

City of Fredericksburg

REGULAR CITY COUNCIL MEETING AGENDA

MONDAY, MARCH 2, 2020 ~ 6:00 P.M.

LAW ENFORCEMENT CENTER ~ 1601 EAST MAIN STREET

Linda Langerhans, Mayor
Tom Musselman, Councilmember
Bobby Watson, Councilmember

Charlie Kiehne, Councilmember
Gary Neffendorf, Councilmember
Kent Myers, City Manager

The City of Fredericksburg City Council will meet in a regular session on Monday, March 2, 2020, at 6:00 p.m. in the Law Enforcement Center, 1601 East Main Street, Fredericksburg, Texas. This is an open meeting, open to the public, subject to the Open Meetings Law of the State of Texas, and as required by law, notice is hereby posted on February 28, 2020, before 5:00 p.m., providing time, place, date and agenda thereof. The meeting facility is wheelchair accessible and accessible parking spaces are provided. Requests for accommodations or interpretative services must be made to the City Secretary 48 hours prior to this meeting.

(Please turn off all pagers and phones, except emergency on-call personnel.)

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER

3. PROCLAMATION

A. American Red Cross
(Agenda Packet Page 5)

4. EMPLOYEE RECOGNITIONS

5. PUBLIC COMMENTS

The City Council welcomes citizen participation and comments at all City Council Regular Meetings. The City Council offers citizens the opportunity to address them by signing up to speak prior to the meeting and to limit comments to 3-minutes.

NOTE: The Texas Open Meetings Act permits a member of the public or a member of the governmental body to raise a subject that has not been included in the notice for the meeting. However, any discussion of the subject must be limited to a proposal to place the subject on the agenda for a future meeting and any response to a question posed to the City Council is limited to either a statement of specific information or recitation of existing policy. TEX. GOV'T CODE § 551.042.

6. CONSENT

THE FOLLOWING ITEMS MAY BE ACTED UPON IN A SINGLE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THESE ITEMS WILL BE HELD UNLESS PULLED AT THE REQUEST OF A MEMBER OF CITY COUNCIL.

A. Consider approval of February 17, 2020, City Council Regular Meeting Minutes
(Agenda Packet Pages 7-13)

7. PUBLIC HEARING

- A. Annexation of approximately 91.24 acres of land situated in Gillespie County, Texas along the south side of W. Live Oak and extending from east of Post Oak Road to west of Smokehouse Road (1st of 2 hearings; 2nd public hearing is scheduled for March 16, 2020).
 - i. Hold a public hearing to receive comments for or against
 - ii. Discussion on the proposed annexation(Agenda Packet Pages 15-25)

- B. Hold a public hearing to receive comments for or against the proposed development of affordable rental housing of 152 units that will be located at the corner of South Eagle Street and Friendship Lane (The Reserve at Vineyard Oaks).
(Agenda Packet Pages 27-34)

8. ORDINANCES AND RESOLUTIONS

- A. Stone Ridge Unit 10 approximately 13.395 acres of land located near the intersection of Lower Crabapple Road and Ellebracht Drive, Gillespie County, Texas
 - i. Consider the approval of Ordinance 2020-07 annexing to the City; extending the Corporate Limits of the City, so as to include said territory; granting to all inhabitants and future inhabitants of said territory all the rights and privileges of other citizens of the City; binding the inhabitants and future inhabitants of said territory by any and all acts, Ordinance, Resolutions and regulations of said City. (first of two readings; City Council may waive second reading) (Page 38).
 - ii. Consider the approval of Ordinance 2020-08 amending the Zoning Ordinance of the City and establishing the Zoning District, upon annexation into the City; establishing Residential Zoning for said property upon annexation; and providing for an effective date. (first of two readings; City Council may waive second reading) (Page 43).

(Agenda Packet Pages 35-47)

- B. Consider the approval of Ordinance 2020-09 amending Division 3 - Parking of Trucks, Tractors, Trailers and Recreational Vehicles, of Article VI - Stopping, Standing and Parking, of Chapter 44 - Traffic and Motor Vehicles, of the Code of Ordinances, to modify the restrictions related to the parking of certain vehicles on public streets in residential zoned areas of the City, and providing for an effective date (first of two readings; City Council may waive second reading).

(Agenda Packet Pages 49-56)

- C. Consider the approval of Resolution 2020-05R supporting the application to the Texas Department of Housing and Community Affairs for 2020 Housing Tax Credits for The Reserve at Vineyard Oaks

(Agenda Packet Pages 27-34)

9. OTHER ACTION ITEMS AND UPDATES

- A. Consider awarding the Materials Bid for the Street Department for HFRS, Flexible Base Material, Paving Rock, Limestone Rock, Hot Mix Cold Laid Asphalt

(Agenda Packet Pages 57-60)

10. CITY MANAGER'S REPORT

- A. Marktplatz Improvements
- B. Traffic Impact Study
- C. Open House and Touch a Truck Event

- D.** Update on Proposal to Create a Public Improvement District (PID) in the Friendship Oaks Subdivision

11. ITEMS FOR FUTURE AGENDA

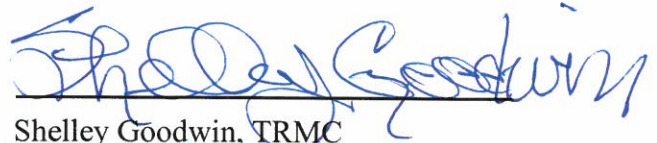
(Agenda Packet Pages 61-62)

12. COUNCIL COMMENTS

Reports about items of community interest, which no action will be taken.

13. ADJOURN

This is to certify that I, Shelley Goodwin, posted this Agenda at 11:25 a.m. on February 27, 2020, at the entrance and on the bulletin board of the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.


Shelley Goodwin, TRMC
City Secretary

PROCLAMATION

WHEREAS, March is American Red Cross Month, a special time to recognize and thank our Everyday Heroes – those who reach out to help their neighbors when they are in need.

WHEREAS, American Red Cross heroes are on the front lines every day. They volunteer their time, give blood, take life-saving courses or provide financial donations to help those in need.

WHEREAS, the Hill Country Chapter has been here since 1917, we would like to remember our heroes here in Gillespie who give to help people in need. They work tirelessly to help in time of disaster, when someone needs life-saving blood, or the comfort of a helping hand. They install free smoke alarms. They provide round-the-clock support to members of the military, veterans and their families, and teach lifesaving classes in CPR, aquatics safety and first aid.

WHEREAS, across the country and around the world, the American Red Cross responded to hurricanes, tornadoes, floods and wildfires.

WHEREAS, when an injured service member ended up in a hospital far from home, the American Red Cross offered comfort. When a hospital patient needed blood, American Red Cross blood donors helped them. When a lifeguard jumped in to save a drowning child or someone stepped up to help a heart attack victim, the American Red Cross was there.

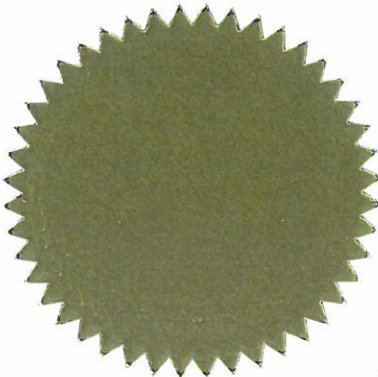
WHEREAS, we dedicate the month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies. Our community depends on the American Red Cross, which relies on donations of time, money and blood to fulfill its humanitarian mission.

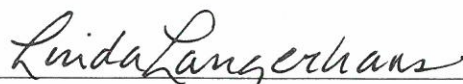
NOW, THEREFORE, I, Linda Langerhans, Mayor Fredericksburg Texas, do hereby proclaim March 2020 as:

American Red Cross Month

In the City of Fredericksburg and encourage all citizens to support this organization and its noble humanitarian mission.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Fredericksburg to be affixed this 2nd day of March, 2020.




Linda Langerhans
Mayor



CITY OF FREDERICKSBURG

MINUTES OF CITY COUNCIL REGULAR MEETING

FEBRUARY 17, 2020

Members Present:

Mayor Linda Langerhans
Mayor Pro Tem Gary Neffendorf
Councilmember Charlie Kiehne
Councilmember Tom Musselman

Members Absent:

Councilmember Bobby Watson

City Staff Present:

Kent Myers, City Manager
Clinton Bailey, Assistant City Manager/Director of Public Works and Utilities
Daniel Jones, City Attorney
Brian Jordan, Development Services Director
Steve Wetz, Police Chief
Russell Immel, Information Technology Director
Andrea Schmidt, Parks Department Director
Kris Kneese, Assistant Director of Public Works and Utilities
Garrett Bonn, Assistant Engineer
Shelley Goodwin, City Secretary

1. PLEDGE OF ALLEGIANCE

Mayor Langerhans led the Pledge.

2. CALL TO ORDER

With a quorum of the City Council present, Mayor Langerhans called the regular meeting of the Fredericksburg City Council to order at 6:00 p.m. on Tuesday, February 3, 2020, in the Law Enforcement Center, 1601 East Main Street, Fredericksburg, Texas 78624.

3. EMPLOYEE RECOGNITIONS

Kent Myers, City Manager, read a thank you from Gregory Arden, TABC Officer, regarding the courtesy and kindness he received from Officers Preston Schmidt, Hugo Alvarez, and Benton McClaran.

4. PUBLIC COMMENTS

No one wished to speak during this Agenda Item.

5. CONSENT

THE FOLLOWING ITEMS MAY BE ACTED UPON IN A SINGLE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THESE ITEMS WILL BE HELD UNLESS PULLED AT THE REQUEST OF A MEMBER OF CITY COUNCIL.

A. Consider approval of City Council Meeting Minutes

- i. January 16, 2020 City Council Work Session
- ii. January 29, 2020 City Council Work Session
- iii. February 3, 2020, City Council Regular Meeting

B. Consider Street Closures

- i. Wildflower Run on Saturday, April 20, 2020 from 6 a.m.-12 p.m. closing W. Austin Street between N. Adams Street and N. Crockett Street.
- ii. Well-Fest on Saturday, May 16, 2020 from 5 p.m. until Sunday, May 17, 2020 at 8 p.m. closing a portion of Reuben Street from Windcrest to the Brune Building complex.
- iii. Crawfish Festival on Thursday, May 21, 2020 at 8 a.m. until Sunday, May 24, 2020 at 6 p.m. closing the parking lane adjacent to Marktplatz on Adams Street and Friday, May 22, 2020 8 a.m. until Sunday May 24, 2020 6 p.m. closing one southbound lane on Adams Street adjacent to Marktplatz, and Friday May 22, 2020 at 8a.m.until Sunday, May 24, 2020 at 6 p.m. closing W. Austin Street between N. Adams and N. Crockett Streets

Councilmember Musselman pulled Item B from the Consent Agenda to be considered separately.

Motion: A motion was made by Councilmember Musselman seconded by Councilmember Neffendorf, to approve the Consent Agenda Items 5.A. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

Consent Agenda Item 5. B.

B. Consider Street Closures

- i. Wildflower Run on Saturday, April 20, 2020 from 6 a.m.-12 p.m. closing W. Austin Street between N. Adams Street and N. Crockett Street.
- ii. Well-Fest on Saturday, May 16, 2020 from 5 p.m. until Sunday, May 17, 2020 at 8 p.m. closing a portion of Reuben Street from Windcrest to the Brune Building complex.
- iii. Crawfish Festival on Thursday, May 21, 2020 at 8 a.m. until Sunday, May 24, 2020 at 6 p.m. closing the parking lane adjacent to Marktplatz on Adams Street and Friday, May 22, 2020 8 a.m. until Sunday May 24, 2020 6 p.m. closing one southbound lane on Adams Street adjacent to Marktplatz, and Friday May 22, 2020 at 8a.m.until Sunday, May 24, 2020 at 6 p.m. closing W. Austin Street between N. Adams and N. Crockett Streets

Councilmember Musselman inquired to the cost of closing down the streets and whether the City's expenses are cover by the organization .

Andrea Schmidt, Parks Department Director, stated the City does incur expenses and staff is currently looking at fees to help recoup those expenses.

Motion: A motion was made by Councilmember Musselman seconded by Councilmember Kiehne, to approve the Consent Agenda Items 5.B with amendment to B. i. should read Saturday, April 25th. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

6. PUBLIC HEARING

A. Z-2001 and Z-2002 - Hold public hearings to receive comments for or against the following request by Andrew Bray for property located at 521 Friendship Lane

- i. Change to the Land Use Map and Comprehensive Plan, changing said property from Low Density Residential to Commercial.**
- ii. Change the Zoning District, changing said property from R-1 Single Family Residential to C-1.5 Medium Commercial.**

Motion: A motion was made by Councilmember Neffendorf seconded by Councilmember Musselman, to go out of Regular Meeting into Public Hearing at 6:27 p.m. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

Kevin Avery, property owner, reviewed the proposed project and the reasons for the request.

Chris Avery, property owner, provided the history of the project and the goals they have for the proposed project.

Motion: A motion was made by Councilmember Musselman seconded by Councilmember Neffendorf, to go out of Public Hearing into Regular Meeting at 6:30 p.m. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

Brian Jordan, Development Services Director, reviewed the reasons for the Zoning change, Land Use change and Conditional Use Permit. He also reviewed the location and the history of the property. He stated the applicants are proposing to build a 17,000 square foot multi-story indoor climbing facility and a 5,000 square foot restaurant, and possible future offices and residents. He stated the Planning and Zoning Commission voted 7 for and 1 opposed for the 3 requests for 521 Friendship Lane.

The City Council discussed the type of uses for the C 1.5 Zoning.

Councilmember Musselman stated he spoke out against the zoning changes. He stated he has concerns about the zoning change and feels similar requests will occur in the future.

- i. Conditional Use Permit to operate an indoor sports and recreation facility and limited restaurant on a C-1.5 zoned property.**

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Neffendorf, to go out of Regular Meeting into Public Hearing at 6:32 p.m. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

Andy Bray, Mustard Design, reviewed the application for the Conditional Use Permit and the proposed ideas for the property. He also reviewed the site map and stated the owners propose to preserve most of the natural environment surrounding the property.

Rhonda Dickerson, MOM Center, stated she supports this project because it gives families opportunities and enjoy activities together.

Motion: A motion was made by Councilmember Musselman seconded by Councilmember Neffendorf, to go out of Public Hearing into Regular Meeting at 6:35 p.m. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

7. ORDINANCES AND RESOLUTIONS

A. Z-2001 and Z-2002- Consider approval of the following request from Andrew Bray for property located at 521 Friendship Lane:

- i. Ordinance 2020-05 adopting a change in the Land Use Map and Comprehensive Plan as to all the of German Emigration Company Outlot No. 22, as recorded in the Deed Records of Gillespie County, Texas, situated in the City of Fredericksburg, Texas , changing said property from Low Density Residential to Commercial; and providing for an effective date (first of two readings; City Council may waive second reading).**

Motion: A motion was made by Councilmember Neffendorf seconded by Councilmember Kiehne, to approve Ordinance 2020-05 adopting a change in the Land Use Map and Comprehensive Plan as to all the of German Emigration Company Outlot No. 22, as recorded in the Deed Records of Gillespie County, Texas, situated in the City of Fredericksburg, Texas , changing said property from Low Density Residential to Commercial; and providing for an effective date and wave second reading. The City Council voted three (3) for and one (1) opposed (Councilmember Musselman). The motion carried.

- ii. Ordinance 2020-06- amending the Zoning Ordinance of the City and changing the Zoning District as to all of German Emigration Company Outlot No. 22, as recorded in the deed records of Gillespie County, Texas, situated in the City of Fredericksburg, Texas; changing said property from R-1 Single Family Residential to C-1.5 Medium Commercial; and providing for an effective date. (first of two readings; City Council may waive second reading).**

Motion: A motion was made by Councilmember Kiehne seconded by Councilmember Neffendorf, to approve Ordinance 2020-06 amending the Zoning Ordinance of the City and changing the Zoning District as to all of German Emigration Company Outlot No. 22, as recorded in the deed records of Gillespie County, Texas, situated in the City of Fredericksburg, Texas; changing said property from R-1 Single Family Residential to C-1.5 Medium Commercial; and providing for an effective date. and waive second reading. The City Council voted three (3) for and one (1) opposed (Councilmember Musselman). The motion carried unanimously.

- iii. Conditional Use Permit to operate an indoor sports and recreation facility and limited restaurant on a C1.5 zoned property.**

Brian Jordon, Development Services Director, provided reasons why the Planning and Zoning Commission approved the permit. He stated the process for Conditional Use Permits are based on what is allowed in the zoning and he feels this project could be a positive project for the City.

The City Council reviewed the project and the whole property and development.

Kevin Avery, property owner, reviewed the future ideas of what could be developed on the property.

Motion: A motion was made by Councilmember Neffendorf seconded by Councilmember Musselman, Conditional Use Permit to operate an indoor sports and recreation facility and limited restaurant on a C1.5 zoned property. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

B. Consider the approval of Resolution 2020-04R amending the Order adopted on February 3, 2020, Ordering a General Election on May 2, 2020, for the purpose of electing a Mayor and Two (2) City Councilmembers to City Council; adding the

provisions for the conduct of such Election and resolving other matters related to the conduct of such Election.

Shelley Goodwin, City Secretary, stated the City Council voted to not contract for Election Services for the May 2, 2020 General Election. Resolution 2020-04R amends the Order the City Council previously adopted; the amendments provide for provisions for conducting the May 2, 2020 General Election.

Motion: A motion was made by Councilmember Kiehne seconded by Councilmember Neffendorf, to approve Resolution 2020-04R amending the Order adopted on February 3, 2020, Ordering a General Election on May 2, 2020, for the purpose of electing a Mayor and Two (2) City Councilmembers to City Council; adding the provisions for the conduct of such Election and resolving other matters related to the conduct of such Election. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

8. OTHER ACTION ITEMS AND UPDATES

A. Consider approving the Interlocal Agreement with Fredericksburg Independent School District for a School Resource Officer.

Steve Wetz, Police Chief, reviewed the Interlocal Agreement and the changes that have been made in the Interlocal Agreement. He also requested that the City Council allow the City Manager to negotiate the Agreement with Fredericksburg ISD.

The City Council discussed the value of a School Resource Officer and the funding the school receives from the State for the Officer. They provided directions to negotiate the cost share of the Officer at a minimum of 50% and then bring the Agreement back in a year to renegotiate the cost share.

Motion: A motion was made by Councilmember Musselman seconded by Councilmember Kiehne, to approve the City Manager to negotiate the terms of the Interlocal Agreement with Fredericksburg Independent School District for a School Resource Officer at a minimum of 50% cost sharing program. The City Council voted four (4) for and one (1) opposed. The motion carried unanimously.

Jerry Luckenbach stated the Resource Officer is working with students who are from the City and the County, so the school should consider including the County in the cost sharing program.

B. Consider approving the City Manager's Performance Goals for 2020.

Kent Myers, City Manager, reviewed the Performance Goals and asked if there were any changes.

Motion: A motion was made by Councilmember Musselman seconded by Councilmember Neffendorf, to approve the City Manager's Performance Goals for 2020. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

C. Consider awarding the Fiscal Year 2020 Hotel Occupancy Tax Funds to recipients.

Kent Myers, City Manager, reviewed the applicants and the proposed amount awarded. He stated the difference in the amount budgeted and the amount awarded will be addressed in a budget amendment.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Kiehne, to approve funding Admiral Nimitz for \$130,000. The City Council voted three (3) for, none (0) opposed, and one (1) abstain (Councilmember Neffendorf). The motion carried.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Neffendorf, to approve funding the remainder of request for \$361,609 (see attached list). The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

9. CITY MANAGER'S REPORT

A. City Council/County Commissioner's Meeting-February 28

Kent Myers, City Manager, stated the City Council/County Commissioner's Meeting is scheduled for February 28th at 8:30 am in Fire Training Room. He also reviewed the proposed Agenda.

B. Kinder Morgan Pipeline

Kent Myers, City Manager, stated the Judge ruled that Kinder Morgan Pipeline is not an environmental issue. He stated he had a meeting today with members of Kinder Morgan Pipeline representative regarding the timeline, he also provided an update on how the Police Department will work off duty to provide security. He also stated Kinder Morgan will not travel Main Street with heavy equipment.

C. Public Improvement Districts

Kent Myers, City Manager, stated a number of issues need to be resolved before this item is brought back to City Council.

10. ITEMS FOR FUTURE AGENDA

Kent Myers, City Manager, reviewed the Future Agenda Items.

11. COUNCIL COMMENTS

Councilmember Kiehne stated he visited Cross Mountain recently and he appreciates all the work that has occurred out there.

12. EXECUTIVE SESSION

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Section 551.071

A. Consider and discuss legal advice regarding the Water and Sewer Construction Contract entered into between the City and Boot Ranch Development (Section 551.071).

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Neffendorf, to go out of Regular Session into Executive Session at 7:12 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Motion: A motion was made by Councilmember Kiehne, seconded by Councilmember Neffendorf, to go out of Executive Session into Regular Session at 7:48 p.m. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

13. BUSINESS ITEM

The City Council did not discuss this Agenda Item.

14. ADJOURN

Motion: A motion was made by Councilmember Kiehne, seconded by Councilmember Musselman, to adjourn the Monday, February 17, 2020, City Council Regular Meeting at

7:48 p.m. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

Linda Langerhans
Mayor

ATTEST

Shelley Goodwin, TRMC
City Secretary



CITY COUNCIL MEMO

DATE: March 2, 2020

TO: Mayor and City Council

FROM: Brian Jordan, AICP

SUBJECT: Public Hearing to consider the Annexation of approximately 91.24 acres of land situated in Gillespie County, Texas and located along the south side of W. Live Oak Street, west of Post Oak Road and the current City Limits (1st of two hearings)

Summary:

The annexation originally consisted of approximately 117.1 acres of land situated in Gillespie County, Texas along the south side of W. Live Oak Street, as shown on the accompanying map. Five property owners elected to sign the Pre-Annexation Development Agreement, resulting in the reduction of the area to 91.24 acres. The properties electing not to be annexed are reflected on the map attached to the Annexation Ordinance. The area consists primarily of properties located along the south side of W. Live Oak Street extending from east of Post Oak Road to west of Smokehouse Road. The property is characterized by primarily residences, vacant land and some commercial businesses.

Recommendation:

Conduct the public hearing and receive comments. No action is required.

Background / Analysis:

At the retreat in January, 2018, the City Council prioritized areas of the community for annexation. After the U.S. Highway 290 East corridor, the W. Live Oak Street area was determined as the next highest priority. On August 2, 2019, letters were sent to property owners who have a tax exemption for

The City of Fredericksburg

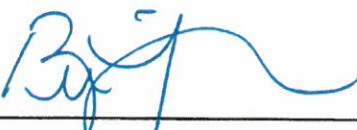
agricultural, wildlife or timber purposes, offering them a pre-annexation development agreement. This agreement allowed these property owners the ability not to be annexed as long as their property remained undeveloped and met certain requirements. A total of 7 properties qualified for the pre-annexation development agreement. Five property owners have signed the agreement and the Pre-Annexation Development Agreements have been finalized and recorded on January 9, 2020 in the Gillespie County Deed Records.

Following the public hearings held at the Law Enforcement Center, 1601 E. Main Street, Fredericksburg, Texas on October 7, 2019 and October 21, 2019, it was determined that notice of these public hearings were not properly posted on the City's website. While all other notices were compliant with State Law, it was decided by the City Council that new notices and hearings would be scheduled. Updated letters were sent to the affected property owners on January 31, 2020. The public hearings are scheduled for March 2, 2020 and March 16, 2020, and the Institution of Annexation Proceedings is scheduled for April 6, 2020. Public Hearings on the Zoning and Land Use Plan were held October 8, 2019 (Planning and Zoning Commission) and October 21, 2019 (City Council). Favorable approval was given for both actions.

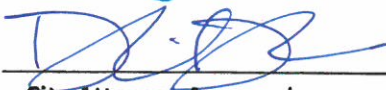
The City is required by statute to prepare a Service Plan for the areas being considered for annexation. The plan sets forth the timing and responsibilities for providing public services. Approval of the Service Plan is required. In addition to the Service Plan for the tracts being annexed, a separate Annexation Agreement was requested by Mr. Bobby Stewart who owns the property at 740 W. Live Oak Street. Mr. Stewart has been working with the City for a while to develop an apartment complex on his site. Because a portion of Mr. Stewart's property fronting on Post Oak Road was sold to LCRA, he has requested that his utilities be extended to the western edge of his property along Live Oak Street. We have revised the Utility extension plan to accommodate this request. The additional cost associated with the request is estimated to be approximately \$138,000.

Attachments:

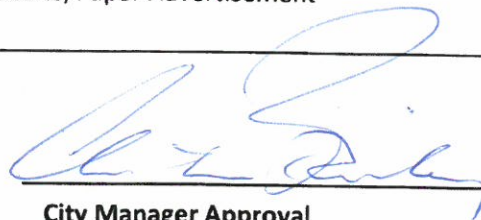
Service Plan, Map of the area, Map of updated ETJ, Website/Paper Advertisement



Department Approval



City Attorney Approval



City Manager Approval

The City of Fredericksburg



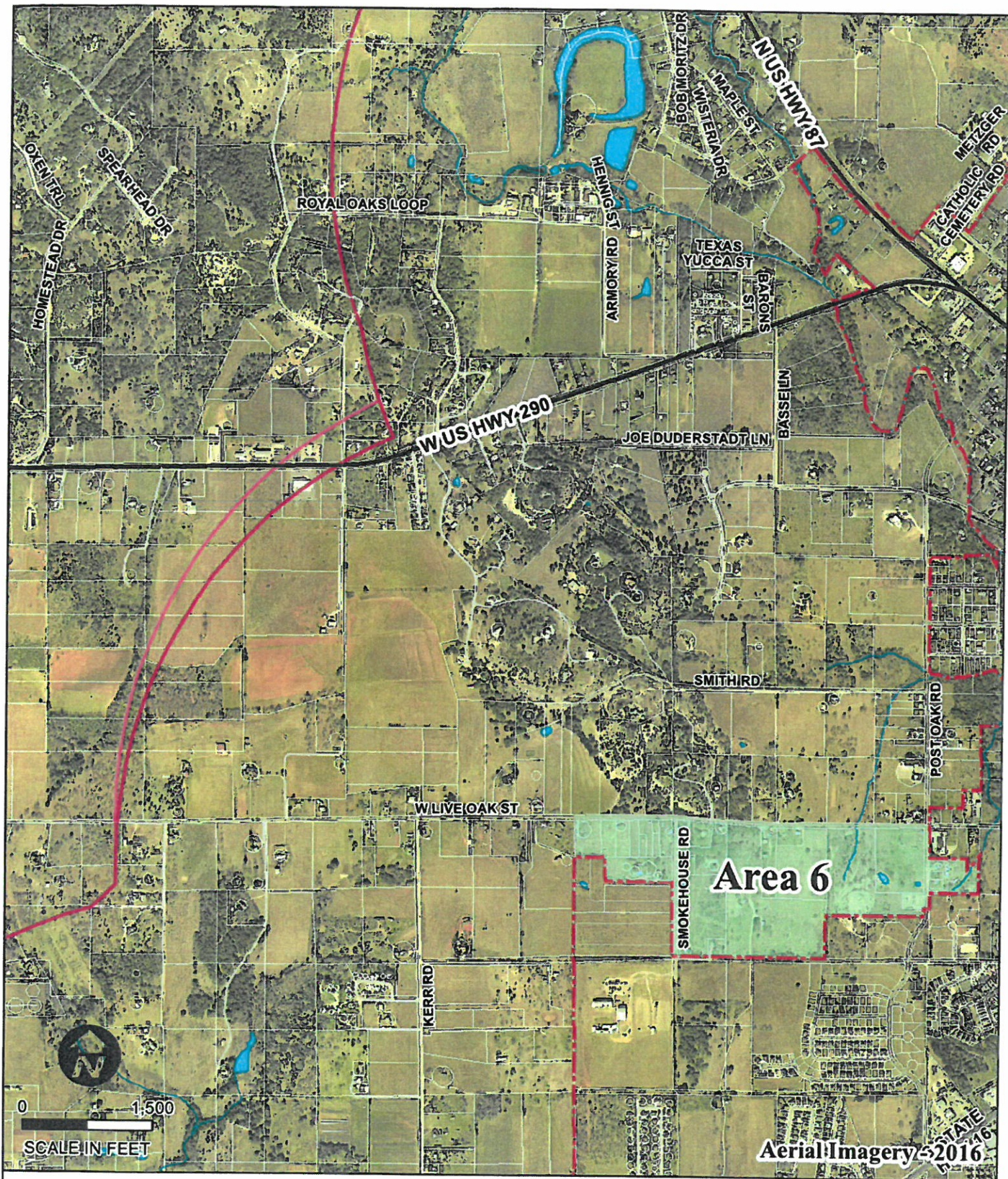


FIGURE 1
City of Fredericksburg
 New Area 6 Annexation ETJ

LEGEND

- | | |
|-----------------------------|-----------------------------|
| Current City Limit Boundary | Current 1-Mile ETJ Boundary |
| New 1-Mile ETJ Boundary | Agenda Packet |

City of Fredericksburg
Annexation Service Plan
For Annexation Parcel 2019-02

I. TERRITORY

This service plan is applicable to approximately 91.43 acres of land located along the south side of West Live Oak Street in Gillespie County, Texas (the "Annexation Parcel"), as additionally shown on a map of the area set forth in Exhibit B. The Annexation Parcel consists primarily of properties located along the south side of West Live Oak Street, extending from Post Oak Road to the west of Smokehouse Road.

II. GENERAL PROVISIONS

a. Effective Term. This service plan shall be in effect for a ten-year period commencing on the effective date of the annexation.

b. Amendment or Renewal. This service plan may be amended from time to time as provided by Local Government Code. Renewal of this service plan shall be at the sole option of the Fredericksburg City Council.

c. Intent. It is the intent of the City of Fredericksburg that this service plan shall provide for the delivery of full municipal services to the annexed area in accordance with State law. The failure of this plan to describe any particular service shall not be deemed to be an attempt to omit the provision of such services from the annexed area. The delivery of municipal services may be accomplished through any means permitted by law.

d. Level of Services to be Provided. It is the intent of the City of Fredericksburg to provide the level of services required by State law. The City Council finds and determines that the level of services, infrastructure and infrastructure maintenance provided within the area prior to annexation is not greater than is provided in the City. The City Council finds and determines that the services, infrastructure and infrastructure maintenance proposed by this plan are comparable to that provided to other parts of the City with reasonably similar topography, land use, and population density. The City Council finds and determines that implementation of this plan in the manner proposed will not reduce the level of fire, police, and emergency medical services available within the City.

III. SERVICES TO BE PROVIDED AT ANNEXATION

The following services will be provided within the annexed area immediately upon the effective date of the annexation. In the case of a gated subdivision, it will be the responsibility of the Property Owners Association (POA) of the gated subdivision to allow timely emergency service access and City staff access, particularly in cases where the access mechanism changes on or after annexation.

a. Police Protection. The City of Fredericksburg Police Department will provide police services, including criminal investigations, routine patrol, traffic enforcement, and dispatched response to both emergency and non-emergency service calls. It is anticipated that police services within the annexed area will be provided utilizing existing levels of personnel and equipment. Currently, the nearest police station is the City of Fredericksburg Police Department headquarters, located at 1601 E. Main Street.

b. Fire Protection and Emergency Medical Services. The City of Fredericksburg Fire Department will provide emergency fire suppression and routine fire prevention services within the annexed area. The City of Fredericksburg Emergency Medical Services (EMS) Department will provide primary EMS services within the annexed area. Firefighters may be dispatched to the scene of accidents or other medical emergencies to assist EMS personnel or to provide "first responder" services pending the arrival of EMS personnel.

c. Solid Waste Collection. The City provides fee based household garbage collection services to single family residences within the City. The City provides a single drop off location for recycling collection within the City. The City does not collect garbage from commercial establishments. Commercial garbage collection and disposal and/or recycling and is available from privately owned collection businesses.

The City currently provides residential garbage collection at the street curb using an automated collection system that requires use of specific collection containers. In accordance with the City's current policy, each residential garbage customer will be provided a collection container for waste disposal. The City does not currently provide recycling collection at the street curb.

Privately owned solid waste management service providers currently provide collection services within the annexed area and may continue to provide such services. Pursuant to Local Government Code, at any time before the second anniversary of the date an area is included within the corporate boundaries of a the City by annexation, the City may not (1) prohibit the collection of solid waste in the area by a privately owned solid waste management service provider; or (2) offer solid waste management services in the area unless a privately owned solid waste management service provider is unavailable. The City will commence residential collections services prior to the second anniversary of annexation if

requested to do so in writing by any property owner. Any such request must be made at least 90 days prior to the proposed effective date for initiation of City service.

d. Maintenance of Water and Wastewater Facilities. The annexation territory is not currently within the service area of the City of Fredericksburg. The extension of City utility services to areas not within the service area of another water or wastewater utility service provider will be provided in accordance with the City's capital improvement plan described in Article IV of this service plan, and the City's water and wastewater utility extension policies that are described in Article V of this service plan.

The City does not maintain privately owned water wells or septic or aerobic wastewater systems. Property owners who currently have water wells, septic or aerobic wastewater systems may keep them as long as they are maintained in proper working order. When City wastewater disposal facilities are available to serve existing development the City may require connection to the City system instead of permitting the installation of new septic or aerobic disposal systems. Mandatory connection to the City wastewater system will not be required where existing systems remain in good working order and do not present a threat to public health or safety.

e. Maintenance of Roads, Streets, Street Lighting, and Drainage Infrastructure. The City is currently not responsible for the maintenance of public roads, streets, street lighting, and drainage infrastructure in the annexed area.

The City will assume the responsibility for maintenance of public roads, streets, street lighting, and drainage infrastructure previously accepted for maintenance by official action of the Commissioners Court of Gillespie County. Any such roads, streets, street lighting, or drainage infrastructure formerly maintained by Gillespie County that become subject to City maintenance will be maintained in a condition which is at least equal to the Gillespie County maintenance standard, however, the City will not be required to reconstruct or upgrade such streets to a higher standard.

It is the responsibility of a developer to construct or provide new roads, streets, street lighting, and drainage infrastructure necessary to serve the demands of new development in the areas to be annexed. The City may accept the dedication of public streets and/or drainage infrastructure constructed in accordance with applicable development regulations of the City.

f. Maintenance of Parks, Playgrounds and Swimming Pools. There are no public parks, public playgrounds, or public swimming pools within the area to be annexed.

g. Maintenance of any other Public Building, Facility or Service. Annexation does not transfer ownership of public buildings, facilities or services,

all of which should continue to be maintained or provided by the public entity that currently owns or provides them. Privately owned facilities, including privately owned and operated storm water detention facilities, are not affected by the annexation.

An appropriate City Department will be assigned to assume responsibility for the maintenance or provision of any required facilities or services which become the responsibility of the City and are not expressly provided for by this service plan.

IV. CAPITAL IMPROVEMENTS PLAN

Construction of the following capital improvements related to the annexation will be substantially completed within 2½ years, except for certain services that the City cannot reasonably provide within that period, and for which the City proposes a schedule set forth below to provide for the provision of full municipal services no later than 4-1/2 years after the effective date of the annexation.

a. Police Protection. No additional capital improvements are needed at this time to provide police services.

b. Fire Protection. No capital improvements are needed at this time to provide fire protection services.

c. Solid Waste Collection. No capital improvements are needed at this time to provide solid waste collection services.

d. Water and Wastewater Facilities. The City cannot reasonably provide full water and wastewater services to the annexed area within 2½ years. To provide for the provision of full municipal water and wastewater services to the annexed area no later than 4 ½ years after the effective date of the annexation, the City proposes a schedule set forth below:

Water Service - Design and construction of water infrastructure including, but not limited to water lines, water valves, fire hydrants, and other appurtenances necessary.

Design of water line infrastructure to be complete by September 2022.

Construction of water line infrastructure to be complete by December 2023.

Wastewater Service - Design and construction of wastewater infrastructure including, but not limited to gravity sanitary sewer system, and other appurtenance necessary.

Design of wastewater infrastructure to be complete by September 2022.

Construction of wastewater infrastructure to be complete by December 2023.

e. Roads, Streets, Street Lighting, and Drainage Infrastructure. No new roads, streets, street lights, or drainage infrastructure is needed at this time. It will be the responsibility of a developer of any property to provide the new roads, streets, and drainage infrastructure necessary to serve new development within the annexed area.

f. Parks, Playgrounds and Swimming Pools. No capital improvements are needed at this time to provide recreational services.

g. Other Public Buildings, Facilities or Services. No capital improvements are needed at this time to provide other public services.

V. WATER AND WASTEWATER SERVICE EXTENSION POLICIES

The City provides fee based water and wastewater services to the portions of the City which are not within the service area of another water or wastewater utility provider. For lots that have water or wastewater lines in an abutting street or easement, the owner may receive water or wastewater service by applying for a City tap and paying any required fees.

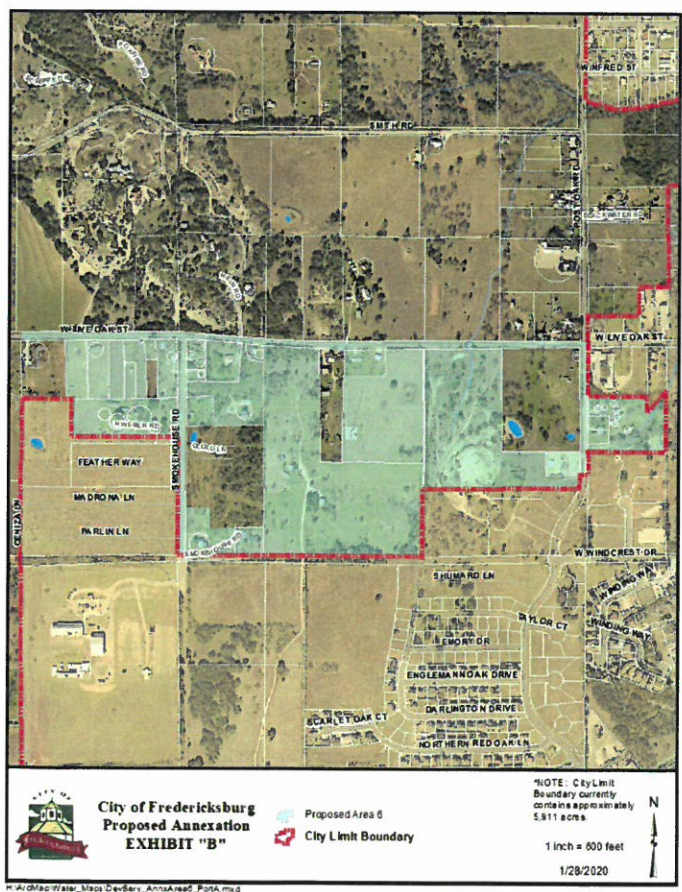
The provision of water and wastewater facilities for new development within the City is primarily governed by the City's building code and subdivision ordinances that are found in Chapters 14 and 94 of the City Code of Ordinances. New development must be served by owner/developer provided public water and wastewater facilities that meet the City's standard requirements. Upon construction and dedication by the owner/developer the City agrees to provide services via the facilities and thereafter to maintain them.

Facilities necessary to serve any new development are generally provided at the sole cost of the developer. Such facilities include not only those which are located within the developer's property, but also any exterior mains which must be extended to connect the property under development to the point of connection with the City's existing facilities. The City need not compensate the developer for the ordinary costs of extending exterior mains.

The City may require that the developer provide oversized water or wastewater facilities. In such cases the City will pay the reasonable cost of such oversizing. Whether or not a particular line sizing constitutes "oversizing," is determined upon the basis of generally accepted sound engineering design practices.

In newly annexed areas the City examines the need for line extensions to

serve existing development that does not currently receive water or wastewater services. The City will determine the need for the construction of lines and facilities to serve existing development after giving due consideration to the topography, land use, population density, the adequacy of existing private water wells and septic tanks and anticipated levels of demand. The City will not undertake line extensions to serve such existing development unless the new lines will be logical, reasonable and prudent extensions of the City's existing facilities. From time to time, upon the request of an interested property owner the City will consider whether or not line extensions previously deemed unnecessary have become necessary as a result of changed conditions. The City may recover the capital costs of extending water or wastewater facilities to serve existing development through the use of impact fees, assessments or any other method authorized by law.



PUBLIC HEARINGS NOTICE

Notice is hereby given to all interested persons that Public Hearings will be held by the City Council to receive comments for or against the proposed annexation approximately 91.24 acres of land situated in Gillespie County, Texas along the south side of West Live Oak Street, as shown on the accompanying maps. The annexation area consists primarily of properties located along the south side of West Live Oak Street extending from Post Oak Road to West of Smokehouse Road.

First Public Hearing: March 2, 2020

Second Public Hearing: March 16, 2020

Both hearings will take place at 6 p.m. at the Law Enforcement Center, 1601 E. Main Street, Fredericksburg, Texas.

Following the annexation of property, the Extraterritorial Jurisdiction ("ETJ") of the City of Fredericksburg will expand to comprise the unincorporated area contiguous to the new city boundaries within one mile of the new boundaries.

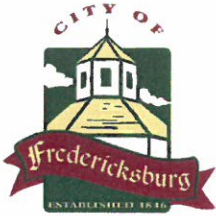
The expanded ETJ will include the area beginning along W. Live Oak Street, approximately 3500 feet west of Kerr Road, and extending northeasterly to generally the intersection of West US Highway 290 and Royal Oaks Loop (see map).

The ETJ is an unincorporated area that is contiguous to the corporate boundaries of the city established by the Texas Legislature in 1963 to promote and protect the general health, safety and welfare of persons residing in and adjacent to the City.

The following City Ordinances apply in the ETJ:

- Annexation – Chapter 23, Code of Ordinances
- Subdivision and Platting Regulations – Chapter 38, Code of Ordinances
- Signage – Chapter 29, Code of Ordinances
- Hotel Occupancy Tax – Chapter 41, Code of Ordinances

This facility is wheelchair accessible and accessible parking space are available. Request for accommodations or interpretive service must be made 48 hours prior to the meetings. Please contact the City Secretary's Office at (830)997-7521 for further information.



CITY COUNCIL MEMO

DATE: February 21, 2020
TO: Mayor and City Council
FROM: Kent Myers, City Manager
SUBJECT: Resolution of Support-Vineyard Oaks Apartments

Summary:

The MacDonald Companies has requested a resolution supporting their application for housing tax credits for the development of the 152-unit Vineyard Oaks Apartments.

Recommendation:

It is recommended that the attached resolution of support be approved.

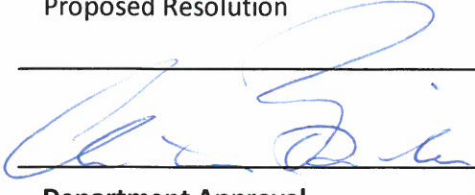
Background / Analysis:

The MacDonald Companies is planning on applying for housing tax credits from the Texas Department of Housing and Community Affairs to develop an affordable apartment complex. These tax credits require that the local government adopt a resolution supporting the project.

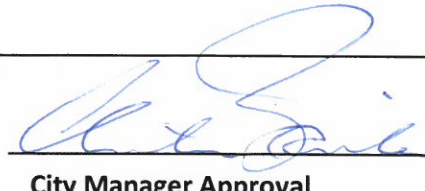
Their proposed Vineyard Oaks Apartments consists of 152 units at the corner of S. Eagle Street and Friendship Lane. A neighborhood meeting was recently held to discuss the project with property owners in this area. There was no opposition to the project that was expressed at the meeting. Attached is a site plan for this development. Representatives from the MacDonald Companies will attend the Council meeting to present additional information on this project.

Attachments:

Preliminary Site Plan
Proposed Resolution



Department Approval



City Manager Approval



City Attorney Approval

RESOLUTION NO. 2020-05R

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FREDERICKSBURG, TEXAS, SUPPORTING THE APPLICATION TO
THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY
AFFAIRS FOR 2020 HOUSING TAX CREDITS FOR THE RESERVE
AT VINEYARD OAKS**

WHEREAS, FBG Vineyard Oaks, L.P. has proposed a development for affordable rental housing of 152 units that will be located at the corner of South Eagle Street and Friendship Lane in the City of Fredericksburg, Gillespie County, Texas, and

WHEREAS, FBG Vineyard Oaks, L.P. has submitted an application to the Texas Department of Housing and Community Affairs for 2020 Housing Tax Credits for The Reserve at Vineyard Oaks.

**NOW THEREFOR, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
FREDERICKSBURG, TEXAS**, that in accordance with the requirements of Tex. Gov't Code §2306.67071 and §11.204(4) of the Qualified Allocation Plan, it is hereby found that:

1. Notice has been provided to the Governing Body in accordance with Tex. Gov't Code, §2306.67071(a); and
2. The Governing Body has had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the proposed Development; and
3. The Governing Body has held a hearing at which public comment may be made on the proposed Development in accordance with Tex. Gov't Code, §2306.67071(b); and
4. After due consideration of the information provided by the Applicant and public comment, the Governing Body does not object to the proposed Application; and

FURTHER RESOLVED, that as provided for in 10 TAC §11.3(e) and §11.4(c)(1), it is hereby acknowledged that the proposed New Construction Development is located in a census tract that has more than 20% Housing Tax Credit Units per total households, and

FURTHER RESOLVED, that the City of Fredericksburg hereby confirms that its Governing Body has voted specifically to support the Application for the proposed Development and has no objection to the Application, pursuant to 10 TAC §11.3(e) and §11.4(c)(1) of the Qualified Allocation Plan, and

FURTHER RESOLVED, that the governing body affirms that the proposed Development is consistent with the jurisdiction's obligation to affirmatively further fair housing, and

FURTHER RESOLVED that for and on behalf of the Governing Body, the Mayor and/or City Manager are hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

Effective Date. This resolution shall be effective upon its adoption.

PASSED AND APPROVED this day of 2020.

Linda Langerhans
Mayor

ATTEST:

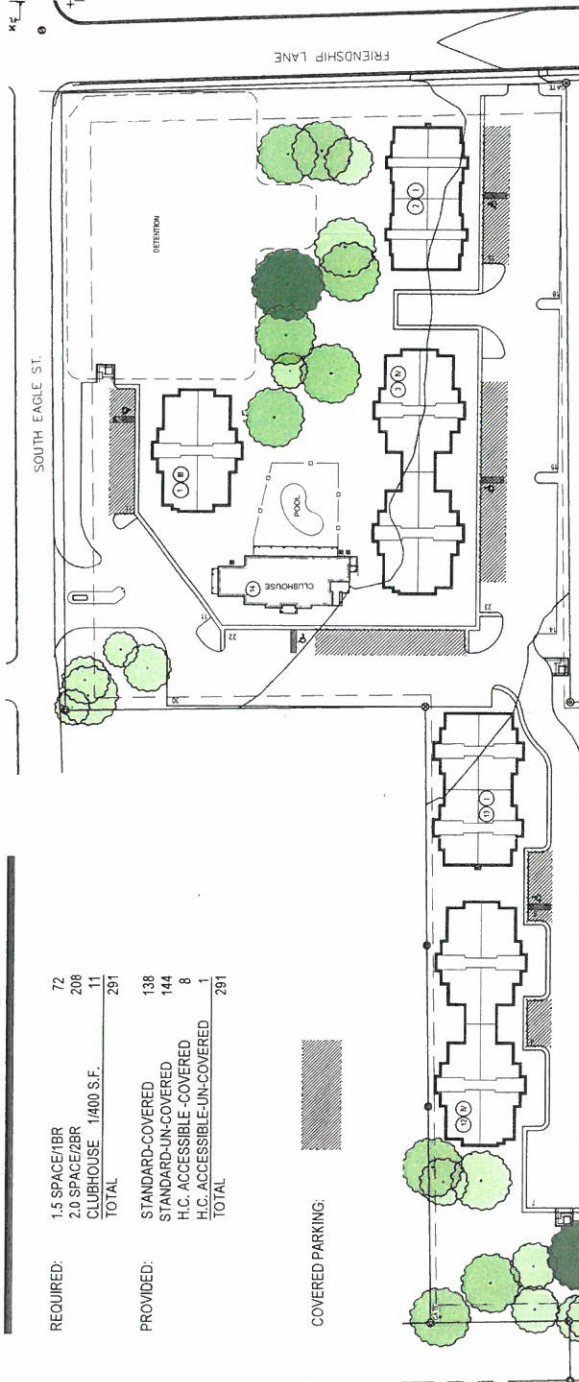
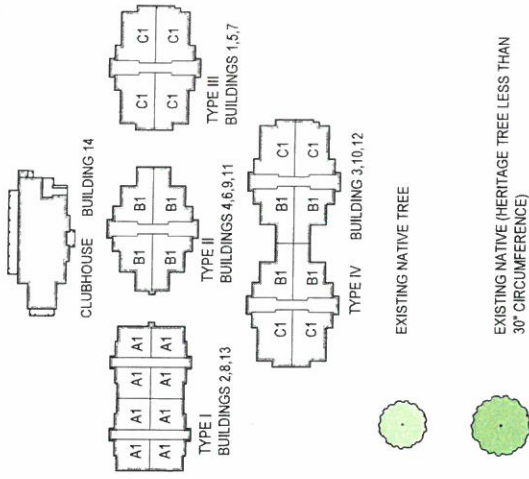
Shelley Goodwin
City Secretary

Parking Summary

REQUIRED:	1.5 SPACE/1BR	72
	2.0 SPACE/2BR	208
	CLUBHOUSE 1/400 S.F.	11
	TOTAL	291
PROVIDED:	STANDARD-COVERED	138
	STANDARD-UNCOVERED	144
	H.C. ACCESSIBLE - COVERED	8
	H.C. ACCESSIBLE-UNCOVERED	1
	TOTAL	291

COVERED PARKING:

Building/Tree Legend



NET RENTABLE AREA TABULATIONS									
UNIT	A1	B1	C1	3BR/2BA	4BR	5BR	6BR	7BR	8BR
NUMBER	48	56	48	12	12	12	12	12	12
SQ. FT./UNIT	738	1079	1248	1248	1248	1248	1248	1248	1248
% OF TOTAL	32%	37%	32%	3%	3%	3%	3%	3%	3%
TYPICAL BUILDING DATA									
UNIT	FIRST FLOOR AREA/BLDG (S.F.)			SECOND FLOOR AREA/BLDG (S.F.)			TOTAL UNIT AREA/BLDG (S.F.)		
BLDG NO. / BLDG TYPE	A1	B1	C1	A1	B1	C1	A1	B1	C1
1. III	16			4992	4992	4992	9984	9984	9984
2. I				5904	5904	5904	11808	11808	11808
3. IV				9148	9148	9148	18296	18296	18296
4. II				4156	4156	4156	8312	8312	8312
5. III				4992	4992	4992	9984	9984	9984
6. II				4156	4156	4156	8312	8312	8312
7. III				4992	4992	4992	9984	9984	9984
8. I				5904	5904	5904	11808	11808	11808
9. II				4156	4156	4156	8312	8312	8312
10. IV				9148	9148	9148	18296	18296	18296
11. II				4156	4156	4156	8312	8312	8312
12. IV				9148	9148	9148	18296	18296	18296
13. I				5904	5904	5904	11808	11808	11808
14. II				4156	4156	4156	8312	8312	8312
TOTAL	48	56	48	152	152	152	304	304	304
CLUBHOUSE									
TOTAL									
UNIT PARKING	72	112	96						
CLUBHOUSE									
TOTAL REQUIRED									



South Eagle St.
Apartments

Fredericksburg, Texas





BUILDING TYPE I



BUILDING TYPE II

South Eagle Street Apartments Fredericksburg, Texas



MacDonald
C O M P A N I E S

Affordable Lifestyles. Community Values.

South Eagle Apartments Neighborhood Meeting

Date: 2/10/2020

Location: Friendship Place Clubhouse

Duration: 5:30-6:30

Attendance: Approx. 12 including Council Member Musselman

MacDonald Representatives: Granger MacDonald, Steve Schulte, Hunter Patterson & Peter Lewis (project architect)

The MacDonald Companies hosted a neighborhood meeting on Monday, February 10th, 2020 to answer any questions residents of the surrounding properties had in regard to the construction of 152 apartment units on the corner of Friendship and South Eagle Street in Fredericksburg, Texas. The approximately hour long meeting went smoothly and we believe all attendees left satisfied and confident that their voice was heard. The reoccurring theme of the night was that if someone was going to build apartments in their neighborhood, the surrounding residents are happy that it is the MacDonald Companies. Their proven track record of successful projects and great management in Fredericksburg was crucial in easing their concerns. Below are some of the questions and answers that were asked:

Q: "How many stories will the apartments be?"

A: "All buildings will be kept to 2 stories to limit their interference to the surrounding neighbors."

Q: "What amenities will be offered?"

A: "There will be a clubhouse with a pool, playground and fenced dog park."

Q: "How will you keep criminals from moving in?"

A: "Before we lease any unit, we conduct extensive background checks and will immediately deny anyone with a felony drug or assault charge. We also do credit checks."

Q: "What is your policy on drug use on the property?"

A: "We have a very strict drug policy. Anyone caught on the property using or in possession of drugs is immediately evicted."

Q: "Will there be an on-site manager to take care of any issues that arise?"

A: "Yes."

Q: "Will you offer reduced rents for police officer to stay in the units?"

A: "Absolutely. In fact, we have courtesy officers present at all of our properties in Fredericksburg."



MacDonald

C O M P A N I E S

Affordable Lifestyles. Community Values.

Q: "Will you fence around the property so that the neighbors will have privacy?"

A: "Yes. And with a variance from the City, we would be willing to put an 8 foot fence around the perimeter for even more privacy."

Q: "How many trees will need to be cut down?"

A: "At all of our properties we put an emphasis on leaving as many trees as possible and this one will be no different. Only 6 "heritage" trees will be cut down and 89 will be left on the property."

Q: "What kind of lighting will be used on the property?"

A: "All lighting will be down lighting and Dark Sky compliant."

Q: "Is there a demand for this kind of affordable housing in Fredericksburg?"

A: "Yes. All of our affordable units in town are occupied."

Q: "Would you consider fast growing trees around the perimeter to further the privacy of the neighbors?"

A: "Yes. We work with a great landscape architect and can accommodate that request."

Q: "Will this increase the amount of drainage on to my property?"

A: "No. We are legally not allowed to increase the amount of drainage off the property with the construction of impervious surfaces. We will utilize a detention pond to mitigate this."



CITY COUNCIL MEMO

DATE: March 2, 2020

TO: Mayor and City Council

FROM: Brian Jordan, AICP

SUBJECT: Adoption of Zoning and Annexation Ordinances on the Voluntary annexation of approximately 13.395 acres proposed as Stone Ridge Unit 10 located near the intersection of Lower Crabapple Road and Ellebracht Drive

Summary:

The annexation consists of approximately 13.4 acres of land situated in Gillespie County, Texas along the south side Lower Crabapple Road and Ellebracht Drive, in the Stone Ridge development. As you can see from the overall plan of Stone Ridge, there will be one remaining phase to complete the project. There are currently 345 lots within Stone Ridge, and this phase will bring the total to 372 lots. The required public hearings were held on January 6 and January 21, 2020. The Institution of Annexation Proceedings was held February 11, 2020.

On January 8, 2020, the Planning and Zoning Commission held a public hearing to consider establishing R-1, Single Family Residential zoning on the property. This will be consistent with the previous phases of Stone Ridge. The City Council held a public hearing on the zoning on January 21, 2020. Action was taken by both groups to approve the R-1, Single Family Residential zoning.

Recommendation:

Approve the Annexation and Zoning Ordinances.

Background / Analysis:

Over the years, Stone Ridge has annexed and zoned the individual phases as they are developed. All public improvements, including utilities, drainage and streets will be the responsibility of the developer.

Attachments:

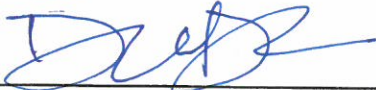
Overall Map of Stone Ridge, Annexation Ordinance and Zoning Ordinance



Department Approval



City Manager Approval



City Attorney Approval

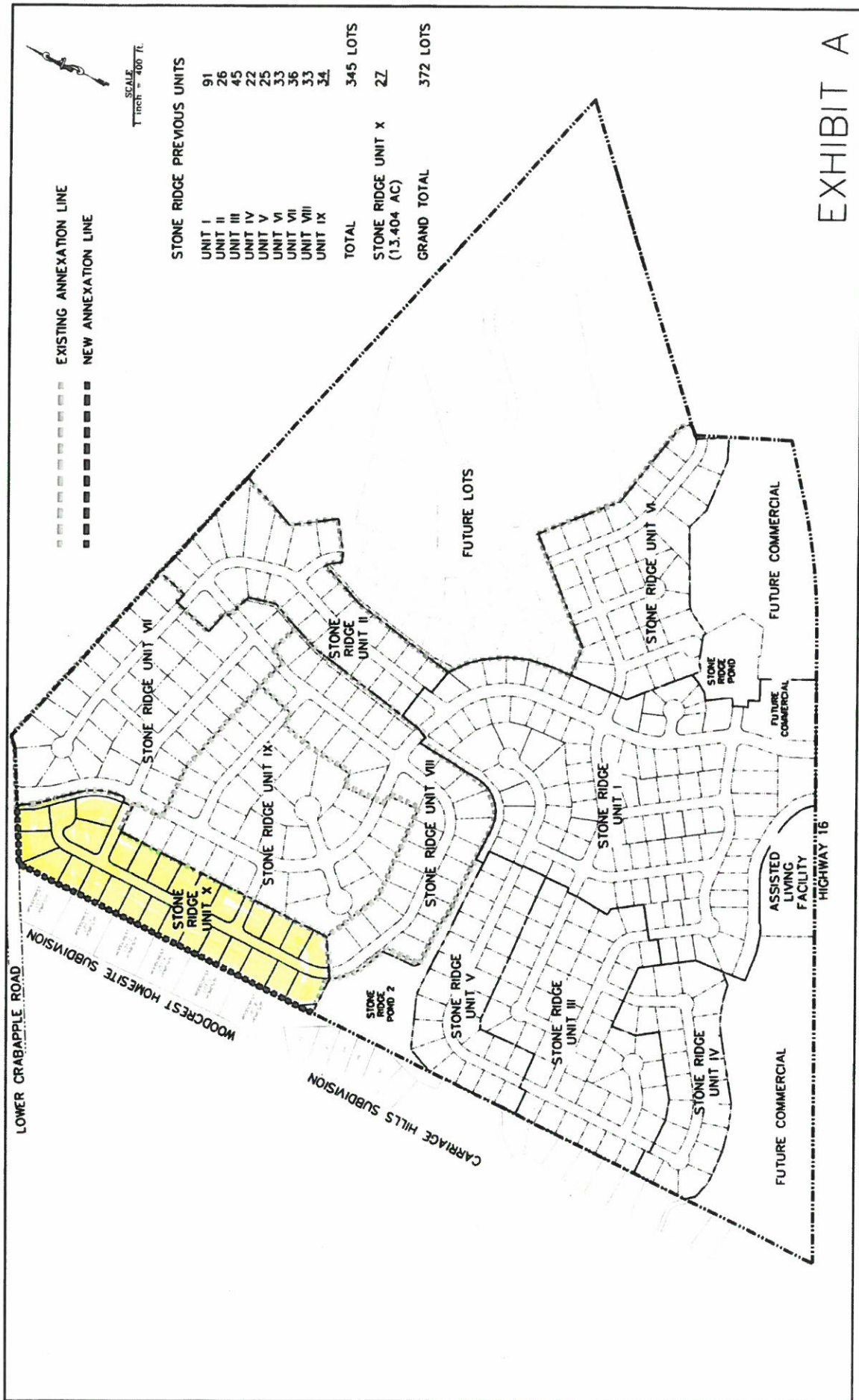


EXHIBIT A

ORDINANCE NO. 2020-07

AN ORDINANCE ANNEXING TO THE CITY OF FREDERICKSBURG, TEXAS APPROXIMATELY 13.395 ACRES OF LAND, PROPOSED AS STONE RIDGE UNIT 10, LOCATED NEAR THE INTERSECTION OF LOWER CRABAPPLE ROAD AND ELLEBRACHT DRIVE, GILLESPIE COUNTY, TEXAS; EXTENDING THE CORPORATE LIMITS OF THE CITY OF FREDERICKSBURG, TEXAS, SO AS TO INCLUDE SAID TERRITORY; GRANTING TO ALL INHABITANTS AND FUTURE INHABITANTS OF SAID TERRITORY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS OF THE CITY OF FREDERICKSBURG, TEXAS; BINDING THE INHABITANTS AND FUTURE INHABITANTS OF SAID TERRITORY BY ANY AND ALL ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF SAID CITY OF FREDERICKSBURG, TEXAS.

WHEREAS, the City of Fredericksburg has received a petition for voluntary annexation for the following tracts or parcels of land (the "Property") situated in Gillespie County, Texas, to-wit:

BEING 13.395 acres of land out of a remaining portion of a 258 acre tract of land described in Volume 63, Page 366, Deed Records, Gillespie County, Texas, also being situated in the William H. Anderson Survey No. 197, Abstract No. 2, Gillespie County, Texas, being more particularly described by metes and bounds in Exhibit "A", a copy which is attached hereto and incorporated herein by reference; and

WHEREAS, the City Council of the City of Fredericksburg, Texas has heard arguments for and against the annexation of such Property at two (2) public hearings in accordance with the Local Government Code of the State of Texas and after having been requested to annex such Property by the owners thereof; and

WHEREAS, the City Council of the City of Fredericksburg, Texas has determined that said Property is contiguous and adjacent to the limits of the City of Fredericksburg, Texas; that the said Property to be annexed meets all requisites of law for annexation, and that such Property should be annexed to the City of Fredericksburg, Texas, and the corporate limits of the City of Fredericksburg, Texas should be extended so as to include such territory; and that the City Council of the City of Fredericksburg, Texas, by the provisions of the Local Government Code of the State of Texas, and the Charter of the City of Fredericksburg, has the power to annex such Property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS:

Section 1. That the Property is hereby annexed to the City of Fredericksburg, Texas; that the corporate limits of the City of Fredericksburg, Texas, be and they are hereby extended so as to include such Property within the city limits of the City of Fredericksburg, Texas; and that said Property shall hereafter be included within the territorial limits of the City of Fredericksburg, Texas.

Section 2. That the present and future inhabitants of such Property shall hereafter be entitled to all the rights and privileges of other citizens of the City of Fredericksburg, Texas; and that the inhabitants of such Property shall be bound by any and all the acts, ordinances, resolutions and regulations of the City of Fredericksburg, Texas.

PASSED AND APPROVED this the _____ day of _____, 20____.

Linda Langerhans, Mayor
City of Fredericksburg, Texas

ATTEST:

Shelley Goodwin, City Secretary

APPROVED AS TO FORM:

Daniel Jones, City Attorney



CIVIL ENGINEERING CONSULTANTS
DON DURDEN, INC

**FIELD NOTES
FOR
STONE RIDGE UNIT X
13.395 Acres**

Being a 13.395 acre parcel of land in the William Anderson Survey No. 197, Abstract No. 2 of Gillespie County, Texas, and being out of the called 258 acre tract recorded in Volume 63, Page 366, of the Deed Records (D.R.) of Gillespie County, Texas; said 13.395 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a found 5/8" rebar without cap at the northwest corner of said 258 acre tract, same being the northeast corner of a called 1.00 acre tract described in the deed to Marshal Cunningham et al recorded in Document No. 20181009 D.R., and lying on the southeast right-of-way (ROW) line of Lower Crabapple Road;

THENCE N 61°45'03" E, with said southeast ROW, for a distance of 255.87 feet to a point on the southwest ROW line of Ellebracht Drive as shown on the plat of Stone Ridge Unit VII recorded as Document No. 2007010017, D.R.;

THENCE with said southwest ROW for the following six (6) courses:

With a non-tangent curve to the right having a radius of 25.00 feet and a central angle of 81°45'25", the chord bears S 69°07'12" E – 32.72 feet, for an arc distance of 35.67 feet to a point;

S 28°14'57" E for a distance of 33.21 feet to point,

With a tangent curve to the left having a radius of 200.00 feet and a central angle of 12°53'14", the chord bears S 34°41'34" E – 44.89 feet, for an arc distance of 44.99 feet to a point;

S 41°08'11" E for a distance of 184.34 feet to a point;

With a tangent curve to the right having a radius of 310.00 feet and a central angle of 39°34'06", the chord bears S 20°59'31" E – 209.86 feet, for an arc distance of 214.09 feet to a point;

With a non-tangent curve to the right having a radius of 10.00 feet and a central angle of 109°31'04", the chord bears S 33°46'01" W – 16.34 feet, for an arc distance of 119.11 feet to a point;

THENCE S 88°31'33" W, with the north ROW of Coral Stone (50' ROW) as shown on the plat of the above described Unit X, for a distance of 12.15 feet to the present terminus of said street;

THENCE S 01°28'27" E, with said terminus crossing Coral Stone, for a distance of 50.00 feet, to a point on the north line of Lot 347 of Stone Ridge Unit IX as shown on the plat recorded as Doc. No. 2017010002 D.R.;



CIVIL ENGINEERING CONSULTANTS
DON DURDEN, INC

THENCE S 88°31'26" W, with the north line of Lot 347, for a distance of 129.70 feet to the northwest corner of said lot;

THENCE S 00°56'09" W for a distance of 1,073.60 feet to the southwest corner of Lot 339 of Unit IX, same being the north corner of Lot 229 of the Stone Ridge Unit VIII as shown on the plat recorded as Doc. No. 2014010020 D.R.;

THENCE S 59°47'31" W, with the northwest line of Lot 229 and the present terminus of Stone Meadow (50' ROW), for a distance of 197.79 feet to the northeast corner of a 4.161 acre drainage and utility easement as shown on the plat of Stone Ridge Unit V recorded in Volume 178, Page 3, D.R.;

THENCE N 89°28'04" W, with the north line of the 4.161 acre easement, for a distance of 177.95 feet to a point on the east line of a called 1.60 acre tract described in the deed to Leroy Leggett recorded in Doc. No. 20133326 D.R.;

THENCE N 00°30'47" E, for a distance of 374.46 feet to a 1/2" rebar found for an angle point in the west line of the first described 257.711 acre tract;

THENCE N 00°56'24" E, for a distance of 1155.73 feet to the **POINT OF BEGINNING**, and containing 13.395 acres of land, more or less.

- Bearings source is the last described west line of this description, between the two found monuments described above, and shown as N 00°56'24" E as derived from GPS observation based on NAD 83(2011), Texas State Plane Coordinate System - South Central Zone.



CIVIL ENGINEERING CONSULTANTS
DON DURDEN, INC

I hereby certify that this description conforms to the minimum standards set forth by the Texas Board of Professional Land Surveying according to an actual survey made on the ground by employees of Don Durden, Inc. dba Civil Engineering Consultants.

Date: 07-23-2019

Gary B. Neill

Gary B. Neill
R.P.L.S. #3964
Firm No. 10041000



Warning: Only those copies with the Signature and
Seal in red should be relied upon.

Stone Ridge Unit X
Project Number: E0617301

ORDINANCE NO. 2020-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY AND ESTABLISHING THE ZONING DISTRICT AS TO APPROXIMATELY 13.395 ACRES OF LAND, PROPOSED AS STONE RIDGE UNIT 10, LOCATED NEAR THE INTERSECTION OF LOWER CRABAPPLE ROAD AND ELLEBRACHT DRIVE, UPON ANNEXATION INTO THE CITY OF FREDERICKSBURG, TEXAS; ESTABLISHING RESIDENTIAL ZONING FOR SAID PROPERTY UPON ANNEXATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Petition for Annexation has been submitted by the owner of approximately 13.395 acres of land, proposed as Stone Ridge Unit 10, located near the intersection of Lower Crabapple Road and Ellebracht Drive, to be annexed into the City of Fredericksburg, Texas, and to establish Residential zoning upon annexation; and

WHEREAS, public hearings before the Planning and Zoning Commission and the City Council of the City of Fredericksburg have been duly noticed and held regarding such application, as required by the City of Fredericksburg Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission has determined that such zoning change is in conformity with the uses established by the Comprehensive Land Use Plan of the City of Fredericksburg and is consistent with the objectives of the City of Fredericksburg Zoning Ordinance, and has recommended to the City Council of the City of Fredericksburg, based upon positive findings under the review and evaluation criteria established by such ordinance, that the rezoning be enacted; and

WHEREAS, the City Council has specifically found, following public hearing, that such change is consistent with the objectives of the City of Fredericksburg Zoning Ordinance and Comprehensive Land Use Plan of the City of Fredericksburg and there has not been a protest against rezoning signed by owners of twenty per cent (20%) or more either of the area of the property included in the zoning request, or of the area of the property immediately adjoining the same and extending two hundred feet (200') therefrom.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS:

Section 1. That the zoning ordinance of the City of Fredericksburg is hereby amended to incorporate the certain change in zoning district as follows:

All of those certain lots, tracts, or parcels of land, specifically identified as 13.395 acres of land out of a remaining portion of a 258 acre tract of land described in Volume 63, Page 366,

Deed Records, Gillespie County, Texas, also being situated in the William H. Anderson Survey No. 197, Abstract No. 2, Gillespie County, Texas, and being more particularly described by metes and bounds in Exhibit "A", a copy which is attached hereto and incorporated herein by reference, to be and is hereby zoned and designated as R-1: SINGLE FAMILY RESIDENTIAL.

Section 2. That all references in City of Fredericksburg Code of Ordinances to the Zoning Ordinance shall henceforth refer to such as is amended hereby.

Section 3. That this Ordinance shall take effect upon the date of its passage.

PASSED AND APPROVED on this the ____ day of _____, 20____.

Linda Langerhans, Mayor
City of Fredericksburg, Texas

ATTEST:

Shelley Goodwin, TRMC, City Secretary

APPROVED AS TO FORM:

Daniel Jones, City Attorney



CIVIL ENGINEERING CONSULTANTS
DON DURDEN, INC.

**FIELD NOTES
FOR
STONE RIDGE UNIT X
13.395 Acres**

Being a 13.395 acre parcel of land in the William Anderson Survey No. 197, Abstract No. 2 of Gillespie County, Texas, and being out of the called 258 acre tract recorded in Volume 63, Page 366, of the Deed Records (D.R.) of Gillespie County, Texas; said 13.395 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a found 5/8" rebar without cap at the northwest corner of said 258 acre tract, same being the northeast corner of a called 1.00 acre tract described in the deed to Marshal Cunningham et al recorded in Document No. 20181009 D.R., and lying on the southeast right-of-way (ROW) line of Lower Crabapple Road;

THENCE N 61°45'03" E, with said southeast ROW, for a distance of 255.87 feet to a point on the southwest ROW line of Ellebracht Drive as shown on the plat of Stone Ridge Unit VII recorded as Document No. 2007010017, D.R.;

THENCE with said southwest ROW for the following six (6) courses:

With a non-tangent curve to the right having a radius of 25.00 feet and a central angle of 81°45'25", the chord bears S 69°07'12" E – 32.72 feet, for an arc distance of 35.67 feet to a point;

S 28°14'57" E for a distance of 33.21 feet to point,

With a tangent curve to the left having a radius of 200.00 feet and a central angle of 12°53'14", the chord bears S 34°41'34" E – 44.89 feet, for an arc distance of 44.99 feet to a point;

S 41°08'11" E for a distance of 184.34 feet to a point;

With a tangent curve to the right having a radius of 310.00 feet and a central angle of 39°34'06", the chord bears S 20°59'31" E – 209.86 feet, for an arc distance of 214.09 feet to a point;

With a non-tangent curve to the right having a radius of 10.00 feet and a central angle of 109°31'04", the chord bears S 33°46'01" W – 16.34 feet, for an arc distance of 119.11 feet to a point;

THENCE S 88°31'33" W, with the north ROW of Coral Stone (50' ROW) as shown on the plat of the above described Unit X, for a distance of 12.15 feet to the present terminus of said street;

THENCE S 01°28'27" E, with said terminus crossing Coral Stone, for a distance of 50.00 feet, to a point on the north line of Lot 347 of Stone Ridge Unit IX as shown on the plat recorded as Doc. No. 2017010002 D.R.;



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THENCE S 88°31'26" W, with the north line of Lot 347, for a distance of 129.70 feet to the northwest corner of said lot;

THENCE S 00°56'09" W for a distance of 1,073.60 feet to the southwest corner of Lot 339 of Unit IX, same being the north corner of Lot 229 of the Stone Ridge Unit VIII as shown on the plat recorded as Doc. No. 2014010020 D.R.;

THENCE S 59°47'31" W, with the northwest line of Lot 229 and the present terminus of Stone Meadow (50' ROW), for a distance of 197.79 feet to the northeast corner of a 4.161 acre drainage and utility easement as shown on the plat of Stone Ridge Unit V recorded in Volume 178, Page 3, D.R.;

THENCE N 89°28'04" W, with the north line of the 4.161 acre easement, for a distance of 177.95 feet to a point on the east line of a called 1.60 acre tract described in the deed to Leroy Leggett recorded in Doc. No. 20133326 D.R.;

THENCE N 00°30'47" E, for a distance of 374.46 feet to a ½" rebar found for an angle point in the west line of the first described 257.711 acre tract;

THENCE N 00°56'24" E, for a distance of 1155.73 feet to the **POINT OF BEGINNING**, and containing 13.395 acres of land, more or less.

- Bearings source is the last described west line of this description, between the two found monuments described above, and shown as N 00°56'24" E as derived from GPS observation based on NAD 83(2011), Texas State Plane Coordinate System - South Central Zone.



CIVIL ENGINEERING CONSULTANTS
DON DURDEN, INC

I hereby certify that this description conforms to the minimum standards set forth by the Texas Board of Professional Land Surveying according to an actual survey made on the ground by employees of Don Durden, Inc. dba Civil Engineering Consultants.

Date: 07-23-2019

Gary B. Neill

Gary B. Neill
R.P.L.S. #3964
Firm No. 10041000



Warning: Only those copies with the Signature and Seal in red should be relied upon.

Stone Ridge Unit X
Project Number: E0617301



CITY COUNCIL MEMO

DATE: March 2, 2020

TO: Mayor and City Council

FROM: Daniel Jones, City Attorney

SUBJECT: Consider and discuss possible revisions to City parking ordinance

Summary: The Council will consider the first reading of a revised parking ordinance, modifying the restrictions related to the parking of certain vehicles on public streets in residential zoned areas of the City.

Recommendation: Discuss and consider first reading of revised ordinance, set for a second reading.

Background / Analysis: At the request of City Council, I have prepared an initial draft of a revised parking ordinance. The ordinance has been revised to accomplish two purposes: 1) to redraft the ordinance for greater clarity; and 2) to establish greater restrictions for the parking of RV/campers on public streets in residential areas of the City. It is my recommendation that the City Council carryover the current ordinance structure by using "defenses to prosecution", while acknowledging the possibility that the inclusion of defenses may make the ordinance more challenging to interpret. It is essential to utilize the concept of "defenses" for effective enforcement and prosecution, as it permits the burden to be shifted to the violator to establish that they meet the elements of the defense. As presented, the ordinance limits the parking of RV/campers on public streets in residential areas to no more than 7 consecutive days, and to no more than 28 total days in a calendar year.

Attachments: Proposed Ordinance (clean version and redline copy indicating revisions)

Daniel Jones
Department Approval

Kent Myers
City Manager Approval

The City of Fredericksburg

ORDINANCE NO. 2020-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING DIVISION 3 - PARKING OF TRUCKS, TRACTORS, TRAILERS AND RECREATIONAL VEHICLES, OF ARTICLE VI - STOPPING, STANDING AND PARKING, OF CHAPTER 44 - TRAFFIC AND MOTOR VEHICLES, OF THE CODE OF ORDINANCES, TO MODIFY THE RESTRICTIONS RELATED TO THE PARKING OF CERTAIN VEHICLES ON PUBLIC STREETS IN RESIDENTIAL ZONED AREAS OF THE CITY, AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS:

Section 1. That, Division 3 – “Parking of Trucks, Tractors, Trailers and Recreational Vehicles”, of Article VI – “Stopping, Standing and Parking”, of Chapter 44 – “Traffic and Motor Vehicles”, of the Code of Ordinances, is amended by deletion of Division 3 in its entirety, and the following substituted therefore:

DIVISION 3. - PARKING OF TRUCKS, TRACTORS, TRAILERS AND RECREATIONAL VEHICLES

Sec. 44-224. - Definitions.

The following definitions shall apply to the provisions of Sections 44-224 through 44-227, and to Section 14-19, of this Code of Ordinances:

Daylight hours: the hours from 7:00 a.m. on one day until 8:00 p.m. on the same day.

Emergency: any occurrence or set of circumstances involving actual or imminent physical trauma or property damage or loss that demands immediate action.

Publicly Owned Property: property owned by any governmental entity, including but not limited to streets, rights-of-way, alleys or public easements.

Residentially Zoned Areas: any area which is located in any residential zoning district of the City as described in the Zoning Ordinance of the City of Fredericksburg, and shall include all publicly owned property which borders any residentially zoned property.

Vehicle: any vehicle as defined in the Transportation Code of the State of Texas, or any equipment, boat, trailer, recreational vehicle or camper whether operative or not, or whether containing all of its parts or not, and any parts thereof, including but not limited to the types of vehicles or equipment described in Section 44-227 of this Code of Ordinances. Specific types of vehicles or equipment described in Section 44-227 of this Code of Ordinances shall mean the commonly understood definition of the same.

Sec. 44-225. - Nuisance declared; Rebuttable Presumption of Owner.

It is hereby declared to be a public nuisance, and is unlawful, for any person or entity to park, stand, or permit another person to park or stand any Vehicle in violation of Section 44-226 or Section 44-227 of this Code of Ordinances. It shall be a rebuttable presumption that the registered owner of said Vehicle committed the violation.

Sec. 44-226. - Parking in approved spaces.

It shall be unlawful for any person to park or stand a Vehicle in any area of the City with said Vehicle extending into any sidewalk, public right-of-way or easement. It shall be a rebuttable presumption that the registered owner of said Vehicle committed the violation under this Section 44-226. It is a defense to prosecution under this Section 44-226 that a vehicle is lawfully parked in an approved and marked parking space. It is a defense to prosecution under this Section 44-226 that a Vehicle is parking or standing during an Emergency.

Sec. 44-227. - Parking on public property in residentially zoned areas.

(a) It shall be unlawful for any person to park or stand any of the following Vehicles on Publicly Owned Property in Residentially Zoned Areas:

- (1) tractor (farm or other);
- (2) construction or landscape type equipment;
- (3) semi-tractor/trailer;
- (4) bus with a maximum capacity greater than fourteen persons;
- (5) truck with a Gross Vehicle Weight greater than 30,000 pounds;
- (6) construction or work type trailer;
- (7) farm trailer;
- (8) boat, jet ski, or other watercraft, or a trailer for a boat, jet ski, or other watercraft; or
- (9) recreational vehicle or camper.

(b) Defenses to Prosecution. It is a defense to prosecution under this Section 44-227 if a person parks or stands a Vehicle:

- (1) during daylight hours;
- (2) for the purpose of expeditiously loading or unloading any passengers, freight, merchandise, personal belongings, equipment, or any other item or thing;

- (3) during an Emergency;
- (4) for the purpose of construction, if the Vehicle is parked or standing adjacent to the property being constructed and only while actively engaged in construction activities on said property;
- (5) if the Vehicle is disabled and is awaiting tow or repair for a period not to exceed seventy two (72) consecutive hours;
- (6) if the Vehicle is a farm trailer, construction trailer, or work trailer parked or standing directly adjacent to the primary residence of the owner or user of the trailer, and said trailer is not connected to any public utility; or
- (7) if the Vehicle is a recreational vehicle or camper parked or standing directly adjacent to a primary residence owned, controlled, or visited by the occupants of the recreational vehicle or camper; and
 - (i) said recreational vehicle or camper is not connected to any public utility; and
 - (ii) said recreational vehicle or camper has not been parked or standing directly adjacent to said primary residence for a period of time not to exceed seven (7) consecutive calendar days; and
 - (iii) said recreational vehicle or camper has not been parked or standing directly adjacent to said primary residence for a period of time not to exceed a total of twenty eight (28) calendar days per calendar year, in any combination of visits or consecutive days.

{End of code text}

Section 2. Severability or Invalidity. If any provision of this ordinance or the application hereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without defeating the purpose or objective of the provisions, and to this end, the provisions of this ordinance are declared to be severable.

Section 3. Repealer. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Effective Date. This ordinance shall become effective ten (10) calendar days after the date of passage.

PASSED AND APPROVED on this the _____ day of _____, 20____.

Linda Langerhans, Mayor
City of Fredericksburg, Texas

ATTEST:

Shelley Goodwin, TRMC, City Secretary

APPROVED AS TO FORM:

Daniel D. Jones, City Attorney

DIVISION 3. - PARKING OF TRUCKS, TRACTORS, TRAILERS AND RECREATIONAL VEHICLES

Sec. 44-224. - Definitions.

The following definitions shall apply to the provisions of Sections 44-224 through 44-227, and to Section 14-19 ~~below~~, of this Code of Ordinances:

Daylight hours: ~~are~~ the hours from 7:00 a.m. on one day ~~and~~ until 8:00 p.m. on the same day.

Defense to Prosecution: ~~Except as otherwise set forth in specific sections, it is a defense to prosecution under any provision of the sections to which these definitions apply that a prohibited vehicle is parked:~~

- ~~(1) during daylight hours, or~~
- ~~(2) for the purpose of construction on the property in question if in front of the property where work is occurring and only for the duration of the work for which it is needed, or~~
- ~~(3) for an emergency, or~~
- ~~(4) because it is actively being utilized in the loading or unloading of material, goods or passengers, or~~
- ~~(5) because the vehicle is disabled and is awaiting tow or repair for no more than 72 hours.~~

~~No Defense to Prosecution shall excuse compliance with any traffic or safety law, specific direction of a peace officer or regulation.~~

Emergency: any occurrence or set of circumstances involving actual or imminent physical trauma or property damage or loss that demands immediate action.

Publicly Owned Property: property owned by any governmental entity, including but not limited to streets, rights-of-way, alleys or public easements.

Residentially Zoned Areas: any area which is located in any residential zoning district of the City as described in the Zoning Ordinance of the City of Fredericksburg, and shall include all publicly owned property which borders any residentially zoned property.

Vehicle: any vehicle as defined in the Transportation Code of the State of Texas, or any equipment, boat, trailer, recreational vehicle or camper whether operative or not, or whether containing all of its parts or not, and any parts thereof, including but not limited to the types of vehicles or equipment described in Section 44-227 of this Code of Ordinances. Specific types of vehicles or equipment described in Section 44-227 ~~below~~ of this Code of Ordinances shall mean the commonly understood definition of the same.

Sec. 44-225. - Nuisance declared; Rebuttable Presumption of Owner.

It is hereby declared to be a public nuisance, and is unlawful, for any person or entity to park, ~~store, allow to remain~~ stand, or permit another person to park, ~~store or allow to remain~~ stand any Vehicle, ~~not an emergency vehicle authorized by the City of Fredericksburg, State~~ in violation of Texas or United States, which is not in compliance with ~~Sections~~ Section 44-226 ~~and or Section~~ 44-227 of this Code of Ordinances. ~~For enforcement purposes, and without limiting the persons or entities against whom or against which enforcement may be~~

~~had, It shall be a prima facie~~rebuttable presumption that the ~~owner of a vehicle as registered with the appropriate agency of the State of Texas has~~owner of said Vehicle committed the ~~offense~~violation.

Sec. 44-226. - Parking in approved spaces.

~~No vehicle or other trailer or equipment which is listed in Section 44-227 below~~It shall be ~~Parked in unlawful for any person to park or stand a Vehicle in any area of the City so as to extend~~with said Vehicle extending into any sidewalk, public right-of-way or easement ~~unless it is properly parked in approved parking spaces or areas. The only.~~ It shall be a rebuttable presumption that the registered owner of said Vehicle committed the violation under this Section 44-226. It is a defense to prosecution applicable under this Section 44-226 that a vehicle is lawfully parked in an approved and marked parking space. It is a defense to this provision is that of emergency. prosecution under this Section 44-226 that a Vehicle is parking or standing during an Emergency.

Sec. 44-227. - Parking on public property in residentially zoned areas.

~~The (a)~~ It shall be unlawful for any person to park or stand any of the following ~~are prohibited from Parking Vehicles on Public~~Publicly Owned Property ~~within~~ Residentially Zoned Areas:

- (1) ~~— tractor (farm or other);~~;
- (2) ~~— construction or landscape type equipment;~~;
- (3) ~~— semi-tractor/trailer;~~;
- (4) ~~— bus with over a maximum capacity greater than fourteen person capacity;~~persons;
- (5) ~~— truck over 30,000 with a Gross Vehicle Weight;~~greater than 30,000 pounds;
- (6) ~~— construction or work type trailer;~~;
- (7) farm trailer;
- (8) boat, jet ski, or other watercraft, or a trailer for a boat, jet ski, or other watercraft;
or
- (9) recreational vehicle or camper.

(b) Defenses to Prosecution. It is a defense to prosecution under this Section 44-227 if a person parks or stands a Vehicle:

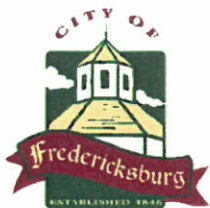
- (1) during daylight hours;
- (2) for the purpose of expeditiously loading or unloading any passengers, freight, merchandise, personal belongings, equipment, or any other item or thing;

- (3) during an additional defense to prosecution that a Emergency;
- (4) for the purpose of construction, if the Vehicle is parked or standing adjacent to the property being constructed and only while actively engaged in construction activities on said property;
- (5) if the Vehicle is disabled and is awaiting tow or repair for a period not to exceed seventy two (72) consecutive hours;
- (6) if the Vehicle is a farm trailer, construction trailer, or work trailer is parked on or standing directly adjacent to the street in front primary residence of the property owned or controlled by the owner or user of the trailer and does not have a utility connection crossing or obstructing a sidewalk or other, and said trailer is not connected to any public easement. utility; or
- (7) ~~farm trailer. It is an additional defense to prosecution that a farm trailer is parked on the street in front of the property owned or controlled by the owner or user of the trailer and does not have a utility connection crossing or obstructing a sidewalk or other public easement.~~
- (8) ~~boat, jet ski or trailer for either or the like, or~~
- (9) ~~recreational vehicle. It is an additional defense to prosecution that~~(7) if the Vehicle is a recreational vehicle is or camper parked on the street in front of the property or standing directly adjacent to a primary residence owned, controlled, or visited by the occupants of the recreational vehicle, and does not have a utility connection crossing or obstructing a sidewalk or other public easement. or camper; and

~~Secs. 44-228—44-246. — Reserved.~~ (ii) said recreational vehicle or camper is not connected to any public utility; and

(iii) said recreational vehicle or camper has not been parked or standing directly adjacent to said primary residence for a period of time not to exceed seven (7) consecutive calendar days; and

(iv) said recreational vehicle or camper has not been parked or standing directly adjacent to said primary residence for a period of time not to exceed a total of twenty eight (28) calendar days per calendar year, in any combination of visits or consecutive days.



CITY COUNCIL MEMO

DATE: March 2, 2020

TO: Mayor and City Council

FROM: Garret Bonn, P.E., CFM – Assistant City Engineer

SUBJECT: Street Department Material Bid Awards

Summary:

Contract Awards for the FY 2020 Street Department Construction Material Bids:

- 1) HFRS-2P Asphalt Emulsion, TxDOT Item 300
- 2) Flexible Base Material, TxDOT Item 247 Type A, Grade 5
- 3) Paving Rock, TxDOT Item 302, Type D, Grade 5 "Trap Rock"
- 4) Paving Rock, TxDOT Item 302, Type D, Grade 4 "Trap Rock"
- 5) Limestone Rock Asphalt, TxDOT Item 330 Type I, Grade D
- 6) Limestone Rock Asphalt, TxDOT Item 330 Type I, Grade CC
- 7) Hot Mix Cold Laid Asphalt, TxDOT Item 334, Type B

Recommendation:

City staff recommends award of construction material supply contracts for a term of one year with the potential for up to four one-year renewals to the following suppliers at the bid price for the materials and delivery methods noted:

- HFRS-2P Asphalt Emulsion (Including Delivery & Freight to Paving Location) – Ergon Asphalt & Emulsions, Inc. - \$2.71/gallon
- Flexible Base Material (Material Only) – Johnson City Crushed Stone - \$7.00/ton
- Flexible Base Material (Including Delivery & Freight to Consolidated Warehouse) – Allen Keller Co. - \$12.50/ton
- Paving Rock, TxDOT Item 302, Type D, Grade 5 "Trap Rock" (Including Delivery & Freight to

- Consolidated Warehouse) – Vulcan Construction Materials, LLC - \$42.13/ton
- Paving Rock, TxDOT Item 302, Type D, Grade 4 “Trap Rock” (Including Delivery & Freight to Consolidated Warehouse) – Vulcan Construction Materials, LLC - \$44.13/ton
- Limestone Rock Asphalt, TxDOT Item 330 Type I, Grade D (Including Delivery & Freight to Consolidated Warehouse) – Martin Marietta Materials - \$64.60/ton
- Limestone Rock Asphalt, TxDOT Item 330 Type I, Grade CC (Including Delivery & Freight to Consolidated Warehouse) – Vulcan Construction Materials, LLC - \$63.61/ton
- Hot Mix Cold Laid Asphalt, TxDOT Item 334, Type B (Including Delivery & Freight to Consolidated Warehouse) – Texas Materials – Texas Smart Buy Contract #304T-19-748S1 – Current Pricing of \$61.36/ton

Background / Analysis:

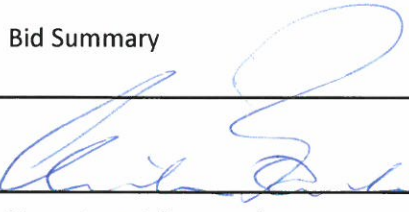
In 2016, the City of Fredericksburg advertised an invitation for bids for in order to obtain quotes for construction materials used for the annual paving program and regular street repairs. The successful bidders were awarded one-year contracts with the potential of up to four one-year renewals if both parties came to an agreement on pricing. Since that time, the City has been able to negotiate one-year contract extensions with each of the successful bidders. This year, in order to once again formalize the purchasing process and ensure the City received competitive quotes, invitations for bids were publicly advertised in the Fredericksburg Standard newspaper and on the City’s website for the following materials:

- 1) HFRS–2P Asphalt Emulsion, TxDOT Item 300
- 2) Flexible Base Material, TxDOT Item 247 Type A, Grade 5
- 3) Paving Rock, TxDOT Item 302, Type D, Grade 5 “Trap Rock”
- 4) Paving Rock, TxDOT Item 302, Type D, Grade 4 “Trap Rock”
- 5) Limestone Rock Asphalt, TxDOT Item 330 Type I, Grade D
- 6) Limestone Rock Asphalt, TxDOT Item 330 Type I, Grade CC

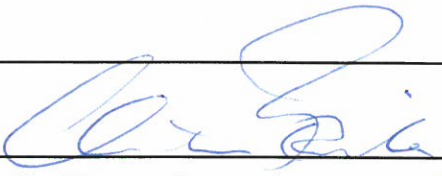
Bids were opened on January 29, 2020 and a full summary of the bid results is attached for your reference. Pricing for a seventh material (Hot Mix Cold Laid Asphalt, TxDOT Item 334, Type B) was obtained via the Texas Smart Buy system, a cooperative purchasing program available to local governments, education, and non-profit assistance organizations. The material pricing is generally in-line with estimates utilized for budgeting purposes and staff does not anticipate any issues with material pricing for the FY 2020 paving program. If awarded, the pricing will once again be valid for a term of one year with the potential for four one-year renewals if both parties agree in writing.

Attachments:

Bid Summary



Department Approval



City Manager Approval



City Attorney Approval

Supplier/Vendor	HFRS-2P	Flex Base		Grade 5 Trap Rock	Grade 4 Trap Rock	LRA Grade D	LRA Grade CC	Comments
	Price Per Gallon Including Delivery & Freight	Price Per Ton Including Delivery & Freight	Price Per Ton - Material Only	Price Per Ton Including Delivery & Freight	Price Per Ton Including Delivery & Freight	Price Per Ton Including Delivery & Freight	Price Per Ton Including Delivery & Freight	
Texas Materials	No Bid	\$ 21.75	\$ 7.50	\$ 39.25	\$ 39.25	No Bid	No Bid	Grade 4 & 5 paving rock proposed by Tx Materials did not meet required specifications.
Allen Keller Co.	No Bid	\$ 12.50	\$ 8.50	No Bid	No Bid	No Bid	No Bid	
Vulcan	No Bid	\$ 17.28	\$ 10.00	\$ 42.13	\$ 44.13	\$ 65.61	\$ 63.61	
Johnson City Crushed Stone	No Bid	\$ 14.50	\$ 7.00	No Bid	No Bid	No Bid	No Bid	
Green Dream International	No Bid	\$ 23.98	\$ 11.03	\$ 35.60	No Bid	No Bid	No Bid	Grade 5 paving rock proposed by Green Dream International did not meet required specifications.
Martin Marietta Materials	No Bid	No Bid	No Bid	\$ 42.15	\$ 44.15	\$ 64.60	\$ 64.60	
Ergon	\$ 2.71	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	



Denotes recommended bid award.

Future Agenda Items

City Council

March 16, 2020 Regular Meeting

City Council = Red

2nd and 16th Regular Meetings @ 6p.m.

Planning & Zoning = Green 3-4-2020 @ 5:30 p.m.

Historic Review Board = Purple 3-10-2020 @ 5:30 p.m.

Board of Adjustment = Blue 3-12-2020 @ 5:30 p.m.

City Events = Yellow

3-19-2020 Touch a Truck Event at 3 p.m.

Sun	Mon	Tues	Wed	Thur	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Proclamation

Consent

1. 2-11-2020 City Council Joint Meeting Minutes
2. 2-28-2020 City Council Joint Meeting Minutes
3. 3-2-2020 City Council Regular Meeting Minutes
4. Masonic Car Show Street Closure

Ordinances

1. Amendment to the Parking Ordinance (possible 2nd reading)
2. Amend the Sign Ordinance

Resolutions

Public Hearing

1. W. Live Oaks Annexation (2nd public hearing)

Approvals-Misc.

1. Amendment to the Council Procedures
2. Landmark Designation of Building #300 Old High School on Middle School Campus

Presentations, Discussions and Updates:

Executive Session

April 6, 2020

Regular Meeting

City Council = Red

2nd and 16th Regular Meetings @ 6p.m.

Planning & Zoning = Green 4-8-2020 @ 5:30 p.m.

Historic Review Board = Purple 4-14-2020 @ 5:30 p.m.

Board of Adjustment = Blue 4-16-2020 @ 5:30 p.m.

City Events = Yellow

Early Voting April 20th-April 24th and April 27th & 28th

Extended voting hours (7am-7pm April 24th and April 28th;
all other days are 7:30 am-4:30 pm)

Sun	Mon	Tues	Wed	Thur	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

Proclamation

Consent

1. 3-16-2020 City Council Regular Meeting Minutes

Ordinances

1. Amend the Sign Ordinance (possible 2nd reading)
2. Institute Annexation Proceedings W. Live Oaks

Resolutions

Public Hearing

Approvals-Misc.

Presentations, Discussions and Updates:

Executive Session