

A RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS DIRECTING THE CITY MANAGER TO SUBMIT AN AMENDMENT TO THE CHAPTER 377 PROJECT FUNDING AGREEMENT BETWEEN THE FAIR OAKS RANCH MUNICIPAL DEVELOPMENT DISTRICT AND THE CITY OF FAIR OAKS RANCH TO INCLUDE THE FULL CONSTRUCTION COST FOR THE COMMUNITY CENTER PROJECT AND AUTHORIZING THE EXECUTION OF ALL APPLICABLE DOCUMENTS BY THE CITY MANAGER.

WHEREAS, in accordance with Chapter 377 of the Texas Local Government Code ("377"), the Fair Oaks Ranch Municipal Development District ("MDD") may establish and provide for the administration of a program for making loans and grants of public money to promote state or local economic development, stimulate business and commercial activity, as well as recreational or community facilities in the District, and

WHEREAS, the City Council authorized the execution of an amended Chapter 377 Project Funding Agreement on July 6, 2023, for the construction of a Community Center in the amount of \$1,200,000, and

WHEREAS, the City Council believes the Community Center Project to be highly aligned with be MDD's Missions, Goals, and Objectives, and and

WHEREAS, the Community Center Project RFP was advertised and the City received thirteen (13) proposals from interested parties, and

WHEREAS, an Evaluation Board, composed of City staff, a Councilmember, and an MDD board member, selected the proposal that provided the best value to the City, and

WHEREAS, the Evaluation Committee selected Crawford Henrichson & Crawford (CHC) Construction as the highest ranked offeror, and

WHEREAS, the final negotiated cost for the selected proposal is \$2,463,722.81, and

WHEREAS, the project construction cost exceeds the current Project Funding Agreement amount, and

WHEREAS, the City Council desires to continue with the Community Center Project and finds it to be in the best interest of the residents of the City of Fair Oaks Ranch to amend the Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS:

Section 1. The City Council directs the City Manager to submit an amendment (**Exhibit A**) to the Chapter 377 Project Funding Agreement between the MDD and the City, to include the full construction cost of the Community Center Project in the amount of \$2,463,722.81 and authorizes the execution of all applicable documents by the City Manager.

- Section 2.** That the recitals contained in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.
- Section 3.** If any provision of this resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this resolution would have been enacted without such invalid provision.
- Section 4.** That it is officially found, determined, and declared that the meeting at which this resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.
- Section 5.** All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this resolution are hereby repealed to the extent of such conflict, and the provision of this resolution shall be and remain controlling as to the matters resolved herein.
- Section 6.** This resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- Section 7.** This resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED, APPROVED, and ADOPTED on this 5th day of June, 2025.

Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, TRMC
City Secretary

Denton Navarro Rodriguez Bernal Santee & Zech
P.C., City Attorney