

RESOLUTION NO. 23-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, ADOPTING A CITY COUNCIL POLICY FOR A FOSTERING UNIQUE NEIGHBORHOODS REIMBURSEMENT GRANT PROGRAM USING SUGAR LAND 4B CORPORATION FUNDS; AND REPEALING RESOLUTION NO. 20-03.

WHEREAS, partnerships with neighborhoods and community groups can empower community groups, such as homeowners associations, property owners associations, and recognized community group, and can help revitalize and create unique places that reflect the distinct character of each neighborhood or community area; and

WHEREAS, such partnerships promote economic development and workforce retention and attraction through the transformative power of placemaking, mobility and beautification that enhances quality of life for the community; and

WHEREAS, in 2002 the City first adopted a policy establishing guidelines for City participation in joint capital improvement projects with community organizations to facilitate the promotion of economic development (the "JCIP Policy"); and

WHEREAS, the JCIP Policy was previously updated in 2014 and 2020; and

WHEREAS, redevelopment has been established as a top priority for the City; and

WHEREAS, a new program has been envisioned to meet the City's current vision and replace the previous JCIP Policy; and

WHEREAS, the City Council wishes to adopt a policy regarding participation with community-based organizations in a Fostering Unique Neighborhoods Reimbursement Grant Program using Sugar Land 4B Corporation funds; NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL
OF THE CITY OF SUGAR LAND, TEXAS:**

Section 1. That Resolution No. 20-03, adopting a policy establishing guidelines for City participation in joint capital improvement projects with community-based organizations, is repealed.

Section 2. That the City Council adopts the following policy regarding participation with community-based organizations in a Fostering Unique Neighborhoods Reimbursement Grant Program using Sugar Land 4B Corporation funds:

**CITY COUNCIL POLICY FOR A FOSTERING UNIQUE NEIGHBORHOODS
REIMBURSEMENT GRANT PROGRAM USING SUGAR LAND 4B CORPORATION**

FUNDS

DEFINITIONS

Applicant means a Community-Based Organization applying for funding for a FUN Project under this Policy.

Board means the Board of Directors of the SL4B.

City means the City of Sugar Land, Texas.

Community-Based Organization means an HOA, POA, or an RCG.

FUN Project means a capital improvement project for which funding is applied for from a Community-Based Organization, and for which the City is requesting funds from the SL4B under the Policy.

Homeowners Association (HOA) means an organization of homeowners of a specific subdivision in the City of Sugar Land, incorporated and formally registered with the Texas Secretary of State, that makes and enforces rules for the properties within its jurisdiction. HOAs are governed by restrictive covenants recorded in the Real Property Records of Fort Bend County. HOA membership is generally mandatory through rules tied to the ownership of property like deed restrictions. HOAs often own and maintain common property, such as recreational facilities, parks and roads.

Policy means this policy for a Fostering Unique Neighborhoods (“FUN”) Reimbursement Grant Program using Sugar Land 4B Corporation funds.

Program Administrator means the Department or employee designated by the City to oversee the administration of this Policy.

Property Owners Association (POA) means those informal organizations of homeowners of the various subdivisions in the City of Sugar Land that oversee properties within their jurisdictions. POAs are not homeowner associations and membership is typically voluntary or informal, with activities that typically focus on general advocacy and community events. In some cases, POAs may exist simultaneously with HOAs, and each may not encompass identical boundaries.

Recognized Community Group (RCG) means a defined organized group of residents that is in a neighborhood without an HOA or POA.

SL4B means the Sugar Land 4B Corporation.

PURPOSE

To establish guidelines for requesting the SL4B’s participation in funding FUN Projects.

AUTHORITY

Authority is established by State law and the SL4B Articles of Incorporation and Bylaws.

POLICY

Requests for the SL4B to fund FUN Projects in the lesser amount of: (1) 50% of the cost of each approved qualifying capital improvement project that complies with this Policy; or (2) \$75,000, subject to this Policy. Although the City may not request SL4B funding that exceeds these limits under this Policy, nothing herein will operate to prevent the Board from exercising its discretion in deciding the amount of SL4B funding to approve, or not approve, for a FUN Project, even if such an amount is in excess of \$75,000 and/or exceeds 50% of the cost of the qualifying project.

Staff will recommend projects to the Board for consideration for the SL4B Community Development Project of the Year. The Board may select one FUN Project each cycle as the SL4B Community Development Project of the Year. The winning FUN Project will receive additional reimbursement from the SL4B in an amount up to \$7,500.00.

Subject to available funds, the total amount of requested budgeted funds for Joint CIP Projects each fiscal year is anticipated to be \$200,000, unless otherwise budgeted by the City and the SL4B.

POLICY GOALS

The primary goals of the Policy are to:

1. Beautify the City's neighborhoods and community areas (such as the Business Park for the business community or other office park areas) with lasting public art installations and aesthetic improvements, such as murals, mosaics, modern signage, public art, wayfinding improvements and more;
2. Promote economic development by creating places and quality of life improvements that will help retain the City's existing workforce and attract new business;
3. Develop public spaces with community amenities for all to enjoy, such as parklets and pocket parks;
4. Create inviting outdoor spaces by creating new mini parks or green spaces;
5. Preserve and celebrate the distinct character of the City's neighborhoods; and
6. Innovate with transformative public projects that the City has not seen before.

PROCEDURES

PROCESSING THE REQUEST

1. Requests from Applicants must be submitted on a City form to the City's Program Administrator, who will make recommendations on qualifying projects to the Board. Applications can be completed online or by printed pdf (online is preferred). Applications completed on printed pdf can only be submitted via email and must be in pdf format in zip files.
2. Each application cycle will open in October and close on or before November 30th of each year this Policy is in effect, subject to adjustment by the Program Administrator. The Program Administrator may extend this deadline up to 90 days at his/her discretion and will notify the SL4B board about the extension.
3. Applications submitted after the deadline will be considered in the order received on a

case by case basis until all funds appropriated for that fiscal year for the purposes provided for in this Policy are expended.

4. After applications have been closed, a staff review committee will review all applications for eligibility and recommend eligible projects to the Board.
5. City staff will conduct a workshop with the Board before requesting that the Board act on a funding resolution for any project in order to seek feedback on the proposed FUN Project, including Board feedback that the funding amount should exceed \$75,000 and/or 50% of the project cost.
6. City staff will consider the feedback from the SL4B workshop, including any suggestions from the Board to increase the level of funding for a project in excess of \$75,000 and/or 50% of the project cost, and will then bring forward individual resolutions for each FUN Project, making findings and providing for funding, for consideration and action of the Board by a vote according to the requirements of the SL4B by-laws.
7. Approved FUN projects will be announced once approved by the Board. The goal is to announce approved projects each January after the most recent application cycle closes, subject to additional time needed by the Board to select projects.
8. If a request for a FUN Project is approved by the Board, by the approval of a finding and funding resolution, the Applicant must enter into a written contract with the City to complete the approved project. The contract will establish the terms and conditions under which the project will be funded, managed, operated, and completed and will include clawback provisions. The contract will require that the project be located on publicly accessible property, and the project improvements must be kept open to, and enjoyable by, the general public for a period of at least 5 years after completion.
9. The Applicant will undertake or contract for and manage the FUN Project, unless the City determines:
 - (a) That the Applicant does not have the ability or resources to undertake and manage the FUN Project; or
 - (b) That the State's bidding requirements should apply to the FUN Project.

CRITERIA

FUN Projects must meet all of the following criteria for funding:

1. FUN Projects must comply with this Policy and State eligibility requirements for SL4B funding.
2. Joint CIP Projects must not conflict with any existing plans or policies adopted by the City Council or the Board.
3. The Applicant must demonstrate its financial ability to fund its share of the FUN Project costs, including all operating and maintenance costs.
4. The total cost of the FUN project must not be less than \$10,000.

5. The City will not recommend funding for more than 50% of the eligible FUN Project costs, up to a maximum of \$75,000, for a qualifying FUN Project.
6. Qualifying FUN Projects must fall into at least one of the categories below:
 - (a) Street and traffic improvements and site improvements under Loc. Gov't Code § 501.103.
 - (b) Parks and recreation improvements; open space improvements; cultural arts, performing arts and museums under Loc. Gov't Code § 501. 152. In order to be eligible, projects of this type must be located on public property, unless the SL4B determines that private ownership does not diminish or change the public benefit of the project.
 - (c) Art improvements that qualify as a project under Loc. Gov't Code § 501.103 and/or Loc. Gov't Code § 501. 152.
7. Ineligible projects include, but are not limited to, the following:
 - (a) Maintenance related items;
 - (b) Standalone landscaping projects. It is preferred that landscaping substantially accompany another eligible capital project. Landscaping should not typically be the main project or constitute a majority of the total project cost in an application. Provided, however, standalone landscaping projects may be approved by the Board in its discretion;
 - (c) Projects and related improvements that are not open and accessible to the general public such as, but not limited to:
 - (1) Clubhouse improvements; and
 - (2) Gated parks and recreation improvements that are inaccessible to the public; and
 - (d) Other items deemed ineligible in the Board's discretion.
8. Qualifying FUN Projects can be located on public property, or private property if the SL4B determines that private ownership does not diminish or change the public benefit of the project, but must be located within the City's corporate limits. FUN Projects, even those located on private property, must be publicly accessible and enjoyable by members of the general public.
9. All FUN Projects must be located on, adjacent to, or visible from a minor collector street, major collector street, arterial street, state highway or freeway. See the City's most recent Major Thoroughfare Plan for additional details on road categories.

Notwithstanding the foregoing, projects that are not located on, adjacent to, or visible from one of the street categories identified in this section may be considered for eligibility on a case-by-case basis. The Applicant must demonstrate how the project will directly promote or develop new or expanded business enterprises.

10. The Applicant cannot have begun or expended funds on any component of the FUN

Project for which it is seeking funding. Pursuant to state law, a public hearing is required before any funds are spent on a project, which would include any SL4B reimbursement of funds spent by the Applicant on its FUN Project.

11. The Applicant cannot apply for a new project if a previous project from the same Applicant has not been commenced before the new application cycle deadline.

REIMBURSEMENT

Specific reimbursement provisions will be included in the contract with the City for an approved FUN Project. A general overview of the reimbursement requirements is stated below.

Approved applicants are required to complete their project and submit reimbursement paperwork in order to be reimbursed for the grant award amount. A complete reimbursement paperwork package will include all of the following:

1. Copies of all required permits obtained for installation of the improvements;
2. Copies of receipts showing that all the contractor(s) have been paid the total amount;
3. Copies of cleared checks or bank statements showing that all contractor(s) have been paid the total amount;
4. A letter from the Association Board President (if one) warranting that the improvements have been completed according to requirements of the contract with the City;
5. Photographs of the completed improvements; and
6. Any other information required in the contract with the City.

City staff will review the reimbursement paperwork package for completeness. Once a package is deemed to be complete, it will be routed to the Program Administrator or their designee for approval and payment of the reimbursement grant.

SL4B COMMUNITY DEVELOPMENT PROJECT OF THE YEAR

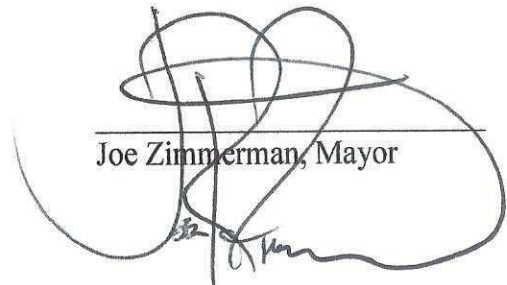
At the end of each Policy cycle, the Board may choose to award an additional reimbursement grant to an exemplary and trailblazing FUN Project that has been completed and accomplished the Policy goals stated above.

A City staff committee will recommend an award recipient to the Board based on set scoring criteria. The Board will then approve the recipient of that year's award by the the following February. The winning FUN Project will receive an additional project reimbursement in the lesser amount of (1) \$7,500.00; or (2) 15% of the total FUN Project cost.

DISCRETION

The SL4B has the discretion to approve, deny, or request modifications to a proposal submitted by an Applicant.

APPROVED on September 5, 2023.


Joe Zimmerman, Mayor

ATTEST:

Natalie Serrano
Natalie Serrano, Interim City Secretary

APPROVED AS TO FORM:
DAnn Shea Smith



City Council Agenda Request

SEPTEMBER 5, 2023

AGENDA REQUEST NO: VI.C.

AGENDA OF: City Council Meeting

INITIATED BY: *Jon Soriano, Community Development Program Strategist*

PRESENTED BY: *Jon Soriano, Community Development Program Strategist*

RESPONSIBLE DEPARTMENT: Economic Development

AGENDA CAPTION:

Consideration of and action on **CITY OF SUGAR LAND RESOLUTION NO. 23-28**: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, ADOPTING A CITY COUNCIL POLICY FOR A FOSTERING UNIQUE NEIGHBORHOODS REIMBURSEMENT GRANT PROGRAM USING SUGAR LAND 4B CORPORATION FUNDS; AND REPEALING RESOLUTION NO. 20-03.

RECOMMENDED ACTION:

Consideration of and action on Resolution No. 23-28, which adopts the policy regarding participation with community-based organizations in a Fostering Unique Neighborhoods Reimbursement Grant Program using Sugar Land 4B Corporation funds, and repeals Resolution No. 20-03 establishing guidelines for City participation in joint capital improvement projects with community-based organizations.

EXECUTIVE SUMMARY:

Established in Fiscal Year 2002, the Sugar Land 4B Corporation's (SL4B) Joint Capital Improvement Project (Joint CIP) program is an opportunity for community-based organizations to enhance the community through public improvement projects in which SL4B participation will increase the quality or scope and/or decrease the time of development. The program was established by City Council Resolution No. 02-29-A and most recently amended by Resolution No. 20-03.

At the SL4B meeting on August 16, 2023, staff sought input from the SL4B Board on proposed changes to the policy. Overall, the Board was in favor of moving forward with the changes to the policy. Staff also reviewed the changes with the Economic Development Committee.

Following the City's vision to trailblaze, reinvent, and reimagine, staff has identified opportunities to update the policy and revamp the existing program. The new, proposed program is named the Fostering Unique Neighborhoods Grant Program. Through partnerships with neighborhoods and community groups, the Fostering Unique Neighborhoods Grant Program exists to empower community groups, such as homeowners associations (HOAs), property owners associations (POAs), and recognized community groups (RCGs), to revitalize and create unique places that reflect the distinct character of each neighborhood or area of commerce. These partnerships will promote economic development and workforce retention & attraction through the transformative power of placemaking, mobility, and beautification that will enhance the quality of life for the community.

The proposed program's goals include the following:

- **Beautify Sugar Land's Neighborhoods and Areas of Commerce** (such as the Sugar Land Business Park for the business community or Sugar Land's office park areas) with lasting public art installations and aesthetic improvements, such as murals, mosaics, modern signage, public art, wayfinding improvements and more
- **Promote Economic Development** by creating places and quality of life improvements that will help retain and attract Sugar Land's workforce and attract new business

SUGAR LAND'S WORKFORCE AND ATTRACT NEW BUSINESS

- **Develop Public Spaces** with community amenities for all to enjoy, such as parklets and pocket parks
- **Create Inviting Outdoor Spaces** by creating new mini-parks or green spaces
- **Preserve and Celebrate the Distinct Character of Sugar Land's Single-family Neighborhoods**
- **Innovate** with transformative public projects that the City has not seen before

The following is a summary of additional improvements to the existing policy, which are intended to encourage trailblazing projects throughout the City:

- Expand eligible project types to include more projects eligible under Loc. Gov't Code Chapters 501 and/or 505, including open space improvements, parks and recreation improvements, street and traffic improvements, site improvements, and related art improvements
- Broaden the project location criteria: projects and related improvements must be located on, adjacent to, or readily visible from a freeway, state highway, arterial road, major collector road, or minor collector road
- A new incentive is added for program participants: the SL4B Community Development Project of the Year Award will be granted along with an additional reimbursement incentive to an exemplary and trailblazing project that accomplishes the Policy goals stated above
- Added standalone landscaping projects to the ineligible project list. Landscaping must substantially accompany another eligible capital project. However, standalone landscaping projects may be approved by the Board in its discretion
- Added guidance for applicants, including a list of suggested placemaking and recreational projects as well as suggested locative projects
- A project must have a minimum cost of \$10,000 in order to be deemed eligible
- Added language to project reimbursement agreements stipulating that improvements completed through the program must be located on publicly accessible property, and the improvements must be kept open and enjoyable by the public for at least 5 years

Recommendation:

Staff recommends approval of Resolution No. 23-28, which adopts the policy regarding participation with community-based organizations in a Fostering Unique Neighborhoods Reimbursement Grant Program using Sugar Land 4B Corporation funds, and repeals Resolution No. 20-03 establishing guidelines for City participation in joint capital improvement projects with community-based organizations.

BUDGET

EXPENDITURE REQUIRED: N/A

CURRENT BUDGET: N/A

ADDITIONAL FUNDING: N/A

FUNDING SOURCE:N/A

ATTACHMENTS:

Description	Type
□ Resolution No. 23-28	Contracts

REVIEWERS:

Department	Reviewer
Economic Development	Penate, Alba
Economic Development	Huff, Elizabeth
City Secretary	Moore, Tia
City Secretary	Moore, Tia
Legal	Smith, Shea
Agenda Coordinator	Perez, Justin
Assistant City	

Manager Callaway, Jim
City Manager Callaway, Jim