

City of Meadowlakes

RESOLUTION NUMBER 2014-006

September 9, 2014

A RESOLUTION BY THE CITY OF MEADOWLAKES, BURNET COUNTY, TEXAS ESTABLISHING THE FISCAL YEAR 2015 ANNUAL REIMBURSEMENT COST AGREEMENT (ARCA) BETWEEN THE CITY AND THE MEADOWLAKES PUBLIC FACILITY CORPORATION; APPROVING SAID CORPORATIONS FISCAL YEAR 2015 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 2015 which begins on October 1, 2014 and ends on September 30, 2015 has been prepared by the City based on the Agreements and;

WHEREAS, the MPFC has officially adopted an operating budget for Fiscal Year 2015 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 2015 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.

(Execution Page Follows)

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MEADOWLAKES
ON THIS THE 9TH DAY OF SEPTEMBER, 2014**

Signed:

Attest:

/s/ Mary Ann Raesener

/s/ Christy Fath

**Mary Ann Raesener, Mayor
City of Meadowlakes**

**Christy Fath,
City Secretary**

Exhibit "A"

**CITY OF MEADOWLAKES
AND MEADOWLAKES PUBLIC FACILITY CORPORATION
ANNUAL REIMBURSEMENT COST AGREEMENT
FISCAL YEAR 2015**

The City of Meadowlakes and the Meadowlakes Public Facility Corporation do hereby adopt the accompanying Annual Reimbursement Cost Agreement as a binding commitment of the parties for the purpose of governing and controlling the items subject to reimbursement between the parties and the related cost for the Fiscal Year 2015 as hereby established as per the attached Exhibit "A"; titled Fiscal Year 2015 Annual Reimbursement Cost Agreement.

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

AGREEMENT

WHEREAS, PREMISES CONSIDERED, the Annual Reimbursement Cost Agreement hereby attached as Exhibit "A" was approved by the governing body of each entity, hereto, and approved on the date so indicated below, and an effective date of October 1, 2014.

City of Meadowlakes

APPROVED this 9th day of September, 2014.

SIGNED:

/s/ Mary Ann Raesener
Mary Ann Raesener, Mayor

ATTEST:

/s/ Christy Fath
Christy Fath, City Secretary

Meadowlakes Public Facilities Corporation

APPROVED this 13th day of October, 2014.

SIGNED:

/s/ Larry Upton
Larry Upton, President
Board of Directors

ATTEST:

/s/ Patti Wray
Patti Wray, Secretary
Board of Directors

Exhibit "A"

FY 2015 Annual Reimbursement Cost Agreement (ARCA) Between City of Meadowlakes (City) and the Meadowlakes Public Facility Corporation (PFC)

RECURRING EXPENSES REIMBURSED DIRECTLY TO CITY BY THE PFC

1. **Lease** of Hidden Falls Golfing Complex per the terms Operating Lease Agreement executed by both parties dated September 13, 2011. \$1,200 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 2015.
3. **Raw Water** reimbursed monthly based on usage due and payable by the 15th of the month following usage; PFC responsible for all cost associated with the purchase of additional raw water (LCRA) as per the terms and conditions as established in Section A50 of the 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 actual amount to be determined based on actual costs of providing such coverage's. All associated cost to be paid within five (5) days of billing.
2. Prorated share of conducting annual audit by the City's independent auditor, due and payable within thirty (30) days of invoicing for said services.

RECURRING EXPENSES REIMBURSED DIRECTLY TO THE PFC BY CITY

The City's Public Works Fund will credit the PFC a total of \$7,500 per year, paid in October 2014 and credited toward the PFC's annual insurance expenses as addressed 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 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.