



**CITY OF FAIR OAKS RANCH
MUNICIPAL DEVELOPMENT DISTRICT SPECIAL
MEETING**

Wednesday, March 27, 2024 at 4:00 PM

Public Safety Training Room in the Police Station, 7286 Dietz Elkhorn, Fair Oaks Ranch

AGENDA

OPEN MEETING

1. Roll Call - Declaration of a Quorum
2. Pledge of Allegiance

CITIZENS and GUEST FORUM

To address the Board, please sign the Attendance Roster located on the table at the entrance of the Council Chambers. In accordance with the Open Meetings Act, the MDD Board may not discuss or take action on any item which has not been posted on the agenda. Speakers shall limit their comments to five (5) minutes each.

3. Citizens to be heard.

PURPOSE OF SPECIAL CALLED MEETING

4. Consideration and possible action to approve an MDD Funding Application from Leon Springs Fire Department.

Nicholas DiCianni, Subcommittee Chairman

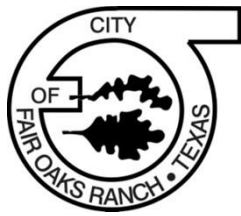
ADJOURNMENT

Signature of Agenda Approval: s/ Laura Koerner
Laura Koerner, MDD President

I, Amanda Valdez, TRMC, Deputy City Secretary, certify that the above Notice of Meeting was posted on the outside bulletin board at the Fair Oaks Ranch City Hall, 7286 Dietz Elkhorn, Fair Oaks Ranch, Texas, and on the City's website www.fairoaksranchtx.org, both places being convenient and readily accessible to the general public at all times.

As per Texas Government Code 551.045, said Notice was posted by 4:00 PM, March 24, 2024 and remained so posted continuously for at least 72 hours before said meeting was convened. A quorum of City Council and various boards, committees, and commissions may attend the Municipal Development District board meeting.

The Fair Oaks Ranch Police Station is wheelchair accessible at the front main entrance of the building from the parking lot. Requests for special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary's office at (210) 698-0900. Braille is not available.



**MUNICIPAL DEVELOPMENT DISTRICT
CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS**



AGENDA TOPIC: Consideration and possible action to approve an MDD Funding Application from Leon Springs Fire Department

DATE: March 27, 2024

Department: MDD Board of Directors

PRESENTED BY: Nicholas DiCianni, Subcommittee Chairman

INTRODUCTION/BACKGROUND:

City staff received an MDD funding application from the Leon Springs Fire Department (LSFD) on January 3, 2024 requesting funding for a mobile Potable Water tank to be used to provide drinking water in emergency situations when drinking water is unavailable (**Exhibit A**). LSFD is requesting \$12,333.75 for the purchase of a 1,000-gallon mobile tank that has an estimated total cost of \$13,000. LSFD is the contracted Fire Department for Fair Oaks Ranch. The department also services Leon Springs and other local communities with mutual aid agreements. At their January 10, 2024 regular meeting, the Fair Oaks Ranch Municipal Development District accepted the application and appointed a subcommittee to review the application and provide a recommendation to the Board. The MDD appointed Nicholas DiCianni to Chair the subcommittee which also includes Board Members Ruben J. Olvera and Steven Robertson.

The subcommittee used the following process to evaluate the request:

The subcommittee used the Board's existing process and methodology as well as reviewed the existing categories and application documentation to ensure consistency with the existing policy and to ensure compliance. A legal review was provided by the MDD's Attorney".

The criteria used in the evaluation is listed below:

- Matching the stated goals and objectives of the MDD
- Compliance with approved categories
- Compliance with state and local requirements
- Benefits to the citizens of Fair Oaks Ranch
- Risks, financial, liability, and precedent
- Financial commitment of the requestor

Findings:

- The request fits the MDD objectives and would offer benefits to the community if a water emergency existed
- The request did not comply with the MDD Category list in Appendix A
- Funding request did not have matching funds
- The requesting organization is outside of the City of Fair Oaks Ranch and its ETJ'S funding may set a precedent

- Having a mobile unit does present some potential risks such as damage from use and being out of the city when mutual aid has been requested

The subcommittee used the Policy statement and Categories along with the procedures in Appendix A and B of the “Fair Oaks Ranch Municipal Development District Policy for Evaluation of Development Projects” (**Exhibit B**) to evaluate the LSFDF application. While the project offers benefits it is not in compliance with the Categories in Appendix A and is being submitted by an organization outside of the City of Fair Oaks Ranch and its ETJ’s which may set a precedent for future requests. The subcommittee unanimously agrees that it cannot recommend funding this project at this time.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

The MDD policy for evaluating, and approving funding of developing project grants will be conducted in accordance with the approved guidelines that have been established by the Board. The established guidelines, titled “Fair Oaks Ranch Municipal Development District Policy For Evaluation Of Development Projects” (**Exhibit B**), that have been approved by the Board are to ensure consistency and objectivity when evaluating project applications.

To assess eligibility of the proposed project, the Board has established Eligibility Categories (referenced in Appendix A of **Exhibit B**) that describe the types of projects that are qualified for MDD funding consideration. The approved categories listed in Appendix A are: Façade Improvement Program, Infrastructure Projects, Civic Venues & Related Improvements, and Recreation & Community Projects.

Projects proposed should be from businesses, organizations, or agencies within the City of Fair Oaks Ranch or its ETJ’s. Projects should provide benefits to the citizens of Fair Oaks Ranch with minimum risk to the City.

BUDGETARY IMPACT:

If the grant application is approved, a Budget Amendment appropriating \$12,333.75 will be required as no grant expenditures have been budgeted this fiscal year. Budget Amendments must be approved by the Board and City Council.

LEGAL ANALYSIS:

The MDD Attorney was consulted by the subcommittee during the evaluation process.

RECOMMENDATION/PROPOSED MOTION:

The subcommittee recommends that the MDD Board of Directors not approve the application due to ineligibility under the “Fair Oaks Ranch Municipal Development District Policy for Evaluation Of Development Projects”.

MOTION: I move to approve the MDD Funding Application from Leon Springs Fire Department for a 1,000 gallon mobile tank for an amount not to exceed \$12,333.75



Saturday, December 30, 2023

Contact Information

Municipal Development District Funding Application

210-698-0900

www.fairoaksranchtx.org/287/Municipal-Development-District

Fair Oaks Ranch Municipal Development District Mission Statement

Accepted

Applicant

Assistant Chief Creech

Business Name

Leon Springs Fire Department

Contact Name

Andrew Creech

Title

Assistant Chief

Address

26217 Ralph Fair Rd
Boerne, TX, 78015

Primary Phone

(210) 827-5848

Secondary Phone

(210) 698-1593

Business Email

acreech@leonspringsvfd.org

Website

<https://leonspringsvfd.org/>

Project Information

Address of Project

7899 Fair Oaks Parkway
Fair Oaks Ranch, TX, 78015

Applicant Tax ID#

23-7297535

Name of Property Owner

City of Fair Oaks Ranch

Property Owner Mailing Address

7286 Dietz Elkhorn Rd
Fair Oaks Ranch, TX, 78015

Property Owner Primary Phone (210) 698-0900

List of Partners/Principals of the Business

<u>2106960900</u>	<u>100</u>
Phone Number	Ownership %

<u>2106980900</u>	<u>100</u>
Phone Number	Ownership %

Project Type Municipal

Applicant's relevant experience for the project for funding of project requested

The Leon Springs Fire Department (LSFD) is an All-Hazard response organization that has been the primary fire department for the citizens of the City of Fair Oaks Ranch and Bexar County Emergency Services District 4 (ESD 4) for the last 50 years. During this time, the fire department has responded to all types of emergencies and calls for service across the Northwest Bexar County area, including the winter storm and associated freeze in February 2021.

This event resulted in the loss of electricity, heat, and water services to large portions of the City of Fair Oaks Ranch and ESD 4. Residential pipes became frozen, leaving citizens without potable water in their homes. To counter this danger to the citizens we serve, the Leon Springs Fire Department set up water distribution sites in Fair Oaks Ranch and ESD 4, delivering over 3000 gallons of water to citizens. These sites allowed people to stay in their homes and not be displaced to warming centers or shelters.

The water supply issue has been highlighted on more minor scales during the summer when peak water usage stresses the area's water system. In the event of a water system failure or disruption, LSFD would again be called on to help support the community and assist in mitigating the emergency

Project Title Potable Water Distribution Trailer

Describe what the project entails

This project entails the procurement of a 1000-gallon potable water distribution trailer. The outlined trailer is DOT-certified and towable with current fire department service vehicles, limiting the need for any further expense. All fire department personnel would train on trailer operations before the asset was placed into service. The Leon Springs Fire Department would then notify our community partners (uniformed and civilian) of the new asset's capabilities and availability for response. The trailer would be housed at Station 133, centrally located on the parkway in Fair Oaks Ranch. This location gives quick and easy access to any area in the city.

Project Objective

The project aims to prepare the local area better when utilities and essential services are lost for short or extended periods. Having the ability to coordinate the delivery of potable water with community partners such as the Fair Oaks Ranch Police Department, Bexar County Sheriff's Office, the Kendall and Bexar County Emergency Operations Centers will limit the disruption to citizens and save lives.

Our after-action assessments of previous water distribution operations revealed several limiting factors, including LSFD procuring sufficient amounts of bottled water, transporting that water from stores to distribution sites, and the citizens' transport devices. Most people arrived at the sites with 5-gallon buckets or totes to transport water. This style of distribution trailer facilitates easy filling of that type of reciprocal, getting more water to more people faster.

Expected Benefits

Procurement of this asset will allow LSFD to distribute potable water to the citizens of Fair Oaks Ranch and the surrounding areas more effectively. A resource of this type can keep citizens in their homes, off

the roads, and alive when a significant weather disaster affects our area. However, it is equally as valuable in the case of a more frequent and much less severe situation, such as a water main break resulting in water loss to neighborhoods.

Funds Requested

The Leon Springs Fire Department requests \$12,333.75 to purchase and deliver a potable water distribution trailer. The Leon Springs Fire Department would take on all maintenance, insurance, and reoccurring costs associated with the trailer.

Applicant Funding Source

Has Applicant received economic assistance before?

No

Estimated Total Cost of the Project 13,000.00

Funds Requested 12,333.75

Estimated Date of Project Commencement Thursday, February 1, 2024

Estimated Date of Project Completion Friday, March 1, 2024

Contractor Information

(Note: Contractor detailed cost estimate must be attached)

Blueprints or Rendering must be attached

Required Documents to be Attached:

1. **Applicable Building Permits and Zoning Board approval**
2. **Contractor's detailed cost estimate on Contractor's letterhead**
3. **Project Budget breakdown of all anticipated expenses**
4. **Plan for post-construction upkeep and sustainable ongoing operations**
5. **Letter from Property owner if the applicant is a tenant authorizing the project**
6. **Photographs of project location and existing structure**
7. **Detailed project plan and timeline for major milestones**
8. **FORHA and Unit HOA Restriction Committee Approvals (if applicable)**

Upload Required Documents

ABI trailer quote.pdf

Applicant's Signature



Date

Saturday, December 30, 2023

TITLE	20230602105748688
DOCUMENT ID	233637018597061
DOCUMENT PAGES	4
STATUS	COMPLETED
TIME ZONE	America/Chicago

DOCUMENT HISTORY

 Signed	Dec 30, 2023 06:29 PM	Signed IP: 70.130.122.175
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Exhibit A

Item #4.



ABI Attachments, Inc.
520 S Byrkit St.
Mishawaka IN 46544
United States
877-788-7253
www.ABIattachments.com

Quote #QO423447

ID #: 462833 Leon Springs Fire Department
Quote Date: 12/15/2023

Bill To

Leon Springs Fire Department
Andrew Creech
210-827-5848
26217 Ralph Fair Rd
Boerne TX 78015
United States

Ship To

Leon Springs Fire Department
Andrew Creech
210-827-5848
26217 Ralph Fair Rd
Boerne TX 78015
United States

Quote Details

Expires - End Of Month Quoted
Terms -
Quoted By - Korey Scott

Notes:

Quantity	Items	Weight	Price	Amount
1	WW1000BDOT 1000 Gal (DOT) - ABI Water Trailer (Black Tank) ABI's 1000 Gallon (DOT) Water Trailer features a purpose-built commercial-quality 6" channel iron frame, tandem 5,200 lb axles, leaf spring suspension, 6-lug axle, electric brakes, brake/tail lights, fenders, and a fully draining elliptical black poly tank. Trailer GVWR: 10,400 lbs., Unit Weight (Dry): 1,900 lbs., Unit Weight Loaded: 10,150 lbs. 136-Month Limited Commercial Warranty (12 Month Rental) Min. Vehicle Req: 3/4-Ton truck with at least a 10,200 lb. tow rating 1 (Engine, pump, and plumbing sold separately)	1,950	\$9,854.00	\$9,854.00
1	WWTSB "T" Gravity Feed Distribution for 500/1000/1600 Gal Trailers "T" Gravity Feed Distribution for 500/1000/1600 Gal Trailers	0	\$597.00	\$597.00
1	WW500/1000DRT4 (4) Radial Tires For 500/1000 Gal Water Trailers (4) Radial Tires For 500/1000 Gal Water Trailers	0	\$999.00	\$999.00
1	WWHB Hitch - Ball Coupler (2 5/16") for 500 & 1000 Water Trailer Hitch Ball 2 5/16" Coupler for 500 & 1000 Water Trailer	15	\$149.00	\$149.00
1	DOT-TEMP-TAG 30 Day Temporary Tag for DOT Water Trailers 30 Day Temporary Tag for DOT Water Trailers		\$29.75	\$29.75
1	AMG30 AttachMatch™ Guarantee Certified Order (30 Days) This order qualifies for the ABI Attachments AttachMatch™ Guarantee! This guarantee provides the purchaser with 30-days from the date of delivery to ensure the attachments on this order match the purchaser's current and disclosed usage application, work requirements, and vehicle capabilities. If it does not match, ABI Attachments will return the products on this order and issue a full refund of the purchase price and refund any freight costs charged. The purchaser is responsible for the cost of return freight charges. The purchaser is responsible to fully disclose their current usage application(s), work requirements, and the vehicle model(s) that will be used with the attachment(s) on a particular order, at the time of ordering. ABI Attachments does not guarantee any change in usage application, work requirements, or vehicle specifications after the order has been shipped. Some limitations apply, see the documentation for details here: https://www.abiattachments.com/attachmatch-guarantee/		\$0.00	\$0.00

Subtotal	\$11,628.75
Shipping Cost	\$1,105.00
Shipping Discounts (-)	(\$400.00)
Shipping Due	\$705.00
Tax Total (%)	\$1,017.58
Total	\$13,351.33
Total Savings:	\$400.00

Freight Carrier: Flat Bed - Direct Drive Logistics

Freight Accessorials Ordered: - Call Ahead - - Over Dimension -

Customer Support: Phone Support 877-788-7253, Mon-Fri, 9am-5pm EST or ABIsupport.com for product manuals, parts, and self-help.

Return Policy: Product(s) sold with limited product warranty, standard return policy (shown here), and (when eligible) a conditional AttachMatch money-back guarantee. Review Details: <https://www.abiattachments.com/abi-company/policies/return-policy/> ABI's Standard 30-Day Return Policy: ABI will consider a refund on returns initiated within thirty (30) days of delivery of UNUSED products. ABI encourages customers to use caution when placing an order, as once shipped, the item may only be returned or exchanged if ABI expressly consents. Refunds are for the product's purchase price only; shipping and handling charges are not refundable. The customer is responsible for all shipping expenses associated with the transaction; these expenses include those incurred to deliver the product to the customer by ABI and shipping expenses incurred to return the product to ABI from the customer. If the product(s) has been used or otherwise reduced in resale value, up to a twenty-five percent (25%) restocking fee may be applied to items returned. If the customer utilized financing or otherwise has not paid ABI monies sufficient enough to cover the aforementioned expenses, the customer will be

Exhibit A



2 of 2

FAIR OAKS RANCH MUNICIPAL DEVELOPMENT DISTRICT POLICY FOR EVALUATION OF DEVELOPMENT PROJECTS

(Approved 10-13-2021 and reaffirmed by Resolution 2023-02 on 10-11-2023)

POLICY STATEMENT

Purpose

The purpose of the Policy for Evaluation of Development Projects is to establish an objective and consistent process for evaluating proposed development projects to ensure that Fair Oaks Ranch Municipal Development District (MDD) Board (the Board) project grant awards are in compliance with legal and policy requirements and provide enduring value for Fair Oaks Ranch.

Policy Statement

It is the policy of the Board that evaluation, approval, and funding of development project grants will be conducted in accordance with approved guidelines established by the Board.

Process Framework

A development project evaluation process will be established through guidelines approved by Board to ensure that development project grant proposals are consistently and objectively evaluated. The overall framework for the guidelines will include the following:

1. Each proposed development project grant will be evaluated to determine merit for funding based on the MDD Board's assessment of eligibility and quality.
2. To assess eligibility of proposed development project grants, the Board will establish a Eligible Project Category List (Appendix A) to describe the types of projects that are qualified for MDD funding consideration. The categories on the Eligible Project Category List may be modified at the discretion of the Board. Items may be placed on the Eligible Project Category List by the MDD Board based on the following criteria:
 - 2.1. Compliance with relevant statutes and City ordinances & codes
 - 2.2. Alignment with MDD Board's mission, goals & objectives
3. The Board will establish Project Application & Evaluation Guidelines (Appendix B) to evaluate eligible development project grant proposals in an objective and consistent method. The Project Application & Evaluation Guidelines may be modified at the discretion of the Board.

Process Implementation and Review

1. The MDD Board Treasurer is responsible for implementing and managing the evaluation process (Appendices A and B) and reporting results to the Board
2. Any member of the Board may propose changes to the evaluation process, but action of the Board is required to make a material change to the evaluation process and associated guidelines.
3. The Board will review this policy and associated guidelines (Appendices A and B), as deemed necessary, but no less often than once every two years, and will take action to reaffirm, modify or replace the policy or guidelines.

Appendix A MDD Eligible Project Category List

Category Name	Category Description
Façade Improvement Program	Matching funds reimbursement to incentivize façade improvements to bring existing qualified store fronts up to FOR form-based zoning standards
Infrastructure Projects	<ul style="list-style-type: none"> • Contributions in aid of construction for utility infrastructure as an incentive for qualified commercial or mixed-use development projects, or • Reimbursements for costs incurred on projects or initiatives that enable or promote business development
Civic Venues & Related Improvements	Reimbursement for construction or remodeling costs as an incentive for qualified civic venue projects
Recreation & Community Projects	<ul style="list-style-type: none"> • Contributions in aid of construction for qualified recreational facility projects, or • Reimbursements for costs incurred on qualified projects or initiatives that enable pedestrian and bicycle mobility by means of a contiguous park & trail system

Appendix B

Project Application and Evaluation Guidelines

1. Project Application Guidelines

1.1. Project Scoring Dimensions

For each proposed project, information & documentation should be collected and analyzed to gain satisfaction that the project is eligible for funding based on reasonably satisfying the requirements under each of the following dimensions:

- Compliance: MDD statutory constraints; City ordinances & codes
- Fit to FOR MDD mission, goals & objectives
- Economic and/or quality of life benefits: extent & duration
- Project quality: counterparty qualifications, project delivery risk and ongoing operations risk

1.2. Application Submittals

The required information & documentation may be satisfied via the following means:

- The required type and extent of information required may be submitted using an application form provided by the MDD or a grant proposal submitted by the applicant.
- Additional information required to assess an application may be requested from the applicant via a direct request from the designated MDD representative.
- Additional information required to make a final decision could be requested via a direct request from the MDD Board to the applicant.

1.3. Applicant Contact & Background Information

- Names and contact information for the natural person and/or entities that will have primary responsibility for delivery of the project and outcomes/ongoing benefits.
- If applicant is an entity, names and contact information for all principals who will have a significant role in the project.
- Legal form of entity
- Primary area of business activity
- Single point of contact for communication regarding application
- Resume: Applicant experience relevant to ability and capacity to deliver on project commitments

1.4. Project Contact Information

- Project site physical address
- Name of owner of project site property
- Site Owner's physical mail address, telephone number and email address

1.5. Project Summary Information

- Project Title
- Project Executive Summary (Template provided by MDD):
 - Executive outline of project objectives, desired outcomes & community benefits, including economic impact
 - Total project cost
 - Grant request
 - Other sources of financing
 - Target commencement date
 - Target completion date

1.6. Application Documents (provided at Applicant's discretion or requested by MDD based on project category & scope)

- Property owner acknowledgment & consent
- Detailed project work plan & timeline
- Project budget
- Plan for post-construction upkeep and ongoing operations of asset
- Design drawings
- Contractors & subcontractors
- Material specifications
- City zoning & permits documentation, as applicable
- Detailed information relating to project objectives, outcomes & community benefits (optional at Applicant's discretion)

1.7. Conditions & Acknowledgements

- One grant at a time per applicant/property owner.
- Grant acceptance is at MDD discretion.
- Grant is based on availability of funds within the MDD budget.

- Grant is subject to acceptance of MDD Terms & Conditions.
- Grantee is obligated to fulfill commitments of project objectives & benefits.

2. Project Evaluation Guidelines

2.1. Due Diligence Evaluation Criteria

For each proposed project, sufficient and competent information should be collected and analyzed to allow the Board to determine that the project reasonably meets the Board's standards for granting funds to a project. For all proposed projects, the following dimensions will be evaluated:

- **COMPLIANCE**
- **FIT**
- **BENEFITS** - Economic and/or quality of life benefits: extent & duration
- **RISK** - Project quality: counterparty qualifications, project delivery risk and ongoing operations risk

2.2. Evaluation Methodology

All project proposals will be assessed as follows:

- The President of the Board may choose to establish a subcommittee to perform the evaluation.
- If a subcommittee is used to perform the evaluation, the subcommittee will provide a report and recommendation to the Board for consideration and possible action.
- The project evaluation represents one aspect of the Board's considerations in making a grant award decision.
- COMPLIANCE will be evaluated based on the eligibility of project in accordance with Eligible Project Category List (Appendix A).
- Information provided by the applicant will be evaluated to determine FIT, BENEFITS, and RISK.
- FIT will be evaluated based on conformance with the MDD mission goals and objectives.
- BENEFITS will be evaluated for economic and/or quality of life benefits, including extent and duration of the benefits to Fair Oaks Ranch.
- RISK will be evaluated for project quality considering counterparty qualifications, project delivery risks and ongoing operations risks.

- The desired outcome of the Boards deliberation will be to arrive at a decision that a project qualifies or does not qualify for funding based on COMPLIANCE, FIT, BENEFITS and RISK.
- The decision to approve project grant funding and funding amount is at the discretion of the Board.
- The decision regarding the availability and source of funds for a proposed project is at the discretion of the Board