

Project Name: _____

File #: _____
(City will assign)

DEVELOPMENT AGREEMENT APPLICATION & CHECKLIST

DEVELOPMENT AGREEMENTS, MUDS, & PIDS

**AN APPOINTMENT IS REQUIRED TO SUBMIT A DEVELOPMENT AGREEMENT APPLICATION.
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.**

Please contact the Planning Department at 512-528-2771 or planning@leandertx.gov to schedule an appointment. All fees are required to be verified prior to scheduling the submittal meeting.

GENERAL

Development agreements are agreements between the City and a Developer. These agreements may include the establishment of reimbursements for the oversizing of utilities, roadway adequacy fees, updates to procedures related to the Subdivision Process, as well as masonry agreements.

INSTRUCTIONS

- Fill out the following application and checklist completely prior to submission.
- Use the most current form from the City's website (www.leandertx.gov) or from the Planning Department.
- After the application is received, a meeting will be scheduled to discuss the proposed agreement. Once the agreement is discussed, the City Attorney will draft an agreement for review.
- A meeting with staff is required to discuss the deal points prior to the submittal of this application.

REQUIRED ITEMS FOR SUBMITTAL PACKAGE:

- ___ 1. Completed and signed application/checklist
- ___ 2. Letter explaining proposed development agreement

FILING FEE CALCULATION:

DEVELOPMENT AGREEMENT		
FILING FEE	Filing Fee	\$1,000.00
	Legal Fee Deposit	+ \$5,000.00
TOTAL FEE (due at the time of application submission):		<u>\$6,000.00</u>

*Unused funds that are part of the legal deposit will be returned after the recordation of the agreement.

MUNICIPAL UTILITY DISTRICT (MUD) OR PUBLIC IMPROVEMENT DISTRICT (PID)		
FILING FEE	Filing Fee	\$2,500.00
	Legal Fee Deposit	+ \$5,000.00
TOTAL FEE (due at the time of application submission):		<u>\$7,500.00</u>

*Unused funds that are part of the legal deposit will be returned after the recordation of the agreement.

*A fee in the amount of \$100 per page or portion thereof is due upon approval of the agreement.

APPLICANT INFORMATION:

Please Note: The signature of owner authorizes City of Leander staff to visit and inspect the property for which this application is being submitted. The signature also indicates that the applicant or his/her agent has reviewed the requirements of this checklist and all items on this checklist have been addressed and complied with. If there are multiple property owners, one notarized form per owner is required. Approval of this application and the related plat or plans does not constitute the approval of variances or waivers to ordinance requirements. Applicant is responsible for compliance with all applicable ordinance unless a variance, waiver, or exception has been specifically approved.

The agent is the official contact person for this project and the single point of contact. All correspondence and communication will be conducted with the agent. If no agent is listed, the owner will be considered the agent.

(Check One):

___ I, the owner, will represent this application with the City of Leander.

___ I, the owner, hereby authorize the person named below to act as my agent in processing this application with the City of Leander.

(Check One):

___ I, the owner, have selected the Standard Review Procedure.

___ I, the owner, have selected the Alternative Review/Expedited Procedure and completed the required waiver form.

OWNERSHIP INFORMATION:

Owner Name (Company or Individual): _____

Contact Name: _____

(If property ownership is in the name of a partnership, corporation, joint venture, trust or other entity, please list the official name of the entity and the name of the managing partner.

Phone: _____ Fax: _____

Address: _____ City: _____ State: _____ Zip: _____

Email: _____ Mobile: _____

By signing this form, the owner of the property authorizes the City of Leander to begin proceedings in accordance with the process for the type of application indicated above. Owner further acknowledges that submission of an application does not in any way obligate the City to approve the application. By signing this form the owner of the property authorizes the City of Leander to enter upon the property to perform all necessary inspections and acknowledges that the construction will be in accordance with the City of Leander standards and the approved construction documents. By indicating an agent on the application, the property owner authorizes the agent to represent the request and all official contact will be between the City of Leander and the agent.

Owner's Signature: _____ **Date:** _____

THE STATE OF _____

§

COUNTY OF _____

§

KNOW ALL MEN BY THESE PRESENTS

§

Before me, _____, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he or she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____.

Notary Public's Signature _____

My Commission Expires: _____

AGENT INFORMATION:

If an agent is representing the owner of the property, please complete the following information:

Project Agent: _____ **Company:** _____

Phone: _____ Fax: _____

Address: _____ City: _____ State: _____ Zip: _____

Email: _____ Mobile: _____

I hereby attest that I prepared this application/checklist and that all information shown hereon is correct and complete to the best of my knowledge:

Signature

Name (printed)

Date

CONFLICT OF INTEREST DISCLOSURES

Please submit at the time of submission of application and update disclosures within 7 business days after the date of an event that would make a statement in the questionnaire incomplete or inaccurate.

ARTICLE 9.05, CITY CODE OF ORDINANCES – CODE OF ETHICS: <http://z2codes.franklinlegal.net/franklin/Z2Browser2.html?showset=leanderset>

▪ **Ethics Ordinance – Disclosure Statements**

The City's Ethics Ordinance requires persons seeking to enter discretionary contracts with the City or appearing before the City Council or another City board or body to disclose certain relationships and conflicts of interest. The relevant sections of the Ethics Ordinance are set forth below. The Ethics Ordinance can be found in Article 9.05, Chapter 9 of the City's Code of Ordinances at the above link.

Sec. 9.05.007 Persons doing business with the city

(a) Persons seeking discretionary contracts.

(1) For the purpose of assisting the city in the enforcement of provisions contained in this article, an individual or business entity seeking a discretionary contract from the city is required to disclose in connection with a proposal for a discretionary contract any conflict of interest. This is set forth in [sections 9.05.004](#) and [9.05.005](#) of this article. Further, the individual or business entity agree to abide by the same ethical standards as set forth for public servants in this article.

(2) Subsection (a) of this section will become a permanent footnote on documents contained in city bid packets for discretionary contracts.

(b) Disclosure of conflicts of interest by persons appearing before a board or city body. A person appearing before any city board or other city body for the purpose of doing business with the city shall disclose to that board or body any facts known to such person which may show or establish that:

- (1) An employee or officer of the city that advises or makes presentations to the board or city body; or
- (2) Any member of the board or city body;

has or may have a conflict of interest pursuant to chapter 171, Tex. Loc. Gov't. Code, or an interest which would violate the ethical standards set forth in this article, if he or she were to participate in the processing or consideration of the subject matter.

Sec. 9.05.009(f) Disclosure by persons appearing before a city body. Any person who appears before any city body who has had business dealings within the preceding 12-month period involving one or more transactions of five hundred dollars (\$500.00) or more each quarter, or for a total of twenty-five hundred dollars (\$2,500.00) or more, within the preceding 12-month period with a councilmember, commissioner, or business entity in which a councilmember or commissioner has a substantial interest, shall disclose such business dealings at the time of the appearance. Any person who shall intentionally or knowingly fail to make the aforesaid disclosure shall be guilty of a misdemeanor and shall be fined in accordance with this article.