



TOWN COUNCIL REGULAR MEETING

Wednesday, July 19, 2023 at 6:00 PM
Fulton Council Chambers, 201 N. 7th Street

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE – U.S. Flag and Texas Flag

OBSERVE A MOMENT OF SILENCE/PRAAYER

CITIZENS TO BE HEARD (PUBLIC FORUM)

Public participation is valued and at this time, comments limited to three (3) minutes will be taken from persons who have signed the Speaker's Card located on the table inside the Council Chambers and delivered to the City Secretary before the meeting begins. Written comments received by submission to the City Secretary in person or emailed to citysec@fultontexas.org by 3:00 p.m. on the day of the meeting, on any subject matter that is not on the agenda, will be read and summarized in the minutes of the meeting. Persons wishing to address the Council and who have registered using the Speaker's Card will have up to three (3) minutes to speak. In accordance with the Open Meetings Act, Council may not discuss or take action on any item that has not been posted on the agenda. While civil public criticism is not prohibited; disorderly conduct or disturbance of the peace as prohibited by law shall be cause for the chair to terminate the offender's time to speak.

CONSENT AGENDA

All consent agenda items listed are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

- 1. Discuss/Approve/Disapprove** minutes of the Regular Town Council Meeting held on June 21, 2023 and the Special Budget Workshop meeting held on July 14, 2023.

ITEMS FOR CONSIDERATION

2. Receive report from Belt Harris Pechacek, LLLP regarding the 2021-2022 audit.
3. **Discuss/Approve/Disapprove** the Fiscal Year 2021 – 2022 Town of Fulton Audit as presented by Belt Harris Pechacek, LLLP.
4. **Discuss/Approve/Disapprove** Ordinance No. 312 an Ordinance Amending Ordinance No. 303 Adopting the 2022-23 Budget in Several Funds in Accordance with the Attached Exhibit.
5. **Discuss/Approve/Disapprove** Resolution R-07-2023 a Resolution authorizing the Town to Issue a Request for Proposal for Bank Services - Bank Depository for the Town.

- 6. Discuss/Approve/Disapprove** Resolution R-08-2023 a Resolution authorizing the Town to Issue a Request for Proposal for bids to perform a build out of the Town of Fulton's Police Department offices.

CLOSED SESSION

The Town Council may elect to go into closed session pursuant to Chapter 551, Government Code on any Agenda item where appropriate and particularly Sections 551.071 (consultation with attorney) and 551.074 (personnel matters), Government Code.

OPEN SESSION

Discuss/Approve/Disapprove any and all action necessary with regard to the preceding matter(s).

ANNOUNCEMENTS

7. Mayor's Update.
8. The next Regular Fulton Town Council Meeting will be held Wednesday, August 2, 2023, beginning at 6:00 pm.

EXECUTIVE SESSION - PUBLIC NOTICE is given that the Town Council may elect to go into executive session at any time during the meeting in order to discuss any matters listed on the agenda when authorized by the Open Meetings Act, Chapter 551, Texas Government Code. If the Council elects to go into executive session regarding an agenda item, the section or sections of the Open Meetings Act authorizing the executive session will be publicly announced by the Mayor. The Council may deliberate and take action in open session on any issue that may be discussed in executive session.

ADJOURNMENT

NOTICE

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 361/729-5533 or by email at citysec@fultontexas.org for further information. Braille Is Not Available. The Town of Fulton reserves the right to convene into Closed Session under Government Code 551.071-551.074 and 551-086.

CERTIFICATION

I certify that the above notice of meeting was posted at Town Hall, 201 N. Seventh Street, Fulton, Texas, on Friday, July 14, 2023, at 4:00 p.m., and at the U.S. Post Office located at 301 Cactus Street, Fulton, Texas. I further certify that the following News Media were properly notified of this meeting as stated above: The Rockport Pilot.

/S/ Stephanie Garcia, City Secretary



TOWN COUNCIL REGULAR MEETING

Wednesday, June 21, 2023 at 6:00 PM
 Fulton Council Chambers, 201 N. 7th Street

MINUTES

CALL TO ORDER

PRESENT

Mayor Kelli Cole
 Mayor Pro Tem Robert Lofflin
 Place 2 Chris Garis
 Place 3 MaryAnn Pahmiyer
 Place 4 Margo Nielsen
 Place 5 Laura McCorkle

STAFF PRESENT

Stephanie Garcia, City Secretary
 Hal George, Town Attorney
 Matt Olenick, Director of Operations
 Steven Robertson, Comptroller
 John Harrell, Police Chief
 Ty Gerstenberger, Police Officer

Mayor Cole called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE – U.S. Flag and Texas Flag

Mayor Cole led everyone in the pledges.

OBSERVE A MOMENT OF SILENCE/PRAAYER

Mayor Cole led everyone in a moment of silence.

CITIZENS TO BE HEARD (PUBLIC FORUM)

Public participation is valued and at this time, comments limited to three (3) minutes will be taken from persons who have signed the Speaker's Card located on the table inside the Council Chambers and delivered to the City Secretary before the meeting begins. Written comments received by submission to the City Secretary in person or emailed to citysec@fultontexas.org by 3:00 p.m. on the day of the meeting, on any subject matter that is not on the agenda, will be read and summarized in the minutes of the meeting. Persons wishing to address the Council and who have registered using the Speaker's Card will have up to three (3) minutes to speak. In accordance with the Open Meetings Act, Council may not discuss or take action on any item that has not been posted on the agenda. While civil public criticism is not prohibited; disorderly conduct or disturbance of the peace as prohibited by law shall be cause for the chair to terminate the offender's time to speak.

Mary Claire Kane: Mrs. Kane Introduced herself and stated she was very pleased to see item #3, Ordinance No. 311 enacting the homestead tax limitation, on the agenda along with the starting year being 2022. She also thanked everyone for their work on this and for the new website.

Lynn Blumenfeld: Mrs. Blumenfeld introduced herself and congratulated Mayor Cole for being appointed as a director on the RF Chamber of Commerce. She discussed the Governmental Affairs Council that is part of the Chamber and requested that the Town Council appoint someone to act as the representative on the Governmental Affairs Council.

PRESENTATION

- 1. Certificate of Appreciation to Kevin Jennings and Dwayne Eineen.

Chief Harrell presented Kevin Jennings and Dwayne Eineen with plaques of appreciation for helping with a lost child that was found in the roadway in Fulton, Texas. These gentlemen tended to the child until someone could come and help.

CONSENT AGENDA

All consent agenda items listed are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

- 2. **Discuss/Approve/Disapprove** minutes of the Regular Fulton Town Council Meeting held on June 7, 2023.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 2 Garis to approve the Consent Agenda items as presented.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Nielsen, Place 5 McCorkle

ITEMS FOR CONSIDERATION

- 3. **Discuss/Approve/Disapprove** Ordinance No. 311 an Ordinance Enacting a Residence Homestead Tax Limitation for Elderly or Disabled Individuals; Repealing Ordinances in Conflict; and Providing for Severance and shall remain in effect for the valuations beginning January 1, 2022, and for each successive tax year.

Mayor Cole briefly discussed the agenda item and informed the Council that much research was put into the decision for the homestead tax limitation.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 5 McCorkle to approve Ordinance No. 311 an Ordinance Enacting a Residence Homestead Tax Limitation for Elderly or Disabled Individuals; Repealing Ordinances in Conflict; and Providing for Severance and shall remain in effect for the valuations beginning January 1, 2022, and for each successive tax year.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Nielsen, Place 5 McCorkle

4. **Discuss/Approve/Disapprove** Ordinance 310, an Ordinance Increasing the Texas Municipal Retirement Services Rate from 6% to 7%; Repealing Ordinances and Resolutions in Conflict.

Mayor Cole read the agenda item. Alderwoman Nielsen asked for an explanation of the rate increase. Steven Robertson, Comptroller explained that TMRS is the entity in which the Town employees' retirement is held and that the Town contributes two dollars (\$2) to every one dollar (\$1) of the employees' contribution.

Motion made by Place 3 Pahmiyer, Seconded by Place 5 McCorkle to approve Ordinance 310, an Ordinance Increasing the Texas Municipal Retirement Services Rate from 6% to 7%; Repealing Ordinances and Resolutions in Conflict.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Nielsen, Place 5 McCorkle

5. **Discuss/Approve/Disapprove** transfer of the 2017 Ford F250 VIN ending in 4272 from the Sewer fund to the General fund to be used as a maintenance vehicle.

Mayor Cole read the agenda item.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 4 Nielsen to approve the transfer of the 2017 Ford F250 VIN ending in 4272 from the Sewer fund to the General fund to be used as a maintenance vehicle.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Nielsen, Place 5 McCorkle

6. **Discuss/Approve/Disapprove** the purchase of a truck for the Sewer fund not to exceed \$35,000.

Mayor Cole read the agenda item.

Motion made by Place 2 Garis, Seconded by Place 5 McCorkle to approve the purchase of a truck for the Sewer fund not to exceed \$35,000.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Nielsen, Place 5 McCorkle

CLOSED SESSION

The Town Council may elect to go into closed session pursuant to Chapter 551, Government Code on any Agenda item where appropriate and particularly Sections 551.071 (consultation with attorney) and 551.074 (personnel matters), Government Code.

Council did not convene into Closed Session.

OPEN SESSION

Discuss/Approve/Disapprove any and all action necessary with regard to the preceding matter(s).

ANNOUNCEMENTS

7. Mayor's Update.

Maintenance: Mayor Cole mentioned that the smaller road project on Prairie Road from HWY 35 to FBR will begin mid-July and that the larger drainage and street is still in progress – paving Lonestar and ditch work on Chaparral.

Pier: Mayor Cole mentioned that the Fulton Fishing Pier has been very busy and that the security cameras have been installed and are running.

Police Department: Chief introduced Ty Gerstenberger and gave a brief background of Officer Gerstenberger's career. He mentioned how busy the month has been and that they are out checking on the Town's residents. Chief Harrell also stated to the Council and audience that if there is a resident that is in need of being checked on, to let him know. Chief Harrell informed the Council that Melissa Pina, the Fulton Convention Center Coordinator has been helpful in catching multiple juveniles that have vandalized the convention center. Chief Harrell and Officer Gerstenberger will continue to patrol and be seen especially during the Fourth of July holiday.

8. The next Regular Fulton Town Council Meeting will be held Wednesday, July 5, 2023, beginning at 6:00 pm.

Mayor Cole announced the next meeting to be held Wednesday, July 5, 2023 beginning at 6:00 pm.

ADJOURNMENT

There being no further business, Mayor Cole entertained a motion to adjourn.

Motion made by Place 2 Garis, Seconded by Mayor Pro Tem Loflin to adjourn the meeting.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Nielsen, Place 5 McCorkle

The meeting was adjourned at 6:16 p.m.

Kelli Cole, Mayor

Stephanie Garcia, City Secretary



**TOWN COUNCIL SPECIAL MEETING -
BUDGET WORKSHOP**
Friday, July 14, 2023 at 9:00 AM
Fulton Council Chambers, 201 N. 7th Street

MINUTES

CALL TO ORDER

PRESENT

Mayor Kelli Cole
 Mayor Pro Tem Robert Loflin
 Place 2 Chris Garis
 Place 3 MaryAnn Pahmiyer

ABSENT

Place 4 Margo Nielsen
 Place 5 Laura McCorkle

STAFF PRESENT

Stephanie Garcia, City Secretary
 Matt Olenick, Director of Operations
 Johnny Davis, Building Official
 Steven Robertson, Comptroller
 John Harrell, Police Chief
 Sherry Hudson, Pier Manager
 Melissa Pina, Coordinator

Mayor Cole called the meeting to order at 9:00 a.m.

CITIZENS TO BE HEARD (PUBLIC FORUM)

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No one came forward.

ITEMS FOR CONSIDERATION

1. Presentation and general discussion of proposed FY 2023-24 Budget.

Mayor Cole asked Mr. Robertson to begin the discussion. Mr. Robertson began with the estimated tax rate comparison. Mrs. Marshall should be sending the current estimates by the first of August. This proposed budget is based on the estimated numbers received in April. These numbers should lower the average tax base for the citizens. He then discussed the overall expenditures for the Town.

General Fund: Mr. Robertson indicated that the property tax numbers are based on the current values. At the next workshop, we will have a more accurate number on the sales tax. Mr. Robertson reviewed the line items within the budget. Mr. Davis indicated the permits have been steady; however, he feels that the market is slowing. There was discussion regarding phone, website, and CivicPlus fees. The dispatch fees that the Town is paying is approximately 10% (\$1.1 million). It was noted that fuel cost has increased slightly due to more vehicles and personnel. Mr. Robertson mentioned the budgeted use of fund balance was to purchase a vehicle.

Debt Service: The numbers will be very similar to last year's budget.

Police Fund: Mr. Robertson stated that there are not many changes to this fund. Last year there was a vehicle purchased and equipment. It was noted that the fines have increased due to the increase in the police presence. Mr. Loflin inquired as to possibly adding funds into this fund for an additional vehicle in case one of the current vehicles becomes inoperable. Chief Harrell informed the Council that he feels he could work with the Rockport Police Department Chief to procure an additional vehicle when and if needed. There was a discussion regarding vehicle expenses.

Sewer Fund: Mr. Robertson indicated that the revenues projected are based on new construction and that the rates should remain the same. It was noted that tap fees are hard to project, like building permits. Mr. Loflin inquired as to the fund balance and Mr. Robertson adequately addressed the question. Mr. Robertson reviewed the line items and indicated that the budget has been increased to include a new sewer position.

Hotel Occupancy Tax Fund: Mr. Robertson indicated that this fund has been steady for the last few years. Mrs. Harrell, administrative assistant has been working to stay up with the collections. He discussed the estimated revenue and indicated there are no changes in the budget from prior year. There is \$33,000 surplus in the budget for entities that may apply for HOT funds.

Convention Center Fund: Mr. Robertson indicated that Melissa Pina, Coordinator is doing a great job and the numbers have increased. There was discussion regarding the bookings for the year and coming year. The lease with the Navigation District is \$3500 a month now. It was noted that usage of utilities are up but the rates are down and insurance fees have increased. He reviewed the rest of the line items and asked Ms. Pina to discuss the building improvements that took place this year and projects in the future. Ms. Pina informed the Council of the inside painting, signage, landscaping, pass through window from kitchen to break away room, and replacement of back door. There was discussion regarding the signage and back door. There was also discussion regarding less use of HOT funds.

Pier: Mr. Robertson noted that the administrative costs have increased due to the Town being back to pre-Harvey status. It was noted that there are more employees and costs to operate; however, the pier is doing very well and remaining consistent. Pole rentals have also worked out well. There will be an adjustment for repairs and maintenance. He discussed insurance costs and providers. In our area, there are no providers to insure a pier. It has been noted that FEMA will not require it. The pier reserves will need to be increased for emergencies.

Mr. Robertson mentioned budget amendments for capital improvements before the end of the year. There was discussion regarding those items. Mayor Cole noted there may be help from grants to work on the playground equipment. He informed the Council that the pavement and striping at the park will be upgraded. We are using a vendor from BuyBoard for those projects. It was noted that the area of road in front of the palm trees does not belong to the Town. He informed the Council what is in the budget for striping and street maintenance in other parts of the Town. Matt Olenick discussed what road improvements will be done.

It was noted that the Town has sufficient reserve funds.

Chief Harrell informed the council that he would like to have someone downtown at all times in the future.

CLOSED SESSION

The Town Council may elect to go into closed session pursuant to Chapter 551, Government Code on any Agenda item where appropriate and particularly Sections 551.071 (consultation with attorney) and 551.074 (personnel matters), Government Code.

Council did not convene into Closed Session.

OPEN SESSION

Discuss/Approve/Disapprove any and all action necessary with regard to the preceding matter(s).

ADJOURNMENT

There being no further business, Mayor Cole entertained a motion to adjourn.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 2 Garis to adjourn the meeting.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer

The meeting was adjourned at 10:06 a.m.

Kelli Cole, Mayor

Stephanie Garcia, City Secretary

ORDINANCE NO. 312

AN ORDINANCE AMENDING ORDINANCE NO. 303 ADOPTING THE 2022-2023 BUDGET IN SEVERAL FUNDS IN ACCORDANCE WITH THE ATTACHED EXHIBIT

WHEREAS, the Town Council of the Town of Fulton adopted the 2022-2023 Budget by Ordinance 303; and

WHEREAS, said budget needs to be amended to provide for multiple items including purchasing and repaving items;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FULTON:

Section 1. That Ordinance No. 303, Adopting the Budget for the 2022-2023 Fiscal Year, shall be amended and hereby is amended by making the changes in said Budget in accordance with the changes reflected in Exhibit "A" attached hereto and made a part hereof by this reference the same as if written herein.

Section 2. That this Ordinance was considered at a Regular City Council Meeting, open to the public and duly posed in accordance with State law.

PASSED this the 19th day of July, 2023, at a Regular Meeting of the Town Council of the Town of Fulton, Texas, there being a quorum present, by ____ Yeas and ____ Nays, and approved by the Mayor on the date set out.

TOWN OF FULTON

Kelli Cole, Mayor

ATTEST:

Stephanie Garcia, City Secretary

Exhibit "A"

<u>FUND</u>	<u>DEPARTMENT &G/L ACCOUNT</u>	<u>EXPLANATION</u>	<u>ADD OR SUBTRACT</u>	<u>AMOUNT</u>
CLFRF Fund	Acct #471- ARPA-CLFRF Grant	Allocate ARPA funds to transfer to General Fund	ADD	\$35,000.00
General Fund	Acct #709 - Capital outlay - Town Council Equip.	Laptops, cameras, microphones, etc.	ADD	\$35,000.00
Hotel Motel Fund	Acct #310 - Fund Balance	Allocation of fund balance for projects. **200k budget surplus FY22 & FY21	ADD	\$200,000.00
Hotel Motel Fund	Acct # 655 - School House Museum	Landscaping, irrigation, and various improvements	ADD	\$20,000.00
Hotel Motel Fund	Acct #650- Fulton Convention Center	Transfer to FCC for capital improvements.	ADD	\$180,000.00
Convention Center Fund	Acct #156 Capital Outlay - Parking Lot	Repave & restripe FCC parking lot - BuyBoard vendor: Pavecon	ADD	\$180,000.00
Sewer Fund	Acct #501 - Surplus Property Proceeds	2005 Terex 760B Backhoe, 2005 F250 Ford 4x4 Flatbed with Boom	ADD	\$15,000.00
Sewer Fund	Acct #594 - Capital Outlay - Vehicles	Allocate funds to purchase sewer truck.	ADD	\$45,000.00

RESOLUTION R-07-2023

**A RESOLUTION
AUTHORIZING THE TOWN TO ISSUE
A REQUEST FOR PROPOSALS FOR BANK SERVICES-
BANK DEPOSITORY FOR THE TOWN**

WHEREAS, Chapter 105, Local Government Code provides for a bank depository;
and

WHEREAS, Section 105.011, Local Government Code provides for receiving
applications for the performance of depository services from one or more banks; and

WHEREAS, Section 105.012, Local Government Code provides for notice to
banks, credit unions and savings associations requesting the submission of applications
for the performance of depository services; and

WHEREAS, the current bank depository contract expires at the end of September,
2023.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF
FULTON, TEXAS:

Section 1. That the Town of Fulton shall give notice for submission of applications from
authorized entities to perform depository services. That the Comptroller is authorized to
promulgate such request for proposals and together with the Mayor accept, review and
make recommendations to the Town Council for the selection of a bank depository.

Passed and approved on this the 19th day of July, 2023.

TOWN OF FULTON

Kelli Cole, Mayor

ATTEST:

Stephanie Garcia
City Secretary

TOWN OF FULTON, TEXAS

REQUEST FOR PROPOSAL FOR BANKING SERVICES

I. INTRODUCTION

The Town of Fulton (Town) is requesting proposals from qualified financial institutions to serve as the Depository Bank (Bank) for the Town and to provide banking services to the Town as described below. Service provided will be in accordance with the Bank Depository Contract and attachments executed between the Town and the Bank selected.

This Request for Proposal, (RFP), outlines the proposal procedures, scope of banking services to be provided, and information about the Town accounts. The objective of this request is to identify the banking institution that can offer the highest quality service at the lowest cost to the Town and, that has the current capability to meet the expanding banking needs and customer service initiatives of the Town for the foreseeable future.

II. PROPOSAL INSTRUCTIONS AND QUALIFICATIONS

A. MINIMUM QUALIFICATIONS

A proposer must be a Federal or State of Texas chartered banking institution with banking facilities physically located within the city limits of Rockport with the ability to offer the full range of banking services required by the RFP and must be able to provide those services by _____, 2023. Requirements for depositories of municipal funds are established by State law under Chapter 105 of the Local Government Code of Texas. The proposal submitted will become part of the final contract.

B. CONTRACT TERMS

The selected Bank shall be designated as the Town's depository effective _____, 2023 until September 31, 2028. The Depository Bank Contract will be awarded to the Bank whose proposal conforms to the RFP specifications and is the most advantageous and cost effective to the Town.

The following additional agreements will be executed between the designated Bank and the Town effective _____, 2023, and will become part of the Depository Contract:

1. Depository Custodial and Safekeeping Agreement
2. Wire Transfer Agreement
3. Collateral Agreement
4. Automated Clearing House Services Agreement

Additional contracts and agreements relating to the normal conduct of banking transactions may be required during the term of the Bank Depository Contract. All supplemental contracts and agreements will be attachments to the Bank Depository Contract and will be incorporated into the Depository Contract.

The Depository Contract shall provide that the Town reserves the right to cancel any agreement at any time upon ninety (90) days prior written notice of its intent to terminate any agreement. The designated depository shall provide the Town ninety (90) days prior written notice of its intent to terminate any agreement.

Upon being awarded the contract, the Bank will execute the Bank Depository Contract within ten (10) business days after being notified of selection. In addition to executing the Depository Contract, the Depository Bank shall provide a document certifying that the Depository Contract was approved by the depository’s Board of Directors and said approval is recorded in the minutes of a meeting of the Board.

C. PROPOSAL SUBMISSION INSTRUCTIONS

1. Proposal Format:

In order to fully and equitably evaluate each Bank's ability to meet the banking services needs of the Town, a standard reply format is required. Each proposal must include a response to each item in the RFP in the order given. Only proposals submitted in the prescribed format and using the exhibit forms provided will be evaluated for contract award.

2. Submission Requirements:

Two (2) paper copies and one electronic copy of the Proposals must be submitted in sealed envelopes clearly identified as “Proposal For Banking Services” and delivered to the following address no later than **2:00 p.m.**, _____, _____, **2023:**

Stephanie Garcia, City Secretary
Town of Fulton
P.O. Box 1130 (if by mail)
201 N. 7th Street (if delivered in person)
Fulton, Texas 78358

Proposals must contain the following sections in the order indicated:

1. Cover Letter - This section should contain the name of the proposing Financial Institution, the address of the proposing office, and the individuals authorized to answer technical, price, and/or contract questions together with their telephone numbers and mailing addresses. A person authorized to bind the Financial Institution must also sign the cover letter.
2. References - Indicate the Bank's background in providing financial services to public organizations. List any financial services contracts currently in place. Provide a list of client references for other public organizations using the Bank's services. Include client name, contact persons, and phone numbers.

3. Required Information and Other Additional Data – All Banks must provide, as part of the proposal:
- Proof of Federal or Texas Charter lawfully authorized to conduct business in the state of Texas
 - Ratings for the Bank from at least two rating agencies
 - Audited financial statements for the most recent fiscal year
 - Copy of the current call report
 - Copy of most current rate sheet
 - Statement regarding any recent or foreseen merger or acquisition
 - Statement of capability of providing required services by November 1, 2022
 - Overview of the Bank’s disaster recovery plan
 - Reporting capabilities - Paper vs. Electronic vs. Internet

Give any additional information considered essential to the proposal in this section. Include any examples of schedules or reports.

4. Attachment A – Banking Services Charges (Bid Form) - The Town requires a price per item fee with monthly and/or annual payments for services rendered, if applicable. The compensation proposal should be documented by completing the Bid Form and submitting it to the Town with the RFP. The Bid Form will include all of the unit prices for services requested, along with the required documentation listed in more detail in Section III – Required Banking Services. The contract award will not necessarily be made to the Bank that provides the lowest cost proposal but rather to the Bank that submits the most responsive proposal meeting the Town's requirements.

In addition, the Bank should include the cost and supporting documentation of any services not itemized on the Bid Form which the Bank feels must be included to provide the required services. The Bank may also include the billing rate for special projects, which may be entered into during the contract period but are not a part of the total cost proposal. Volume discount prices may also be indicated where appropriate.

3. RFP Questions:

Questions regarding this RFP may be submitted by email to citysec@fultontexas.org or in written form to the address below on or before 4:00 p.m. _____, _____, 2023:

Stephanie Garcia, City Secretary
 Town of Fulton
 P.O. Box 1130 (if by mail)
 201 N. 7th Street (if delivered in person)
 Fulton, Texas 78358

4. Request for Proposal Amendments:

Modifications or additions may be made as a result of questions submitted. Written notification of any such change will be made to all known bidders.

5. Selection Criteria:

Evaluation of proposals will be made on the basis of the following objectives:

- Ability to meet the legal qualifications, terms, and conditions specified in the RFP.
- Financial strength and stability of the proposer.
- Completeness of the Bid Form and submission of the required information.
- Ability to provide sufficient collateral for deposits.

Scoring Requirements

- Safety and Creditworthiness 35 points
- Experience and Service Availability 35 points
- Cost of Services 15 points
- Interest Rates 15 points

6. Award of Bid and Service Initiation:

The contract is expected to be awarded by a vote of the Town Council at its meeting on _____, 2023, at 6:00 p.m. at Town Hall located at 201 N. 7th Street, Fulton, Texas 78358. The Town reserves the right to accept or reject any or all proposals, to accept the proposal it considers most advantageous to the Town, and at its discretion to waive any defect or informality in the proposal.

III. REQUIRED BANKING SERVICES

This section includes, but is not limited to, the required banking services listed on Attachment A to be provided by the Bank under the contract. The Bank should use the Attachment A to provide the specific price for each service, along with required supporting documentation. All fees shall be fixed for the entire contract period.

A. Consolidated Account Structure:

The Bank is to provide a master consolidation account and zero balance accounts from which daily balance and detailed report is available. The Town’s current account structure contains the following accounts:

- GENERAL FUND
- POLICE DEPARTMENT
- HOTEL/MOTEL TAX FUND
- SEWER FUND
- CONVENTION CENTER FUND
- PIER FUND
- DEBT SERVICE FUND
- DONATION FUND

- FEMA FUND
- CLFRF FUND
- CDBG GRANT FUND

The Town reserves the right to open or close any number or type of accounts as it deems necessary throughout the term of the contract.

B. Wire Transfer Services:

The Town currently generates incoming and outgoing wires each month. A standard wire transfer agreement will be executed with the Bank. This proposal should include a copy of your standard wire transfer agreement. The Town requires adequate security provisions and procedures. If the wire transfer requests are available online, full information should be submitted detailing the use.

C. On-Line Banking Services:

The Town requires on-line banking services accessible through the internet that at a minimum include balance reporting, initiation of ACH debits and credits and wire transfers, inter-bank transfers between accounts, and placement of stop payments on checks. The minimum balance reporting information should be for intra-day and previous business day and include: ledger balance, collected balance, one day float amount, two day float amount, total credits, total debits, and detail debits and credits. Historical information should be maintained on-line and accessible for two months. Stipulate the time at which the access is available and describe the system to be used. Reporting should include balance and detail reporting. Samples of the reports are to be included in the proposal.

D. Sweep Account Provisions:

If the Town chooses, the Bank will be responsible for automatically sweeping the balances in all accounts daily to an investment option (money market fund, repo, etc.). Describe the sweep options and, if a money market fund is used, provide a prospectus. The accounts will be swept to the compensating balance.

E. Investment of Idle Funds and Safekeeping of Town Securities:

All certificates of deposit bought by the Town will be bought on a competitive basis. The Town has no obligation to invest its funds with or through the Bank. All securities will be handled on a delivery versus payment (DVP) basis as they are cleared into and out of the account. All clearing and safekeeping will be in the Bank or its correspondent. All correspondent and safekeeping arrangements will be stipulated in the proposal.

F. Standard Disbursing Services:

Standard disbursing services for all accounts are required to include the payment of all checks upon presentation.

G. Standard Deposit Services:

The Bank must guarantee immediate credit on all incoming wire transfers and U.S. Treasury checks upon receipt and all other checks based on the Bank's published availability schedule. The Bank should specify in their proposal their deposit requirements and commercial and retail deposit locations, including night deposit services and procedures.

H. Reporting and Account Analysis:

Monthly account analysis reports must be provided by the Bank on a timely basis for each

account and on a total account basis. A sample account analysis format must be provided as part of the proposal. Samples of monthly statements should also be provided. The monthly statements are to be received within two (2) working days after the close of the calendar month.

I. Account Executive:

An account executive must be assigned to the account to coordinate the account services and expedite the solution of any problem. A trained and competent backup for the account executive, familiar with the account, should be assigned in the proposal. Stipulate the name and a brief biography of the account executive to be assigned to the Town's account.

J. Direct Deposit:

The Town utilizes direct deposit for payroll. Describe the requirements and deadlines for computer tap for ACH transactions for Direct Deposit. The proposal should indicate when funds will be available in participating Banks.

K. Overdraft Provisions:

Every effort will be made to eliminate overdraft situations on the accounts. However, in case this situation does arise, the proposal should include any and all Bank policies and overdraft charges or handling procedures.

L. Stop Payments:

The proposal must include a statement on the proposed stop payments process on an automated or manual basis.

M. Collateralization of Deposits:

The Bank must agree to obtain and maintain acceptable collateral sufficient to cover all anticipated time and demand deposits, above the FDIC insured limit. Securities used to pledge against time and demand deposits must be held in an independent third-party safekeeping agreement with the Town and the Safekeeping Bank for safekeeping of these securities. Collateral will be maintained at a minimum of 102% and marked to market at least once a month. Control will be shared jointly between the Bank and the entity. Substitution will be approved by the Town and not unduly withheld. Substitutions of collateral will be requested in writing and new collateral will be received before the existing collateral is released. The proposal will name the safekeeping Bank for collateral. This proposal should include a copy of your standard Safekeeping/Collateral agreement.

N. Automated Clearing House Processing:

The Town utilizes Direct Deposit for payroll. A standard ACH Agreement will be executed with the Bank. Please provide information on services and costs associated with the Bank's ACH processing abilities.

O. Bank Statements:

Statements shall be rendered within two (2) working days after the close of the calendar month. The statement shall include debits and credits made on the last day of the period and the detail items. Bank statements should be received on a monthly basis, even if there is no activity for the account. The statement must include photo copies of cleared checks and deposits. Please provide information on services and costs associated with providing copies.

IV. OTHER SERVICES

The Town may be interested in obtaining service and cost information on additional services for possible use during the contract period. These services are not currently required but will be evaluated in terms of availability, feasibility, service levels, service providers and cost. If additional services are deemed to be necessary later in the contract period, a new proposal for these services and charges will be required during the contract period. Any fee charged for services not listed but later requested by the Town will be mutually agreed upon in writing.

ATTACHMENT A - BANKING SERVICES CHARGES (BID FORM)
Any and all anticipated service charges must be shown on this form, with required supporting documentation attached, and will become a part of the contract.
Add additional lines as required.

Service Unit	Unit Charge	Cost of Service
Account Maintenance	Per Month	
Daily Balance Reporting	Per Month	
Zero Balanced Accounts		
Master Account	Per Month	
Subsidiary Accounts	Per Month	
Credits Posted	Per Transaction	
Debits Posted	Per Transaction	
Encoding charge	Per Transaction	
ACH Processing	Per Transaction	
Origination of file	Per Tape	
ACH deletions	Per Transaction	
ACH entries	Per Transaction	
Returned Checks	Per Transaction	
Controlled Disbursement	Per Account/ Per	
Reconciliation	Per Month	
Sort list tape	Per Transaction	
Sort & list	Per Transaction	
Items Deposited		
Deposits	Per Transaction	
Commercial Deposits	Per Transaction	
Group I Items	Per Transaction	
Group II Items	Per Transaction	
Group III Items	Per Transaction	
Group IV Items	Per Transaction	
Stop Payments	Per Transaction	
Overdraft Protection	Per Transaction	
Wire Transfers		
Incoming	Per Transaction	
Outgoing	Per Transaction	
Investment Safekeeping		
Safekeeping interest/credit	Per Transaction	
Safekeeping receipt deposit	Per Transaction	
Safekeeping outgoing	Per Transaction	
Securities DVP FRB	Per Transaction	
Securities DVP NY	Per Transaction	
Check Printing	Per Transaction	
Extra Statements	Per Transaction	
Lockable Bank Bags	Per Bag	
Lockbox	Per Month	
Cutbacks	Per Transaction	
Special handling	Per Transaction	

RESOLUTION R-08-2023

A RESOLUTION
AUTHORIZING ISSUANCE OF REQUEST FOR PROPOSAL
FOR ENLARGING POLICE DEPARTMENT

WHEREAS, as the Town of Fulton has grown, so has the Fulton Police Department;

WHEREAS, the current office space for the Fulton Police Department is inadequate for current staffing; and

WHEREAS, the Town Council of the Town of Fulton has determined that a need exists for enlarging the space for the Fulton Police Department.

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FULTON:

Section 1. That the Town Council authorizes the Town to issue the Request for Proposal for enlarging the space for the Fulton Police Department generally in the form attached to this Resolution as an exhibit.

Section 2. That upon receipt of the proposals, staff evaluate the proposals and present the Town Council with a recommendation for which proposal best meets the needs of the Fulton Police Department.

Section 3. That the final decision regarding whether to proceed with the enlarging of the space for the Fulton Police Department and the financing thereof shall be determined by the Town Council.

PASSED and approved this the _____ day of _____, 2023.

TOWN OF FULTON

Kellie Cole, Mayor

ATTEST:

Stephanie Garcia, City Secretary

TOWN OF FULTON
201 N. 7th Street
Fulton, Texas 78358



Request for Proposals (RFPs)

Due DATE at TIME p.m.

1. **Introduction.** The Town of Fulton (the “Town”) is requesting proposals (“*Proposal(s)*”) from qualified proposers (“*Proposers*”) to furnish and provide all materials, supplies, tools, equipment, labor, supervision, and expertise to properly and professionally build an addition to the offices of the Fulton Town Hall for the Police Department located at 201 N. 7th Street, Fulton, Texas 78358.

2. **Detailed Description of Services.** All interested Proposers shall visit the site and conduct measurements of the proposed areas prior to submittal of bid. Proposer should visit the site during normal business hours and check in with staff to view the area of installation. Please call 361-729-5533 to schedule a time. See attached map for overview of installation area.

See Attachment A - “Scope of Services” which is provided in this Request for Proposal.

2.1 **Single Point of Responsibility.** The Town expects to have a single point of contact, a single point of authority and single contacting entity for this project.

2.2 **Evaluation and Award.** Proposals/Bids shall be evaluated and awarded by the Town as soon as practicable. Award of Bid will be based on quality, references, price, proposed approach and experience.

3. **Proposal Requirements.** Sealed proposals are required to be submitted no later than _____ p.m. on _____, 2023 in a sealed envelope and marked as follows:

ATTN: TOWN SECRETARY
“POLICE DEPARTMENT OFFICE ADDITION”
TOWN OF FULTON
201 N. 7TH STREET
FULTON, TEXAS 78358

Any response, modification, or amendment received after the due date and time is late. No late responses will be accepted. No electronic Proposals will be accepted. Proposals must include the following:

- 2.3 Introductory Letter. Include an introductory letter expressing an interest in providing the service.
- 2.4 References. Include names, addresses and contact persons.
- 2.5 Insurance. Include a copy of general liability insurance.
- 2.6 Proposed Approach. Describe, in sufficient detail, how the Proposers plan to provide the services, including supporting the needs of the Town.
- 2.7 Qualifications. Describe in sufficient detail the Proposers’ experience and expertise to provide the services.
- 2.8 Price. Detail the proposed all-inclusive fee for the services, including a detailed bid sheet.

4. **Evaluation Criteria and Scoring Process**. All Proposals received will be reviewed. Each evaluation criterion has been given a percentage based on its relative value as a whole. The criteria and each associated percentage is as follows:

<u>Evaluation Criteria</u>	<u>Weight</u>
Proposed Cost	50%
Experience	20%
Work Performance	20%
Capacity to Perform	<u>10%</u>
TOTAL	100%

5. **Selection**. Discussions may be conducted with Proposers determined by the Town to be reasonably susceptible of being selected for award. In addition, one or more Proposers may be invited interview before council. Provided, however, the Proposals may be accepted without discussion or interview.

6. **General Information.** The Town reserves the right to reject any and all Responses.
7. **Terms of Contract.** The successful Proposer will be required to enter into a written agreement with the Town to provide the Services. All provisions of the agreement will be in compliance with applicable laws, rules and regulations. If the selected Proposer and the Town is unable to negotiate an acceptable agreement, then another Proposer will be selected by the Town and negotiations will continue until an acceptable agreement is reached and a contract is completed with a Proposer to provide the Services.
8. **Contact Person.** For further information, contact Stephanie Garcia, citysec@fultontexas.org, 361-729-5533.

ATTACHMENT A - SCOPE OF SERVICES

Furnish and provide all materials, supplies, tools, equipment, labor, supervision, and expertise to properly and professionally build an addition to the offices of the Fulton Town Hall for the Police Department.

CONTRACTOR RESPONSIBILITIES

1. Ensure all necessary permits, licenses, inspections required for the project are obtained.
2. Provide for removal of existing structure necessary to facilitate the new office space.
3. Provide for cleanup and disposal of debris.
4. Provide for all cleaning and sealed concrete floor.
5. Provide for professional measuring, placement, framing, and installation of plywood.
6. Provide for electrical plan, and tech wiring.
7. Provide for all electrical services from existing panel.
8. Provide for all installation of electrical outlets, and switches/lighting per plan
9. Provide for total installation of walls, ceilings, doors, locks, and equipment for total build out of the addition.
10. Provide for all caulking, painting, texture, tape, float, and priming/sheet rock.
11. Provide for insulation.
12. Build in mini split AC and drain TBD.
13. Provide for all necessary and reasonable precautions for the safety of your employees and subcontractors.
14. Coordinate the installation schedule with the Town.

TOWN RESPONSIBILITIES

1. Provide access to the facility and work areas as necessary for the project.
2. Provide for the removal of furniture and other objects as necessary for project.
3. Provide for minimum storage on site during project.
4. Provide payment for the installation of the project upon receipt of invoice and acceptance of the project work.

The Town of Fulton is not responsible for Contractor's equipment failure, breakdown, downtime, or other delays.

ATTACHMENT B - QUOTATION SUBMITTAL

FOR POLICE DEPARTMENT ADDITION RFP

Name of individual or firm: _____

Based on my understanding, firsthand walk-through, and review of the plans and specifications, I submit the following sealed competitive proposal for the Police Department Addition to the Town of Fulton offices.

<u>POLICE DEPT. ADDITION</u>	<u>ESTIMATED AMOUNT</u>
Sheetrock/tape and float/texture	\$ _____
Insulation	\$ _____
Painting, caulking and priming	\$ _____
Flooring	\$ _____
Framework/walls/ceiling/plywood	\$ _____
Interior doors	\$ _____

CONTINGENCY/OTHER AS SPECIFIED \$ _____
(USE EXTRA SHEETS IF NECESSARY TO EXPLAIN)

TOTAL ESTIMATED QUOTATION \$ _____

Authorized Representative Signature

Date

ATTACHMENT C - CONTRACTOR BIDDING INFORMATION
FOR POLICE DEPARTMENT ADDITION RFP

Name of individual or firm: _____

Address: _____

Phone: _____

Fax: _____

E-mail: _____

CHECK BELOW:

- () I have reviewed the plans and specifications for this project.
- () I have completed a walk-through of the site location.
- () I have received any addendums from the Town as applicable.
- () I agree to furnish the City proof of liability insurance as specified.
- () I agree to provide proof of workers compensation insurance.
- () I agree to provide the city with a 10% performance bond if selected.

I am the authorized representative and hereby submit the attached bidding documents.

Authorized Representative Name (Printed)

Authorized Representative Signature

Date

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

2 Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

_____ Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

Yes No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

Yes No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6 Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7 _____
Signature of vendor doing business with the governmental entity

_____ Date

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

(i) a contract between the local governmental entity and vendor has been executed;

or

(ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

(i) a contract between the local governmental entity and vendor has been executed; or

(ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

(a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or

(3) has a family relationship with a local government officer of that local governmental entity.

(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

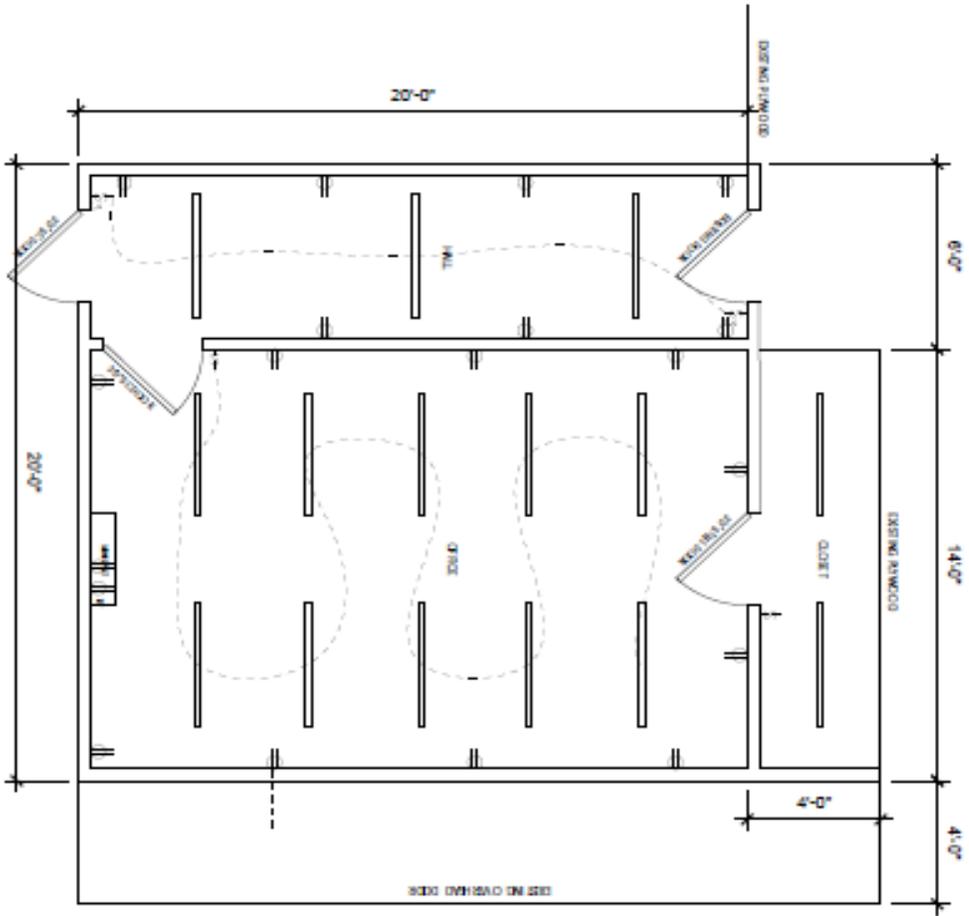
(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

(2) the date the vendor becomes aware:

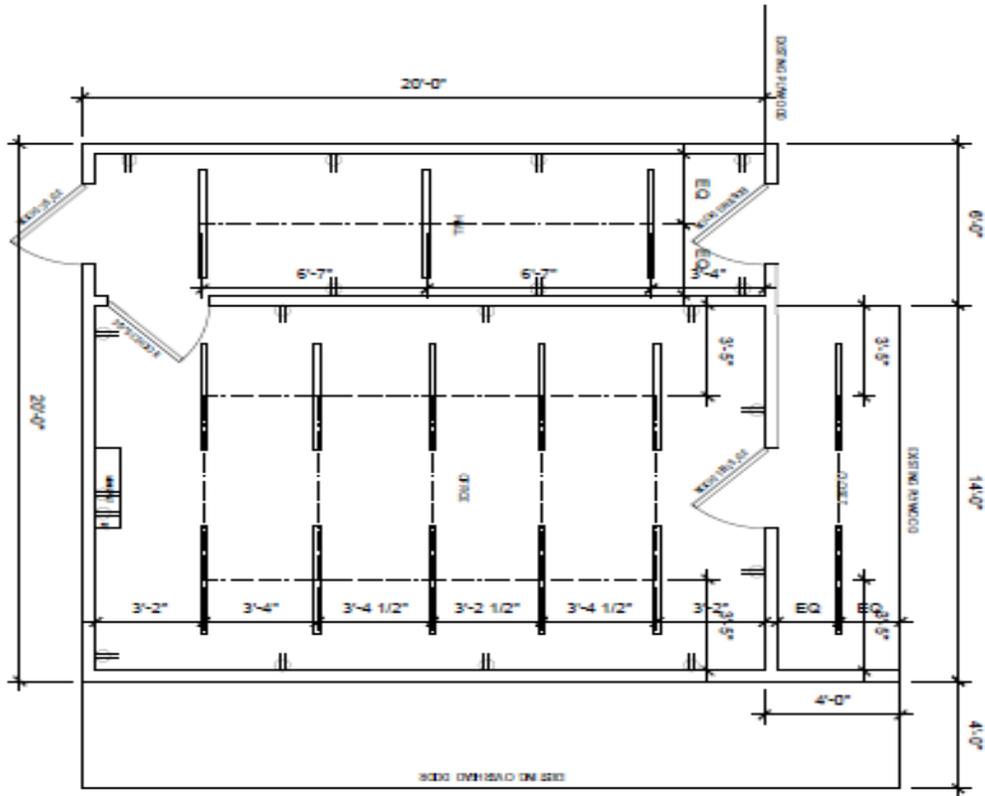
(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

(B) that the vendor has given one or more gifts described by Subsection (a); or

(C) of a family relationship with a local government officer.



ELECTRICAL	
SYMBOL	
	120 VOLT DUPLEX RECEPTACLE
	SINGLE POLE SWITCH
	3 - WAY SWITCH
	4' LED FLUORESCENT STRIP LIGHT



SYMBOL	ELECTRICAL
	120 VOLT DOUBLE BREAKER
5	SINGLE POLE SWITCH
5/	3 - 100' SWITCH
	4 - LEAF RUDIMENTARY UNIT

TOWN OF FULTON

POLICE DEPARTMENT
 BUILDING ADDITION DIMENSIONED ELECTRICAL PLAN
 SCALE: 1/4" = 1'-0"



A1.0ed

07.13.23
 ISSUED FOR BIDS