legal	2,142	7,500	5,000		7,500
700-5-100-5413-00	Meeting Security	-	2,500	2,500		3,000
700-5-100-5421-04	Admin - Indemnity Insurance	561	600	600		600
700-5-100-5469-01	Admin - Administrative Fee	-	-	-		-
	Total Contractual	2,703	10,600	8,100		11,100
<b>Other Charges</b>						
700-5-100-5526-00	Public Notices	148	200	200		500
700-5-100-5528-00	Travel & Training	-	8,000	8,000		8,000
700-5-100-5528-05	Continuing Education	1,766	-	-		-
	Total Other Charges	1,914	8,200	8,200		8,500
<b>Transfers</b>						
700-5-100-5900-10	Xfer Out - Gen Fund 100	93,999	160,100	160,100		176,963
700-5-100-5900-10	Xfer Out-Gen Fund 100-shared service	-	35,000	35,000		35,000
700-5-100-5900-11	Xfer Out - Community Events	24,420	37,500	37,500		37,500
700-5-100-5900-61	Xfer Out-Project Fund #701	-	303,773	411,056	578,750	745,275
700-5-100-5900-71	XFER OUT 4/B Project Fund 701	143,015	107,283	-		-
	Total Transfers	261,434	643,656	643,656	578,750	994,738
	Total Administrative	266,301	662,706	660,206		1,014,588
<b>Community Development</b>						
<b>Contractual</b>						
700-5-400-5471-00	Community Grants	2,000	10,000	-		10,000
	Total Contractual	2,000	10,000	-		10,000
	Total Community Development	2,000	10,000	-		10,000
	Total Expenditures	268,301	672,706	660,206		1,024,588
	Revenues Over(Under) Expenditures	540,057	(49,926)	93,074		(156,464)
	<b>Ending Fund Balance</b>	<b>1,583,752</b>	<b>1,165,135</b>	<b>1,676,826</b>		<b>1,520,362</b>
						<b>Restricted Fund Balance (90 days operating)</b> <b>256,147</b>
						<b>Estimated Unrestricted Fund Balance</b> <b>1,264,215</b>

**EXHIBIT "A" TO FY20 FDC\_B ADMINISTRATIVE SERVICES AGREEMENT  
ADOPTED FUND 701 FY20 BUDGET**

FDC\_B FUND 701 (PROJECTS FUND)  
08/02/2019

Account Number	Account Description	FY2018 Actual	FY 2019 Budget	FY2019 Estimate	New Program	FY2020 Proposed Budget
<b>Beginning Fund Balance</b>		<b>224,452</b>	<b>3,410</b>	<b>343,346</b>		<b>299,996</b>
<b>Revenues</b>						
<b>Interest Earned</b>						
701-46000	INTEREST	3,782	100	6,650		6,650
<b>Total Interest Earned</b>		<b>3,782</b>	<b>100</b>	<b>6,650</b>		<b>6,650</b>
<b>Other Revenue</b>						
701-49570	XFER IN - 4/B EDC FUND 700	143,015	411,056	411,056		745,275
<b>Total Other Revenue</b>		<b>143,015</b>	<b>411,056</b>	<b>411,056</b>		<b>745,275</b>
<b>Total Revenue</b>		<b>146,797</b>	<b>411,156</b>	<b>417,706</b>		<b>751,925</b>
<b>Expenditures</b>						
<b>Contractual</b>						
701-5-000-5470-01	Targeted Incentives	-	61,778	61,778		83,262
701-5-000-5470-02	Promotional Expenses	27,903	61,778	61,778		83,262
701-5-000-5470-03	Studies, Planning & Program Development	-	-	50,000	125,000	125,000
701-5-000-5470-04	Community Events	-	-	-		
<b>Total Contractual</b>		<b>27,903</b>	<b>123,556</b>	<b>173,556</b>	<b>125,000</b>	<b>291,524</b>
<b>Capital Outlay</b>						
701-5-000-5600-09	Katy-Fulshear/Huggins Road (CoF CIP ST20B)	71,250	-	-	28,750	28,750
701-5-000-5600-10	Texas Heritage Parkway Project (CoF CIP ST20C)	91,125	-	-		
NEW LINE ITEM	Livable Center Implementation (EDC)	-	-	-	125,000	125,000
NEW LINE ITEM	Eco Dev Strat Plan Implementation (EDC)	-	-	-	125,000	125,000
NEW LINE ITEM	Gateway, Corridor & Placemaking Enhancements (EDC)	-	-	-	50,000	50,000
<b>Total Capital Outlay</b>		<b>162,375</b>	<b>-</b>	<b>-</b>	<b>328,750</b>	<b>328,750</b>
<b>Transfers</b>						
701-5-000-5930-05	Xfer Out-#300 ST20D FM1093 (CoF)	-	87,500	87,500		
701-5-000-5930-06	Xfer Out-#300 FPT19A Parks	-	50,000	50,000		
701-5-000-5930-07	Xfer Out-#300 FPT19B Livab	-	50,000	50,000		
701-5-000-5951-02	Xfer Out-#501 WMP-W18K	-	25,000	25,000	25,000	25,000
701-5-000-5951-03	xfer Out-#501 WMP-WW18E	-	75,000	75,000		
NEW LINE ITEM	Xfer Out -#.... - D20B - Downtown Drng. East (CoF)	-	-	-	100,000	100,000
<b>Total Transfers</b>		<b>-</b>	<b>287,500</b>	<b>287,500</b>	<b>125,000</b>	<b>125,000</b>
<b>Total Expenditures</b>		<b>190,278</b>	<b>411,056</b>	<b>461,056</b>	<b>578,750</b>	<b>745,274</b>
<b>Revenue Over(Under) Expenditures</b>		<b>(43,481)</b>	<b>100</b>	<b>(43,350)</b>		<b>6,651</b>
<b>Ending Fund Balance</b>		<b>180,971</b>	<b>3,510</b>	<b>299,996</b>		<b>306,647</b>



**ECONOMIC DEVELOPMENT  
COMMUNICATION FORM  
July 20, 2020**

<b>ITEM</b>	<b>TITLE</b>
	<b>FY21 Corporation Budgets</b>
<b>ITEM/MOTION</b>	
CDC_A: Consideration of and action on Fiscal Year 2020-2021 Corporation Budgets	
FDC_B: Consideration of and action on Fiscal Year 2020-2021 Corporation Budgets	
<b>ESTIMATED EXPENDITURE:</b>	<b>BUDGET ACCOUNT:</b>

**SUBMITTED BY:**

Angela E. Fritz  
Economic Development Director

**SUPPORTING DOCUMENTS:**

1. Final Draft Budgets
  - CDC\_A: Fund 600 (Operating) & Fund 601 (Projects)
  - FDC\_B: Fund 700 (Operating) & Fund 701 (Projects)
2. Eco. Dev. Dept. Operations (General Fund 100) for reference

**EXECUTIVE SUMMARY**

Staff has prepared final FY21 draft budgets for the Corporation's consideration following the boards' direction to proceed with finalizing drafts presented in June.

The budgets include funding for priorities and projects discussed by the boards and focused on continued implementation of the adopted Economic Development Strategy, namely: continued broadband planning/strategy; continued Livable Center implementation support; continued capital project support; continued support for development of entrepreneurial ecosystem and programming; projects fund allocations to start saving for potential future land acquisition re: transformative projects as identified in ED Strategy; and contractual services to develop specific economic development programs for opportunity areas as well as overall for the City to support goals in ED Strategy and Livable Center study.

The FY21 operational and projects fund budgets as presented, include the following:

- Operating (600 & 700) – ***Proposed budgeted revenues of \$716,831 (80% of projected FY20 yearend due to uncertainty of economy) and expenditures of \$636,471 (A) and \$639,596 (B). This leaves an estimated net revenue of \$102,360 (A) and \$97,235 (B), and estimated ending operating fund balances of \$1,741,288 (A) and \$1,908,060 (B).***
  - \$180,572 allocated for the reimbursement of 50% ED operating costs under the ASAs; down slightly from \$181,963 in FY20

- Transfers to the projects fund of \$215,049 for promotional, targeted incentives, and land acquisition; up from FY20 due to EDCs' request to begin to apportion funds for land acquisition
- Transfer of \$154,125 and reallocation of existing projects funds totaling \$175,000 for City CIP requests totaling \$329,125
- Projects Funds (601 & 701) – ***Proposed budgeted transfer of \$369,174 from operating funds.***
  - 10% of estimated revenue has been apportioned for promotional expenditures as allowable under statute (\$71,683); another 10% has been budgeted for the targeted incentives line item to save funds that can be utilized for job creation or other incentive programs as the EDCs and City develop specific programs; and finally, pursuant to the EDCs' requests for FY21, another 10% has been allocated for land acquisition to begin saving funds.

Corporation bylaws call for adoption of the budgets by August 1 at the latest. In accordance with this, and the City's schedule for budget preparation, final draft budgets are presented for board consideration along with the necessary project declarations (next agenda item) in order that public notice may be posted as required.

After the EDCs have adopted FY21 budgets, they will be presented, along with the Administrative Services Agreement and project declarations, for Council consideration and incorporation into the City's overall FY21 budget.

ACCOUNT #/DESCRIPTION	FY2019 ACTUAL	FY2020 CURRENT BUDGET	FY2020 PROJECTED YEAR END	FY2021 BASE BUDGET	NEW PROGRAM	FY2021 PROPOSED BUDGET	JUSTIFICATION
<b>600-4/A Operating Fund</b>							
<b>BEGINNING FUND BALANCE</b>	<b>1,410,509</b>	<b>1,500,308</b>	<b>1,722,402</b>	<b>1,638,928</b>		<b>1,638,928</b>	
<b>REVENUES</b>							
<b>TAX &amp; FRANCHISE FEES</b>							
600-41301 Sales & Use Tax Revenue	887,937	832,624	896,039	896,039	(179,208)	716,831	FY21 budget = 80% FY20 ending
<b>TOTAL TAX &amp; FRANCHISE FEES</b>	<b>887,937</b>	<b>832,624</b>	<b>896,039</b>	<b>896,039</b>	<b>(179,208)</b>	<b>716,831</b>	
<b>INTEREST EARNED</b>							
600-46000 Interest Revenue	36,193	32,000	27,500	27,500	(5,500)	22,000	80% projected ending in alignment with reduction in Sales Tax estimates
<b>TOTAL INTEREST EARNED</b>	<b>36,193</b>	<b>32,000</b>	<b>27,500</b>	<b>27,500</b>	<b>(5,500)</b>	<b>22,000</b>	
<b>TOTAL REVENUES</b>	<b>924,130</b>	<b>864,624</b>	<b>923,539</b>	<b>923,539</b>	<b>(184,708)</b>	<b>738,831</b>	
<b>EXPENDITURES</b>							
<b>Administrative</b>							
<b>SUPPLIES</b>							
600-5-100-5311-00 Supplies	34	250	100	250		250	
<b>TOTAL SUPPLIES</b>	<b>34</b>	<b>250</b>	<b>100</b>	<b>250</b>	<b>-</b>	<b>250</b>	
<b>CONTRACTUAL SERVICES</b>							
600-5-100-5411-00 Admin Prof. Serv. - Legal	2,594	5,000	2,000	5,000		5,000	reduce due to additional included in EDD budget for shared work
600-5-100-5411-10 Professional Svcs - Consulti	1,920	2,900	1,000	-		-	these services were no longer required as of FY20
600-5-100-5413-00 Meeting Security	1,035	3,000	1,500	3,000		3,000	
600-5-100-5421-04 Admin - Indemnity Insurance	475	475	475	475		475	
600-5-100-5469-01 Admin - Administrative Fee	0	0	-	-		-	
<b>TOTAL CONTRACTUAL SERVICES</b>	<b>6,024</b>	<b>11,375</b>	<b>4,975</b>	<b>8,475</b>	<b>-</b>	<b>8,475</b>	
<b>OTHER CHARGES</b>							
600-5-100-5526-00 Admin - Public Notices	177	500	200	500		500	
600-5-100-5528-00 Travel & Training	1,443	0	2,000	5,000		5,000	1,000 per EDC member
600-5-100-5528-05 Continuing Education	1,700	5,000	-	-		-	this line item should go away & all costs be accounted for in T&T
<b>TOTAL OTHER CHARGES</b>	<b>3,320</b>	<b>5,500</b>	<b>2,200</b>	<b>5,500</b>	<b>-</b>	<b>5,500</b>	
<b>TRANSFERS</b>							
600-5-900-5900-10 XFER OUT - <b>GF 180 Operating Reimbursement</b>	154,303	181,963	181,963	181,963	(1,391)	180,572	calculated based on ED GF operating; actual reimbursement only
600-5-900-5900-11 XFER OUT - <b>GF Community Events</b>	37,500	37,500	37,500	37,500		37,500	direct xfer to GF for city administration; set amount xfered 10/1; FY21
600-5-900-5900-61 XFER OUT - <b>Project Fund 601</b>	411,056	745,275	745,275	-		369,174	amount verified in dept. budget review meeting
600-5-900-5901-10 Xfer Out - <b>GF Shared Services ASA Fee</b>	0	35,000	35,000	35,000		35,000	payment for City support services other than Eco Dev dept. under ASA;
<b>TOTAL TRANSFERS</b>	<b>602,859</b>	<b>999,738</b>	<b>999,738</b>	<b>254,463</b>	<b>(1,391)</b>	<b>622,246</b>	set amount xfered ahead of quarterly; FY21 amount confirmed by WV in dept. budget review meeting
<b>TOTAL EXPENDITURES</b>	<b>612,237</b>	<b>1,016,863</b>	<b>1,007,013</b>	<b>268,688</b>		<b>636,471</b>	
<b>REVENUE OVER/(UNDER) EXPENDITURES</b>	<b>311,893</b>	<b>(152,239)</b>	<b>(83,474)</b>	<b>654,851</b>		<b>102,360</b>	
<b>ENDING FUND BALANCE</b>	<b>1,722,402</b>	<b>1,348,069</b>	<b>1,638,928</b>	<b>2,293,779</b>		<b>1,741,288</b>	

ACCOUNT #/DESCRIPTION	FY2019 ACTUAL	FY2020 CURRENT BUDGET	FY2020 PROJECTED YEAR END	FY2021 BASE BUDGET  (Est. Remaining)	NEW	FY2021	JUSTIFICATION
					PROGRAM	PROPOSED BUDGET	
					(FY21 Additional Budget)	(FY21 Est.Total)	
601-4/A - Projects Fund							
BEGINNING FUND BALANCE	389,007	347,007	753,170	1,331,445		1,331,445	
<b>REVENUES</b>							
INTEREST EARNED							
601-46000 Interest Revenue							
<b>TOTAL INTEREST EARNED</b>	<b>10,821</b>	<b>8,000</b>	<b>8,000</b>	<b>8,000</b>	-	<b>8,000</b>	
TRANSFERS							
601-49560 XFER IN - 4/A EDC FUND 600							
<b>TOTAL TRANSFERS</b>	<b>411,056</b>	<b>745,275</b>	<b>745,275</b>	<b>369,174</b>	-	<b>369,174</b>	
<b>TOTAL REVENUES</b>	<b>421,877</b>	<b>753,275</b>	<b>753,275</b>	<b>377,174</b>	-	<b>377,174</b>	
<b>EXPENDITURES</b>							
CONTRACTUAL SERVICES							
601-5-000-5470-01 Targeted Incentives	0	219,210	100,000	119,210	71,683	190,893	pegged at same ast promotional set aside
601-5-000-5470-02 Promotional Expenses	11,239	185,065	30,000	155,065	71,683	226,748	statutory cap set at 10% of est. revenues; FY20 = 20,000 general plus
601-5-000-5470-03 Studies expense	46,475	173,180	30,000	143,180	-	143,180	\$10,000 per EDC for website rework (potentially); <b>FY21 = \$12,750 for</b>
601-5-000-5470-04 Community Events	0	-	-	-	-	-	<b>EDD marketing reimbursement</b>
<b>TOTAL CONTRACTUAL SERVICES</b>	<b>57,714</b>	<b>577,455</b>	<b>160,000</b>	<b>417,455</b>	<b>143,366</b>	<b>560,821</b>	HRG = \$25,000 per EDC budgeted out of operating as xfer to GF
CAPITAL OUTLAY							
601-5-000-5600-09 Katy-Fulshear/Huggins Rd-ST20B	0	100,000	-	100,000	100,000	200,000	
601-5-000-5600-10 Texas Heritage Pkwy Proj-ST20C	0	91,125	-	91,125	3,875	95,000	
601-5-000-5600-11 Liva Ctr Implement	0	125,000	-	125,000	(125,000)	-	<b>REALLOCATE TO FY21 CITY PROJECTS REQUEST</b>
601-5-000-5600-12 Ec Dev Strat Plan Implem	0	125,000	15,000	110,000	-	110,000	<b>USE FOR CONTINUED BROADBAND &amp; INNOVATION HUB</b>
601-5-000-5600-13 Gateway, Corridor and Placem	0	50,000	-	50,000	(50,000)	-	<b>IMPLEMENTATION; ENGAGE CONSULTANT FOR ED PROGRAM DEV</b>
<b>NEW LINE ITEM - Land Acquisition</b>	-	-	-	-	71,683	71,683	<b>(DOWNTOWN &amp; ACROSS TOWN); the Cannon FY20 \$6,000 per EDC;</b>
<b>TOTAL CAPITAL OUTLAY</b>	<b>0</b>	<b>491,125</b>	<b>15,000</b>	<b>476,125</b>	<b>558</b>	<b>476,683</b>	<b>REALLOCATE TO FY21 CITY PROJECTS REQUEST</b>
TRANSFERS							
601-5-900-5900-30 XFER OUT -#300 ST20D FM1093	0	87,500	-	87,500	25,250	112,750	
601-5-900-5900-51 XFER Out - #501 WMP-W18K	0	50,000	-	50,000	-	50,000	
601-5-900-5901-30 XFER OUT - #300 FPT19A Parks	0	50,000	-	50,000	50,000	100,000	
601-5-900-5901-51 XFER OUT-#501 D20B-Dntown Dr. <b>E</b>	0	100,000	-	100,000	-	100,000	
601-5-900-5902-30 XFER OUT - #300 FPT19B Livab	0	50,000	-	50,000	50,000	100,000	
601-5-900-5902-51 XFER OUT - #501 WMP-WW18E	0	75,000	-	75,000	-	75,000	
<b>NEW LINE ITEM XFER OUT-#501 D20A-West Drainage</b>	-	-	-	-	100,000	100,000	
<b>TOTAL TRANSFERS</b>	<b>0</b>	<b>412,500</b>	<b>-</b>	<b>412,500</b>	<b>225,250</b>	<b>637,750</b>	
<b>TOTAL EXPENDITURES</b>	<b>57,714</b>	<b>1,481,080</b>	<b>175,000</b>	<b>1,306,080</b>	<b>369,174</b>	<b>1,675,254</b>	
<b>REVENUES OVER(UNDER) EXPENDITURES</b>	<b>364,163</b>	<b>(727,805)</b>	<b>578,275</b>			<b>(1,298,080)</b>	
<b>ENDING FUND BALANCE</b>	<b>786,040</b>	<b>(380,798)</b>	<b>1,331,445</b>			<b>33,365</b>	



ACCOUNT #/DESCRIPTION	FY2019 ACTUAL	FY2020 CURRENT BUDGET	FY2020 PROJECTED YEAR END	FY2021 BASE BUDGET	NEW PROGRAM	FY2021 PROPOSED BUDGET	JUSTIFICATION
<b>700-4/B Operating Fund</b>							For items not specifically noted here, see 600 "Justification" column for notes
<b>BEGINNING FUND BALANCE</b>		<b>1,676,826</b>	<b>1,896,424</b>	<b>1,810,825</b>		<b>1,810,825</b>	
<b>REVENUES</b>							
<b>TAX &amp; FRANCHISE FEES</b>							
700-41301 Sales & Use Tax Revenue	887,937	832,624	896,039	896,039	(179,208)	716,831	
<b>TOTAL TAX &amp; FRANCHISE FEES</b>	<b>887,937</b>	<b>832,624</b>	<b>896,039</b>	<b>896,039</b>	<b>(179,208)</b>	<b>716,831</b>	
<b>INTEREST EARNED</b>							
700-46000 Interest Revenue	40,165	35,500	25,000	25,000	(5,000)	20,000	
<b>TOTAL INTEREST EARNED</b>	<b>40,165</b>	<b>35,500</b>	<b>25,000</b>	<b>25,000</b>	<b>(5,000)</b>	<b>20,000</b>	
<b>TOTAL REVENUES</b>	<b>928,102</b>	<b>868,124</b>	<b>921,039</b>	<b>921,039</b>	<b>(184,208)</b>	<b>736,831</b>	
<b>EXPENDITURES</b>							
<b>Administrative</b>							
<b>SUPPLIES</b>							
700-5-100-5311-00 Supplies	17	250	100	250	-	250	
<b>TOTAL SUPPLIES</b>	<b>17</b>	<b>250</b>	<b>100</b>	<b>250</b>	<b>-</b>	<b>250</b>	
<b>CONTRACTUAL SERVICES</b>							
700-5-100-5411-00 Admin Prof. Service - Legal	2,652	2,500	2,000	2,500	2,500	5,000	
700-5-100-5413-00 Meeting Security	1,175	3,000	1,500	3,000		3,000	
700-5-100-5421-04 Admin - Indemnity Insurance	600	600	600	600		600	
700-5-100-5469-01 Admin - Administrative Fee	0	0	-	-		-	
<b>TOTAL CONTRACTUAL SERVICES</b>	<b>4,427</b>	<b>6,100</b>	<b>4,100</b>	<b>6,100</b>	<b>2,500</b>	<b>8,600</b>	
<b>OTHER CHARGES</b>							
700-5-100-5526-00 Public Notices	179	500	200	500		500	
700-5-100-5528-00 Travel & Training	2,759	8,000	2,500	8,000		8,000	
700-5-100-5528-05 Continuing Education	2,190	0	-	-		-	
<b>TOTAL OTHER CHARGES</b>	<b>5,128</b>	<b>8,500</b>	<b>2,700</b>	<b>8,500</b>	<b>-</b>	<b>8,500</b>	
<b>Community Development</b>							
<b>CONTRACTUAL SERVICES</b>							
700-5-400-5471-00 Community Grants	3,000	10,000	-	-	(10,000)	-	eliminate line item in FY21; have not utilized this line item, but instead have funded under promotional as sponsorships if/as appropriate; EDSP recommended review of program
<b>TOTAL CONTRACTUAL SERVICES</b>	<b>3,000</b>	<b>10,000</b>	<b>-</b>	<b>-</b>	<b>(10,000)</b>	<b>-</b>	
<b>TRANSFERS</b>							
700-5-900-5900-10 XFER OUT - GF 180 Operating Reimbursement	154,303	181,963	181,963	181,963	(1,391)	180,572	
700-5-900-5900-11 XFER OUT - GF Community Events	37,500	37,500	37,500	37,500		37,500	
700-5-900-5901-10 Xfer Out - GF Shared Services ASA Fee	0	35,000	35,000	35,000		35,000	
700-5-900-5901-71 XFER OUT - Project Fund 701	411,056	745,275	745,275	-		369,174	
<b>TOTAL TRANSFERS</b>	<b>602,859</b>	<b>999,738</b>	<b>999,738</b>	<b>254,463</b>	<b>(1,391)</b>	<b>622,246</b>	
<b>TOTAL EXPENDITURES</b>	<b>615,431</b>	<b>1,024,588</b>	<b>1,006,638</b>	<b>269,313</b>		<b>639,596</b>	
<b>REVENUE OVER/(UNDER) EXPENDITURES</b>	<b>312,671</b>	<b>(156,464)</b>	<b>(85,599)</b>	<b>651,726</b>		<b>97,235</b>	
<b>ENDING FUND BALANCE</b>		<b>1,520,362</b>	<b>1,810,825</b>	<b>2,462,551</b>		<b>1,908,060</b>	

ACCOUNT #/DESCRIPTION	FY2019 ACTUAL	FY2020 CURRENT BUDGET	FY2020 PROJECTED YEAR END	FY2021 BASE BUDGET  (Est. Remaining)	NEW	FY2021	JUSTIFICATION
					PROGRAM	PROPOSED BUDGET	
					(FY21 Additional Budget)	(FY21 Est. Total)	
<b>701-4/B Projects Fund</b>							
BEGINNING FUND BALANCE	343,347	299,996	686,985	1,267,260		1,267,260	For items not specifically noted here, see 600 "Justification" column for notes
<b>REVENUES</b>							
INTEREST EARNED							
701-46000 INTEREST	9,314	6,650	10,000	6,650	-	6,650	
<b>TOTAL INTEREST EARNED</b>	<b>9,314</b>	<b>6,650</b>	<b>10,000</b>	<b>6,650</b>	<b>-</b>	<b>6,650</b>	
TRANSFERS							
701-49570 XFER IN - 4/B EDC FUND 700	411,056	745,275	745,275	369,174	-	369,174	
<b>TOTAL TRANSFERS</b>	<b>411,056</b>	<b>745,275</b>	<b>745,275</b>	<b>369,174</b>	<b>-</b>	<b>369,174</b>	
<b>TOTAL REVENUES</b>	<b>420,370</b>	<b>751,925</b>	<b>755,275</b>	<b>375,824</b>	<b>-</b>	<b>375,824</b>	
<b>EXPENDITURES</b>							
CONTRACTUAL SERVICES							
701-5-000-5470-01 Targeted Incentives	0	219,210	100,000	119,210	71,683	190,893	
701-5-000-5470-02 Promotional Expenses	30,257	121,046	30,000	91,046	71,683	162,729	
<b>NEW LINE ITEM - Land Acquisition</b>							
701-5-000-5470-03 Studies expense	46,475	173,179	30,000	143,179	71,683	71,683	EDCs requested FY21 budget include beginning to allocate cash for potential land acquisitions in future (similar to other set asides for incentives & promotional)
701-5-000-5470-04 Community Events	0	0	-	-	-	143,179	
<b>TOTAL CONTRACTUAL SERVICES</b>	<b>76,732</b>	<b>513,435</b>	<b>160,000</b>	<b>353,435</b>	<b>215,049</b>	<b>568,484</b>	
CAPITAL OUTLAY							
701-5-000-5600-09 Katy-Fulshear/Huggins Rd-ST20B	0	100,000	-	100,000	100,000	200,000	
701-5-000-5600-11 Livable Center Implement (EDC	0	125,000	-	125,000	(125,000)	-	
701-5-000-5600-12 Ec Dev Strat Plan Implement(EDC	0	125,000	15,000	110,000	-	110,000	
701-5-000-5600-13 Gateway, Corridor, Placemaki	0	50,000	-	50,000	(50,000)	-	
<b>701-5-000-5600-10 Texas Heritage Parkway</b>		91,125	-	91,125		95,000	
<b>TOTAL CAPITAL OUTLAY</b>	<b>0</b>	<b>491,125</b>	<b>15,000</b>	<b>476,125</b>	<b>(71,125)</b>	<b>405,000</b>	
TRANSFERS							
701-5-900-5900-30 Xfer Out #300 ST19D FM1093	0	87,500	-	87,500	25,250	112,750	
701-5-900-5900-51 Xfer Out #501 WMP-W18K	0	50,000	-	50,000		50,000	
701-5-900-5901-30 Xfer Out #300 FPT19A Parks	0	50,000	-	50,000	50,000	100,000	
701-5-900-5901-51 Xfer Out - #501 WMP-WW18E	0	75,000	-	75,000		75,000	
701-5-900-5902-30 Xfer Out-#300 FPT19B Livab	0	50,000	-	50,000	50,000	100,000	
701-5-900-5902-51 Xfer Out #501 D20B Dntwn Dra	0	100,000	-	100,000		100,000	
<b>NEW LINE ITEM XFER OUT-#501 D20A-West Drainage</b>					100,000	100,000	
<b>TOTAL TRANSFERS</b>	<b>0</b>	<b>412,500</b>	<b>-</b>	<b>412,500</b>	<b>225,250</b>	<b>637,750</b>	
<b>TOTAL EXPENDITURES</b>	<b>76,732</b>	<b>1,417,060</b>	<b>175,000</b>	<b>1,242,060</b>	<b>369,174</b>	<b>1,611,234</b>	
<b>REVENUE OVER/(UNDER) EXPENDITURES</b>	<b>343,638</b>	<b>(665,135)</b>	<b>580,275</b>			<b>(1,235,410)</b>	
<b>ENDING FUND BALANCE</b>	<b>686,985</b>	<b>(144,525)</b>	<b>1,267,260</b>			<b>31,850</b>	



ACCOUNT #/DESCRIPTION	FY2019 ACTUAL	FY2020 CURRENT BUDGET	FY2020 PROJECTED YEAR END	FY2021 BASE BUDGET	NEW PROGRAM	FY2021 PROPOSED BUDGET	JUSTIFICATION
<b>ECONOMIC DEVELOPMENT</b>							
PERSONNEL COSTS							
100-5-180-5210-00 Salaries	154,469	167,199	160,768	167,200		173,888	4% COLA
100-5-180-5210-03 Auto Allowance	4,985	4,800	4,800	4,800		4,800	
100-5-180-5230-00 Payroll Tax Expense	10,925	12,791	13,138	12,791		13,302	
100-5-180-5235-00 Employee Health Benefits	14,927	17,714	16,929	20,369		20,369	
100-5-180-5238-00 Retirement Contribution	12,233	12,298	13,554	12,298		12,881	
100-5-180-5239-00 Workers Compensation	381	403	403	403		279	
<b>TOTAL PERSONNEL COSTS</b>	<b>197,920</b>	<b>215,205</b>	<b>209,592</b>	<b>217,861</b>	<b>-</b>	<b>225,519</b>	
SUPPLIES							
100-5-180-5311-00 Supplies	1,142	2,500	2,500	2,500		2,500	
100-5-180-5314-00 Publications/Ref Material	420	730	500	730	(330)	400	
100-5-180-5316-00 Minor Tools & Equipment	53	2,000	2,000	2,000		2,000	
100-5-180-5326-00 Uniforms/Shirts	0	0	-	150		150	
100-5-180-5381-00 Meeting Expenses	1,271	2,000	2,000	2,000		2,000	
<b>TOTAL SUPPLIES</b>	<b>2,886</b>	<b>7,230</b>	<b>7,000</b>	<b>7,380</b>	<b>(330)</b>	<b>7,050</b>	
CONTRACTUAL SERVICES							
100-5-180-5411-10 Prof. Services - Consulting	12,906	25,000	20,000	25,000		25,000	
100-5-180-5411-14 Prof. Service Legal & Engine	3,158	20,000	20,000	20,000	10,000	30,000	will continue to formulate more processes, programs, etc. that will require legal counsel
100-5-180-5434-00 Telecommunications	1,933	2,200	2,200	2,200	(200)	2,000	\$150/mth X 12 = \$1800 + contingency of \$200
100-5-180-5440-00 Marketing	3,820	32,500	14,500	32,500	(7,000)	25,500	remove expenditures for ICSC travel & booth development
100-5-180-5472-00 Business Devlpmnt & Retentio	0	7,500	7,500	7,500	5,000	12,500	annual Size Up (SAAS - research tool for businesses) subscription
<b>TOTAL CONTRACTUAL SERVICES</b>	<b>21,817</b>	<b>87,200</b>	<b>64,200</b>	<b>87,200</b>	<b>7,800</b>	<b>95,000</b>	
OTHER CHARGES							
100-5-180-5520-00 Printing	129	2,500	2,500	2,500	(2,000)	500	business cards only; print any advertising collateral, etc., out of promotional
100-5-180-5527-00 Dues & Memberships	1,568	2,325	2,325	2,325		2,325	
100-5-180-5527-01 Dues & Memberships - Org.	13,280	17,250	15,000	17,250		17,250	
100-5-180-5528-00 Travel & Training	11,286	14,500	10,500	12,500		12,500	Fritz OUEDl coursework complete FY20
100-5-180-5530-00 Technology Maintenance	1,203	51,000	25,000	51,000	(26,000)	25,000	
100-5-180-5531-00 Mileage	429	1,500	1,500	1,500		1,500	
<b>TOTAL OTHER CHARGES</b>	<b>27,895</b>	<b>89,075</b>	<b>56,825</b>	<b>87,075</b>	<b>(28,000)</b>	<b>59,075</b>	
<b>TOTAL Economic Development</b>	<b>250,518</b>	<b>398,710</b>	<b>337,617</b>	<b>399,516</b>	<b>(20,530)</b>	<b>386,644</b>	





**ECONOMIC DEVELOPMENT  
COMMUNICATION FORM  
July 20, 2020**

ITEM	TITLE
	<b>Resolutions 2020-08</b>
<b>ITEM/MOTION</b>	
<p><b>CDC_A:</b> Consideration of and possible action on Resolution CDC 2020-08, a resolution of the CDC declaring projects of the Corporation for Fiscal Year 2020-2021, directing staff to publish notice of same, and setting a public hearing</p> <p><b>FDC_B:</b> Consideration of and possible action on Resolution FDC 2020-08, a resolution of the FDC declaring projects of the Corporation for Fiscal Year 2020-2021, directing staff to publish notice of same, and setting a public hearing</p>	
<b>ESTIMATED EXPENDITURE: N/A                      BUDGET ACCOUNT: N/A</b>	

**SUBMITTED BY:**

Angela E. Fritz  
Economic Development Director

**SUPPORTING DOCUMENTS:**

1. DRAFT Resolution CDC 2020-08
2. DRAFT Resolution FDC 2020-08
3. DRAFT Public Notices
4. Texas Local Government Code Chapters 505 Excerpt
5. Ordinance 2011-1046

**EXECUTIVE SUMMARY**

This item allows the Corporation to consider designating projects for Fiscal Year 2020-2021, direct staff to publish notice of same, and set a public hearing date.

Should the Boards adopt Resolutions 2020-08, notice of the projects will be published in the City's paper of record, beginning a 60 day wait period to allow for public petition. For the specific projects included in the project declaration, a public hearing will be scheduled for the EDCs' next regular meeting, and then EDCs' projects will be presented to City Council for final approval via Resolution at the City Council's next regular meeting.

Once 60 days have expired after the date the notice is first published, the public hearings have been held, and City Council has approved a Resolution on two separate readings authorizing specific expenditures over \$10,000, funds related to the specific projects may be expended by the Corporation. Should a new specific project arise throughout the fiscal year within the already-posted general project types, a public hearing would be required along with City Council adoption of a resolution authorizing expenditures of over \$10,000 before monies may be spent.



## CDC RESOLUTION NO. 2020-08

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 2020-2021, 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 2020-2021, 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 2020-2021 is \$444,846; and

WHEREAS, the Corporation wishes to participate in specific projects during Fiscal Year 2020-2021, being expenditures for capital projects found by the Board of Directors to promote new or expanded business development;

WHEREAS, the estimated expenditures for such projects in fiscal year 2010-2021 are:

- \$37,500 for Community Events
- \$100,000 for City of Fulshear CIP Project ST20B: Huggins Cost Participation
- \$3,875 for City of Fulshear CIP Project ST20C: Texas Heritage Parkway Cost Participation
- \$25,250 for City of Fulshear CIP Project ST20D: FM 1093 Cost Participation
- \$50,000 for City of Fulshear CIP Project FPT19A: Parks and Pathways Master Plan Implementation
- \$50,000 for City of Fulshear CIP Project FPT19B: Livable Center Study Implementation
- \$100,000 for City of Fulshear CIP Project D20A: West Side Drainage

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 2020-2021, 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 2020-2021 being expenditures for capital projects 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 17, 2020, at 5:30 p.m. at its regular meeting, the agenda and location for which will be posted no less than 72 hours ahead of time at [www.fulsheartexas.gov](http://www.fulsheartexas.gov).

PASSED AND APPROVED this 20<sup>th</sup> DAY OF July, 2020.

\_\_\_\_\_  
Andrew Van Chau, President  
City of Fulshear Development Corporation

ATTEST:

\_\_\_\_\_  
Prasad Garkhedkar, Secretary  
City of Fulshear Development Corporation

DRAFT



## FDC RESOLUTION NO. 2020-08

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 2020-2021, 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 2020-2021, 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 2020-2021 is \$447,971; and

WHEREAS, the Corporation wishes to participate in specific projects during Fiscal Year 2020-2021, being expenditures for capital projects found by the Board of Directors to promote new or expanded business development;

WHEREAS, the estimated expenditures for such projects in fiscal year 2010-2021 are:

- \$37,500 for Community Events
- \$100,000 for City of Fulshear CIP Project ST20B: Huggins Cost Participation
- \$3,875 for City of Fulshear CIP Project ST20C: Texas Heritage Parkway Cost Participation
- \$25,250 for City of Fulshear CIP Project ST20D: FM 1093 Cost Participation
- \$50,000 for City of Fulshear CIP Project FPT19A: Parks and Pathways Master Plan Implementation
- \$50,000 for City of Fulshear CIP Project FPT19B: Livable Center Study Implementation
- \$100,000 for City of Fulshear CIP Project D20A: West Side Drainage

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 2020-2021, 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 2010-2021 being community events, and capital projects 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 17, 2020, at 5:30 p.m. at its regular meeting, the agenda and location for which will be posted no less than 72 hours ahead of time at [www.fulsheartexas.gov](http://www.fulsheartexas.gov).

PASSED AND APPROVED this 20<sup>th</sup> DAY OF July, 2020.

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Thomas C. Kuykendall, Jr., President  
Fulshear Development Corporation

ATTEST:

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Jason Maklary, Secretary  
Fulshear Development Corporation

DRAFT



# PUBLIC NOTICE

## 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 projects:

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

Specifically, contributions for Community Events (\$37,500); and capital project contributions for City of Fulshear CIP Project ST20B: Huggins Widening/Extension Cost Participation (\$100,000), City of Fulshear CIP Project ST20C: Texas Heritage Parkway Construction Cost Participation (\$3,875), City of Fulshear CIP Project ST20D: FM 1093 Widening Cost Participation (\$25,250), City of Fulshear CIP Project FPT19A: Parks and Pathways Master Plan Implementation (\$50,000), City of Fulshear CIP Project FPT19B: Livable Center Study Implementation (\$50,000); and City of Fulshear CIP Project D20A: West Side Drainage (\$100,000).

The City of Fulshear Development Corporation will conduct a public hearing to solicit citizen input regarding the proposed projects identified and described above. The public hearing will be held during the Corporation's meeting on Monday, August 17, 2020, at 5:30 p.m. The agenda and location for same will be posted no less than 72 hours ahead of time at [www.fulsheartexas.gov](http://www.fulsheartexas.gov). 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) 346-8874



**PUBLIC NOTICE**  
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 projects:

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

Specifically, contributions for Community Events (\$37,500); and capital project contributions for City of Fulshear CIP Project ST20B: Huggins Widening/Extension Cost Participation (\$100,000), City of Fulshear CIP Project ST20C: Texas Heritage Parkway Construction Cost Participation (\$3,875), City of Fulshear CIP Project ST20D: FM 1093 Widening Cost Participation (\$25,250), City of Fulshear CIP Project FPT19A: Parks and Pathways Master Plan Implementation (\$50,000), City of Fulshear CIP Project FPT19B: Livable Center Study Implementation (\$50,000); and City of Fulshear CIP Project D20A: West Side Drainage (\$100,000).

The Fulshear Development Corporation will conduct a public hearing to solicit citizen input regarding the proposed projects identified and described above. The public hearing will be held during the Corporation's meeting on Monday, August 17, 2020, at 5:30 p.m. The agenda and location for same will be posted no less than 72 hours ahead of time at [www.fulsheartexas.gov](http://www.fulsheartexas.gov). 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) 346-8874



Sec. 505.157. PROJECTS RELATED TO BUSINESS ENTERPRISES IN LANDLOCKED COMMUNITIES. (a) In this section, "landlocked community" means a municipality that:

(1) is wholly or partly located in a county with a population of two million or more; and

(2) has within its municipal limits and extraterritorial jurisdiction less than 100 acres that can be used for the development of manufacturing or industrial facilities in accordance with the municipality's zoning laws or land use restrictions.

(b) For a landlocked community that authorizes or has authorized the creation of a Type B corporation, "project" also includes expenditures found by the board of directors to be required for the promotion of new or expanded business enterprises in the landlocked community.

Added by Acts 2007, 80th Leg., R.S., Ch. 885 (H.B. [2278](#)), Sec. 3.01, eff. April 1, 2009.

Sec. 505.158. PROJECTS RELATED TO BUSINESS DEVELOPMENT IN CERTAIN SMALL MUNICIPALITIES. (a) For a Type B corporation authorized to be created by a municipality with a population of 20,000 or less, "project" also includes the land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the corporation's board of directors to promote new or expanded business development.

(b) A Type B corporation may not undertake a project authorized by this section that requires an expenditure of more than \$10,000 until the governing body of the corporation's authorizing municipality adopts a resolution authorizing the project after giving the resolution at least two separate readings.

Added by Acts 2007, 80th Leg., R.S., Ch. 885 (H.B. [2278](#)), Sec. 3.01, eff. April 1, 2009.

Sec. 505.159. HEARING REQUIRED TO UNDERTAKE PROJECT. (a) Except as provided by Subsection (b), a Type B corporation shall hold at least one public hearing on a proposed project before spending money to undertake the project.

(b) A Type B corporation the creation of which was authorized by a municipality with a population of less than 20,000 is not required to hold a public hearing under this section if the proposed project is defined by Subchapter C, Chapter 501.

Added by Acts 2007, 80th Leg., R.S., Ch. 885 (H.B. 2278), Sec. 3.01, eff. April 1, 2009.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. 1969), Sec. 15.015(a), eff. September 1, 2009.

Sec. 505.160. ELECTION REQUIRED FOR PROJECT; PETITION. (a) A Type B corporation may undertake a project under this chapter unless, not later than the 60th day after the date notice of the specific project or general type of project is first published, the governing body of the authorizing municipality receives a petition from more than 10 percent of the registered voters of the municipality requesting that an election be held before the specific project or general type of project is undertaken.

(b) The governing body of the authorizing municipality is not required to hold an election after the submission of a petition under Subsection (a) if the voters of the municipality have previously approved the undertaking of the specific project or general type of project:

(1) at an election ordered for that purpose by the governing body of the municipality; or

(2) in conjunction with another election required under this chapter.

Added by Acts 2007, 80th Leg., R.S., Ch. 885 (H.B. 2278), Sec. 3.01, eff. April 1, 2009.

Sec. 505.161. PUBLIC PURPOSE DESIGNATION; EXEMPTION FROM TAXATION. (a) The legislature finds for all constitutional and statutory purposes that:

(1) a project of the type added to the definition of "project" by this subchapter is owned, used, and held for a public



**ORDINANCE NO. 2011-1046**  
**APPROVING THE PARTICIPATION OF THE FULSHEAR 4A DEVELOPMENT CORPORATION IN PROJECTS**  
**PREVIOUSLY APPROVED ONLY FOR 4B DEVELOPMENT CORPORATIONS UNDER THE AUSPICES OF HB**  
**3302**

**AN ORDINANCE OF THE CITY OF FULSHEAR APPROVING THE PARTICIPATION OF THE**  
**FULSHEAR 4A DEVELOPMENT CORPORATION IN PROJECTS PREVIOUSLY APPROVED**  
**ONLY FOR 4B DEVELOPMENT CORPORATIONS UNDER THE AUSPICES OF HB 3302;**  
**PROVIDING FOR SEVERABILITY AND SETTING AN EFFECTIVE DATE.**

**WHEREAS**, in the most recent Legislative session the Texas House of Representatives and Senate approved HB 3302 giving special dispensation to 4A Development Corporations located within communities with populations less than 7,500 persons; AND

**WHEREAS**, the Governor has signed this legislation into effect; AND

**WHEREAS**, the Board of Directors for the Fulshear 4A Development Corporation, duly appointed by the City Council passed a resolution at its Annual Meeting requesting the City approval to endeavor to participate in such project made allowable under the Act; and

**WHEREAS**, the City Council of the City of Fulshear, Texas believes that it is in the best economic interest of the City to avail itself of this special dispensation while eligible; and with the understanding that these capabilities will terminate once the City's population reaches the threshold set by this Act.

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

**SECTION 1.0**

**PURPOSE:** The purpose of this Ordinance is to approve the participation of the Fulshear 4A Development Corporation in projects previously approved only for 4B Development Corporations as allowed under the auspices of HB 3302.

**SECTION 2.0**

**APPROVED:** The City Council of the City of Fulshear hereby approves the participation of the Fulshear 4A Development Corporation in projects previously approved only for 4B Development Corporations as allowed under the auspices of HB 3302 until such time as the Council directs otherwise, or the City's population reaches the threshold defined in the Act.

**SECTION 3.0**

**SEVERABILITY CLAUSE:** That if any provision, word, sentence, paragraph, clause, phrase or section of this Ordinance or its application to any person or circumstances is adjudged or held invalid, void or unconstitutional, the invalid, void or unconstitutional portion shall not affect the validity of the remaining portions of this ordinance which shall remain in full force and effect.

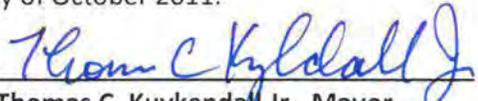
**SECTION 4.0**

**REPEALING CLAUSE:** All provisions in conflict with the provisions of this Ordinance shall be, and the same are hereby repealed, and all other provisions not in conflict with the provisions of this Ordinance shall remain in full force and effect.

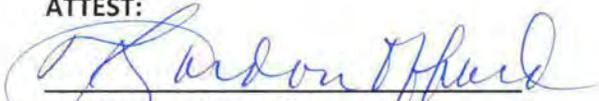
CITY OF FULSHEAR, ORDINANCE 2010-1046

**SECTION 5.0**

**EFFECTIVE DATE:** This Ordinance shall be effective on the first day of October 2011.

  
Thomas C. Kuykendall Jr., Mayor

**ATTEST:**

  
D. Gordon Offord, City Secretary





**ECONOMIC DEVELOPMENT  
COMMUNICATION FORM  
July 20, 2020**

ITEM	TITLE
	Minutes

**ITEM/MOTION**

**CDC:** Consideration and action on minutes of the Corporation for the June 22, 2020 Joint Annual Meeting

**FDC:** Consideration and action on minutes of the Corporation for the June 22, 2020 Joint Annual Meeting

**ESTIMATED EXPENDITURE:**

**BUDGET ACCOUNT:**

**SUBMITTED BY:**

**SUPPORTING DOCUMENTS:**

1. CDC Draft Minutes – June 22, 2020 Joint Annual Meeting
2. FDC Draft Minutes – June 22, 2020 Joint Annual Meeting

Chandler Marks  
Economic Development Coordinator

**EXECUTIVE SUMMARY**

Draft minutes are attached for the boards' consideration.





# CITY OF FULSHEAR DEVELOPMENT CORPORATION

A Type "A" Economic Development Sales Tax Corporation

PO Box 279 / 30603 FM 1093  
Fulshear, Texas 77441  
Phone: 281-346-1796 Fax: 281-346-2556  
[www.fulsheartexas.gov](http://www.fulsheartexas.gov)

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## **ANNUAL Meeting Minutes June 22, 2020 5:30 PM (Virtually)**

**Board Members Present:** Randy Etheridge, Prasad Garkhedkar, Rev. Jackie Gilmore, Tommy Kuykendall, Andrew Van Chau  
**Board Members Absent:** None  
**Staff & City Council Liaison:** Angela Fritz, Chandler Marks, Sharon Valiante, Byron Brown, John Kelly (Council Liaison)  
**Attendees:** Kaye Kahlich

### **1. Call to Order**

There being a quorum of the board present, Andrew Van Chau, President, called the meeting to order at 5:35 p.m.

### **2. Citizen's Comments**

Mr. Van Chau opened Citizen's Comments at 5:37 p.m.

No comments were presented.

Mr. Van Chau closed Citizen's Comments at 5:38 p.m.

### **Joint Corporation Annual Business:**

### **3. Welcome and introduction of new board directors**

Mr. Van Chau welcomed and introduced the new director, Mr. Garkhedkar. Some directors also introduced themselves. Mr. Garkhedkar provided an introduction and background about himself.

4. **Consideration of and possible action on election of officers of the Corporation in accordance with the Corporation Bylaws, to include the positions of:**
  - a) **President**
  - b) **Vice-President**
  - c) **Secretary**
  - d) **Treasurer**

**Motion to nominate Mr. Van Chau as President, Rev. Gilmore as Vice-President, Mr. Garkhedkar as Secretary, and Mr. Etheridge as Treasurer – Kuykendall; Second – Gilmore**

**Ayes: 5 – Roll call: Etheridge, Gardkedhar, Gilmore, Kuykendall, Van Chau**

**Nays: 0**

**Abstentions: 0**

**Joint Corporation Business:**

5. **Review and discuss update on small business grant program to support Fulshear businesses negatively impacted by COVID-19 and parameters for a potential second program**

ED Staff provided that during the original round of the applications for the program, there were 22 applications received by the deadline (June 5). Out of those, a total of eight (8) were approved, totaling \$38,750 in grants to local businesses. On June 16, City Council approved the adoption of an expanded grant program, which would continue the eligibility criteria of the original round and allow for eligibility for businesses which do not remit sales taxes for the City. Therefore, pending the corporations' approval in this meeting without modifications, staff can begin to accept applications again for the second round in the near future.

6. **Consideration and action on Resolution CDC 2020-05, a Resolution approving participation in a second City of Fulshear Chapter 380 economic development program to continue providing grants to small businesses negatively affected by COVID-19**

**Motion to adopt on Resolution CDC 2020-05, a Resolution approving participation in a second City of Fulshear Chapter 380 economic development program to continue providing grants to small businesses negatively affected by COVID-19 – Etheridge; Second – Gilmore**

**Ayes: 5 – Roll call: Etheridge, Garkhedkar, Gilmore, Kuykendall, Van Chau**

**Nays: 0**

**Abstentions: 0**

7. **Consideration and action on Resolution CDC 2020-06, a Resolution requesting the City of Fulshear modify the second Chapter 380 economic development program to continue providing grants to small businesses negatively affected by COVID-19**

Staff advised that action was not required, as modifications were not requested by the directors. No action taken.

**8. Consideration and action on financials and payables for the Corporation for the period ending April 30, 2020**

**Motion to approve the payables as presented, with reimbursement to the City under the Administrative Services Agreement in the amount of \$14,579.81 – Gilmore; Second – Etheridge**

**Ayes: 5 – Roll call: Etheridge, Garkhedkar, Gilmore, Kuykendall, Van Chau**

**Nays: 0**

**Abstentions: 0**

**9. Review and discuss items related to Fiscal Year 2020-2021 budget development and take action as necessary to direct staff:**

- a) Draft FY 2021 EDC Budgets – Operational and Projects Funds**
- b) Administrative Services Agreement and associated Economic Development Department budget**
- c) City Capital Improvement Plan (CIP) project funding requests**
- d) Budget schedule**

ED Staff provided an overview of items (a) and (d); Public Works Staff, of item (c).

It was explained to the new board directors that projects funds are basically sub-funds of the EDC, to think of them as savings accounts that can be used for capital improvement projects (CIPs) in the city limits. CIP projects such as the Huggins Drive extension, and storm sewer projects on the west and east sides of the city, are expected to commence relatively soon.

Based on the board's feedback, the budgets will be finalized and presented for final approval at the July meeting.

An updated final draft of the Administrative Services Agreement between the Corporation and City will be presented in July.

**10. Consideration and action on minutes of the Corporation for the May 18, 2020 Joint Meeting**

**Motion to approve the minutes as presented – Gilmore; Second – Etheridge**

**Ayes: 5 – Roll call: Etheridge, Garkhedkar, Gilmore, Kuykendall, Van Chau**

**Nays: 0**

**Abstentions: 0**

**11. Hear update from City Council liaisons**

Mr. Kelly (liaison, CDC – "A" and director, FDC – "B") and Ms. Martin (director and liaison, FDC – "B") provided overviews of topics discussed by city council in their recently prior meetings.

**12. Economic development report: Briefings or updates may be provided regarding City and Economic Development projects and programs, certificates of occupancy, conferences and meetings attended, upcoming meetings and events, business contacts and announcements, and economic indicators**

- a) **Update on Broadband Discovery Project**
- b) **Update on Innovation Hub Playbook Project**
- c) **Update on Transit Feasibility Project**
- d) **Update on COVID-19 business support**

ED Staff provided an overview of the status of each of these items, including a general overview of businesses that have been negatively affected in some way by or during COVID-19.

Mr. McCoy (FDC – “B,” ex-officio) said that the Fulshear Freedom Fest will be occurring on July 4 at Fulshear High School, albeit in a much abbreviated format from prior years.

**13. Review and discuss upcoming regular joint meeting schedule**

ED Staff provided the proposed schedule. The directors did not request any changes. No action taken.

**14. Future agenda items**

Mr. Kuykendall noted that any agenda item can always be submitted by a director to the board president and the economic development director for consideration.

**15. Announcements**

None

**16. Adjournment**

**Motion to adjourn @ 8:45 p.m. – Etheridge; Second – Gilmore**

**Ayes: 5 – Roll call: Etheridge, Garkhedkar, Gilmore, Kuykendall, Van Chau**

**Nays: 0**

**Abstentions: 0**

**Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020.**

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Prasad Garkhedkar, Secretary  
City of Fulshear Development Corporation

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Andrew Van Chau, President  
City of Fulshear Development Corporation





# FULSHEAR DEVELOPMENT CORPORATION

A Type "B" Economic Development Sales Tax Corporation

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**ANNUAL Meeting Minutes  
June 22, 2020  
5:30 PM (Virtually)**

**Board Members Present:** John Kelly, Ray Kerlick, Tommy Kuykendall, Jason Maklary, Stacy Mangum, Lisa Martin, Kim Stacy, Don McCoy (ex-officio)  
**Board Members Absent:** None  
**Staff & Council Liaison:** Angela Fritz, Chandler Marks, Sharon Valiante, Byron Brown  
**Attendees:** Kaye Kahlich

**1. Call to Order**

There being a quorum of the board present, Andrew Van Chau, President, called the meeting to order at 5:35 p.m.

**2. Citizen's Comments**

Ms. Mangum opened Citizen's Comments at 5:37 p.m.

No comments were presented.

Ms. Mangum closed Citizen's Comments at 5:38 p.m.

**Corporation Business:**

**3. Consideration and possible action to elect a President Pro-Tem**

**Motion to nominate Ms. Mangum as President Pro-Tem – Kuykendall; Second – Kerlick**

**Ayes: 7 – Roll call: Kelly, Kerlick, Kuykendall, Maklary, Mangum, Martin, Stacy**

**Nays: 0**

**Abstentions: 0**

**Joint Corporation Annual Business:**

**4. Welcome and introduction of new board directors**

Directors also introduced themselves to the new director, Ms. Stacy. Ms. Stacy provided an introduction and background about herself.

**5. Consideration of and possible action on election of officers of the Corporation in accordance with the Corporation Bylaws, to include the positions of:**

- a) **President**
- b) **Vice-President**
- c) **Secretary**
- d) **Treasurer**

**Motion to nominate Mr. Kuykendall as President, Ms. Mangum as Vice-President, Mr. Maklary as Secretary, and Mr. Kerlick as Treasurer – Kerlick; Second – Kelly**

**Ayes: 7 – Roll call: Kelly, Kerlick, Kuykendall, Maklary, Mangum, Martin, Stacy**

**Nays: 0**

**Abstentions: 0**

**Joint Corporation Business:**

**6. Review and discuss update on small business grant program to support Fulshear businesses negatively impacted by COVID-19 and parameters for a potential second program**

ED Staff provided that during the original round of the applications for the program, there were 22 applications received by the deadline (June 5). Out of those, a total of eight (8) were approved, totaling \$38,750 in grants to local businesses. On June 16, City Council approved the adoption of an expanded grant program, which would continue the eligibility criteria of the original round and allow for eligibility for businesses which do not remit sales taxes for the City. Therefore, pending the corporations' approval in this meeting without modifications, staff can begin to accept applications again for the second round in the near future.

**7. Consideration and action on Resolution FDC 2020-05, a Resolution approving participation in a second City of Fulshear Chapter 380 economic development program to continue providing grants to small businesses negatively affected by COVID-19**

**Motion to adopt on Resolution FDC 2020-05, a Resolution approving participation in a second City of Fulshear Chapter 380 economic development program to continue providing grants to small businesses negatively affected by COVID-19 – Kerlick; Second – Martin**

**Ayes: 7 – Roll call: Kelly, Kerlick, Kuykendall, Maklary, Mangum, Martin, Stacy**

**Nays: 0**

**Abstentions: 0**

- 8. Consideration and action on Resolution CDC 2020-06, a Resolution requesting the City of Fulshear modify the second Chapter 380 economic development program to continue providing grants to small businesses negatively affected by COVID-19**

Staff advised that action was not required, as modifications were not requested by the directors.  
No action taken.

- 9. Consideration and action on financials and payables for the Corporation for the period ending April 30, 2020**

**Motion to approve the payables as presented, with reimbursement to the City under the Administrative Services Agreement in the amount of \$14,579.81 – Kerlick; Second – Mangum**

**Ayes: 7 – Roll call: Kelly, Kerlick, Kuykendall, Maklary, Mangum, Martin, Stacy**

**Nays: 0**

**Abstentions: 0**

- 10. Review and discuss items related to Fiscal Year 2020-2021 budget development and take action as necessary to direct staff:**

- a) Draft FY 2021 EDC Budgets – Operational and Projects Funds**
- b) Administrative Services Agreement and associated Economic Development Department budget**
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It was explained to the new board directors that projects funds are basically sub-funds of the EDC, to think of them as savings accounts that can be used for capital improvement projects (CIPs) in the city limits. CIP projects such as the Huggins Drive extension, and storm sewer projects on the west and east sides of the city, are expected to commence relatively soon.

Based on the board's feedback, the budgets will be finalized and presented for final approval at the July meeting.

An updated final draft of the Administrative Services Agreement between the Corporation and City will be presented in July.

- 11. Consideration and action on minutes of the Corporation for the May 18, 2020 Joint Meeting**

**Motion to approve the minutes as presented – Gilmore; Second – Etheridge**

**Ayes: 7 – Roll call: Kelly, Kerlick, Kuykendall, Maklary, Mangum, Martin, Stacy**

**Nays: 0**

**Abstentions: 0**

## **12. Hear update from City Council liaisons**

Mr. Kelly (director, FDC – “B” and liaison, CDC – “A”) and Ms. Martin (director and liaison, FDC – “B”) provided overviews of topics discussed by city council in their recently prior meetings.

## **13. Economic development report: Briefings or updates may be provided regarding City and Economic Development projects and programs, certificates of occupancy, conferences and meetings attended, upcoming meetings and events, business contacts and announcements, and economic indicators**

- a) Update on Broadband Discovery Project**
- b) Update on Innovation Hub Playbook Project**
- c) Update on Transit Feasibility Project**
- d) Update on COVID-19 business support**

ED Staff provided an overview of the status of each of these items, including a general overview of businesses that have been negatively affected in some way by or during COVID-19.

Mr. McCoy said that the Fulshear Freedom Fest will be occurring on July 4 at Fulshear High School, albeit in a much abbreviated format from prior years.

## **14. Review and discuss upcoming regular joint meeting schedule**

ED Staff provided the proposed schedule. The directors did not request any changes. No action taken.

## **15. Future agenda items**

Mr. Kuykendall noted that any agenda item can always be submitted by a director to the board president and the economic development director for consideration.

## **16. Announcements**

None

## **17. Adjournment**

**Motion to adjourn @ 8:45 p.m. – Kuykendall; Second – Mangum**

**Ayes: 7 – Roll call: Kelly, Kerlick, Kuykendall, Maklary, Mangum, Martin, Stacy**

**Nays: 0**

**Abstentions: 0**

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Jason Maklary, Secretary  
Fulshear Development Corporation

\_\_\_\_\_  
Tommy Kuykendall, President  
Fulshear Development Corporation

DRAFT



**ECONOMIC DEVELOPMENT  
COMMUNICATION FORM  
July 20, 2020**

<b>ITEM</b>	<b>TITLE</b>
	<b>City Council Liaison Update</b>
<b>ITEM/MOTION</b>	
Hear update from City Council liaisons	
<b>ESTIMATED EXPENDITURE:</b>	<b>BUDGET ACCOUNT:</b>

**SUBMITTED BY:**

Angela E. Fritz  
Economic Development Director

**SUPPORTING DOCUMENTS:**

**EXECUTIVE SUMMARY**

This will be a regular, recurring agenda item to allow for City Council liaisons (Councilmember Kelly – “A”; Councilmember Martin – “B”) to provide an update on relevant topics.



**ECONOMIC DEVELOPMENT  
COMMUNICATION FORM  
July 20, 2020**

ITEM	TITLE
	<b>Economic Development Update</b>
<b>ITEM/MOTION</b>	
<p>Economic development report: Briefings or updates may be provided regarding City and Economic Development projects and programs, certificates of occupancy, conferences and meetings attended, upcoming meetings and events, business contacts and announcements, and economic indicators</p> <ul style="list-style-type: none"><li>a) Update on COVID-19 business support</li><li>b) Update on Broadband Discovery Project</li><li>c) Update on Innovation Hub Playbook Project</li><li>d) Update on Transit Feasibility Project</li></ul>	
<b>ESTIMATED EXPENDITURE:</b>	<b>BUDGET ACCOUNT:</b>

**SUBMITTED BY:**

Chandler Marks  
Economic Development Coordinator

**SUPPORTING DOCUMENTS:**

1. Economic Development Update – July 16, 2020

<b>EXECUTIVE SUMMARY</b>
<p>Staff will provide a general overview during the meeting.</p>





# CITY OF FULSHEAR

## Economic Development Update

### July 16, 2020

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#### 1. Fulshear Commercial Development (Permits) since last report:

- **Certificates of Occupancy (CO)** issued: Marcel Town Center buildings (A through G)
  
- **Business openings:** None
  
- **Currently Under Construction:**
  - Alders (West Cross Creek Bend Lane near FM 1093)
  - Brazos Valley Schools Credit Union (FM 1093 @ Argonne Drive)
  - Ivy Kids Cross Creek (West Cross Creek Bend Lane near FM 1093)
  - Local Table (FM 1463 @ South Fry Road)
  - Marcel Town Center (FM 1093 at Cross Creek entrance), including, so far, Apex Suites, Dr. Miller (Dentist), Experience Fusion, F45 Training, Monarch Title, Sylvan Learning Center, Wingology
  - Market at Cross Creek (FM 1463 @ Fulshear Bend Drive), including, so far, Leo's Kitchen, Orangetheory Fitness, Roosters
  - Rogers Road Business Park (FM 359 @ Rogers Road)
  - Shoppes at Cross Creek, including, so far, Molina's Mexican Kitchen (FM 1463 north of FM 1093)
  - Texana (FM 359 @ Wallis Street)

#### 2. City Council actions concerning development and/or Economic Development Corporations:

More info. on any of the items considered by City Council may be found in the City Council meeting packets available here: [http://www.fulsheartexas.gov/government/city\\_council2.php](http://www.fulsheartexas.gov/government/city_council2.php). **City Council Meeting Video is also available now!**

#### City Council meetings:

- City Council liaisons from each board will provide an update as a separate agenda item.
  - June 9 & June 16 (covered at the last EDC meeting since it was delayed a week)
  - July 21 (upcoming)

#### 3. Economic Development-Related Projects & Initiatives:

- **Business Visits and Outreach** - We've been in regular contact with our local businesses regarding COVID-19 resources, assistance, and business status.
  - ***We estimate there are 220 businesses that operate in Fulshear. As of the morning of Thursday, July 16, to the best of our knowledge, we estimate that out of these 220, at least 2 are temporarily closed, and at least another 13 are operating on very limited bases, as a result of COVID-19. This indicates a slight increase in these numbers just since the governor's mask mandate took effect on July 3, 2020.***
  - **Nevertheless, about 80% of businesses which were temporarily closed or operating on very limited bases as a result of COVID-19, have now, and remain, reopened.**
  
- **Small Business Grant Programs** – The second round of the City's Chpt. 380 program began accepting applications on June 30. Applications are being accepted, and grants are being awarded, on a rolling basis. The application will be open until funds (\$161,250 as of the June meeting) are exhausted or August 14 at 5:00 p.m., whichever occurs first. Simultaneously, we are also encouraging businesses to apply separately for Fort Bend County's Small Business Grant, which provides awards ranging from \$5,000 to \$25,000.

- **Business Development** – We continue to field calls and inquiries and host and attend familiarization meetings in Economic Development from people interested in opening businesses in Fulshear, or developing properties.
- **Fulshear First:** We have held a Father’s Day giveaway which ended on June 19; this was similar to the Mother’s Day giveaway that took place in May. Staff will provide additional information throughout the summer on similar and additional ideas that we would like to potentially pursue in the future to encourage folks to think #FulshearFirst.
- **Broadband Discovery Study** – Significantly completed. A draft Market Assessment has been provided and under staff review. We have seen a very modest increase in responses to the Survey since the June meeting. We have also been actively, continually engaging in public sector and third-party input to help us learn more in order to determine potential areas in which we may be able to leverage future investments to improve broadband services. We anticipate final results being delivered by Ken Demlow with HRGreen in a joint workshop with City Council in August. Once these plans are finalized, we will notify the boards via a calendar notice for same.
- **Innovation Hub Playbook** – We have issued a notice to proceed to The Cannon to begin work on the Fulshear Innovation Hub Playbook and provided the initial documents for their review. The Cannon has reviewed significant documentation provided by the City and begun conversations with stakeholders and residents. They are also expanding the project to include a “COVID-smart” strategy and membership technology which is currently under development. Staff is working to schedule a time with The Cannon to learn more about this.

In the coming weeks, staff will need to begin the process of scheduling focus groups for The Cannon to visit with. If you have someone you feel should be included in this, we would greatly appreciate that input ASAP so we can be sure we’re covering a good variety of folks with experience, knowledge, and interest in helping establish an entrepreneurial ecosystem in Fulshear. We have also visited with The Cannon about doing a general ‘open house/round table’ type event to catch anyone who may be interested (virtual at this point).

- **Customer Relationship Management (CRM) Software Acquisition & Implementation** – Staff have been in discussion with software provider Salesforce and contractor Coastal Cloud to enter into agreements with them for relatively fast implementation and training for the Economic Development Quick Start Solution. The corporations will discuss and consider approval of the contract with Coastal Cloud during this meeting, with City Council discussing and considering approval the following evening (July 21).
- **[Fort Bend Public Transportation Fulshear Transit Feasibility Study](#)** – The Fort Bend County Transit Department’s Fulshear Feasibility Study is currently on hold at the County’s request due to COVID-19. We remain in contact with the County’s staff regarding when the project might begin again.

4. Regional Partner Meetings & Events Attended:

- FKACC virtual meeting, HREDA virtual meeting, FBEDC virtual meetings, GHP economy virtual updates, Texas Downtown Association webinar, Fort Bend County Commissioner’s Court virtual meeting

5. Upcoming Meeting/Event Dates:

	<b>July 2020</b>	<b>August 2020</b>	<b>September 2020</b>
<b>HOLIDAY</b>	July 3 (City offices closed for Independence Day)	N/A	September 7 (Labor Day)  September 25 (Fort Bend County Fair Day)
<a href="#">FKACC Membership Meeting</a>	July 8	August 12	September 9
<a href="#">Joint Meeting CDC (A), FDC (B)</a>	July 20	August 17	September 21
<a href="#">City Council Regular Meeting</a>	July 21	August 18	September 15
<a href="#">City Council Special Meeting</a>	July 21	--	--
<a href="#">KAEDC General Assembly Meeting</a>	July 21	August 18	September 15
<a href="#">FBEDC Membership Meeting</a>	July 16	August 20	September 17

6. Economy Overview:

- [Greater Houston Partnership – Houston Economy at a Glance](#)
- [Federal Reserve Bank of Dallas – Houston Economic Indicators](#)
- [Federal Reserve Bank of Dallas – Texas Economy Update](#)
- [Federal Reserve Bank of Dallas – Texas Economic Indicators](#)
- [Outlook for the Texas Economy](#) - Texas A&M Real Estate Center
- [Key Economic Indicators](#) – Texas Comptroller’s Office

7. Quick Statistics:

<a href="#">Estimated Population (PASA)</a>	<b><i>Fulshear – October 2019</i></b> <b><i>Fulshear – October 2020</i></b>	<b>13,969</b> <b>16,083</b>
<a href="#">Unemployment</a> May 2020	Fort Bend Houston-Woodlands -Sugar Land MSA Texas United States	12.8% 13.9% 12.7% 13.0%
<a href="#">Sales Tax</a> July 2020 (May 2020 sales)	<b><i>Fulshear – Period / YTD</i></b> All Texas cities – Period / YTD	30.97% / 19.20% -1.12% / 0.16%
<a href="#">Crude Oil Price – West Texas Intermediate</a>	July 13, 2020 June 5, 2020 May 14, 2020 April 21, 2020 April 7, 2020 March 9, 2020 February 7, 2020 January 3, 2020 December 2, 2019 November 11, 2019 October 4, 2019 August 30, 2019 August 9, 2019	<b>\$40.10</b> \$39.55 <b>\$27.62</b> <b>\$11.26</b> <b>\$23.63</b> <b>\$32.12</b> <b>\$50.32</b> \$63.05 <b>\$55.96</b> \$56.86 <b>\$52.81</b> \$55.10 <b>\$54.50</b>

8. General Demographic Resources - Fulshear:

- Population and Survey Analysts Fulshear Update:  
[http://www.fulsheartexas.gov/community/demographic\\_reports.php](http://www.fulsheartexas.gov/community/demographic_reports.php)
- US Census Bureau Quick Facts:  
<https://www.census.gov/quickfacts/fact/table/fulshearcitytexas/PST120216>
- ESRI via FBEDC:  
[https://www.fortbendcounty.com/wp-content/uploads/2018/07/Fulshear-7\\_2018.pdf](https://www.fortbendcounty.com/wp-content/uploads/2018/07/Fulshear-7_2018.pdf)
- Zoom Prospector:  
<https://www.zoomprospector.com/communities/tx/city/fulshear/4827876>

9. Articles:

- [DATA: More than 40,000 jobs retained in Katy area due to first round of federal PPP loans](#)
- [Covid-19 has already redefined the office landscape for years to come](#)
- [Fulshear expands eligibility criteria for second round of COVID-19 small business grant program](#)
- [New restaurants opening in Houston in 2020](#)
- [Getting connected: City \[of Brownsville\] hires broadband consultant](#)
- [New Deloitte survey reveals why leaders are adopting 5G and Wi-Fi 6](#)
- [After months of economic woes in the Houston region, hints of a recovery](#)
- [Houston economy up; pace murky](#)





**ECONOMIC DEVELOPMENT  
COMMUNICATION FORM  
July 20, 2020**

ITEM	TITLE
	<b>Future Agenda Items</b>
<b>ITEM/MOTION</b>	
Future agenda items	
<b>ESTIMATED EXPENDITURE:</b>	<b>BUDGET ACCOUNT:</b>

**SUBMITTED BY:**

**SUPPORTING DOCUMENTS:**

Chandler Marks  
Economic Development Coordinator

<b>EXECUTIVE SUMMARY</b>
<p>This item allows the boards to request items for future discussion. Discussion regarding the particular items requested is not allowed at this time, as the items must be properly noticed for discussion at a future public meeting.</p>