

STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

**FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR
 FEASIBILITY ANALYSIS AND TAX INCREMENT REINVESTMENT ZONE CREATION**

THIS FIRST AMENDMENT, is made and entered into by and between Fort Bend County (hereinafter “County”), a body corporate and politic under the laws of the State of Texas, and Hawes, Hill & Associates LLP (hereinafter “Consultant”), a company authorized to conduct business in the State of Texas.

WHEREAS, the parties executed and accepted that certain AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR FEASIBILITY ANALYSIS AND TAX INCREMENT REINVESTMENT ZONE CREATION on or about May 23, 2023 (hereinafter “Agreement”); and

WHEREAS, the parties desire to amend the Agreement to reflect the change in Services to be provided and increase the total Maximum Compensation under the Agreement.

NOW, THEREFORE, the parties do mutually agree as follows:

1. County shall pay Consultant an additional \$60,000.00 to perform the additional Services as described in the Scope of Professional Services attached hereto as Exhibit “A” and incorporated herein for all purposes. Any legal services that may be provided will only be at the request of, and subject to the control of, the Fort Bend County Attorney.
2. The Maximum Compensation payable to Consultant for all Services rendered is hereby increased to an amount not to exceed \$150,000.00.

\$90,000.00	under the Agreement	
\$60,000.00	under this Amendment	
	TOTAL:	\$150,000.00

3. In no case shall the amount paid by County for all Services under the Agreement and this Amendment exceed the Maximum Compensation without an agreement executed by the parties.

Except as provided herein, all terms and conditions of the Agreement shall remain unchanged.

IN WITNESS WHEREOF, the parties hereto have signed or have caused their respective names to be signed to multiple counterparts to be effective on the date signed by the final party.

FORT BEND COUNTY



County Judge KP George

KP George, County Judge

10/10/2023

Date

Hawes, Hill & Associates LLP



Signed Name and Title *Managing Partner*

October 3, 2023

Date

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ 150,000.00 to accomplish and pay the obligation of Fort Bend County under this contract.



Robert Ed Sturdivant, County Auditor

i:\agreements\2023 agreements\edc\hawes hill & assoc (23-edc-100690)\1str amend hawes and hill 23-edc-100675.docx

EXHIBIT A

Exhibit “A”
Scope of Professional Consulting Services Creation of a Reinvestment Zone
Fort Bend County, Texas
Phase 2&3 in CAD 1 & CAD 11

A project team comprising Naina Magon and Patrick Horton of the Consultant’s professional staff will carry out the scope of professional consulting services described below. The services are broken down into the following phases; (II) preparation of the Preliminary Project Plan and Financing Plan; and (III) approval of the Creation of the Zone and Preliminary Project Plan and Financing Plan by Fort Bend County.

Phase 2– Preparation of Preliminary Project Plan and Financing Plan

- Prepare a preliminary project plan and reinvestment zone financing plan for use in briefings on the proposed zone’s creation, including costs of proposed public improvements. The preliminary plan will include the following: a) maps showing the existing uses and conditions of real property in the zone and maps showing proposed improvements to and use of that property; b) proposed changes to any ordinances applicable to the area; c) a list of the estimated non-project costs; and, d) a statement of the method of relocating persons to be displaced as a result of the implementation of the project plan. The preliminary financing plan will include: a) a detailed list of the estimated project costs of the zone, including administrative expenses; b) a statement listing the kind, number, and location of all proposed public works or public improvements in the zone; c) a finding that the plan is economically feasible and a feasibility study; d) the estimated amount of bonded indebtedness to be incurred; e) the time when related costs or monetary obligations are to be incurred; f) a description of the methods of financing all estimated project costs and the expected sources of revenue to finance or pay project costs, including the percentage of tax increment to be derived from the property taxes of each taxing unit that levies taxes on real property in the zone; g) the current total appraised value of taxable real property in the zone; h) the estimated captured appraised value of the zone during each year of its existence; and, i) the duration of the zone.
- Conduct meetings with elected officials/staff from all proposed participating jurisdictions regarding the zone creation/development strategy. Provide financial impact information to each, and work with any elected body committees to review the proposed creation and how it will impact the jurisdiction’s tax base and further each jurisdiction’s economic development goals and objectives.
- Conduct a workshop with the County on the creation of the zone. Present the proposed redevelopment strategy, the process for creating the reinvestment zone, and the administrative issues associated with implementation of the project plan and reinvestment zone financing plan and serve support staff to County staff in their role as advisors to the elected leadership.
- Make any recommended revisions to the preliminary project plan and reinvestment zone financing plan prior to the public hearing. Changes will include revisions to the proposed boundaries, adjustments to related data sets associated with the area targeted for redevelopment, types and locations of proposed improvements, and any other changes required.
- Prepare and deliver to the County the public notice of the hearing and preliminary project and

financing plan for distribution to all other taxing jurisdictions. Serve as the point of contact for any questions/issues that arise related to the hearing before the hearing is held.

- Prepare presentations for and deliver the same to all other taxing jurisdictions regarding the creation of the reinvestment zone. We will attempt to conduct a single briefing with all jurisdictions if possible. If necessary, we will provide the required briefing before each body independently.
- Assist the County with conducting the public hearing on the creation of the tax increment reinvestment zone. We will be present to serve as technical advisor to the County during the hearing.
- Prepare and deliver to the County Legal Department the creation order for the reinvestment zone. The order will meet all the required statutory findings required in Chapter 311 of the Property Tax Code.

Phase 3 - Creation of the Tax Increment Reinvestment Zone

- Work with the County to nominate and appoint the TIRZ board of directors.
- Prepare a final project plan and reinvestment zone financing plan for presentation to the TIRZ board. Should any changes to the plan be required based on the public hearing process, we will incorporate the necessary changes into the document and make it ready for presentation to the TIRZ board for their consideration and approval.
- Prepare and submit to the County Legal Department an order to approve the final project plan and reinvestment zone financing plan.
- Transmit the approved plan to all taxing jurisdictions.
- In coordination with the County, negotiate final participation agreements with other taxing jurisdictions. Each agreement will set forth the rate of participation for the jurisdiction, the term of the agreement, and any special negotiated provisions required by the jurisdiction for their participation in the TIRZ.
- Present agreements to the TIRZ board for approval.
- Prepare order to submit to the County Legal Department to approve the participation agreements for other taxing jurisdictions.

Fee

Precinct 1 - Phase 2 & 3	\$30,000
Precinct 4 – Phase 2 & 3	<u>\$30,000</u>
Total	\$60,000

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Hawes Hill & Associates LLP
Houston, TX United States

Certificate Number:
2023-1078771

Date Filed:
10/03/2023

Date Acknowledged:
10/10/2023

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

Fort Bend County

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

tbd

1st Amendment to Agreement for Professional Consultant Services: feasibility analysis and tax increment investment zone creation

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.



6 UNSWORN DECLARATION

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of _____, on the _____ day of _____, 20____.
(month) (year)

Signature of authorized agent of contracting business entity
(Declarant)