

City of Meadowlakes

RESOLUTION NUMBER 13-06

September 10, 2013

A RESOLUTION BY THE CITY OF MEADOWLAKES, BURNET COUNTY, TEXAS ESTABLISHING THE FISCAL YEAR 2014 ANNUAL REIMBURSEMENT COST AGREEMENT (ARCA) BETWEEN THE CITY AND THE MEADOWLAKES PUBLIC FACILITY CORPORATION; APPROVING SAID CORPORATIONS FISCAL YEAR 2014 OPERATING BUDGET.

WHEREAS, MEADOWLAKES PUBLIC FACILITY CORPORATION ("MPFC") a duly formed governmental entity as authorized in Chapter 303, Texas Local Government Code, and the CITY OF MEADOWLAKES, Burnet County, Texas a General Law Municipality governmental entity ("City"), as authorized by Section 791.001 of the Texas Government Code did enter into a binding , "Agreement Between the City of Meadowlakes and the Meadowlakes Public Facility Corporation for the Management of the Golf Course and Clubhouse Operations" and accompanying "Operating Lease Agreement" herein after referred to as "Agreements" both duly adopted by both parties, with a binding effective date of October 1, 2012, and;

WHEREAS, said Agreements requires that an Annual Reimbursement Cost Agreement (ARCA) document be prepared for the purposes of identifying specific items that are subject to reimbursement and associated cost between both parties thereof for the forthcoming fiscal year, and requires that the MPFC submit to the Council for consideration an operating budget for the forthcoming fiscal year;

WHEREAS, an ARCA for Fiscal Year 2014 which begins on October 1, 2013 and ends on September 30, 2014 has been prepared by the City based on the Agreements and;


WHEREAS, the MPFC has officially adopted an operating budget for Fiscal Year 2014 and has submitted said budget to Council for consideration; and

WHEREAS, the City and the MPFC are required to formally adopt the ARCA prior to September 15th of each new fiscal year.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Meadowlakes, hereby approves said ARCA attached hereto as Exhibit "A", and incorporated herein by reference and that the MPFC Fiscal Year 2014 operating budgeted attached hereto as Exhibit "B", incorporated herein; and that the Mayor be authorized to formally transmit said ACRA to the MPFC Board of Directors for formal adoption.


PASSED AND APPROVED this 10th day of September, 2013.

SIGNED:



Don Williams, Mayor

ATTEST:



Stephanie Littleton, City Secretary

Attachment "A"

**CITY OF MEADOWLAKES
AND MEADOWLAKES PUBLIC FACILITY CORPORATION
ANNUAL REIMBURSEMENT COST AGREEMENT
FISCAL YEAR 2014**

The City of Meadowlakes and the Meadowlakes Public Facility Corporation do hereby adopt the accompanying Annual Reimbursement Cost Agreement (ARCA) as a binding commitment of the parties for the purpose of governing and controlling the items subject to reimbursement between the parties and their related cost for the Fiscal Year 2014 as hereby established as per the attached Exhibit "A"; titled Fiscal Year 2014 Annual Reimbursement Cost Agreement.

This ARCA constitutes the entire agreement between the parties pertaining to the subject matter hereof, and this ARCA supersedes all prior agreements with respect to such subject matter. This ARCA may not be amended except with the express written consent of the governing bodies of both parties hereto.

AGREEMENT

WHEREAS, PREMISES CONSIDERED, the Annual Reimbursement Cost Agreement attached hereto as Exhibit "A" was approved by the governing body of each entity on the date indicated below, with an effective date of October 1, 2013.

City of Meadowlakes

APPROVED this 10th day of September, 2013.

SIGNED:



Don Williams, Mayor

ATTEST:



Stephanie Littleton, City Secretary

Meadowlakes Public Facilities Corporation

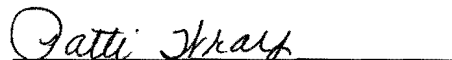
APPROVED this 19th day of September, 2013.

SIGNED:



Steve Hawkins, President
Board of Directors

ATTEST:



Patti Wray, Secretary
Board of Directors

Exhibit "A"

FY 2014 Annual Reimbursement Cost Agreement (ARCA) By and Between City of Meadowlakes (City) and the Meadowlakes Public Facility Corporation (PFC)

THE FOLLOWING RECURRING EXPENSES SHALL BE REIMBURSED DIRECTLY TO CITY BY THE PFC

1. **Lease** of Hidden Falls Golfing Complex per the terms Management Agreement executed by both parties dated September 13, 2011. \$12,000 per year paid monthly due and payable by the first day of each month.
2. **Loan** repayment as addressed in the "Agreement Between the City of Meadowlakes and the Meadowlakes Public Facility Corporation for the Management of the Golf Course and Clubhouse Operations" executed by both parties on September 12, 2011. Repayment of loan waived during fiscal year 2014.
3. **Raw Water Expenses** shall be reimbursed monthly to City based on usage. Payment shall be due and payable by the 15th of the month following usage. The PFC shall be responsible for all cost associated with the purchase of additional raw water from the Lower Colorado River Authority (LCRA) pursuant to the terms and conditions as established in Section A50 of the City Code of Ordinance of the City, as may be amended.

VARIABLE EXPENSES REIMBURSED DIRECTLY TO THE CITY BY THE PFC

1. Cost of providing property, liability, and worker's compensation insurance provided by the City's insurance carrier. The amount due shall be based on actual costs of providing such coverage's. Payment shall be due within five (5) days of PFC's receipt of said billing from City.
2. Prorated share of annual audit by the City's independent auditor shall be due within thirty (30) days of PFC's receipt of City's invoicing for said services.

RECURRING EXPENSES REIMBURSED DIRECTLY TO THE PFC BY CITY

The City's Utility Fund will provide \$7,500 in funding to the PFC as an electrical subsidy to assist with electrical cost associated with the dispersing of the City's treated effluent. This subsidy shall be paid in one annual payment on or about October 10, 2013 and credited toward a portion of the PFC's insurance expenses as referenced above.

OPTIONAL SERVICES PROVIDED BY CITY TO PFC OR PFC TO CITY – Cost of such services and/or equipment shall be based on cost of providing such services and/or equipment.

1. Supplies shall be reimbursed at actual cost.
2. Labor shall be reimbursed based on actual labor cost including benefits and shall be due upon invoicing.
3. Use of equipment and/or resources shall be based on established rates and fees and is due upon invoicing.