

# CITY OF FREDERICKSBURG CITY COUNCIL MEETING

**MONDAY, MARCH 3, 2014 ~ 7:00 p.m.**

Law Enforcement Center ~ 1601 East Main Street

Jeryl Hoover, Mayor  
Tim Dooley, Council Member  
Graham Pearson, Council Member

Gary Neffendorf, Council Member  
Kathy Sanford, Council Member  
Kent Myers, City Manager

(REQUEST ALL PAGERS AND PHONES BE TURNED OFF, EXCEPT EMERGENCY ON-CALL PERSONNEL.)

## **A G E N D A**

### **CALL TO ORDER.**

### **Page Ref**

### **PLEDGE OF ALLEGIANCE.**

1. Approve minutes of January 2014 meetings. **1-6**
2. **CONSENT AGENDA** - All items listed below are considered to be routine and non-controversial by the Council and will be approved by one motion. There will be no separate discussion of these items unless a council member or citizen so requests, in which case the item will be removed from the consent agenda and considered as part of the normal order of business.
  - A. Consider Adding Member to Relief Route Task Force. **7-10**
3. **ORDINANCES - RESOLUTIONS - ACTION ITEMS**
  - A. Consider Update to Subdivision Ordinance. (2<sup>ND</sup> reading) **11-17**
  - B. Consider Resolution of Public Intent. **18-21**
  - C. Consider Selecting Consulting Firm for the Update of the Comprehensive Plan, and Authorize Contract Negotiations. **22-29**
4. **INDIVIDUAL ITEMS FOR CONSIDERATION AND POSSIBLE ACTION**
  - A. Receive and Consider Financial Report. **30-31**
  - B. Consider Funding for Lady Bird Johnson Pool. **32-33**
  - C. Consider Engineering Contract - Water Projects. **34-58**
  - D. Consider Awarding Purchase Financing for Wheel Loader Lease. **59**
  - E. Consider Request From Gran Fondo Bike Race. **60-104**
5. **CITY MANAGER'S REPORT**
  - A. February 21 City Council Retreat
  - B. Relief Route Task Force
  - C. Consolidated City/County Dispatching Center
  - D. Employee Recognitions
6. **ITEMS FOR FUTURE AGENDAS**

7. **PUBLIC COMMENTS** - This time is for citizens to address the City Council on issues and items of concern not on this agenda. There will be no City Council action at this time.
8. **COUNCIL COMMENTS** - No discussion or action may take place.
9. **EXECUTIVE SESSION** - Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.086 (Economic Development).  
  
A. Executive Session - Potential Litigation and Attorney Client Privilege Matters.
10. **ADJOURN**



STATE OF TEXAS  
COUNTY OF GILLESPIE  
CITY OF FREDERICKSBURG

REGULAR CITY COUNCIL MEETING  
JANUARY 6, 2014  
7:00 PM

On this the 6<sup>th</sup> day of January, 2014, the City Council of the CITY OF FREDERICKSBURG convened in regular session at the Law Enforcement Center, with the following members present to constitute a quorum:

JERYL HOOVER - MAYOR  
KATHY SANFORD - COUNCIL MEMBER  
GRAHAM PEARSON - COUNCIL MEMBER  
GARY NEFFENDORF - COUNCIL MEMBER  
TIM DOOLEY - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER  
SHELLEY BRITTON - CITY SECRETARY  
PAT McGOWAN - CITY ATTORNEY  
CLINTON BAILEY - D.P.W.U.  
RUSSELL IMMEL - TECH  
STEVE WETZ - POLICE CHIEF

The meeting was called to order at 7:00 PM., followed by the Pledge of Allegiance.

**DOG PARK AGREEMENT** – Jody Donovan presented plans for a proposed dog park. It was moved by Council Member Sanford, seconded by Council Member Pearson, to approve the Agreement for the Fredericksburg Dog Park as presented. All voted in favor and the motion carried.

**FT. MARTIN SCOTT COMMITTEE APPOINTMENTS** – It was moved by Council Member Dooley, seconded by Council Member Pearson, to approve the appointments of Duke Davis and Austin Ladd Roberts to the Ft. martin Scott Committee. All voted in favor and the motion carried. All voted in favor and the motion carried. (Note: it was recommended that each member of the committee submit a bio to council)

**REPLACEMENT OF CITY PHONE SYSTEM** – Based on the information provided by Russell Immel, Information Systems Manager for the City of Fredericksburg, it was moved by Council Member Pearson, seconded by Council Member Sanford, to approve the purchase of a new Avaya IP Office phone system for \$37,638.39. All voted in favor and the motion carried.

**UPDATE ON SKATE PARK** – Susan Kimbrell was on hand to brief council on the progress being made on the new skate park.

**CITY MANAGER'S REPORT** – City Manager Kent Myers reported on (1) Annual Progress Report (2) Former Texas Rangers Heritage Center, (3) Department Head Presentations, (4) HOT Applications, (5) Subdivision Ordinance, (6) Electric Vehicle Charging Station, (7) New Proposed Ordinances.

**PUBLIC COMMENTS** – Russ Rose commented on the proposed electric vehicle charging station, and Lilly Peters commented on the proposed dog park.

**COUNCIL COMMENTS** – No comments.

**EXECUTIVE SESSION** – At 7:40 PM, Council Member Dooley made a motion to recess the regular session and go into Executive Session. Council Member Pearson seconded the motion, and the motion carried. At 8:00 PM, Council Member Dooley made a motion to adjourn the Executive Session and reconvene the regular session. Council Member Sanford seconded, the motion carried.

Following Executive Session:

**PENDING LITIGATION CTEC VS CITY OF FREDERICKSBURG** - No action was taken.

With no further discussion, Council Member Dooley made a motion to adjourn the meeting at 8:00 PM. Council Member Pearson seconded the motion. Motion carried.

PASSED AND APPROVED this the 3<sup>rd</sup> day of March, 2014.

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SHELLEY BRITTON, CITY SECRETARY

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JERYL HOOVER, MAYOR

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STATE OF TEXAS  
COUNTY OF GILLESPIE  
CITY OF FREDERICKSBURG

REGULAR CITY COUNCIL MEETING  
JANUARY 20, 2014  
7:00 PM

On this the 20<sup>th</sup> day of January, 2014, the City Council of the CITY OF FREDERICKSBURG convened in regular session at the Law Enforcement Center, with the following members present to constitute a quorum:

JERYL HOOVER - MAYOR  
GRAHAM PEARSON – COUNCIL MEMBER  
TIM DOOLEY - COUNCIL MEMBER  
KATHY SANFORD - COUNCIL MEMBER  
GARY NEFFENDORF - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER  
SHELLEY BRITTON - CITY SECRETARY  
STEVE WETZ - CHIEF OF POLICE  
PAT McGOWAN - CITY ATTORNEY  
CLINTON BAILEY - D.P.W.U.  
BRIAN JORDAN - DIR OF DEVELOPMENT SERVICES

The meeting was called to order at 7:00 PM following the Pledge of Allegiance.

**PUBLIC HEARING ON PROPOSED PARKING ORDINANCE** – It was moved by Council Member Dooley, seconded by Council Member Sanford, to adjourn the regular session and to open a public on the proposed Parking Ordinance. All voted in favor and the motion carried. All voted in favor and the motion carried.

Comments were received from the public both in favor and against the proposed ordinance.

With no further comments, it was moved by Council Member Dooley, seconded by Council Member Neffendorf, to adjourn the public and reconvene the regular session. All voted in favor and the motion carried.

**OUTDOOR LIGHTING ORDINANCE** – Robert Deming, representing the Fredericksburg Outdoor Lighting Committee, presented a proposed ordinance to preserve the night sky in Fredericksburg. No action was taken.

**HEALTH DEPARTMENT REPORT** - Kelli Olfers, Sanitarian for the Gillespie County Health Department, gave a Department Report to Council. No action was taken.

**ANNUAL EDC REPORT** – Tim Lehmberg, Executive Director of the Economic Development commission, presented his annual report to Council. No action was taken.

**CELLULAR TOWER ON CITY HALL** – It was moved by Council Member Pearson, seconded by Council Member Dooley, to approve a 30 year lease with West Central Wireless to locate a cellular tower on city hall at \$450/month, paid annually, with a 2% increase per year after the initial year. All voted in favor and the motion carried.

**REQUESTS FOR HOTEL OCCUPANCY TAX FUNDS** - Council received requests for HOT funds from the following:

- Fredericksburg Music Club, \$4000
- Optimist Hill Country Run, \$5000
- Ft Martin Friends, \$1125



- Heritage School – Eisbahn, \$6000
- Hill Co antique Tractors, \$6000
- Canto Chamber Choir, \$4000
- Fbg Jaycees Truck & Tractor Pull, \$7500
- Gillespie County Fair & Festival Asso., \$55,000
- Admiral Nimitz Foundation, \$125,000
- Admiral Nimitz Foundation, Nimitz Statue, \$20,000
- Gillespie County Historical Society, \$175,000
- Fbg Jaycees Crawfish Festival, \$10,000
- Hill Country Film Festival, \$8,000
- Chamber Christmas Parade/After Glow, \$10,000
- Systems GO, \$2500
- Fbg Theater Company, \$30,000
- Friends of Gillespie County Schools, \$103,000
- Boys & Girls Club Shopping Tournament, \$2500
- Die Kuenstler, \$2600
- 4<sup>th</sup> of July, \$5000
- Fbg Art Guild, \$5,000
- Texas Society for Preservation of St. Joseph's Halle, \$150,000
- Fbg Farmer's Market, \$2750
- Wings Over the Hills, \$4000
- Verein's Quilt Guild, \$4000
- Zion Music Festival, \$15,000

No action was taken.

**AMENDMENT TO COUNCIL RULES OF PROCEDURE REGARDING ORDINANCES** – Based on Council comments, staff will revise the proposed Council Rules of Procedure Regarding Ordinances for approval on a future agenda.

**CITY MANAGER PERFORMANCE GOALS** – It was moved by Council Member Neffendorf, seconded by Council Member Sanford, to approve the City Manager Performance Goals as amended. The vote was as follows: AYE: Hoover, Neffendorf, Sanford, and Pearson. NAY: Dooley. Motion carried.

City Manager - 2014 Performance Goals  
City of Fredericksburg

1. Develop education campaign for fully informing local voters about the impact of the proposed Charter amendment prior to the May election.

2. Develop future plan for future city office space including consideration of use of the Security Bank property at the corner of Crockett and Austin Streets.
3. Develop future staffing plan for the City Council's review and consideration.
4. Continue to explore possible future expansion of City recycling services including the possibility of curbside recycling and glass recycling.
5. Work with Finance Director to develop a five-year financial plan.
6. Present options for expansion of Visitor's Center and effectively coordinate any expansion of the Visitor's Center.
7. Continue to work with EDC, Chamber and other local entities on expanding our local labor force to fill current and future job positions in community.
8. Work closely with Relief Route Task Force to support their efforts and insure that they progress with their analysis of a future relief route.
9. Complete report and recommendations on areas proposed for annexation into the City Limits.
10. Keep bond projects such as the Park Pool and utility improvements on schedule and within budget.

**FIRE/EMS STAFFING** – It was moved by Council Member Pearson, seconded by Council Member Sanford to add one additional full-time employee to the Fire/EMS operations. All voted in favor and the motion carried.

**CITY MANAGER'S REPORT** - City Manager's Report included (1) City Council February 21 Retreat, (2) Adopt a Highway Program, (3) Property Tax Collections, (4) Employee Recognition: Charles Collier, Electric Department.

**PUBLIC COMMENTS** – Russ Rose commented on the Golf Course, Sonia Rivera commented on the Public Hearing on the Parking Ordinance.

**COUNCIL COMMENTS** – Council Member Pearson commented on the problems with traffic signals within the city that are malfunctioning. City Manager Kent Myers suggested that Howard

Lyons from TxDOT be invited to a council meeting to brief council on TxDOT's response to traffic signal problems.

**EXECUTIVE SESSION** - It was moved by Council Member Dooley, seconded by Council Member Sanford, at recess the regular session and to into Executive Session at 8:20 PM. All voted in favor and the motion carried. At 8:55, it was moved by Council Member Dooley, seconded by Council Member Pearson, to adjourn the Executive Session and reconvene the regular session. All voted in favor and the motion carried.

The following items were discussed in Executive Session:

**COMPETITIVE UTILITY MATTERS – WHOLESALE POWER PURCHASES** – It was moved by Council Member Dooley, seconded by Council Member Neffendorf, to approve a bid from American Electric Power (AEP) to provide 35% of the city's electric power. The vote was as follows: AYE: Hoover, Dooley, Pearson, Sanford, and Neffendorf. NAY: None. Motion carried.

With no further business, Council Member Dooley made a motion to adjourn the meeting at 9:00 PM. Council Member Pearson seconded the motion. Motion carried.

PASSED AND APPROVED this the 3<sup>rd</sup> day of March, 2014.

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SHELLEY BRITTON, CITY SECRETARY

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JERYL HOOVER, MAYOR

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## CITY COUNCIL MEMO

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**DATE:** March 3, 2014

**TO:** Mayor and City Council

**FROM:** Kent Myers, City Manager

**SUBJECT:** Additional Member-Gillespie County Relief Route Task Force

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**Summary:**

The Relief Route Task Force has recommended that a tenth member be added to the Task Force representing the Farm Bureau.

**Recommendation:**

It is recommended that the City Council approve a tenth member of the Relief Route Task Force representing the local Farm Bureau.

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**Background / Analysis:**

Last year the City Council and County Commissioners approved the formation of a Gillespie County Relief Route Task Force to determine the need for a relief route around the City of Fredericksburg. It was agreed that this Task Force would consist of nine members including two representatives of the City Council and two representatives of the County Commissioners. In addition, both the Council and

⑦

The City of Fredericksburg



Commissioners appoint one citizen to this Task Force. The other three members are appointed by the Chamber of Commerce, CVB and EDC. I have attached a copy of the current membership.

At the last meeting of the Task Force they decided to recommend to the City Council and County Commissioners that a tenth member be added representing the Farm Bureau. The County is expected to act on this request at their March 10 meeting.

Task Force members expressed the importance of the Farm Bureau having a seat at the table due to the fact that this project could have a direct impact on some of their members. This representative would also help insure that the lines of communication are open so that the Farm Bureau is fully informed about the Task Force discussions.



The City of Fredericksburg



## Gillespie County Relief Route Task Force

### CITY APPOINTEES

Jeryl Hoover, Mayor  
105 Crestwood Drive  
Fredericksburg, Texas 78624  
(830) 456-9550  
[jerylhoover@mac.com](mailto:jerylhoover@mac.com)

Kathy Sanford, City Council  
517 West Peach Street  
Fredericksburg, Texas 78624  
(830) 992-9192  
[kosanford1@gmail.com](mailto:kosanford1@gmail.com)

Kory Keller  
P.O. Box 393  
Fredericksburg, Texas 78624  
(830) 997-2118  
[kkeller@allenkellerco.com](mailto:kkeller@allenkellerco.com)

### CHAMBER APPOINTEE

Jim Jarreau  
138 E. Main Street  
Fredericksburg, Texas 78624  
(830) 997-8490 (Office)  
(830) 456-3690 (Cell)  
[askjim@meritinspections.com](mailto:askjim@meritinspections.com)

### CVB APPOINTEE

Dan Mittel  
231 W. Main Street  
Fredericksburg, Texas 78624  
(830) 997-5612  
[danm@gastehaus.com](mailto:danm@gastehaus.com)

### STAFF RESOURCES

Howard Lyons, Area Engineer  
Texas Department of Transportation

### COUNTY APPOINTEES

Curtis Cameron, County Commissioner  
101 W. Main Street  
Fredericksburg, Texas 78624  
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Donnie Schuch, County Commissioner  
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Cord Switzer  
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(830) 990-8747 (830) 992-9463 (c)  
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### EDC APPOINTEE

Tim Lehmberg  
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[edc@fbgtx.org](mailto:edc@fbgtx.org)

(5120 756-2316

Kent Myers, City Manager  
City of Fredericksburg  
(830) 998-4101

Clinton Bailey, Public Works Director  
City of Fredericksburg  
(830) 889-5897



## CITY COUNCIL MEMO

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**DATE:** February 24, 2014

**TO:** Mayor and City Council

**FROM:** Brian Jordan, AICP

**SUBJECT:** Consider an update to the City's Subdivision Ordinance (Z-1316).

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**Summary:**

Freese and Nichols, Inc was hired last year to assist the City in the update to the Subdivision Ordinance. Stakeholder meetings were held in February, 2013 and a Diagnostic Report was completed in March, 2013. A joint meeting of the Council and Planning and Zoning Commission was held in April, 2013 to discuss the Diagnostic Report. Following this action, an initial draft was prepared and submitted to City Staff in June, 2013. The staff spent several months reviewing the document and working with the consultant to address comments and prepare an updated draft.

The draft was discussed at a joint worksession between the Council and the Planning and Zoning Commission in November, 2013. An executive summary was prepared for this meeting which highlighted the major changes from the current ordinance as well as other keypoints of interest. Each item in the executive summary was considered and it was determined if a consensus could be reached on these items, or if additional consideration would be necessary.

**Recommendation:**

The Planning and Zoning Commission conducted a public hearing on February 5, 2014 and recommended approval of the updated Subdivision Ordinance. The Commission also recommended



The City of Fredericksburg

several updates to the ordinance text for Septic Tanks in the ETJ, Gifted or Inherited Tracts and Private Roads in the ETJ. These items are summarized on the last page of the Direction Sheet attached. Staff concurs with the Commission's recommendation.

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Background / Analysis:

Subsequent to the joint meeting in November, the consultants prepared an updated draft and submitted to the City in December. The updated draft of the Subdivision Ordinance was distributed to the Commission at their meeting on January 8, 2014. Attached to the P&Z's packet was a "Direction Sheet" which highlighted the changes discussed in November, noted where a consensus had been reached, and identified which items still needed to be resolved. An updated Direction Sheet is attached and now reflects a consensus by the P&Z on all items. Also, an item was added that provides for special provisions for the deferral of public improvements and obligations on gifted or inherited tracts.



# Direction Sheet

## Fredericksburg Subdivision Ordinance

### February 17, 2014

**Purpose of this Direction Sheet:** On November 21, 2013, the Planning and Zoning Commission and City Council held a joint meeting to review the draft subdivision ordinance. At this meeting, the consultants presented an executive summary (i.e., PowerPoint and three-page handout) highlighting the major changes from the current subdivision ordinance and other key points of interest.

This direction sheet serves to document the consensus from the P&Z and Council on the direction the subdivision ordinance should take on key changes and points of interest. The P&Z met on February 5, 2014 to review this direction sheet and confirm their consensus on these items. While the items listed below have the P&Z's consensus identified, the following items need confirmation of the Council's consensus.

The following table is the executive summary and corresponding consensus or need for further direction.

| Executive Summary of Changes or Key Highlights (1-15)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Direction from P&Z/City Council                                                                                                                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>1) Updated the platting process; consists of two options.</b><br/>           There are two ways to approve a final plat. The first option has a developer obtain preliminary plat approval, construct the subdivision's public improvements (streets, utilities, etc.), and apply for final plat approval after the inspection of public improvements. This option is preferred because it is the most simplicity and limits the City's exposure to problems associated with the development. The second option has a developer obtain preliminary plat approval, obtain final plat approval with a performance agreement (surety), and then construct public improvements. While the second option offers some flexibility, issues can arise if the City needs to take over the construction of public improvements.</p> | <p><b><u>Consensus Reached</u></b><br/>           The group consensus supported this item.</p>                                                             |
| <p><b>2) Added an "Amending Plat" as a platting option.</b><br/>           The purpose of an amending plat is to provide an expeditious means of making minor revisions to a recorded plat consistent with provisions of State law. Amending plats can also be used to replat existing lots fronting on an existing street. This option will help plats quickly move through the approval process. The Director of Development Services approves amending plats.</p>                                                                                                                                                                                                                                                                                                                                                            | <p><b><u>Consensus Reached</u></b><br/>           The group consensus supported this item.</p>                                                             |
| <p><b>3) Added public hearing requirements for replats.</b><br/>           Per state law, all replats are required to have a public hearing. Language regarding the procedure and notice requirements have been added.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p><b><u>Consensus Reached</u></b><br/>           The group consensus supported this item. (This is to bring ordinance into agreement with State law.)</p> |
| <p><b>4) Added sidewalk requirements.</b><br/>           Added sidewalks shall be constructed within all new Subdivisions, as identified on the upcoming City's Sidewalk and Trails Plan. The City currently does not have a Sidewalk and Trails Plan, but the City intends for this document to be included in the Comprehensive Plan update or as a standalone effort within a year or two. Also, added an escrow option and sidewalk standards (e.g., sidewalks are 5' wide).</p>                                                                                                                                                                                                                                                                                                                                            | <p><b><u>Consensus Reached</u></b><br/>           The group consensus supported this item.</p>                                                             |

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| Executive Summary of Changes or Key Highlights (1-15)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Direction from P&Z/City Council                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| <p>5) <b>Added choices for developers on the types of curbs to install in residential development.</b><br/>           Developers are able to decide if “barrier curbs” or “mountable curbs” should be used in residential subdivisions. Barrier or mountable curbs are not required in single-family subdivisions when all platted lots are one (1) acre or greater; however, an eighteen (18) inch ribbon curb will be required in these cases.</p> <div data-bbox="241 487 594 751" data-label="Image"> </div> <p data-bbox="241 762 360 785">Barrier Curb</p> <div data-bbox="609 487 959 751" data-label="Image"> </div> <p data-bbox="609 762 764 785">Mountable Curb</p> <div data-bbox="344 804 849 1087" data-label="Image"> </div> <p data-bbox="344 1089 467 1113">Ribbon Curb</p>                     | <p><b>Consensus Reached</b><br/>           The group consensus supported this item.</p> |
| <p>6) <b>Allowed for longer cul-de-sacs, but the number of lots along the cul-de-sacs remains the same.</b><br/>           The Planning and Zoning Commission may approve a cul-de-sac street longer than five hundred (500) feet, if the street is zoned or used for single family residential development and no more than 15 single family lots are created along the street. Also, the P&amp;Z can approve that up to 30 single family lots may be created along a street, if the lots created are two (2) acres in size or greater.</p>                                                                                                                                                                                                                                                                     | <p><b>Consensus Reached</b><br/>           The group consensus supported this item.</p> |
| <p>7) <b>Added a “Development Plat.”</b><br/>           A development plat is a method to ensure that as land develops, the City can obtain the necessary right-of-ways and easements when an individual claims exemption to the platting requirements. A development plat is in lieu of a subdivision plat (i.e., preliminary plat, final plat, minor plat, replat, or amending plat). In accordance with <a href="#">Local Government Code 212, Subchapter B (212.045)</a>, any person who proposes the development of a tract of land (i.e., any new construction or the enlargement of any exterior dimension of any building, structure, or improvement) located within the limits must submit a Development Plat unless the property has an approved final plat, minor plat, replat, or amending plat.</p> | <p><b>Consensus Reached</b><br/>           The group consensus supported this item.</p> |



| Executive Summary of Changes or Key Highlights (1-15)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Direction from P&Z/City Council                                                                                                             |                                  |                                        |                                        |                        |                                      |         |  |                        |                                                                          |         |  |                        |                                                 |         |  |                        |                                         |         |  |                          |                                                |         |  |                          |                                                             |  |         |                          |                                                                  |  |         |                                                                                 |
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| <p>8) <b>Added "Determination of Completeness" for vesting purposes, per state law.</b></p> <p>Added language to the ordinance to bring it into agreement with state vesting law (<a href="#">LGC 245</a>). Every required application shall be subject to a determination of completeness. A determination of completeness is made by the City not later than the tenth (10th) business day after the Official Vesting Date. An application is vested into the standards of the subdivision ordinance in effect at the time of the application's Official Vesting Date.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p><b>Consensus Reached</b></p> <p>The group consensus supported this item. (This is to bring ordinance into agreement with State law.)</p> |                                  |                                        |                                        |                        |                                      |         |  |                        |                                                                          |         |  |                        |                                                 |         |  |                        |                                         |         |  |                          |                                                |         |  |                          |                                                             |  |         |                          |                                                                  |  |         |                                                                                 |
| <p>9) <b>Added "Rough Proportionality / Fair Share Policy Statement" for public infrastructure.</b></p> <p>The topic of proportionality centers on the developer's portion of the costs of a public improvement. Standards relating to the dedication or construction requirements shall be roughly proportional to the nature and extent of the impacts created by the proposed development on the City's water, wastewater, storm drainage, parks or roadway system. A fair and proportional share shall be determined as the level or standard of service that is required to adequately serve a new development.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p><b>Consensus Reached</b></p> <p>The group consensus supported this item. (This is to bring ordinance into agreement with State law.)</p> |                                  |                                        |                                        |                        |                                      |         |  |                        |                                                                          |         |  |                        |                                                 |         |  |                        |                                         |         |  |                          |                                                |         |  |                          |                                                             |  |         |                          |                                                                  |  |         |                                                                                 |
| <p>10) <b>Added driveway dimension and separation standards.</b></p> <p>Driveway dimension and separation standards on TXDOT roadways will conform to the TXDOT Access Management Manual. Driveways along City maintained roadways will now conform to Section 6.04 of the subdivision ordinance.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p><b>Consensus Reached</b></p> <p>The group consensus supported this item. (This is to bring ordinance into agreement with State law.)</p> |                                  |                                        |                                        |                        |                                      |         |  |                        |                                                                          |         |  |                        |                                                 |         |  |                        |                                         |         |  |                          |                                                |         |  |                          |                                                             |  |         |                          |                                                                  |  |         |                                                                                 |
| <p>11) <b>Added "Minor Subdivision Waivers" and "Major Subdivision Waivers."</b></p> <p>Subdivision Waivers are classified as a "Minor Subdivision Waiver" or "Major Subdivision Waiver". Minor Subdivision</p> <ul style="list-style-type: none"><li>• Waivers are defined as a minor change to the standards, but not the intent, of these subdivision regulations and are listed in <a href="#">Table 10</a> of the subdivision ordinance.</li><li>• A Major Subdivision Waiver is a significant change to both the standards and intent of the subdivision regulations, which requires Planning and Zoning Commission and City Council approval and is not listed in <a href="#">Table 10</a>.</li></ul> <table border="1"><caption>Table 10: Minor Subdivision Waiver</caption><thead><tr><th>Section</th><th>Standard</th><th>Director of Development Services</th><th>Director of Public Works and Utilities</th></tr></thead><tbody><tr><td><a href="#">6.05.J</a></td><td><a href="#">Maximum Alley Length</a></td><td>Approve</td><td></td></tr><tr><td><a href="#">6.09.C</a></td><td><a href="#">Lot Frontage Prohibition for SF Lots on Arterial Streets</a></td><td>Approve</td><td></td></tr><tr><td><a href="#">6.09.D</a></td><td><a href="#">Right Angles for Side Lot Lines</a></td><td>Approve</td><td></td></tr><tr><td><a href="#">6.04.E</a></td><td><a href="#">Traffic Impact Analysis</a></td><td>Approve</td><td></td></tr><tr><td><a href="#">6.12.D.2</a></td><td><a href="#">Street Right-of-Way Dedication</a></td><td>Approve</td><td></td></tr><tr><td><a href="#">6.16.B.2</a></td><td><a href="#">Water Lines Extended to Subdivision Borders</a></td><td></td><td>Approve</td></tr><tr><td><a href="#">6.17.B.2</a></td><td><a href="#">Wastewater Lines Extended to Subdivision Borders</a></td><td></td><td>Approve</td></tr></tbody></table> <p>Notably, a "Minor Subdivision Waiver" was added to allow for the reduction in the Right-of-Way width found in <a href="#">Table 9: Minimum Street Design Criteria</a> up to five (5) feet to accommodate development in existing neighborhoods (e.g., an existing street does not meet the current standard and is already developed).</p> | Section                                                                                                                                     | Standard                         | Director of Development Services       | Director of Public Works and Utilities | <a href="#">6.05.J</a> | <a href="#">Maximum Alley Length</a> | Approve |  | <a href="#">6.09.C</a> | <a href="#">Lot Frontage Prohibition for SF Lots on Arterial Streets</a> | Approve |  | <a href="#">6.09.D</a> | <a href="#">Right Angles for Side Lot Lines</a> | Approve |  | <a href="#">6.04.E</a> | <a href="#">Traffic Impact Analysis</a> | Approve |  | <a href="#">6.12.D.2</a> | <a href="#">Street Right-of-Way Dedication</a> | Approve |  | <a href="#">6.16.B.2</a> | <a href="#">Water Lines Extended to Subdivision Borders</a> |  | Approve | <a href="#">6.17.B.2</a> | <a href="#">Wastewater Lines Extended to Subdivision Borders</a> |  | Approve | <p><b>Consensus Reached</b></p> <p>The group consensus supported this item.</p> |
| Section                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Standard                                                                                                                                    | Director of Development Services | Director of Public Works and Utilities |                                        |                        |                                      |         |  |                        |                                                                          |         |  |                        |                                                 |         |  |                        |                                         |         |  |                          |                                                |         |  |                          |                                                             |  |         |                          |                                                                  |  |         |                                                                                 |
| <a href="#">6.05.J</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <a href="#">Maximum Alley Length</a>                                                                                                        | Approve                          |                                        |                                        |                        |                                      |         |  |                        |                                                                          |         |  |                        |                                                 |         |  |                        |                                         |         |  |                          |                                                |         |  |                          |                                                             |  |         |                          |                                                                  |  |         |                                                                                 |
| <a href="#">6.09.C</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <a href="#">Lot Frontage Prohibition for SF Lots on Arterial Streets</a>                                                                    | Approve                          |                                        |                                        |                        |                                      |         |  |                        |                                                                          |         |  |                        |                                                 |         |  |                        |                                         |         |  |                          |                                                |         |  |                          |                                                             |  |         |                          |                                                                  |  |         |                                                                                 |
| <a href="#">6.09.D</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <a href="#">Right Angles for Side Lot Lines</a>                                                                                             | Approve                          |                                        |                                        |                        |                                      |         |  |                        |                                                                          |         |  |                        |                                                 |         |  |                        |                                         |         |  |                          |                                                |         |  |                          |                                                             |  |         |                          |                                                                  |  |         |                                                                                 |
| <a href="#">6.04.E</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <a href="#">Traffic Impact Analysis</a>                                                                                                     | Approve                          |                                        |                                        |                        |                                      |         |  |                        |                                                                          |         |  |                        |                                                 |         |  |                        |                                         |         |  |                          |                                                |         |  |                          |                                                             |  |         |                          |                                                                  |  |         |                                                                                 |
| <a href="#">6.12.D.2</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <a href="#">Street Right-of-Way Dedication</a>                                                                                              | Approve                          |                                        |                                        |                        |                                      |         |  |                        |                                                                          |         |  |                        |                                                 |         |  |                        |                                         |         |  |                          |                                                |         |  |                          |                                                             |  |         |                          |                                                                  |  |         |                                                                                 |
| <a href="#">6.16.B.2</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <a href="#">Water Lines Extended to Subdivision Borders</a>                                                                                 |                                  | Approve                                |                                        |                        |                                      |         |  |                        |                                                                          |         |  |                        |                                                 |         |  |                        |                                         |         |  |                          |                                                |         |  |                          |                                                             |  |         |                          |                                                                  |  |         |                                                                                 |
| <a href="#">6.17.B.2</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <a href="#">Wastewater Lines Extended to Subdivision Borders</a>                                                                            |                                  | Approve                                |                                        |                        |                                      |         |  |                        |                                                                          |         |  |                        |                                                 |         |  |                        |                                         |         |  |                          |                                                |         |  |                          |                                                             |  |         |                          |                                                                  |  |         |                                                                                 |

(15)



| Executive Summary of Changes or Key Highlights (1-15)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Direction from P&Z/City Council                                                                                                                                                                                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>12) Added "Vested Rights Petitions."</b></p> <p>In accordance with the Texas Local Government Code, Chapter 245 or successor statute, the purpose of a Subdivision Vested Rights Petition is to determine whether an application should be processed under the terms of a previous ordinance, to provide a process for determination of possible vested status, and to determine when certain permits are subject to expiration.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p><b>Consensus Reached</b></p> <p>The group consensus supported this item. (This is to bring ordinance into agreement with State law.)</p>                                                                                                                                 |
| <p><b>13) Added basic residential thoroughfare screening requirements.</b></p> <p>If new subdivisions have lots that back onto or side onto an arterial street or collector street, then a preliminary screening plan must be submitted for review and approval with the preliminary plat. Required screening shall be a masonry wall at least six (6) feet but not greater than eight (8) feet in height. Cement fiberboard materials (commonly referred to as HardiePlank), may be used as masonry materials for screening.</p>  <p style="text-align: center;">Example Screening Wall</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p><b>Consensus Reached</b></p> <p>After removing the options to use landscape screening, HardiePlank was added as an acceptable screening material for the masonry wall.</p> <p>The group consensus was to make the above changes and to proceed with the requirement.</p> |
| <p><b>14) Added performance agreement language.</b></p> <p>If public improvements are to be constructed after final plat approval, then the Subdivider shall be required to enter into a performance agreement with the City that shall govern the public improvements, pro rata payments, escrow deposits, or if the City participates in the cost of any public improvements, or if there are nonstandard development regulations.</p> <p>The performance agreements shall be based upon the requirements of this subdivision ordinance, and shall provide the City with specific authority to complete the improvements required in the Performance Agreement in the event of failure by the developer, and to recover the full costs of such measures.</p> <p>Performance agreements can be approved by either the <u>Council</u> or <u>City Manager</u>, per the following process.</p> <ul style="list-style-type: none"> <li>• The <u>Director of Public Works</u> and Utilities shall review all performance agreements.</li> <li>• The <u>Director of Public Works</u> and Utilities shall recommend an action to the <u>City Council</u> for all Performance Agreements.</li> <li>• The Performance Agreement shall require the approval of the <u>City Council</u>. The <u>City Council</u> may approve, approve with conditions, or deny a Performance Agreement.</li> <li>○ The <u>City Council</u> may authorize the <u>City Manager</u> to approve specific Performance Agreements on behalf of the City Council. In the event of a disagreement between the City staff and the Subdivider concerning stipulations of the Performance Agreement, the Subdivider may request City Council approval of alternative provisions.</li> </ul> | <p><b>Consensus Reached</b></p> <p>The group consensus supported this item.</p>                                                                                                                                                                                             |
| <p><b>15) Added requirement that private streets may only be built within a Planned Development (PD) zoning district.</b></p> <p>Added a section for private streets and gated subdivisions. These developments are permitted only within a planned development (PD) zoning district. Access for sanitation trucks and other public services is required.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p><b>Consensus Reached</b></p> <p>The group consensus supported this item.</p>                                                                                                                                                                                             |

16.



| Executive Summary of Changes or Key Highlights (1-15)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Direction from P&Z/City Council                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| <p><u>New Item</u><br/> <b>Added special provisions for the deferral of public improvements and obligations on gifted or inherited tracts.</b><br/>           Since the meeting on 11/21/2013, there has been discussion to allow certain types of subdivisions (e.g., family division of land within the same parcel) to occur with the deferral of public improvements and obligation.</p> <p>The following public improvements and obligations may be deferred:</p> <ol style="list-style-type: none"> <li>1. installation of onsite or offsite utilities,</li> <li>2. street improvements,</li> <li>3. curbing,</li> <li>4. driveways,</li> <li>5. drainage improvements,</li> <li>6. detention improvements,</li> <li>7. sidewalk improvements,</li> <li>8. curb cuts,</li> <li>9. tap fees, and</li> <li>10. park dedication requirements.</li> </ol> <p>All deferred public improvements and obligations assigned to a lot will be completed by the earlier of:</p> <ol style="list-style-type: none"> <li>1. re-conveyance of the lot by the Original Owner, or</li> <li>2. the issuance of a building permit, or</li> <li>3. any further subdivision of the lot to which the improvements are assigned.</li> </ol> | <p><u>Consensus Reached</u><br/>           The group consensus supported this item.</p> |

**Updates to the Subdivision Ordinance Text (Since the Second Draft was released on 12/20/2013)**

- 1) Septic Tanks:
  - a. The draft ordinance was updated to establish the County as the approval authority for septic tanks.
  - b. Septic tanks are allowed only within the ETJ and must be approved by the County before submitting a plat application.
  - c. See Section 1.09 - Special Provisions, Enforcement, and Violations (Page 8) for full details. Text is highlighted in yellow.
- 2) Gifted or Inheritance Tracts (Deferral of Public Improvements):
  - a. The draft ordinance was updated to provide for the deferral of public improvements and obligations on gifted or inherited tracts. (See "new item" discussion above).
  - b. See Section 5.04 - Timing of Public Improvements (Page 56) for full details. Text is highlighted in yellow.
- 3) Private Roads in the ETJ:
  - a. The draft ordinance was updated to allow private streets in the ETJ.
  - b. A private street in the ETJ would require the creation of a Homeowners' or Property Owners' Association.
  - c. Currently, private streets are only allowed in PUD zoning districts.



## CITY COUNCIL MEMO

---

**DATE:** February 26, 2014  
**TO:** Mayor and City Council  
**FROM:** Brad Kott, Director of Finance  
**SUBJECT:** Declaration of Official Intent Resolution

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### Summary:

At the last City Council meeting, the lease / purchase of a Wheel Loader for the Sanitary Landfill was approved. The equipment has been purchased for \$115,000. A trade-in reduced the cost to be financed to \$111,692.97. The equipment will be financed with three annual payments beginning October 15, 2014.

The bids for financing will be received on Friday, February 28, 2014. The attached resolution allows the City Manager and the Director of Finance to execute a lease with the entity that is awarded the financing.

In addition it designates the lease as a Qualified Tax-Exempt Obligation. In order for the lease to qualify as a tax exempt obligation, the City must reasonably expect not to issue \$ 10 million of tax-exempt obligations during 2014. Furthermore, the resolution allows the City to pay for the equipment up front and be reimbursed by lease proceeds at a later date.

### Recommendation:

Staff recommends the Council adopt the resolution authorizing the City Manager and Director of Finance to execute the lease / purchase financing for the Wheel Loader with the entity that is awarded the financing.

**Background/Analysis:**

The resolution was reviewed by the City Attorney. The City does not intend to issue more than \$10 million in tax-exempt obligations during 2014.



## DECLARATION OF OFFICIAL INTENT RESOLUTION

**Lessee: City of Fredericksburg**

**Principal Amount Expected To Be Financed: \$111,692.97.**

WHEREAS, the above Lessee is a political subdivision of the State in which Lessee is located (the "State") and is duly organized and existing pursuant to the constitution and laws of the State.

WHEREAS, pursuant to applicable law, the governing body of the Lessee ("Governing Body") is authorized to acquire, dispose of and encumber real and personal property, including, without limitation, rights and interests in property, leases and easements necessary to the functions or operations of the Lessee.

WHEREAS, the Governing Body hereby finds and determines that the execution of one or more lease-purchase agreements ("Equipment Leases") in the principal amount not exceeding the amount stated above ("Principal Amount") for the purpose of acquiring the property generally described below ("Property") and to be described more specifically in the Equipment Leases is appropriate and necessary to the functions and operations of the Lessee.

**Brief Description of Property: 2011 924 HZ Wheel Loader to be used at the Sanitary Landfill.**

WHEREAS, the Lessee may pay certain capital expenditures in connection with the Property prior to its receipt of proceeds of the Equipment Leases ("Lease Purchase Proceeds") for such expenditures and such expenditures are not expected to exceed the Principal Amount.

WHEREAS, the U.S. Treasury Department regulations do not allow the proceeds of a tax-exempt borrowing to be spent on working capital and the Lessee shall hereby declare its official intent to be reimbursed for any capital expenditures for Property from the Lease Purchase Proceeds.

NOW, THEREFORE, Be It Resolved by the Governing Body of the Lessee:

**SECTION 1.** Either one of the City Manager **OR** the Director of Finance (each an "Authorized Representative") acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver one or more Equipment Leases in substantially the form set forth in the document presently before the Governing Body, which document is available for public inspection at the office of the Lessee. Each Authorized Representative acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver such other documents relating to the Equipment Lease (including, but not limited to, escrow agreements) as the Authorized Representative deems necessary and appropriate. All other related contracts and agreements necessary and incidental to the Equipment Leases are hereby authorized.

**SECTION 2.** By a written instrument signed by any Authorized Representative, said Authorized Representative may designate specifically identified officers or employees of the Lessee to execute and deliver agreements and documents relating to the Equipment Leases on behalf of the Lessee.

**SECTION 3.** The aggregate original principal amount of the Equipment Leases shall not exceed the Principal Amount and shall bear interest as set forth in the Equipment Leases and the Equipment Leases shall contain such options to purchase by the Lessee as set forth therein.

**SECTION 4.** The Lessee's obligations under the Equipment Leases shall be subject to annual appropriation or renewal by the Governing Body as set forth in each Equipment Lease and the Lessee's obligations under the Equipment Leases shall not constitute a general obligations of the Lessee or indebtedness under the Constitution or laws of the State.

**SECTION 5.** The Governing Body of Lessee anticipates that the Lessee may pay certain capital expenditures in connection with the Property prior to the receipt of the Lease Purchase Proceeds for the Property. The Governing Body of Lessee hereby declares the Lessee's official intent to use the Lease Purchase Proceeds to reimburse itself for Property expenditures. This section of the Resolution is adopted by the Governing Body of Lessee for the purpose of establishing compliance with the requirements of Section 1.150-2 of Treasury Regulations. This section of the Resolution does not bind the Lessee to make any expenditure, incur any indebtedness, or proceed with the purchase of the Property.

**SECTION 6.** As to each Equipment Lease, Lessee hereby designates each Equipment Lease as a "qualified tax-exempt obligation" for the purposes of and within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended ("Code") and Lessee reasonably anticipates that the total amount of Section 265 Tax-Exempt Obligations to be issued during the current calendar year by Lessee, or by an entity controlled by Lessee or by another entity the proceeds of which are loaned to or allocated to Lessee for purposes of Section 265(b) of the Code will not exceed \$10,000,000. "Section 265 Tax-Exempt Obligations" are obligations the interest on which is excludable from gross income of the owners thereof under Section 103 of the Code, except for private activity bonds other than qualified 501(c)(3) bonds, both as defined in Section 141 of the Code.

**SECTION 7.** This Resolution shall take effect immediately upon its adoption and approval.

ADOPTED AND APPROVED on this \_\_\_\_\_, 20\_\_.

The undersigned Secretary/Clerk of the above-named Lessee hereby certifies and attests that the undersigned has access to the official records of the Governing Body of the Lessee, that the foregoing resolutions were duly adopted by said Governing Body of the Lessee at a meeting of said Governing Body and that such resolutions have not been amended or altered and are in full force and effect on the date stated below.

\_\_\_\_\_  
Signature of Secretary/Clerk of Lessee

Print Name: \_\_\_\_\_

Official Title: \_\_\_\_\_

Date: \_\_\_\_\_



## CITY COUNCIL MEMO

---

**DATE:** February 25, 2014

**TO:** Mayor and City Council

**FROM:** Brian Jordan, AICP

**SUBJECT:** Consider selecting the Consulting Firm for the update of the Comprehensive Plan, and authorize contract negotiations.

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**Summary:**

The City received eight proposals for the Request for Qualifications for the update of the Comprehensive Plan. Three firms were selected to be interviewed, including Freese and Nichols from Dallas, Design Workshop from Austin and Gateway Planning from Dallas.

**Recommendation:**

It is recommended by the staff that the City Council select Design Workshop for the update of the Comprehensive Plan, and authorize the City Manager to negotiate a contract for services.

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**Background / Analysis:**

Interviews were conducted on Tuesday, February 11, 2014. Based on the evaluation criteria established in the Request for Qualifications, the staff, consisting of Kent Myers, Jimmy Alexander and myself selected Design Workshop as the most qualified firm. We would recommend that the Council

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The City of Fredericksburg



select this firm and authorize staff to start the contract negotiations. Should we not be able to negotiate a contract for the budgeted amount of \$70,000 and the services necessary with Design Workshop, we would then recommend working with Freese and Nichols.

Design Workshop, Inc.  
Landscape Architecture  
Land Planning  
Urban Design  
Strategic Services

January 16, 2014

Brian Jordan, AICP  
Director of Development Services  
126 West Main Street  
Fredericksburg, TX 78624

Dear Brian,

Thank you for allowing Design Workshop to submit a statement of qualifications for the Professional Planning Services for the Comprehensive Plan Update. We understand that the purpose of this proposal is to identify the planning consultants best suited to assist with a pedestrian mobility plan including hiking, biking and sidewalks; a vision for gateways and entries to the community, and design standards for areas along key corridors outside the Historic District. We understand that the City works with another firm for the majority of your planning needs, but we appreciate the opportunity to show you how our forty-five years of work in tourism and resort communities could benefit you.

800 Brazos Street  
Suite 490  
Austin, Texas 78701  
512.499.0222

### How We Will We Meet Your Needs

We approach every project differently, tailoring our DW Legacy Design® process to those issues that are most important to our clients. Beginning with the client's goals, we define baseline conditions, evaluate benchmarks or case studies and make recommendations based on best practices in the industry. This approach takes every project in a different direction, resulting in no cookie cutter plans. Design Workshop uses its unprecedented involvement in tourism towns to draw forth case studies and best practices giving its clients a universe of knowledge that is directly relevant to the challenges faced by these communities.

Asheville  
Aspen  
Austin  
Chicago  
Denver  
Houston  
Lake Tahoe  
Los Angeles

### What You Will Get from Design Workshop

In the qualifications section of this packet, you will find that our team has extensive experience in planning, implementation and special studies. The key personnel bring nationally recognized expertise, specifically in tourism communities. You will also see that we understand the importance of connections - ecological, economic, cultural, physical, and emotional. Our Legacy Design philosophy and process ensures a comprehensive approach to each project. We believe the best solutions are those that come from an inclusive and transparent process. As our name implies, we believe in the concept of collaborative design and will include all stakeholders in the process. We also believe strongly that the best plans are written by those who also, at times, have a role in implementation. As our portfolio of built work attests, we have implemented numerous plans across the country.

In addition to our qualifications and collaborative approach, you will receive these important benefits from Design Workshop:

- With our roots in places like Aspen, Tahoe, and other tourism destinations, we understand the intricacies of working in tourism towns such as seasonality, speculative developments, and scenic/historic/character preservation. My background is in the public sector and specifically tourism communities (I was the planner for Eagle County, Colorado, home to Vail, Beaver Creek and Arrowhead ski areas and the Flattop Wilderness Area). I now run the Austin, TX office of Design Workshop. We have found the tourism planning experience we offer unique in Texas. We have been helping the City of Wimberley for the last several years with park, trail and open space planning and design as well as a plan for its unique central square. In addition, we have been helping the City of New Braunfels with stormwater management planning, introduction of LID practices, and transportation/trails planning.

(24)

DESIGNWORKSHOP

Design Workshop, Inc.  
 Landscape Architecture  
 Land Planning  
 Urban Design  
 Strategic Services

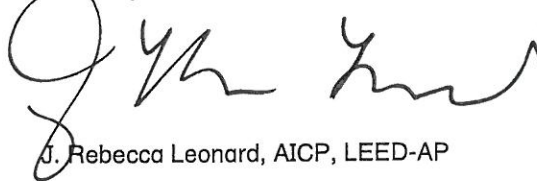
800 Brazos Street  
 Suite 490  
 Austin, Texas 78701  
 512.499.0222

Asheville  
 Aspen  
 Austin  
 Chicago  
 Denver  
 Houston  
 Lake Tahoe  
 Los Angeles

- We are a value-based firm who cares deeply that our designs not only meet, but exceed the expectations of our clients and the stakeholders. We stand for a balanced and comprehensive approach to planning and design work. We focus on doing the right thing the first time, instead of mitigating for it later. This level of care and commitment to quality helped us win the honor of Firm of the Year 2008 from the American Society of Landscape Architects. My leadership as Chair-elect of the Urban Design and Preservation Division of the American Planning Association and my partner, Steven's leadership on the Recreation Council of the Urban Land Institute indicate that other professionals in our industry recognize our expertise and leadership qualities.
- We have an extremely successful office in Austin of twenty people. Because of this, we are aware of the unique issues in the Hill Country and planning requirements in the State of Texas. Our team of planners and designers are responsible for many award-winning projects in the South Central US such as the Lafitte Corridor and Greenway in New Orleans (ASLA National Award of Excellence in Analysis and Planning), the Blue Hole Regional Plan in Wimberley (SITES certified; ASLA Texas Honor Award in both Constructed and Analysis and Planning, and Texas Municipal League Outstanding Public Project Award), Lewisville Old Town Plaza in Lewisville (ASLA Texas Outstanding Award of Excellence and APA Texas Community of the Year Award) and the Bagby Street in Houston (GreenRoads Silver Certified)
- We have an interdisciplinary approach to design bringing all the necessary experts to the table early in the process. Inclusiveness results in the most thoughtful and cost-efficient process. A clear understanding of roles and responsibilities, deliverables, schedule, and budget is essential. Our Project Management Plan, worked out early with the client, will ensure effective leadership throughout the project.
- Because we focus attention on the feasibility of our plans and designs, we are able to see many of them built. We build community and political support through an inclusive process, our designs are tested and found effective, we ensure the costs equal the benefits, we plan for operations and maintenance, and we think creatively about phasing.
- Finally, we ADD VALUE to each project by looking at it in a broader context then testing assumptions against the details; by thinking about each set of issues then considering how they influence one another; by providing a forum for all to speak then sticking to a clear decision-making process; and finally, by planning for the short- and long- term needs of the project.

Thank you very much for considering us for the professional planning services for the Comprehensive Plan Update. I personally look forward to working with you for the betterment of this beautiful, historic town. Please do not hesitate to contact me at the office, cell phone (970-948-6281) or by e-mail at rleonard@designworkshop.com.

Sincerely,



J. Rebecca Leonard, AICP, LEED-AP

President

Design Workshop, Inc.

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DESIGNWORKSHOP





**Downtown Enhancement Plan, Aspen, Colorado - Design Workshop**  
 2010 American Society of Landscape Architects (Colorado) Merit Award in Planning  
 2010 American Planning Association Small Town and Rural Area (STaR) Division Outstanding Planning Initiative  
 2010 City-County Communications & Marketing Association Community Visioning Award of Excellence

## PROJECT UNDERSTANDING AND APPROACH



## 19 PROJECT UNDERSTANDING AND APPROACH

We understand that the City desires an update to the City's Comprehensive Plan that was adopted in January of 2006 with a focus on hiking/biking trails, entryways, and design standards. Design Workshop's DW Legacy Design® approach is well suited to the task. In the course of human history, the planning process has produced a limited number of works that have stood the test of time. These are recognized for bringing together elements of environmental sensitivity, economic viability and community values in a manner that raises the executed work to the level of art. Their very existence forms part of the legacy upon which modern civilization is built. Such projects represent the noblest strivings of our profession.

Design Workshop is devoted to pursuing, designing and executing projects that will leave a legacy for future generations by merging environmental, economic, community and artistic concerns through a holistic approach to design. We call this comprehensive, sustainable approach DW Legacy Design®.

- **Environment.** Human existence depends on recognizing the value of natural systems and organizing its own activities to protect them. Plans should fit the purpose to the conditions of the land in ways that support future generations, driving value long-term.
- **Economics.** Projects must be financially sustainable to last multiple generations. Projects that are socially and environmentally responsive are, in the long term, the most economically successful.

- **Community.** Projects must contribute to the quality of life of the people who use them and who are affected by them. They shall be regenerative, seeking to repair damage to the community fabric where it exists and lifting up the lives of those who are influenced. The design of the built environment should foster connections and interaction among families, groups, towns, cities and nations.
- **Art.** Beauty is a timeless quality. It boosts economic value, supports viability, attracts capital and contributes to a project's longevity. Our design process seeks new aesthetic solutions, while at the same time producing works that are not merely provocative or sensational. Timeless works provide meaning and enjoyment for passing generations and endure temporary styles or shifting fads.

Creating comprehensive projects that find success on all four levels is no small undertaking. However, it is an endeavor worthy of the individuals who have come together at Design Workshop.

Here is how Design Workshop proposes to tackle each key component of this project for the city of Fredericksburg:

### 1.Hiking/biking Trails Plan

We understand that the City is looking for a pedestrian mobility plan that should investigate better sidewalk connections between key destinations as well as potential paths, perhaps aligned with the creek corridors. Parks and



Developments outside the Historic District can have a big influence over how the community is perceived by travelers. The Design Standards will extend quality development and design character out along corridors and other key destinations within the community.



trails planning is more than a physical planning process. It includes a thorough stakeholder engagement process as stakeholders tend to be emotionally tied to certain alignments and characteristics. Folks such as the bicycle enthusiasts and Volkssport groups will be consulted on the project to determine their needs and desires. An understanding of long-term operations, maintenance and programming costs is also essential to a pedestrian mobility plan. Trails that are well maintained add value to the surrounding neighborhoods. On the other hand, trails that are not maintained are not only a waste of tax-payer money, but also become unsafe and detriments to the surrounding community. Town Creek and Baron Creek, although beautifully aligned for community connectivity, have numerous challenges including property ownership, grade challenges, and flooding. This plan will evaluate all potential pedestrian routes, choose alignments that are both ideal and practical, and make recommendations on priority of implementation.

## 2. Plan for Entryway Features

We understand that there is a second phase of the signage and wayfinding strategy being implemented currently and, that this effort will complement better signage with enhanced design standards in these key gateway areas. Considerations include signage, landscaping and architectural enhancements that will compliment that which is required in the Historic District. Design Workshop will analyze the character "DNA" of the community and work with the stakeholders to assess the visual characteristics most appealing and desirable. Pulling from the rich history in agriculture, German settlement and civic pride, the entryways should reflect a significant transition from rural areas and project a strong image for the community to visitors. Then, Design Workshop will develop a simple document describing the standards including an intent statement, mandatory standards as well as where flexibility is supported or encouraged. The product, although designed as a supplemental document to the Comprehensive Plan will be designed in a way that allows for easy inclusion, in code in the future code.

## 3. Design Standards

We understand that the City wishes to extend some of its design standards to areas outside the Historic District such as along major corridors, tourism-related developments and adjacent to the Historic District. The development of these design standards should be complimentary to both the standards already present in the Historic District as well as standards developed for

community entryways. Opportunities available to the community after the truck bypass is moved should be considered. After the team has analyzed the character DNA of the community, the key take aways will be described in the document in graphic format. The document should answer questions such as:

"When are verandahs and arcades acceptable?", "What is the most appropriate size, location and style of signage and lighting?", and "Where should access be given to properties?" The document should be easy for both trained professionals and general property owners to understand.

Early in its forty-year history, Design Workshop realized that thorough, comprehensive and transparent planning processes were important to the implementation of successful plans. We also discovered that our long history of design implementation helped us ensure plans were always written with an eye towards implementation. Our experience designing and building public streetscapes, parks and community centers, as well as our skill restoring streams, native landscapes and neighborhoods was invaluable to public planning efforts. In Avon, the City has proceeded to implement the transit center and Lake Street realignment projects – recommendations from both our Comprehensive Plan and the West Town Center Investment Plan. In Pflugerville, the City has developed design concepts for each of its parks, a recommendation from our Park, Open Space and Recreation Master Plan. The implementation of action items proves that the goals and policies in our plans were achievable.

Recognition by the industries we serve and by our peers proves our effectiveness. We have received many awards for our design and planning accomplishments from organizations such as the Urban Land Institute (ULI), the Congress of New Urbanism, the American Society of Landscape Architects (ASLA) and the American Planning Association (APA). In 2008, we were recognized as ASLA's "Firm of the Year." We are also dedicated to giving back to the industry -our people contribute significantly to teaching, professional associations and other professional activities. Partners of Design Workshop – including Steven Spears of the Austin office – lead the Recreation Development Council in the Urban Land Institute. Rebecca Leonard is the Chair-elect of the Urban Design and Preservation Division of the American Planning Association.



## PUBLIC ENGAGEMENT

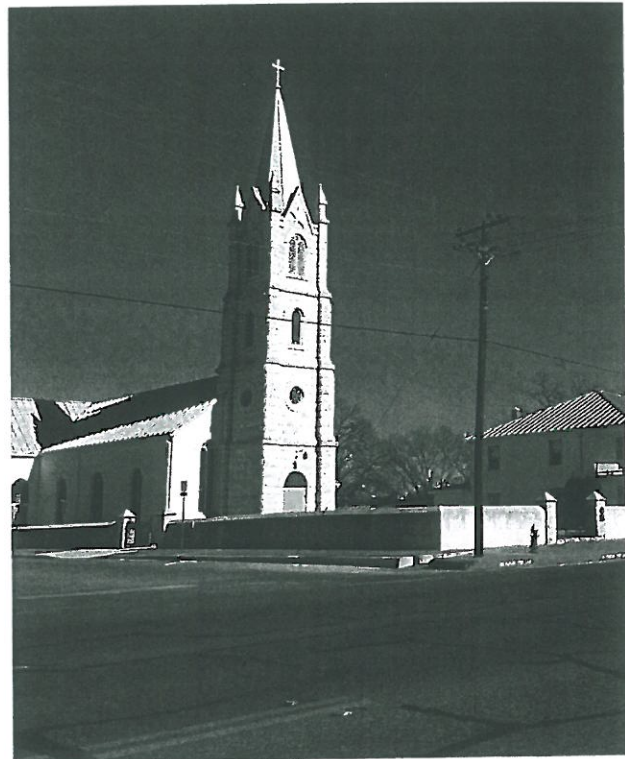
Our understanding of public involvement techniques stems from nearly 40 years of charrettes, workshops, and visual preference surveys. As evidenced by our name -Design Workshop -we take public involvement very seriously on our projects.

Our public involvement process focuses on four important benefits to our clients:

1. We ensure all stakeholders have a voice in the public conversation by identifying the geographic, demographic, and interest groups that make up the fabric of the community.
2. We provide clear and timely communication to all interested citizens by understanding outreach issues and design approaches that meet the community's needs.
3. We ensure that public involvement is truly meaningful to the community by understanding and focusing on the key issues it faces.
4. We create implementable actions by carefully navigating the community to a consensus position.

Often public involvement processes occur on a parallel path to a planning project. This requires a large enough team to keep both efforts progressing in a manner that maintains enthusiasm for the project. It also entails team leadership versed in both plan development skills and public involvement knowledge. Many of our planners and designers are certified facilitators and hold matching certifications by the National Charrette Institute.

For Fredericksburg, Design Workshop proposes both a series of meetings for the project – a kick off, a visioning meeting, and a final presentation – and the use of on-line tools that can poll participants on visual preferences and design approaches. We have found that meetings are essential, but often underrepresent the vast majority of citizens' points-of-view. Interactive on-line tools can help bolster participation and understanding of the project.



Cultural and historic elements should be considered as destinations for pedestrian and trail connectivity in Downtown Fredericksburg.

## PROJECT MANAGEMENT

We organize projects by team with key responsibilities divided between the Principal-in-Charge and Project Manager (other roles may be added as required). The Principal-in-Charge, Rebecca Leonard, serves as the content lead of the project and has primary responsibility for the overall quality and thoroughness of the services. The Project Manager, Claire Hemple, is the day-to-day lead of the project and leads the planning and design efforts. Claire's responsibilities include coordinating Design Workshop's internal team and sub consultants, as well as communication and coordination with all members of the Client's team.

A detailed Project Management Plan, created early in the process, results in clear roles and responsibilities, a proactive Communications Plan, a preemptive Risk Management Plan and a detailed schedule of deliverables.

Delivering the highest quality is built into our structure. We have a dedicated quality management team with firm-wide reviewers and a technical editor. A Quality Management coordinator in each office monitors and guides quality assurance and provides resources, training and quality review systems to all staff.



## CITY COUNCIL MEMO

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**DATE:** March 3, 2014

**TO:** Mayor and City Council

**FROM:** Kent Myers, City Manager

**SUBJECT:** Annual Financial Report

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**Summary:**

Our Finance Director, Brad Kott, will provide the Council with a summary report on the City's financial position at the end of the past fiscal year (September 30, 2013).

**Recommendation:**

It is recommended that this financial report be provided to the City Council every year following the completion of our annual audit.

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**Background / Analysis:**

Brad and his staff have prepared a financial status report that will be presented at Monday's Council meeting summarizing the City's financial position at the end of the past fiscal year. Included in this report will be information how our fund balances compare to the fund balance requirements included in our recently adopted financial management policies. Also, since interfund transfers are a current

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The City of Fredericksburg

topic of interest, this presentation will include information on the interfund transfers that took place last year.

This financial report should be helpful as we start developing next year's City Budget. For example, any fund balance goals that were not met last year will need to be addressed in next year's Budget.





## CITY COUNCIL MEMO

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**DATE:** March 3, 2014

**TO:** Mayor and City Council

**FROM:** Kent Myers, City Manager

**SUBJECT:** Park Pool Funding

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**Summary:**

A budget amendment is needed in order to fully fund the contract approved with Cox Construction on the Lady Bird Johnson Park Pool last September.

**Recommendation:**

It is recommended that the Council approve a budget amendment for \$578,000 from the General Fund prior year fund balance to cover the remaining cost for the Cox Construction contract.

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**Background / Analysis:**

Last September, the City Council approved the base bid of \$2,178,601 for Cox Construction to construct the Lady Bird Johnson Park Pool. It was reported at this meeting that the bond funds available for this project were \$1,612,000. In approving the bid from Cox Construction, the Council instructed staff to come back to the Council at a later date with a recommendation for funding the additional cost to complete the contract.

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The City of Fredericksburg

At Monday's Council meeting a financial status report will be presented which shows that the General Fund balance at the end of last year exceed the balance required in our financial management policies by over \$2 million. Therefore, it is recommended that the Council approve a total of \$578,000 from the General Fund fund balance that will cover the additional cost of the current contract with Cox (\$566,601) as well as providing some additional contingency funds (\$11,399) if needed to complete the project.



## CITY COUNCIL MEMO

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**DATE:** March 3, 2014

**TO:** Mayor and City Council

**FROM:** Clinton Bailey, P.E., Director of Public Works and Utilities

**SUBJECT:** Professional Services Agreement - Water Bond Projects

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**Summary:**

During their regular meeting on July 1, 2013, the City Council approved recommendations by City Staff for Water Distribution System and Wastewater Treatment Plant improvements projects and associated funding in the amount of \$6,500,000 in the form of Water and Wastewater Revenue Bonds. Preliminary construction cost estimates presented by staff illustrated that roughly half of the approved funding would be utilized for construction of the following Water Distribution System Projects: (1) The construction of a new 500,000 gallon ground storage tank at the Goehmann Lane pump station (2) The Construction of a new 500,000 gallon ground storage tank at the South Heights Pump Station (3) The rehabilitation of the existing 1,000,000 gallon Windcrest ground storage tank and (4) The installation of a water main from the Cross Mountain pump station up Lower Crabapple Road to help address pressure, fire protection and redundancy in the northern portion of the City.

**Recommendation:**

City Engineering Staff recommends approval of the Professional Services Agreement with Freese and Nichols, Inc. to perform professional services as outlined in the "Scope of Services" of the attached



The City of Fredericksburg



agreement which includes basic and non-basic services consisting of preliminary and final professional engineering design, surveying, project bid and construction coordination, system modelling, geotechnical investigation, tank inspection and tank materials testing for the City's proposed water distribution system improvements projects for a lump sum fee of \$609,178.

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**Background / Analysis:**

In late 2007, Freese and Nichols completed the City's "Impact Fee Capital Improvement Plan – Water and Wastewater" which included a detailed analysis of the City's water distribution system infrastructure and recommendations for a number of capital improvements projects including several that would be designed and constructed under this proposed agreement. Because of their experience and familiarity with the City's water distribution system, City Staff requested that Freese and Nichols develop a draft contract proposal for providing professional services including the preliminary and final engineering design and construction management for the City's proposed water bond projects. After review and deliberation of the draft contract submittal by City Staff, Freese and Nichols prepared and submitted a revised Professional Services Agreement which staff is recommending for approval by the City Council.



FREDERICKSBURG TANK AND WATERLINE IMPROVEMENTS  
CITY OF FREDERICKSBURG  
PRELIMINARY PROPOSAL ESTIMATE

OPINION OF PROBABLE CONSTRUCTION COST

January 28, 2014

ESTIMATOR

MKE

CHECKED BY

AMC

ACCOUNT NO

OFF13041 - FRBB

| ITEM                                    | DESCRIPTION                                                 | QUANTITY | UNIT | UNIT PRICE    | TOTAL                 |
|-----------------------------------------|-------------------------------------------------------------|----------|------|---------------|-----------------------|
| <b>GOEHMANN LANE TANK IMPROVEMENTS</b>  |                                                             |          |      |               | <b>\$848,000.00</b>   |
| 1                                       | 500,000 GAL. WELDED STEEL TANK                              | 1        | LS   | \$ 500,000.00 | \$500,000.00          |
| 2                                       | TANK SUBGRADE AND FOUNDATION                                | 1        | LS   | \$ 53,000.00  | \$53,000.00           |
| 3                                       | CATHODIC PROTECTION                                         | 1        | LS   | \$ 16,000.00  | \$16,000.00           |
| 4                                       | SCADA AND ELECTRICAL                                        | 1        | LS   | \$ 30,000.00  | \$30,000.00           |
| 5                                       | YARD PIPING AND APPURTENANCES                               | 1        | LS   | \$ 34,000.00  | \$34,000.00           |
| 6                                       | SITE WORK (FENCING, GRADING, PAVING, RESTORATION)           | 1        | LS   | \$ 13,000.00  | \$13,000.00           |
| 7                                       | CONTINGENCY                                                 | 25%      |      |               | \$162,000.00          |
| 8                                       | MOBILIZATION                                                | 5%       |      |               | \$40,000.00           |
| <b>SOUTH HEIGHTS TANK IMPROVEMENTS</b>  |                                                             |          |      |               | <b>\$872,000.00</b>   |
| 1                                       | 500,000 GAL. WELDED STEEL TANK                              | 1        | LS   | \$ 500,000.00 | \$500,000.00          |
| 2                                       | TANK SUBGRADE AND FOUNDATION                                | 1        | LS   | \$ 53,000.00  | \$53,000.00           |
| 3                                       | CATHODIC PROTECTION                                         | 1        | LS   | \$ 16,000.00  | \$16,000.00           |
| 4                                       | SCADA AND ELECTRICAL                                        | 1        | LS   | \$ 30,000.00  | \$30,000.00           |
| 5                                       | DEMO TANK AND BUILDINGS AT ADJACENT SITE                    | 1        | LS   |               | \$0.00                |
| 6                                       | YARD PIPING AND APPURTENANCES                               | 1        | LS   | \$ 52,000.00  | \$52,000.00           |
| 7                                       | SITE WORK (FENCING, GRADING, PAVING, RESTORATION)           | 1        | LS   | \$ 13,000.00  | \$13,000.00           |
| 8                                       | CONTINGENCY                                                 | 25%      |      |               | \$166,000.00          |
| 9                                       | MOBILIZATION                                                | 5%       |      |               | \$42,000.00           |
| <b>WINDCREST TANK IMPROVEMENTS</b>      |                                                             |          |      |               | <b>\$667,000.00</b>   |
| 1                                       | BLAST CLEAN EXTERIOR (INCLUDING CONTAINMENT)                | 13,069   | SF   | \$ 11.00      | \$143,800.00          |
| 2                                       | BLAST CLEAN INTERIOR (INCLUDING DEHUMIDIFICATION)           | 18,598   | SF   | \$ 11.00      | \$204,600.00          |
| 3                                       | REPLACE CENTER SUPPORT COLUMN PLATE                         | 1        | LS   | \$ 9,000.00   | \$9,000.00            |
| 4                                       | REPLACE BUCKLED ROOF SECTION                                | 1        | LS   | \$ 30,000.00  | \$30,000.00           |
| 5                                       | REPAIR CONCRETE SPALLS                                      | 1        | LS   | \$ 3,000.00   | \$3,000.00            |
| 6                                       | REPLACE ROOF VENT (w/ 24" A.S.T.)                           | 1        | LS   | \$ 15,000.00  | \$15,000.00           |
| 7                                       | REPLACE INTERIOR LADDER AND SAFETY CLIMB                    | 32       | VLF  | \$ 300.00     | \$10,000.00           |
| 8                                       | REPLACE EXTERIOR LADDER AND SAFETY CLIMB                    | 32       | VLF  | \$ 200.00     | \$6,000.00            |
| 9                                       | INSTALL SAFETY RAILINGS ON ROOF                             | 50       | LF   | \$ 100.00     | \$5,000.00            |
| 10                                      | CATHODIC PROTECTION                                         | 1        | LS   | \$ 17,000.00  | \$17,000.00           |
| 11                                      | SCADA AND ELECTRICAL                                        | 1        | LS   | \$ 20,000.00  | \$20,000.00           |
| 12                                      | REPLACE OVERFLOW PIPING                                     | 32       | VLF  | \$ 100.00     | \$3,200.00            |
| 13                                      | SITE WORK (FENCING, GRADING, PAVING, RESTORATION)           | 1        | LS   | \$ 5,300.00   | \$5,300.00            |
| 14                                      | ADDITIONAL GRINDING AND WELDING AS NEEDED                   | 1        | LS   | \$ 10,500.00  | \$10,500.00           |
| 15                                      | REPLACE ROOF MEMBERS                                        | 10       | EA   | \$ 2,600.00   | \$26,000.00           |
| 16                                      | CONTINGENCY                                                 | 25%      |      |               | \$127,000.00          |
| 17                                      | MOBILIZATION                                                | 5%       |      |               | \$32,000.00           |
| <b>HIGH PRESSURE PLANE IMPROVEMENTS</b> |                                                             |          |      |               | <b>\$1,012,000.00</b> |
| 1                                       | 12" C900 DR 14 PVC WATER MAIN                               | 10,900   | LF   | \$ 53.00      | \$577,700.00          |
| 2                                       | JACK AND BORE 20" STEEL CASING (WITH 12" D.I. CARRIER PIPE) | 100      | LF   | \$ 315.00     | \$31,500.00           |
| 3                                       | 12" GATE VALVES                                             | 11       | EA   | \$ 2,625.00   | \$28,875.00           |
| 4                                       | 2" AIR RELEASE VALVES                                       | 4        | EA   | \$ 3,150.00   | \$12,600.00           |
| 5                                       | TEMPORARY BLOW-OFF VALVES                                   | 2        | EA   | \$ 2,100.00   | \$4,200.00            |
| 6                                       | TRENCH EXCAVATION SAFETY PROTECTION                         | 10,900   | LF   | \$ 1.00       | \$10,900.00           |
| 7                                       | PRESSURE REDUCING VALVE VAULT                               | 1        | EA   | \$ 31,500.00  | \$31,500.00           |
| 8                                       | SWPPP                                                       | 1        | LS   | \$ 10,500.00  | \$10,500.00           |
| 9                                       | TRAFFIC CONTROL PLAN AND DEVICES                            | 1        | LS   | \$ 4,200.00   | \$4,200.00            |
| 10                                      | HYDROMULCH SEEDING                                          | 36,333   | SY   | \$ 0.60       | \$21,800.00           |
| 11                                      | DISINFECTION                                                | 11,000   | LF   | \$ 0.50       | \$5,500.00            |
| 12                                      | PREP RIGHT-OF-WAY                                           | 1        | LS   | \$ 31,500.00  | \$31,500.00           |
| 13                                      | CONTINGENCY                                                 | 25%      |      |               | \$193,000.00          |
| 14                                      | MOBILIZATION                                                | 5%       |      |               | \$48,000.00           |

PROJECT TOTAL

\$3,399,000

NOTES: Estimated increase in price for 500,000 gallon prestressed concrete ground storage tank is 20% for tank only.

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## AGREEMENT FOR PROFESSIONAL SERVICES

STATE OF TEXAS                   §

COUNTY OF TARRANT       §

This AGREEMENT is entered into by the City of Fredericksburg, Texas, hereinafter called "Owner" and Freese and Nichols, Inc., hereinafter called "FNI." In consideration of the AGREEMENTS herein, the parties agree as follows:

- I.     **EMPLOYMENT OF FNI:** In accordance with the terms of this AGREEMENT: Owner agrees to employ FNI; FNI agrees to perform professional services in connection with the Project; Owner agrees to pay to FNI compensation. The Project is described as follows: Goehmann Lane Tank Improvements, South Heights Tank Improvements, Upper Pressure Plane Water Improvements and Windcrest Tank Improvements Professional Engineering Services
- II.    **SCOPE OF SERVICES:** FNI shall provide professional services in connection with Project as set forth in Attachment SC - Scope of Services and Responsibilities of Owner which is attached to and made a part of this AGREEMENT.
- III.   **COMPENSATION:** Owner agrees to pay FNI for all professional services rendered under this AGREEMENT in accordance with Attachment CO - Compensation which is attached hereto and made a part of this AGREEMENT. FNI shall perform professional services as outlined in the "Scope of Services" for a lump sum fee of **\$609,178**. Details concerning the fee are included in Attachment CO.  
  
If FNI's services are delayed or suspended by Owner, or if FNI's services are extended for more than 60 days through no fault of FNI, FNI shall be entitled to equitable adjustment of rates and amounts of compensation to reflect reasonable costs incurred by FNI in connection with such delay or suspension and reactivation and the fact that the time for performance under this AGREEMENT has been revised.
- IV.    **TERMS AND CONDITIONS OF AGREEMENT:** The Terms and Conditions of Agreement as set forth as Attachment TC shall govern the relationship between the Owner and FNI.

Nothing under this AGREEMENT shall be construed to give any rights or benefits in this AGREEMENT to anyone other than Owner and FNI, and all duties and responsibilities undertaken pursuant to this AGREEMENT will be for the sole and exclusive benefit of Owner and FNI and not for the benefit of any other party.

This AGREEMENT constitutes the entire AGREEMENT between Owner and FNI and supersedes all prior written or oral understandings.

This contract is executed in two counterparts.

IN TESTIMONY HEREOF, they have executed this AGREEMENT, the \_\_\_\_ day of \_\_\_\_\_, 2014.

ATTEST:

**City of Fredericksburg, Texas**  
(OWNER)

\_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_  
Print or Type Name and Title

ATTEST:

**Freese and Nichols, Inc.**  
(FNI)

\_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_  
Print or Type Name and Title

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## SCOPE OF SERVICES AND RESPONSIBILITIES OF OWNER

### Background and Scope of Work

The scope of work consists of the following:

- A. Goehmann Lane Tank Improvements - This project consists of the addition of one new ground storage tank and associated piping at the Goehmann Lane Pump Station.
- B. South Heights Tank Improvements – This project consists of the addition of one new ground storage tank and associated piping at the South Heights Pump Station.
- C. Upper Pressure Plane Water Improvements – This project consists of the addition of approximately 11,000 linear feet of 12-inch water main to the Upper Pressure Plane.
- D. Windcrest Tank Improvements – This project consists of the rehabilitation of the existing Windcrest Ground Storage Tank.

### Project Assumptions

#### A. General

- 1. Any Record Drawings for the pump stations or for any utilities being impacted by the proposed improvements will be provided to FNI by the OWNER.
- 2. Construction contract documents will be FNI standard (EJCDC 2007) and Technical specifications will be FNI standard provided in CSI 2004 format. FNI will review the City standards and incorporate any City specific requirements into the project documents.
- 3. The projects will be separated into two separate bid packages as indicated:
  - a. Goehmann Lane and South Heights Tank Improvements and High Pressure Plane Water Improvements
  - b. Windcrest Tank Improvements

#### B. Goehmann Lane and South Heights Tank Improvements and High Pressure Plane Water Improvements

- 1. The rehabilitation of the existing Goehmann Lane and South Heights Tanks, improvements to the existing pump stations or existing sites are not included in this scope.
- 2. No improvements to underground or above ground piping are anticipated or included, except as required to make tie-ins to proposed tanks and except in the case of the Goehmann Lane Tank site where existing piping will be relocated to allow for placement of the new tank if necessary.
- 3. Cathodic protection systems will be specified by a performance based specification with design provided by the Contractor.
- 4. The Owner will provide metes and bounds descriptions for any additional property to be purchased at the Goehmann and South Heights Tanks.
- 5. FNI will provide the design of one type of tank and alternate tank designs, i.e. prestressed concrete and steel will not be provided.

#### C. Windcrest Tank Improvements

- 1. Cathodic protection systems will be specified by a performance based specification with design provided by the Contractor.
- 2. No improvements to the Windcrest Pump Station are included within this scope.
- 3. No improvements to underground or above ground piping are anticipated or included, except as required to make tie-ins to proposed tank. Any modifications to the existing above grade tank inlet/outlet piping will be completed with photographs and written word.
- 4. Project will have minimal site improvements. Any site improvements will be indicated by available aerials, photographs and by written word. Details for the rehabilitation of the tank, structural details,

etc. will be provided in CAD. A re-creation of site and/or the pump and piping in CAD are not included within this scope.

5. No improvements to the roadway, drainage, etc. is anticipated or included within this scope. This includes any evaluation or off-site improvements for tank overflow discharge.
6. A structural analysis, including an inspection of welds, corrosion testing or a tank reliability assessment is not anticipated or included within this scope.
7. No improvements to site lighting is anticipated or included.
8. No improvements to any chemical feed systems are anticipated or included.

#### **Subconsultants:**

- A. Survey – Cuplin & Associates Land Surveyors & Planners, Inc.
- B. Tank Inspections / Threshold Coating Inspection – Certified Inspections
- C. Geotechnical Drilling – Austin Geo-Logic
- D. Geotechnical Soil Testing – TRI Environmental, Inc.

#### **Contract Services**

Freese and Nichols, Inc. (FNI) has been selected to provide design, bid and construction phase services for the projects indicated above. The OWNER desires to proceed with the Preliminary Design, Final Design, Bid and Construction Phases for these projects; the subject of this Agreement for Professional Services.

#### ARTICLE I

**BASIC SERVICES:** After authorization from the OWNER, FNI shall proceed with the Basic Services as described below. FNI will provide monthly progress reports and schedule updates to the OWNER. FNI shall render the following professional services in connection with the development of the Project:

#### **PHASE A - PRELIMINARY DESIGN PHASE**

##### **A. GENERAL PROJECT MANAGEMENT, INITIATION, SCHEDULING AND EXISTING DATA REVIEW**

FNI shall coordinate internally and also with the OWNER for successful Preliminary Design, Final Design, Bid and Construction Phase(s) initiation, planning, execution, monitoring/controlling and closeout. FNI shall manage Preliminary Design Phase integration, scope, time, cost, quality, staff resources, communications, risk and procurements as necessary. This includes but is not limited to:

1. Consult with the OWNER: (1) to review the scope of services, (2) to verify the OWNER's requirements for the Project, and (3) to review available data.
2. Advise the OWNER as to the necessity of the OWNER's providing or obtaining data or services from others, and assist the OWNER in connection with any such services.
3. Direction and coordination of FNI's staff and sub-consultants for completion of required tasks and deliverables for the Study and Report Phase.
4. Develop a project Quality Assurance/Quality Control (QA/QC) Program.
5. Provide internal QA/QC reviews of all Phase deliverables.
6. Provide Preliminary Engineer's Opinion of Probable Cost (EOPC) of improvements including any alternatives at all design submittals.

##### **B. PHASE A – PRELIMINARY DESIGN PHASE - GOEHMANN LANE AND SOUTH HEIGHTS TANK IMPROVEMENTS AND UPPER PRESSURE PLANE WATER IMPROVEMENTS:** FNI will provide the following services:



1. Provide recommendations on tank placement and potential land acquisition.
  2. Provide schematic site layouts for proposed ground storage tanks and associated piping improvements.
  3. Provide a life cycle cost analysis for steel vs. concrete tank options and provide a recommendation for the proposed tanks.
  4. Provide a recommendation for the proposed Goemann Lane tank overflow elevation.
  5. Verify sizing of proposed Upper Pressure Plane water main.
  6. Perform route study for proposed Upper Pressure Plane water main including cost alternatives and pipeline plan view exhibits.
  7. Perform comparison of pipeline materials and provide recommendations.
  8. Produce preliminary layout exhibits for proposed Upper Pressure Plane water main.
  9. Verify need for a pressure relief valve at the Cross Mountain Pump Station.
  10. FNI will provide a Preliminary Engineer's Opinion of Probable Cost (EOPC) of improvements including any alternatives.
  11. MEETINGS, FNI will prepare meeting agendas and minutes for all meetings and workshops listed below:
    - a. Attend one project site evaluation associated with the design of the project improvements. This will also serve as a progress meeting with the OWNER.
    - b. Attend a maximum of one review workshop to review the OWNER's comments on the Schematic layouts for the tanks and pipeline.
  12. Deliverables, FNI will provide copies of reports and other data to the OWNER as indicated:
    - a. Agendas and Meeting Minutes for all meetings – one electronic copy
    - b. Design Memo for tank life cycle cost analysis – one electronic copy and four hard copies delivered to the OWNER.
    - c. Design memo for schematic layouts of the proposed tank placement and proposed yard piping.
    - d. Pipeline Route Study discussing pipeline routes, material options and need for pressure relief valve at Cross Mountain Pump Station.
- C. PHASE A – PRELIMINARY DESIGN PHASE - WINDCREST TANK IMPROVEMENTS: FNI will provide the following services:
1. TANK INSPECTION, FNI will provide the following services:
    - a. Provide raft/float inspection of interior roof structure and upper shell plate (by subconsultant).
      - 1) Provide measurements of all ladders, handrails, vents, hatches, manways, roof rafters, support columns, etc.



- 2) Verify overall tank dimensions.
  - 3) Provide ultrasonic thickness measurements of the existing tank wall, roof and base plate thicknesses.
  - 4) Provide pit depth measurements of excessive corrosion progression.
  - 5) Provide dry film thickness measurements of all existing protective coatings.
  - 6) Provide ASTM Adhesion Tests on the existing interior and exterior coatings.
  - b. Identify any specific areas that need more detailed evaluation in order to better define potential rehabilitation work.
  - c. Prepare a rehabilitation plan that will include suggested repairs and possible upgrades to vents, hand rails, hatches and other tank appurtenances.
  - d. Assess compliance with all provisions of current Texas Commission on Environmental Quality (TCEQ), Occupational Safety and Health Administration (OSHA) 1910 and 1926 requirements, and American Water Works Association (AWWA) standards. This assessment shall not require intrusive or destructive entry into mechanical or electrical components.
  - e. Provide overflow, weir box, and vent calculations and provide recommendations for improvements.
  - f. Evaluate construction staging and tank isolation options.
2. TANK WATER MODEL REVIEW AND TANK ISOLATION EVALUATION, FNI will provide the following services:
- a. Obtain and Review Data: FNI will compile and review pertinent information from the OWNER including historical water demands, facility as-built drawings, pump curves, SCADA data, operational records, and other data for use in the evaluation of the Windcrest GST.
  - b. Perform Temporary Pressure Monitoring: FNI will coordinate with the OWNER to identify locations for temporary pressure recording based on required data needs. FNI will develop an installation and operational protocol for field pressure testing. Up to six of FNI's digital Telog pressure recorders will be utilized for a one to two-week period. FNI will be available to accompany OWNER field crews during installation of the pressure recorders, but the actual installation on OWNER appurtenances will be performed by OWNER staff.
  - c. Evaluate System Hydraulics: Based on the results of the pressure recording and available data, FNI will perform a hydraulic evaluation of the existing water transmission system for the study area.
    - 1) FNI will develop hydraulic grade lines (HGLs) for the portion of the system impacted by the Windcrest GST.
    - 2) FNI will review the pump curves for the Windcrest Pump Station and estimate the probable impact of removing the Windcrest GST on pump performance and available net positive suction head (NPSH).
    - 3) Verify there is not an alternative short-term or long-term solution to avoid pumps from taking direction suction from the distribution system.
    - 4) Evaluate operational changes, capital projects, and seasonal timing of planned shut-down.
  - d. Develop Recommendations: FNI will identify recommendations to maintain the current level of service with the Windcrest GST temporarily out of service, including:
    - 1) Planning level cost estimates will be developed for the recommended capital projects.
    - 2) Develop recommendations for temporary storage tank sizing, yard piping design and temporary SCADA control design for temporary tank if the existing tank cannot be taken offline.
  - e. Prepare Technical Memorandum: FNI will prepare a technical memorandum that documents the hydraulic evaluation. One electronic PDF file and three hard copies will be submitted to the OWNER.

- f. Discuss Results of the Analysis: FNI will discuss the results of the analysis with OWNER via conference call. FNI will solicit comments and incorporate comments into the memorandum if necessary.

### 3. TCEQ EXCEPTION REQUEST AND COORDINATION

According to Title 30 of the Texas Administrative Code (TAC) §290.44(d)(2), an exception request is required to install booster pumps that take suction directly from the distribution system. According to the TCEQ, with an approved exception, this is considered a temporary solution while construction or maintenance of the existing tank is underway. FNI will provide the following services to request an exception for this project. Requesting the exception does not guarantee that the request will be granted. Any improvements to the existing water system in order to allow pumps to take direct suction from the distribution system, with the exception of those specifically indicated within this scope, are an additional service.

- a. Obtain information from the City and from the water model to evaluate and send to the TCEQ in support of the exception request.
- b. Prepare results of hydraulic study/model evaluation and submit one exception request to the TCEQ.
- c. Attend one meeting with the City and the TCEQ in support of the exception request.

### 4. EXISTING TANK COATING AND SITE SOIL SAMPLING, FNI will provide the following services:

- a. Retain a testing laboratory to perform laboratory analysis for RCRA 8 metals, including lead, cadmium and chromium on the existing tank and piping coating systems and soil samples at the site by EPA method 6010.
- b. Obtain a total of eight coating samples:
  - 1) Two samples: Interior coating of ground storage tank
  - 2) Two samples: Exterior coating of ground storage tank
  - 3) One sample: Exterior coating of site piping
  - 4) Three samples: Existing structures and piping that may be identified to be rehabilitated. Locations to be determined during site evaluation.
- c. Obtain a total of six soil samples:
  - 1) Four samples: Around circumference of ground storage tank
  - 2) Two samples: Locations to be determined during site evaluation.
- d. Provide a maximum of three Synthetic Precipitation Leaching Procedure (SPLP) tests will be completed on the soil samples to determine an estimate of the leachability of a chemical of concern (COC), as required.
- e. Provide a maximum of four Toxicity Characteristic Leaching Procedure (TCLP) tests will be completed on the coating samples for waste characterization purposes, as required.



- f. If elevated levels of heavy metals are found at the site, additional soil samples, laboratory testing and site visits may be required to establish the limits of the contaminated area. Additional soil samples, testing and visits above the total included above are an additional service.
  - g. Data will be compared to appropriate protective concentration limits and waste classification guidelines established by the Texas Commission on Environmental Quality (TCEQ). FNI will include the analytical results, regulatory compliance issues, and options for placement or disposal of contaminated spoils generated during construction in accordance with applicable regulations.
5. MEETINGS, FNI will prepare meeting agendas and minutes for all meetings and workshops listed below:
- a. Attend one project site evaluation associated with the design of the project improvements. This will also serve as a progress meeting with the OWNER.
  - b. Attend one review workshop to review the OWNER's comments on the preliminary design memos.
6. DELIVERABLES, FNI will provide copies of reports and other data to the OWNER as indicated:
- a. Agendas and Meeting Minutes for all meetings – one electronic copy
  - b. Design Memorandums – Electronic Copies
    - 1) Tank Evaluation Memo with recommendations for rehabilitation. FNI will provide a draft memo for OWNER review. A final signed and sealed memo will be provided incorporating OWNER comments on draft memo.
    - 2) Tank Coating and Soil Sample Memo for the results of the paint and soil sampling, including recommendations for mitigation.
    - 3) Modeling and Tank Isolation Memo for discussing the results of the water modeling and recommendations for Windcrest Tank operation during construction.
  - c. TCEQ Coordination as required for Windcrest Tank rehabilitation.

#### D. SURVEY SERVICES

##### 1. GOEHMANN LANE TANK SITE

- a. Scope includes boundary and topographical survey of the existing tank site from the property lines inward.
- b. Scope includes obtaining elevations of the top of foundation for the existing tank, overflow elevation (coordination with Owner required for climbing the tank), top of the tank elevations at the roof to wall connection and at the center of the existing tank.
- c. Scope includes surveying 1/2 acre adjacent to the Goehmann pump station property for a proposed tank site.

##### 2. SOUTH HEIGHTS TANK SITE

- a. Scope includes boundary and topographical survey of the existing tank site from the property lines inward.



- b. Scope includes obtaining elevations of the top of foundation for the existing tank, overflow elevation (coordination with Owner required for climbing the tank), top of the tank elevations at the roof to wall connection and at the center of the existing tank.
- c. Scope includes surveying 1/2 acre adjacent to the South Heights pump station property.

### 3. WINDCREST TANK IMPROVEMENTS

- a. Scope includes boundary and topographical survey of the existing tank site from the property lines inward.
- b. Scope also includes obtaining elevations of the top of foundations for existing tank, overflow elevation (coordination with Owner required for climbing the tank), top of the tank elevations at the roof to wall connection and at the center of the tank.

### 4. UPPER PRESSURE PLANE WATER IMPROVEMENTS

- a. Scope includes surveying approximately 10,000 linear feet, of a 60-foot wide corridor. (exact alignment and topographic limits to be provided by Engineer).
- b. Scope includes boundary (ROW and side lot line information) and topographical survey of existing features, setting control points and staking geotechnical borings as directed.
- c. Scope includes preparation of maximum three metes and bounds descriptions for easements along the pipeline route.

E. TEXAS HISTORIC COMMISSION (THC) COORDINATION: The Texas Historical Commission Chapter 26 "Rules of Practice and Procedure for the Antiquities Code of Texas", Section 26.11 (1) "Project Notification", requires that "...public agencies shall notify the commission before groundbreaking on public land or construction projects that could take, alter, damage, destroy, salvage, or excavate archeological sites, historical structures, designated historic districts, or other cultural resources or landmarks...". FNI will perform a desktop analysis and prepare a coordination letter for the two projects.

## PHASE B - DESIGN PHASE

PHASE B – DESIGN PHASE: After the OWNER has accepted the information provided in the Phase A – Preliminary Design Phase and has issued written authorization to proceed with the Phase B –Design Phase, FNI shall provide professional services in this phase as follows:

### A. GENERAL PROJECT MANAGEMENT, SCHEDULING, AND RELATED ACTIVITIES

FNI will coordinate internally and also with the OWNER for Phase initiation, planning, execution, monitoring/controlling and closeout. FNI will manage Phase integration, scope, time, cost, quality, staff resources, communications, risk and procurements as necessary. This includes but is not limited to:

1. Advise the OWNER of need for any special services, which are not already included in the Basic Services. The cost of any additional special services shall be paid by the OWNER and are not included in the services performed by FNI.
2. Direction and coordination of FNI's staff and sub-consultants for completion of required tasks and deliverables for the Design Phase.

3. Provide updated design schedule.
4. Provide internal QA/QC reviews of all Design Phase Deliverables.

B. PHASE B – DESIGN PHASE - GOEHMANN LANE AND SOUTH HEIGHTS TANK IMPROVEMENTS AND UPPER PRESSURE PLANE IMPROVEMENTS, FNI will provide the following services:

1. 60% DESIGN

- a. Prepare 60% complete project drawings.
- b. Prepare Specification list.
- c. Prepare 60% EOPC.
- d. Provide a written response to all review comments provided by the OWNER.

2. 90% DESIGN

- a. Prepare 90% complete project drawings and specifications.
- b. Prepare 90% EOPC
- c. Provide a written response to all review comments provided by the OWNER.

3. 100% DESIGN

- a. Prepare 100% complete project drawings and specifications, signed and sealed for project bid purposes.
- b. Prepare 100% EOPC
- c. Prepare TCEQ coordination and provide project submittal.

4. MEETINGS

Attend two workshops (60% and 90%) to review the OWNER's comments on Design Phase deliverables. Attend one Fredericksburg City Council meeting if required.

5. DELIVERABLES

- a. Agendas and Meeting Minutes for all meetings – one electronic copy
- b. 60%, 90% and 100% EOPC – one electronic copy by e-mail
- c. 60%, 90% and 100% Construction Plans – one electronic copy downloadable by ftp, four sets of standard 11x17 “half-size” bound plans
- d. 90% and 100% Technical Specifications – one electronic copy downloadable by ftp and four hard copies

C. PHASE B – DESIGN PHASE - WINDCREST TANK IMPROVEMENTS: FNI will provide the following services:

1. 90% DESIGN

- a. Prepare 90% complete project drawings and specifications. Project plans will be 11"x17" format and bound with the specifications.
  - b. Update 90% EOPC
  - c. Perform final constructability analysis and plan for construction phasing.
  - d. Provide a written response to all review comments provided by the OWNER.
  - e. Civil/Mechanical Design
    - 1) Provide design for tank improvements as approved in Phase A.
    - 2) Provide design for temporary site piping and temporary storage tank, if required by Phase A. Design of an additional permanent tank is not included within this scope.
  - f. Structural Design
    - 1) Provide structural design for correction of existing buckled area of the tank.
    - 2) Provide structural design for modifications required to install a larger vent.
    - 3) Provide structural design for installing overflow pipe to ground level.
    - 4) Provide structural design for patching existing tank foundation.
  - g. Electrical Design
    - 1) Provide design for replacement of existing instrumentation on the tank.
    - 2) Provide design of controls and instrumentation for temporary storage tank, if required by Phase A.
    - 3) Provide for additional circuit for proposed cathodic protection system.
2. 100% DESIGN

- a. Prepare 100% complete project drawings and specifications, signed and sealed for project bid purposes. Project plans will be 11"x17" format and bound with the specifications.
- b. Prepare 100% EOPC

### 3. MEETINGS

Attend one (1) workshop to review the OWNER's comments on Design Phase deliverables.

### 4. DELIVERABLES

- a. Agendas and Meeting Minutes for all meetings – one electronic copy
- b. 90% and 100% EOPC – one electronic copy by e-mail
- c. 90% and 100% Contract documents and Construction Plans – one electronic copy downloadable by ftp, four sets of documents with 11"x17" "half-size" bound plans bound with the contract documents.

### D. GEOTECHNICAL ENGINEERING SERVICES, FNI will provide the following services:

- 1. Review the Geologic Atlas of Texas to study general subsurface conditions that are expected at each tank site and along the pipeline alignment.
- 2. Visit the tank sites and alignment before drilling to select locations for exploratory borings. Engineer will stake the specific locations after checking underground utilities, other existing construction, and accessibility.
- 3. Subcontract with a drilling contractor to drill a total of 11 borings, as follows:
  - a. One 60-foot boring and two 30-foot borings at the Goehmann ground storage tank site.



- b. One 60-foot boring and two 30-foot borings at the South Heights ground storage tank site.
- c. One 25-foot boring at the South Heights new piping.
- d. Four 20-foot borings at selected locations along the pipeline alignment.

Samples will be collected intermittently using continuous flight augers and either split-spoon or tube samplers. Borings will be backfilled with auger cuttings. Bedrock may be cored in some borings, if encountered.

- 4. Provide an engineer or geologist to direct the drilling, log the borings, record field test data, and handle and transport the samples.
- 5. Select samples for laboratory testing, assign tests, deliver samples to a subcontract laboratory selected by FNI, and review test results. Testing is expected to include classification tests (liquid and plastic limits and percent passing a #200 sieve or gradation), moisture content, and unconfined compression strength tests. If appropriate for the materials encountered, perform swell and/or consolidation testing.
- 6. Prepare a technical memorandum summary report of the geotechnical investigation to include:
  - a. Appendix with the boring locations, boring logs, laboratory test results, and a key to the symbols used.
  - b. Discussion of subsurface conditions and soil properties found by the field and laboratory work and implications for design.
  - c. Foundation and site preparation recommendations for the new ground storage tanks and the pipeline.
- 7. General discussion of expected construction related issues.

### **PHASE C - BID PHASE**

**PHASE C - BID PHASE:** Upon completion of the design services, and approval of Design Phase drawings and specifications by the OWNER, FNI shall proceed with the performance of services in this phase. FNI shall provide professional services in this phase as follows:

**GENERAL PROJECT ADMINISTRATION AND RELATED ACTIVITIES:** FNI will provide the following services:

- A. Advise the OWNER of the need for any special services, which are not already included in the Basic Services. The cost of any additional special services shall be paid by the OWNER and are not included in the services performed by the FNI.
- B. Direction and coordination of FNI's staff and sub-consultants for completion of required tasks and deliverables for Bid Phase.
- C. FNI will attend the following Pre-bid Conferences:
  - a. Pre-Bid Conference and Site Meeting for the Windcrest Tank Improvements.
  - b. Pre-Bid Conference for the South Heights and Goehmann Tanks Improvements and Upper Pressure Plane Water Improvements

Pre-Bid Conferences to be administered by FNI. FNI will prepare agenda, provide the OWNER with meeting notes, and coordinate conference responses with the OWNER. Written responses to issues identified at the pre-bid conference will be in the form of addenda issued after the conference.

- D. FNI will assist the OWNER by responding to questions and interpreting bid documents. Prepare addenda to the bid documents if necessary.
- E. FNI will assist the OWNER in the opening and analyzing of the bids received for each of the two projects. Review the qualification information provided by the apparent low bidder to determine if, based on the information available, they appear to be qualified to construct the project. This includes researching contractor qualifications and references. Recommend award of contract or other actions as appropriate to be taken by the OWNER in the form of a Letter of Recommendation.
- F. FNI will conform the construction documents by incorporating all addenda items into the plans and specifications.

## PHASE D – CONSTRUCTION PHASE

PHASE D – CONSTRUCTION PHASE: Upon completion of the bid phase services, FNI will proceed with the performance of construction phase services as described below. FNI will endeavor to protect the OWNER in providing these services however, it is understood that FNI does not guarantee the Contractor's performance, nor is FNI responsible for supervision of the Contractor's operation and employees. FNI shall not be responsible for the means, methods, techniques, sequences or procedures of construction selected by the Contractor, or any safety precautions and programs relating in any way to the condition of the premises, the work of the Contractor or any Subcontractor. FNI shall not be responsible for the acts or omissions of any person (except its own employees or agents) at the Project site or otherwise performing any of the work of the project.

### A. MEETINGS:

1. FNI will assist the OWNER in conducting the following Pre-Construction Meetings and prepare meeting minutes:
  - a. Pre-Construction Conference for the Windcrest Tank Improvements
  - b. Pre-Construction Conference for the South Heights and Goehmann Tanks Improvements and Upper Pressure Plane Improvements
2. FNI attend the following Construction Site Visits/Construction Progress Meetings appropriate to the stage of construction to the site and when requested by OWNER, to observe the progress and the quality of work and to attempt to determine in general if the work is proceeding in accordance with the Construction Contract Documents. In this effort FNI will endeavor to protect the Owner against defects and deficiencies in the work of Contractors and will report any observed deficiencies to Owner. Visits to the site in excess of the specified number are an additional service.
  - a. Windcrest Tank Improvements – Maximum of 6 visits/meetings.
  - b. South Heights and Goehmann Tanks Improvements and Upper Pressure Plane Water Improvements – Maximum of 10 visits/meetings.
3. Punchlist Meeting: Conduct, in company with the Owner's representative, a final review of the Project for conformance with the design concept of the Project and general compliance with the Construction Contract Documents. Prepare a list of deficiencies to be corrected by the contractor before recommendation of final payment. FNI will provide the following punchlist meetings/site



visits:

- a. Punchlist meeting for the Windcrest Tank Improvements
  - b. Punchlist meeting for the South Heights and Goehmann Tanks Improvements and Upper Pressure Plane Water Improvements
4. Warranty Site Visit: Conduct, in company with the Owner's representative, a review of the Project for performance prior to the end of the warranty period. The following visits will be made:
- a. Warranty visit for the Windcrest Tank Improvements\*
  - b. Warranty visit for the South Heights and Goehmann Tanks Improvements\*
  - c. No warranty visit for the Upper Pressure Plane Water Improvements will be made.

\*If the tank(s) are unable to be drained then review of the interior of the tank will be provided by float inspection.

FNI will prepare a list of deficiencies to be corrected by the Contractor. Verification that all deficiencies were addressed is not included within this scope.

#### B. CONSTRUCTION PHASE SERVICES:

1. Establish and maintain a project documentation system consistent with the requirements of the construction Contract Documents. Monitor the processing of contractor's submittals and provide for filing and retrieval of project documentation. Review Contractor's submittals, including, requests for information, shop drawings, schedules, and other submittals in accordance with the requirements of the construction Contract Documents for the projects.
2. Assist Owner in negotiating with the Contractor to determine the cost and time impacts of changes to construction documents.
3. Prepare documentation for contract modifications required to implement modifications in the design of the project unless there is a change in project scope. Project design changes due to a change in project scope will be an additional service.
4. Notify Owner of Contractor's non-conforming work observed on site visits. Review quality related documents provided by the contractor such as test reports, equipment installation reports or other documentation required by the Construction Contract Documents.
5. Interpret the drawings and specifications for Owner and Contractor. Investigations, analyses, and studies requested by the Contractor and approved by Owner, for substitutions of equipment and/or materials or deviations from the drawings and specifications is an additional service.
6. Revise the construction drawings in accordance with the information furnished by construction Contractor(s) reflecting changes in the Project made during construction. Two (2) sets of prints of "Record Drawings" shall be provided by FNI to the Owner.

#### C. THRESH-HOLD SPOT SURFACE PREPARATION AND COATING INSPECTION SERVICE

FNI will contract with Certified Inspection Service (NACE Level III Certified) to provide Thresh-hold Spot Surface Preparation and Coating Inspection Service during the coating process. Resident representation or full time inspection services are an additional service. Services include:

1. Review of project plans and specifications to evaluate that proper surface preparation and coating application techniques are being followed.
2. Submittal of Daily Reports on the days of inspections, including a record of ambient weather



conditions, material batch numbers, general and sub-contractor information, number of employees at the site and a complete summary of work completed.

3. The following visits are included within the Basic Services, additional site visits are an additional service:
  - a. Windcrest Tank Improvements – A maximum of 10 site visits.
  - b. South Heights Tank Improvements – A maximum of 4 site visits.
  - c. Goehmann Tank Improvements – A maximum of 4 site visits.

**D. PHASE DELIVERABLES:**

1. Monthly status reports.
2. Project site visit memos, threshold inspection reports and construction progress meeting minutes.
3. Project Record Drawings:
  - a. Windcrest Tank Improvements
    - 1) One (1) set of 11"x17" plans
    - 2) CD with Record Drawings in PDF format, project CAD files in AutoCad format, project record documents.
  - b. South Heights and Goehmann Tanks Improvements and Upper Pressure Plane Water Improvements
    - 1) One (1) set of 11"x17" plans
    - 2) One (1) set of 22"x36" plans on bond
    - 3) CD with Record Drawings in PDF format, project CAD files in AutoCad format, project record documents

**ARTICLE II**

**SPECIAL SERVICES:** In the event that the soil testing and asbestos testing are required at the old South Heights ground storage tank, these services will be performed as a special service. The fee for special services is included in the total fee.

**ARTICLE III**

**ADDITIONAL SERVICES:** Additional Services to be performed by the FNI, if authorized by the OWNER, which are not included in the above described basic or supplemental services, are described as follows:

- A. Basic Services assume that the South Heights and Goehmann Tanks Improvements and Upper Pressure Plane Water Improvements will be designed and bid as one construction package with combined design workshops, bid meetings and construction site visits/meetings. Separate construction packages for the South Heights and Goehmann Tanks Improvements and Upper Pressure Plane Water Improvements will be treated as an additional service.
- B. Attending public meetings.
- C. Design of new power lines and coordination with Power Company.
- D. Phase 1 Environmental Services.
- E. Investigations involving consideration of operation, maintenance and overhead expenses, and the preparation of rate schedules, earnings and expense statements, feasibility studies, appraisals, evaluations, assessment schedules, and material audits or inventories required for certification of force account construction performed by the OWNER.

- F. Providing shop, mill, field or laboratory inspection of materials and equipment. Observing factory tests of equipment at any site remote to the project or observing tests required as a result of equipment failing the initial test.
- G. Performing investigations, studies and analyses of Contractor's substitutions of equipment and/or materials or deviations from the drawings and specifications (does not include "approved by ENGINEER" designation as included in the Contract Documents).
- H. Performing investigations, studies, and analysis of work proposed by construction Contractor to correct defective work.
- I. Design, contract modifications, studies or analysis required to comply with local, state, federal or other regulatory agencies that become effective after the date of this agreement.
- J. Services required to resolve bid protests or to rebid the projects for any reason.
- K. Visits to the site during the construction phase in excess of the number of trips included in the Basic Services for periodic site visits, coordination meetings, or contract completion activities.
- L. Full-time construction Resident Representation services.
- M. Any services required as a result of default of the Contractor or the failure, for any reason, of the Contractor to complete the work within the contract time.
- N. Providing services after completion of construction phase not specifically listed in Article I.
- O. Providing services made necessary because of unforeseen, concealed, or differing site conditions or due to the presence of hazardous substances in any form.
- P. Providing services to review or evaluate construction Contractor claim(s), provided said claims are supported by causes not within the control of the FNI.
- Q. Providing value engineering studies or reviews of cost savings proposed by construction Contractor after bids have been submitted.
- R. Providing follow-up professional services during Contractor's warranty period.
- S. Fees associated with GLO easements/leases or other permits.
- T. Additional field investigations or analysis required to respond to public or regulatory agency comments, including additional data requests, schematics or drawings for project features outside of the scope of services listed in Article I.
- U. Preparation of tree mitigation plans for local entities.
- V. Expert representation at legal proceedings or at contested hearings.
- W. Monitoring compliance with permit conditions.
- X. Attendance at or assisting with additional public meetings.

- Y. Platting services for the pump station site.
- Z. Special inspections during construction phase.
- AA. Security radio and SCADA Radio System path studies.
- BB. Field tracing of electric circuits.
- CC. HVAC Design.
- DD. Power System Study including Arc Flash Analysis.
- EE. Modifications to SCADA Panel equipment other than adding a single analog input and reconnecting existing tank inputs.



ARTICLE IV

**TIME OF COMPLETION:** FNI is authorized to commence work on the Project upon execution of this AGREEMENT and agrees to complete the services in accordance with the following schedule:

GOEHMANN LANE AND SOUTH HEIGHTS TANK IMPROVEMENTS AND UPPER PRESSURE PLANE WATER IMPROVEMENTS

**PHASE A – PRELIMINARY DESIGN PHASE:**

|                                     |                  |
|-------------------------------------|------------------|
| Approximate Notice to Proceed Date: | March 2014       |
| Preliminary Design Report:          | 42 calendar days |
| Owner Review and Approval:          | 7 calendar days  |

**PHASE B –DESIGN PHASE**

|                                        |                                                                                                                  |
|----------------------------------------|------------------------------------------------------------------------------------------------------------------|
| 60% Complete Plans:                    | 49 calendar days                                                                                                 |
| Owner Review and Approval:             | 7 calendar days                                                                                                  |
| 90% Complete Plans and Specifications: | 49 calendar days                                                                                                 |
| Owner Review and Approval:             | 7 calendar days                                                                                                  |
| 100% Plans and Specifications:         | 21 calendar days                                                                                                 |
| TCEQ Review Time:                      | 45 calendar days (Review time typically ranges from 30-60 days; construction cannot begin without TCEQ approval) |

**PHASE C- BID PHASE**

|                            |                  |
|----------------------------|------------------|
| Bid Phase:                 | 21 calendar days |
| Owner Review and Approval: | 7 calendar days  |

**PHASE D – CONSTRUCTION PHASE**

|                                           |                                                     |
|-------------------------------------------|-----------------------------------------------------|
| Approximate Notice to Proceed (NTP) Date: | November 20, 2014                                   |
| Construction Phase:                       | 180 calendar days from construction contract NTP    |
| Preparation of Record Drawings:           | 21 calendar days from date received from Contractor |

WINDCREST TANK IMPROVEMENTS

**PHASE A – PRELIMINARY DESIGN PHASE:**

|                                     |                   |
|-------------------------------------|-------------------|
| Approximate Notice to Proceed Date: | March 2014        |
| Preliminary Design:                 | 110 calendar days |
| Owner Review and Approval:          | 14 calendar days  |

**PHASE B –DESIGN PHASE**

|                                        |                  |
|----------------------------------------|------------------|
| 90% Complete Plans and Specifications: | 60 calendar days |
| Owner Review and Approval:             | 14 calendar days |
| 100% Plans and Specifications:         | 14 calendar days |

**PHASE C- BID PHASE**

|                            |                  |
|----------------------------|------------------|
| Bid Phase:                 | 45 calendar days |
| Owner Review and Approval: | 21 calendar days |

**PHASE D – CONSTRUCTION PHASE**

|                                           |                                                                                                                                |
|-------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| Approximate Notice to Proceed (NTP) Date: | November 29, 2014                                                                                                              |
| Construction Phase:                       | 120 calendar days from construction contract NTP (Construction phase may be shorter depending on tank shut down requirements.) |

Preparation of Record Drawings:

21 calendar days from date received from Contractor

If FNI's services are delayed through no fault of FNI, FNI shall be entitled to adjust contract schedule consistent with the number of days of delay. These delays may include but are not limited to delays in Owner or regulatory reviews, delays on the flow of information to be provided to FNI, governmental approvals, etc. These delays may result in an adjustment to compensation as outlined on the face of this AGREEMENT and in Attachment CO.

#### ARTICLE V

**RESPONSIBILITIES OF OWNER:** Owner shall perform the following in a timely manner so as not to delay the services of FNI:

- A. Designate in writing a person to act as Owner's representative with respect to the services to be rendered under this Agreement. Such person shall have contract authority to transmit instructions, receive information, interpret and define Owner's policies and decisions with respect to FNI's services for the Project.
- B. Provide all criteria and full information as to Owner's requirements for the Project, including design objectives and constraints, space, capacity and performance requirements, flexibility and expandability, and any budgetary limitations; and furnish copies of all design and construction standards which Owner will require to be included in the plans and specifications.
- C. Assist FNI by placing at FNI's disposal all available information pertinent to the Project including previous reports and any other data relative to the Project.
- D. Arrange for access to and make all provisions for FNI to enter upon public and private property as required for FNI to perform services under this Agreement.
- E. Examine all studies, reports, sketches, drawings, specifications, proposals and other documents presented by FNI, obtain advice of an attorney, insurance counselor and other consultants as Owner deems appropriate for such examination and render in writing decisions pertaining thereto within a reasonable time so as not to delay the services of FNI.
- F. Owner shall make or arrange to have made all subsurface investigations, including, but not limited, to borings, test pits, soil resistivity surveys, and other subsurface explorations. Owner shall also make or arrange to have made the interpretations of data and reports resulting from such investigations. All costs associated with such investigations shall be paid by Owner.
- G. Provide such accounting, independent cost estimating and insurance counseling services as may be required for the Project, such legal services as Owner may require or FNI may reasonably request with regard to legal issues pertaining to the Project.

ARTICLE V

**DESIGNATED REPRESENTATIVES:** FNI and Owner designate the following representatives:

OWNER's Designated Representative

Name: Clinton Bailey  
Address: 126 W. Main Street  
Fredericksburg, TX 78624  
Phone: 830-997-7521  
Fax: 830-997-1861  
E-mail: cbailey@fbgtx.org

OWNER's Accounting Representative

Name: Clinton Bailey  
Address: 126 Main Street  
Fredericksburg, TX 78624  
Phone: 830-997-7521  
Fax: 830-997-1861  
E-mail: cbailey@fbgtx.org

FNI's Project Manager

Anne Carrel, P.E.  
10814 Jollyville Rd. Bldg. 4, Suite 100  
Austin, Texas 78759  
Phone: 512-617-3100  
Fax: 512-617-3101  
E-mail: amc@freese.com

FNI's Accounting Representative

Billy Metzger  
10814 Jollyville Rd. Bldg. 4, Suite 100  
Austin, Texas 78759  
Phone: 512-617-3177  
Fax: 512-617-3101  
E-mail: Billy.Metzger@freese.com



**COMPENSATION**

Lump Sum: Compensation to FNI shall be the lump sum of Six-Hundred and Nine Thousand One-Hundred Seventy-Eight dollars (\$609,178.00). If FNI sees the Scope of Services changing so that additional services are needed, including but not limited to those services described as Additional Services in Attachment SC, FNI will notify OWNER for OWNER'S approval before proceeding. Additional Services shall be computed based on the Schedule of Charges.

**Schedule of Charges:**

| <b><u>Position</u></b>        | <b><u>Rate</u></b> |
|-------------------------------|--------------------|
| Professional - 1              | 111                |
| Professional - 2              | 134                |
| Professional - 3              | 152                |
| Professional - 4              | 175                |
| Professional - 5              | 205                |
| Professional - 6              | 234                |
| Construction Manager - 1      | 89                 |
| Construction Manager - 2      | 115                |
| Construction Manager - 3      | 135                |
| Construction Manager - 4      | 170                |
| CAD Technician/Designer - 1   | 95                 |
| CAD Technician/Designer - 2   | 123                |
| CAD Technician/Designer - 3   | 151                |
| Corporate Project Support - 1 | 90                 |
| Corporate Project Support - 2 | 109                |
| Corporate Project Support - 3 | 145                |
| Intern/ Coop                  | 55                 |

**Rates for In-House Services****Technology Charge**

\$8.50 per hour

**Travel**

Standard IRS Rates

**Bulk Printing and Reproduction**

|                 |                 |
|-----------------|-----------------|
| Black and White | \$0.10 per copy |
| Color           | \$0.50 per copy |
| Plot - Bond     | \$2.50 per plot |
| Plot - Color    | \$5.75 per plot |
| Plot - Other    | \$5.00 per plot |
| Binding         | \$5.75 per book |

**OTHER DIRECT EXPENSES:**

Other direct expenses are reimbursed at actual cost times a multiplier of 1.15. They include outside printing and reproduction expense, communication expense, travel, transportation and subsistence away from the FNI office and other miscellaneous expenses directly related to the work, including costs of laboratory analysis, test, and other work required to be done by independent persons other than staff members. For Resident Representative services performed by non-FNI employees and CAD services performed In-house by non-FNI employees where FNI provides workspace and equipment to perform such services, these services will be billed at cost times a multiplier of 2.0. This markup approximates the cost to FNI if an FNI employee was performing the same or similar services.

**These rates will be adjusted annually.**

**CITY OF FREDERICKSBURG, TEXAS  
GOEHMANN AND SOUTH HEIGHTS TANKS AND UPPER PRESSURE PLANE IMPROVEMENTS  
PROJECT SCHEDULE**

| ID | % Complete | Task Name                                              | Start        | Duration | Finish       | Predecessors                                                                        | Jan '14 | Feb '14 | Mar '14 | Apr '14 | May '14 | Jun '14 | Jul '14 | Aug '14 | Sep '14 | Oct '14 | Nov '14 | Dec '14 | Jan '15 | Feb '15 | Mar '15 | Apr '15 | May '15 |
|----|------------|--------------------------------------------------------|--------------|----------|--------------|-------------------------------------------------------------------------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| 1  | 0%         | PHASE A - PRELIMINARY DESIGN                           | Mon 3/10/14  | 56 days  | Sun 5/4/14   | 28 5 12 19 26 2 9 16 23 30 6 13 20 27 4 11 18 25 1 8 15 22 29 5 12 19 26 3 10 17 24 |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 2  | 0%         | NOTICE TO PROCEED                                      | Mon 2/10/14  | 0 days   | Mon 2/10/14  |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 3  | 0%         | DRAFT PHASE A REPORT                                   | Mon 3/10/14  | 49 days  | Sun 4/27/14  |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 4  | 0%         | PROJECT SITE VISIT                                     | Mon 3/10/14  | 0 days   | Mon 3/10/14  |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 5  | 0%         | DRAFT PLANS AND MEMOS                                  | Mon 3/10/14  | 39 days  | Thu 4/17/14  |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 6  | 0%         | SUBMIT FOR INTERNAL FNI QC                             | Thu 4/17/14  | 0 days   | Thu 4/17/14  |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 7  | 0%         | INTERNAL FNI QC                                        | Fri 4/18/14  | 5 days   | Tue 4/22/14  |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 8  | 0%         | ADDRESS QC COMMENTS                                    | Wed 4/23/14  | 5 days   | Sun 4/27/14  |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 9  | 0%         | SUBMIT DRAFT REPORT TO CITY                            | Sun 4/27/14  | 0 days   | Sun 4/27/14  |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 10 | 0%         | CITY REVIEW                                            | Mon 4/28/14  | 7 days   | Sun 5/4/14   |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 11 | 0%         | PHASE B - DESIGN                                       | Sun 5/4/14   | 171 days | Wed 10/22/14 |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 12 | 0%         | NOTICE TO PROCEED                                      | Sun 5/4/14   | 0 days   | Sun 5/4/14   |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 13 | 0%         | FINAL DESIGN                                           | Mon 5/5/14   | 171 days | Wed 10/22/14 |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 14 | 0%         | 60% PLANS AND SPEC LIST                                | Mon 5/5/14   | 39 days  | Thu 6/12/14  |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 15 | 0%         | SUBMIT FOR INTERNAL FNI QC                             | Thu 6/12/14  | 0 days   | Thu 6/12/14  |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 16 | 0%         | INTERNAL FNI QC                                        | Fri 6/13/14  | 5 days   | Tue 6/17/14  |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 17 | 0%         | ADDRESS QC COMMENTS                                    | Wed 6/18/14  | 5 days   | Sun 6/23/14  |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 18 | 0%         | SUBMIT 60% PLANS AND SPEC LIST TO CITY                 | Sun 6/23/14  | 0 days   | Sun 6/23/14  |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 19 | 0%         | CITY REVIEW                                            | Mon 6/23/14  | 7 days   | Sun 6/29/14  |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 20 | 0%         | 90% PLANS AND SPECS                                    | Mon 6/30/14  | 39 days  | Thu 8/7/14   |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 21 | 0%         | SUBMIT FOR INTERNAL FNI QC                             | Thu 8/7/14   | 0 days   | Thu 8/7/14   |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 22 | 0%         | INTERNAL FNI QC                                        | Fri 8/8/14   | 5 days   | Tue 8/12/14  |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 23 | 0%         | ADDRESS QC COMMENTS                                    | Wed 8/13/14  | 5 days   | Sun 8/17/14  |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 24 | 0%         | SUBMIT 90% PLANS AND SPECS TO CITY                     | Sun 8/17/14  | 0 days   | Sun 8/17/14  |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 25 | 0%         | SUBMIT CHAPTER 217 LETTER TO TCEQ                      | Sun 8/17/14  | 0 days   | Sun 8/17/14  |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 26 | 0%         | CITY REVIEW                                            | Mon 8/18/14  | 7 days   | Sun 8/24/14  |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 27 | 0%         | TCEQ PROJECT REVIEW (ASSUMING PROJECT DOCUMENT REVIEW) | Mon 8/18/14  | 45 days  | Wed 10/1/14  |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 28 | 0%         | 100% PLANS AND SPECS                                   | Thu 10/2/14  | 21 days  | Wed 10/22/14 |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 29 | 0%         | 100% PLANS AND SPECS TO CITY                           | Wed 10/22/14 | 0 days   | Wed 10/22/14 |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 30 | 0%         | PHASE C - BID PHASE                                    | Thu 10/23/14 | 28 days  | Wed 11/19/14 |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 31 | 0%         | PHASE C - BID PHASE                                    | Thu 10/23/14 | 21 days  | Wed 11/19/14 |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 32 | 0%         | CITY REVIEW AND APPROVAL                               | Thu 11/13/14 | 7 days   | Mon 11/18/14 |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |
| 33 | 0%         | PHASE D - CONSTRUCTION PHASE                           | Thu 11/20/14 | 160 days | Mon 5/18/15  |                                                                                     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |

57

Task

Milestone

Summary

Rolled Up Task

Project Summary

Group By Summary

Percent Complete

Inactive Task

Inactive Milestone

Inactive Summary

Manual Task

Duration-only

Manual Summary Rollup

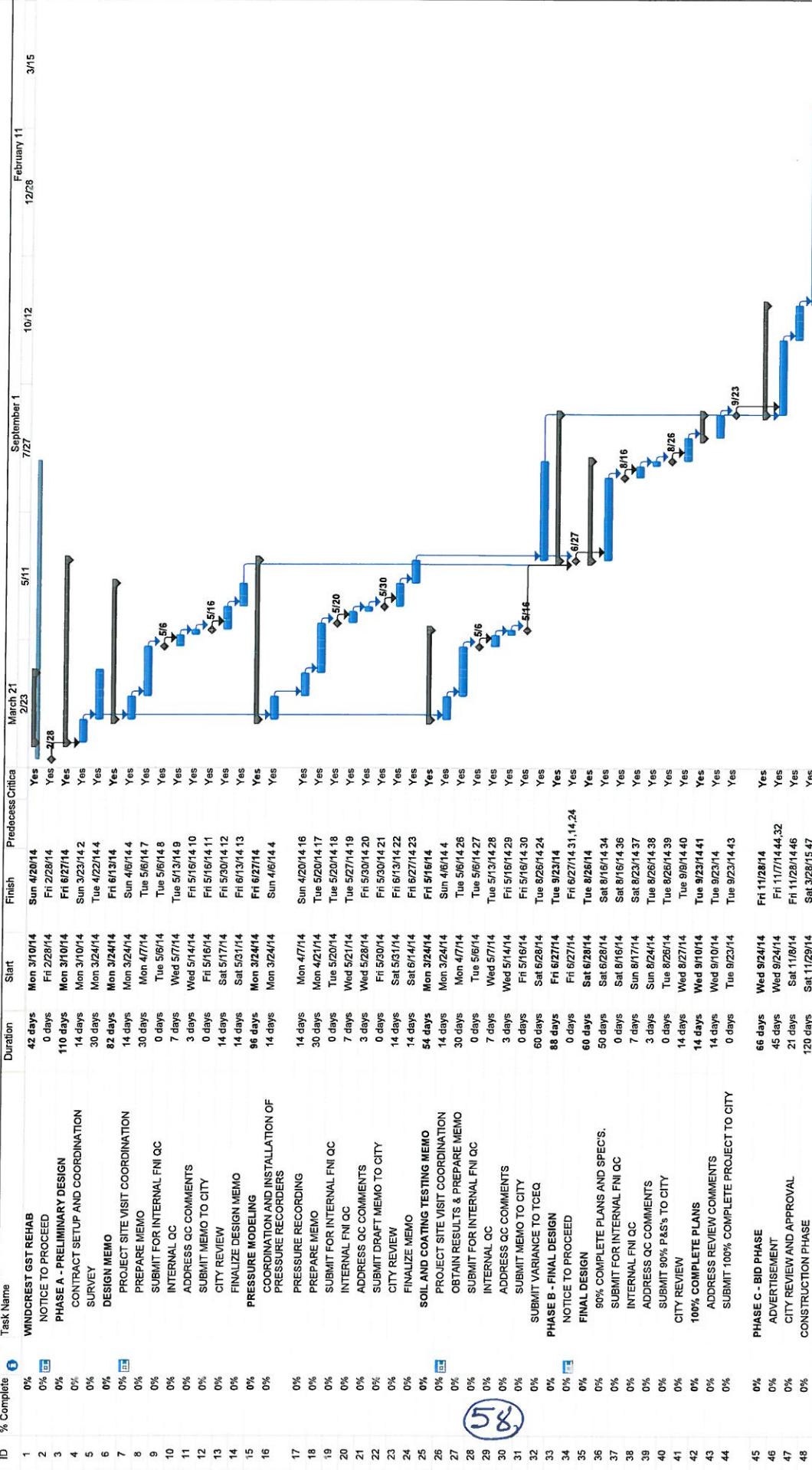
Manual Summary

Start-only

Finish-only

Deadline

CITY OF FREDERICKSBURG, TEXAS  
WINCREST GROUND STORAGE TANK REHABILITATION  
PROJECT SCHEDULE



58

Task

Milestone

Summary

Rolled Up Task

Rolled Up Milestone

Rolled Up Progress

Split

External Task

Project Summary

Group By Summary

Percent Complete

Inactive Task

Inactive Milestone

Inactive Summary

Manual Task

Duration-only

Manual Summary Rollup

Manual Summary

Start-only

Finish-only

Deadline





## CITY COUNCIL MEMO

---

**DATE:** February 26, 2014  
**TO:** Mayor and City Council  
**FROM:** Brad Kott, Director of Finance  
**SUBJECT:** Wheel Loader Lease / Purchase Financing

---

### Summary:

At the last City Council meeting, the purchase of a used Wheel Loader for \$115,000 to be used at the Sanitary Landfill was approved. It was also decided that the equipment would be lease / purchased with the first payment due in the next fiscal year on October 15, 2014.

Because of the immediate need to have the equipment put in service, the City has purchased the equipment outright and will be reimbursed with the lease proceeds at a future date.

Again because of the emergency nature of this equipment acquisition, staff immediately solicited financing from the usual sources. These interest rates are due by this Friday, February 28, 2014. In order to guarantee that those proposed rates do not change, the City Council must award the financing as soon as possible.

### Recommendation:

Staff will prepare an analysis of the interest rates and make a recommendation. That analysis will be shown in the form of a handout at the council meeting. The City Council will evaluate and award the bid for financing.

### Background/Analysis:

Normally staff would have the comparison of interest rates and its recommendation in the agenda packet. However, since this purchase was emergency in nature, that was not possible.



## CITY COUNCIL MEMO

---

**DATE:** February 26, 2014

**TO:** Mayor and City Council

**FROM:** John Culpepper

**SUBJECT:** Texas Gran Fondo

---

**Summary:**

The City of Fredericksburg has been selected to host the first Texas Gran Fondo, a cycling event of 450 riders from 11 states and 8 foreign countries. The Gran Fondo is scheduled to begin and end in Fredericksburg on 5 April 2014 and will have 3 separate rides throughout the County: Gran Fondo 100 miles, Medio Fondo 65 miles, and Piccolo Fondo 35 Miles.

**Recommendation:**

It is recommended that Council approve hosting the Texas Gran Fondo. In addition, recommend approval to close Travis Street between Adams and Crocket Streets from 5:00 am until 5:00 pm on 5 April along with blocking one lane of Travis Street between Llano and Orange Streets from 10:00 am until 4:00 pm on 5 April.

---

**Background / Analysis:**

(60)  
The City of Fredericksburg

Cycling is becoming ever more popular and Fredericksburg and Gillespie County are among the premier cycling destinations in the state of Texas. Fredericksburg has been selected as the location for the first Gran Fondo in the State. This cycling event has the potential to host 1,000 to 1,500 riders in the future. The cyclist will be almost entirely from out of town and will spend the weekend in local Hotels, Motels , and Bed and Breakfasts. The event has the potential to be a major draw for the community and the hospitality industry. For this year's Gran Fondo, part of the proceeds will benefit Hill Country Memorial. Many of the volunteers needed to conduct the event will come from Hill Country Memorial and enthusiasts from San Antonio, Austin and surrounding communities



The City of Fredericksburg

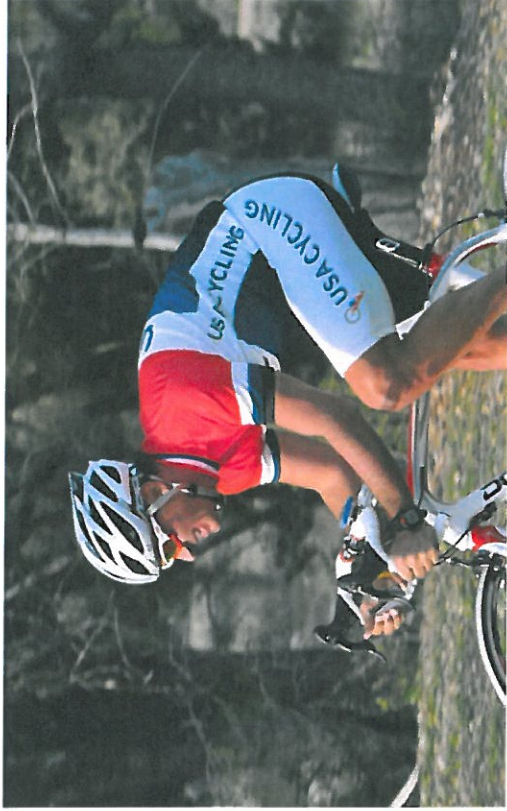




GRAN FONDO

# Presentation to Fredericksburg City Council

March 3, 2014



63

## HUMBERTO OLIVO

Investment Banker with Citibank and Grupo Santander for more than 25 years.

USA Cycling Certified Elite Coach

USA Cycling Certified Race Director

Multiple IRONMAN finisher

Organized races for Fortune 500 companies

Coca Cola

L'Oreal Paris

Femsa/ Heineken

Organized Cycling Tours in Europe

Italy: Tuscany Tour

France: Tour de Provence



GRAN FONDO

# Cycle Tourism Is Growing Internationally



NORTH SEA CYCLE ROUTE

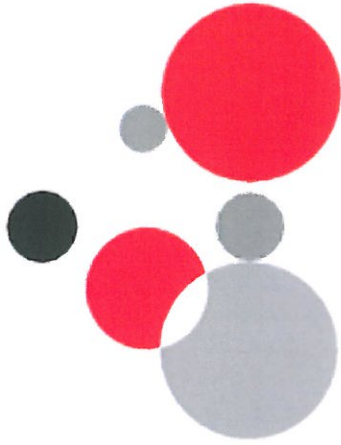
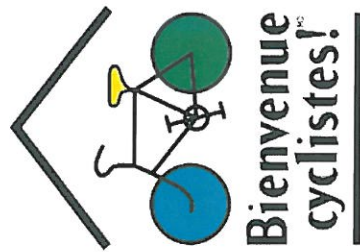
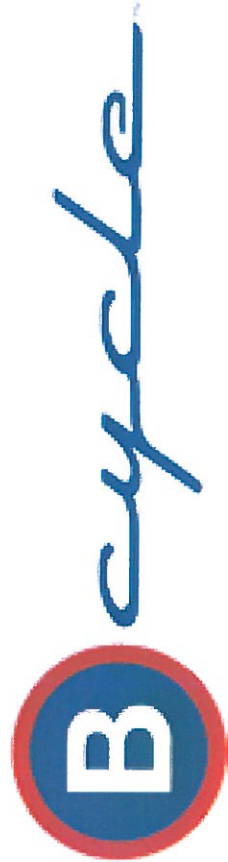
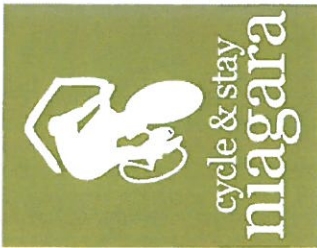


**Economic Impact – \$\$\$**



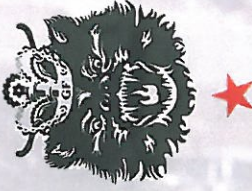


Cities are trying to attract cyclists.





Organized rides and races are often major events, drawing thousands of people to the host communities.

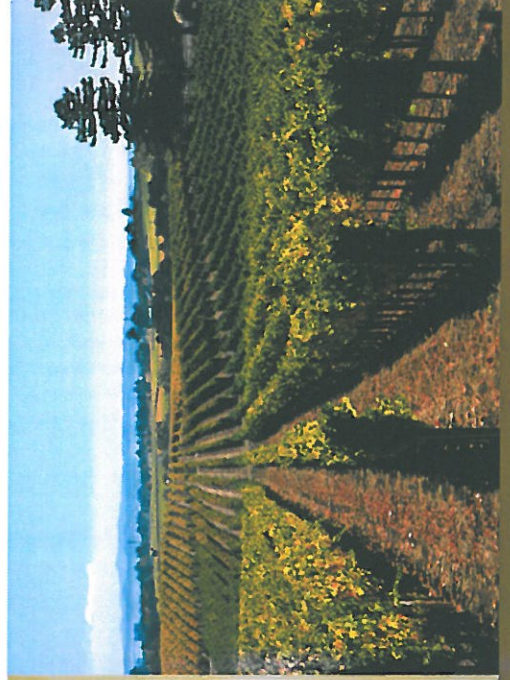
|                                                                                                       |                                                                                                                                   |                                                                                                   |
|-------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| <br>8,500 riders   | <br>50 races in America<br>100,000 participants | <br>8,000 riders |
| <br>1,000 riders | <br>LEVI'S GRANFONDO<br>8,000 riders          | <br>400 riders |





Riders need **food and lodging**, and often need ride-related supplies. All of these purchases, by people who wouldn't otherwise be there, boost the local economy.

(67)



THE *Legendary*  
NAPA BIKE WINE TOUR





## **Annually in the US:**

**2,000 U.S. recreational road riding events**  
**1 million + participants**  
**\$350 million in revenue**  
**2/3 are tied to a cause, raising nearly \$250 million**  
**\$190 million spent on food, lodging, and other purchases**





So...overall, cycling is growing  
everywhere  
and is  
generating  
income  
for the communities  
that embrace it!





## Why Fredericksburg?

Fredericksburg is a tourist destination.

The big metro cities don't see the race as being local

The Texas Hill Country has phenomenal features that make it ideal for road cycling.

Cyclists not only have great cycling but a complete experience/trip:

- Wineries,
- Breweries,
- German atmosphere and great food,
- Cozy b&b's,
- Wildflowers
- Country music
- A lot of History





GRAN FONDO

Perfect Location:

LUBBOCK



DALLAS



ODESSA/MIDLAND



EL PASO



AUSTIN



SAN ANTONIO



HOUSTON



LAREDO

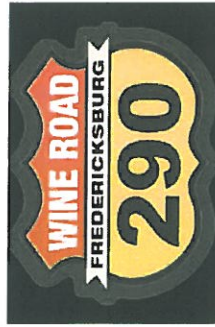




## TEXAS HILL COUNTRY WINERIES

taste all: savor texas excellence

72



[CLICK TO VIEW ALL PROPERTIES](#)



**ALL SEASONS**  
*The Collection*  
— defining —

FREDERICKSBURG LUXURY



*Simply The Best You Can Buy!*







## What is a Gran Fondo?

**It is a personal Challenge**

Basically a GF is a “marathon” on a bike.

**Individual chip timed**

Vehicle and mechanic support

**Partial road closures and Traffic control**

**(“right of way”) on the routes**

Post ride party

**High involvement of the community**

Party and celebration atmosphere





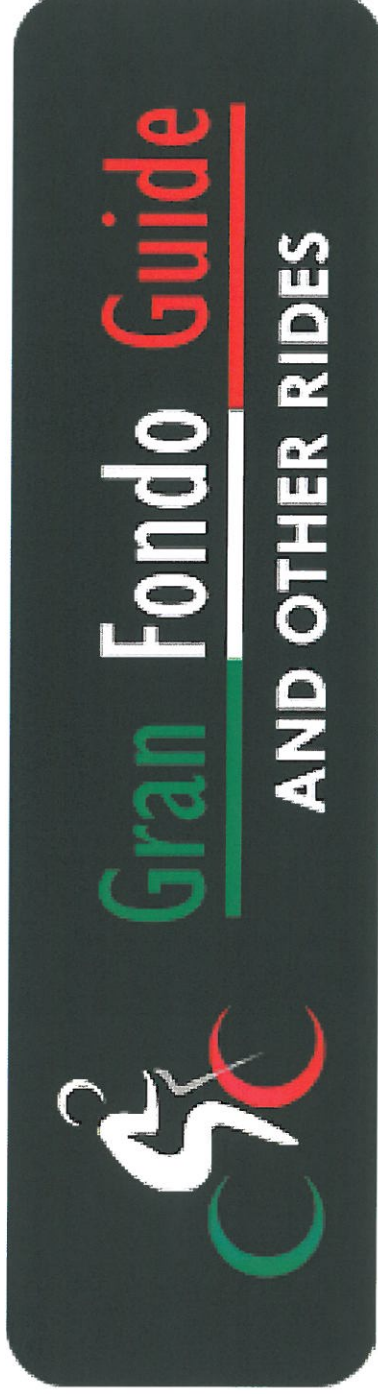


**Gran Fondos are popping all over the country!**

**More than 130 Gran Fondos confirmed for 2014 in the US**

(74)

**ONLY ONE IN TEXAS SO FAR!**





GRAN FONDO

## THE RACE

Date: April 5<sup>th</sup>

Time: 8.00 am

Distance and Field Size:

|               |     |       |     |
|---------------|-----|-------|-----|
| Gran Fondo    | 100 | miles | 150 |
| Medio Fondo   | 65  | miles | 150 |
| Piccolo Fondo | 35  | miles | 100 |

**The race is capped at 450 cyclists in order to ensure the event flows smoothly and safely.**





## THE RACE

As of February 15 we have participants from:

USA (TX, CA, NY, NJ, CO, FL, OK, WA, WY, NM, AR)

Puerto Rico

Canada

Mexico

Colombia

Germany

Italy

France

Ukraine





Part of the proceeds will benefit:

77.



HCM

HILL COUNTRY  
MEMORIAL



MAYOR RACE TIMING AND EVENT MANAGEMENT COMPANY IN TEXAS

78.

# Event Timing

Simple, Accurate & Dependable Results

Offering two leading technologies in event timing, Cadence Sports provides a turn-key race timing solution for athletic events.



MyLaps  
ProChip System  
[Learn More Here](#)



MyLaps  
BibTag System  
[Learn More Here](#)





PAST EVENTS INCLUDE:



Livestrong Ride

Livestrong Run

Atlanta Marathon

3M Half Marathon

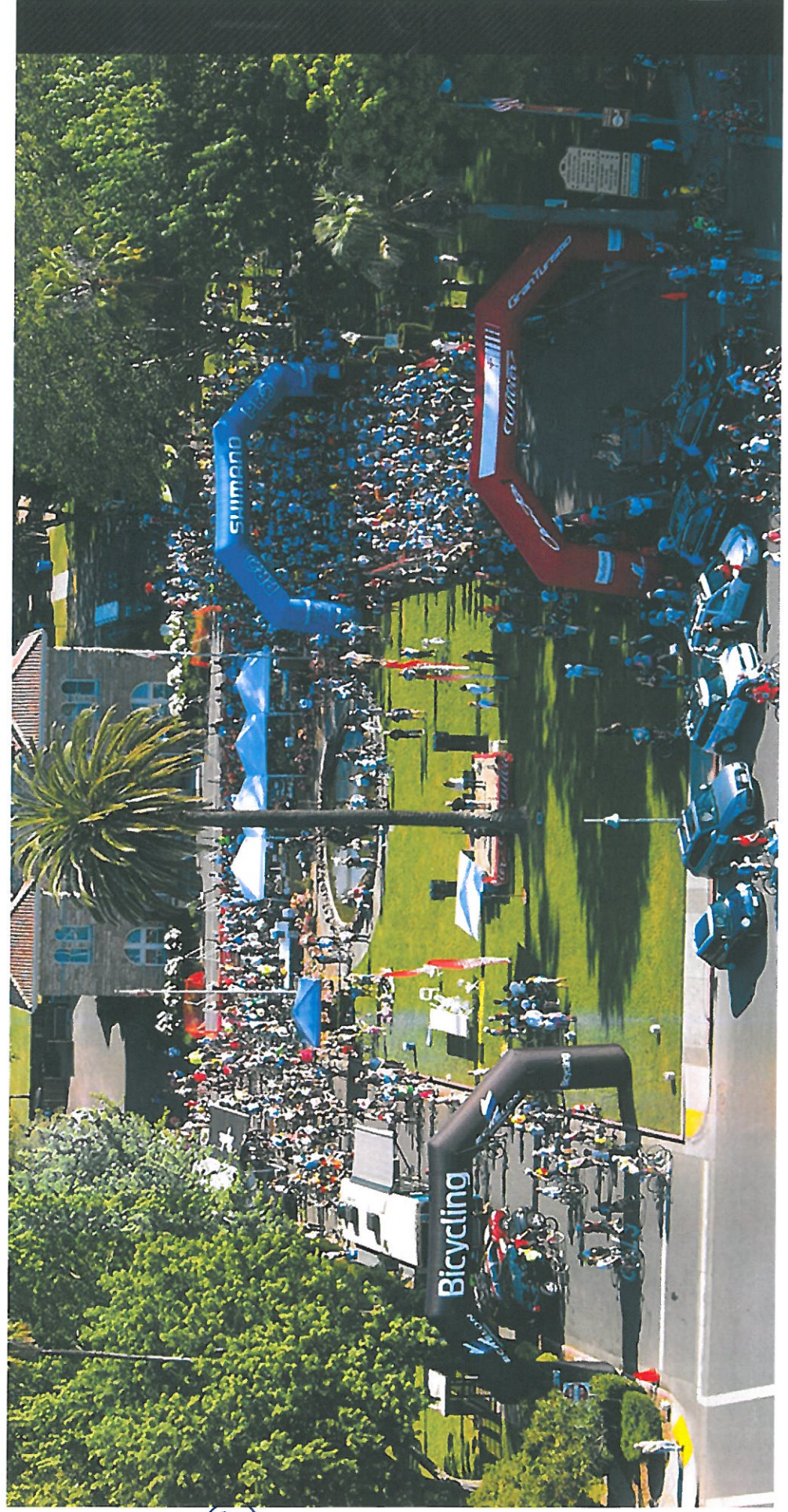
USA Cycling National Championships







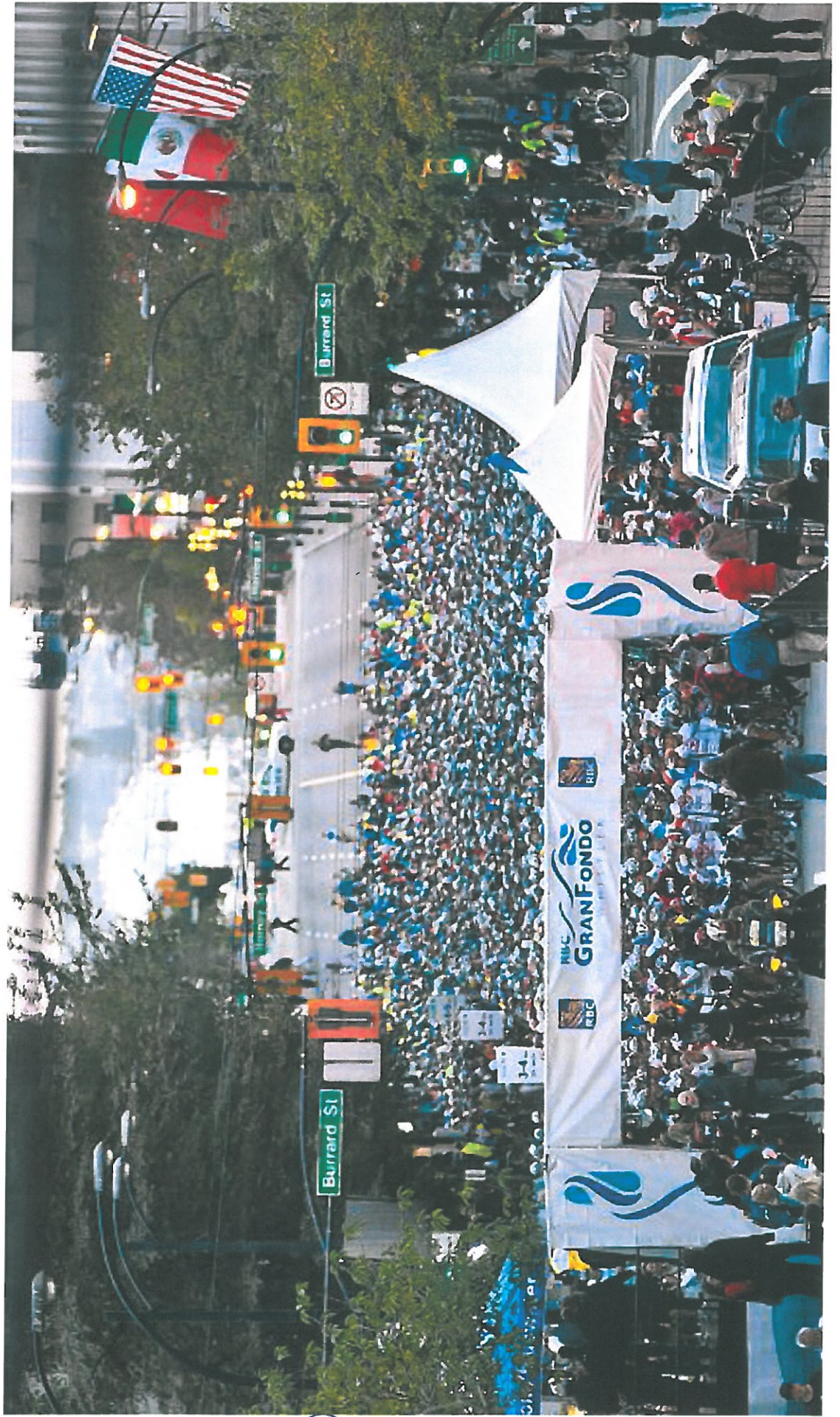
## START/FINISH LINE SETUP ECHELON GRAN FONDO, NAPA CALIFORNIA







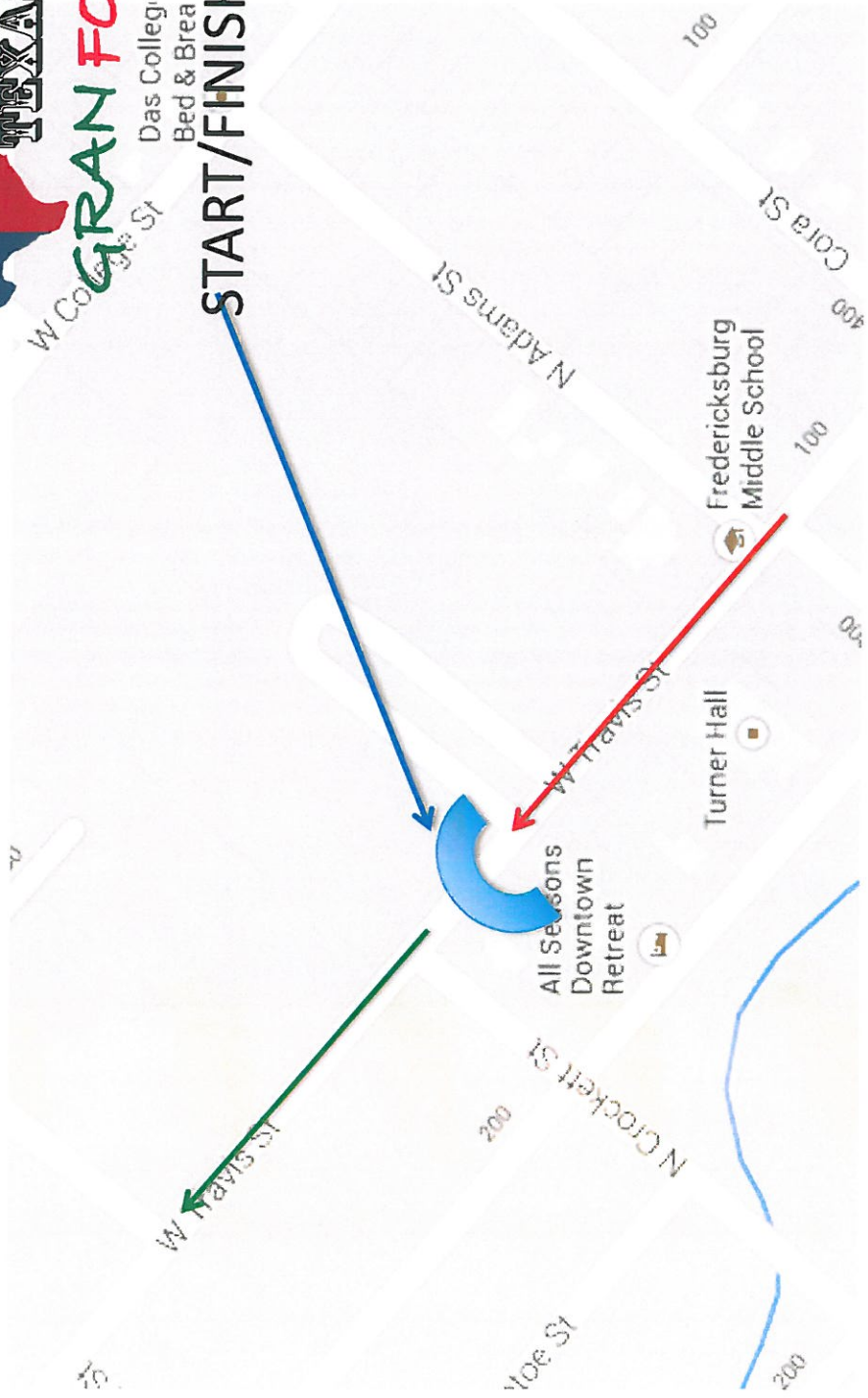
# START/FINISH LINE SETUP RBC GRAN FONDO WHISTLER







## Fredericksburg Middle School





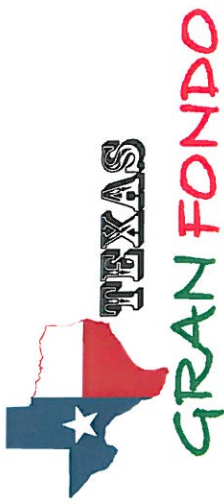


## START/FINISH LINE SETUP



INFLATABLE ARCH  
12ft X 22ft wide

MUSIC and ANNOUNCER  
TIMING MATS  
FENCE 200 mts  
PORTA POTTIES (6)  
10 X 10 TENTS  
(SPONSORS)  
WATER AND GELS stations  
MEDIC TENT



## ANNOUNCER AND MUSIC DIRECTOR



### JAYSON FRITZ

Owns and operates KFAN 107.9, KEEP 103.1, KNAP 105.7 and KNAF AM 910

In addition to bringing Texas artist to Texas listeners, Jayson was also a pioneer in radio internet with Rebel Radio on-line. Jayson has also made a name for himself in Rotary. Serving as Pres., then Asst. Gov., and lastly Governor.

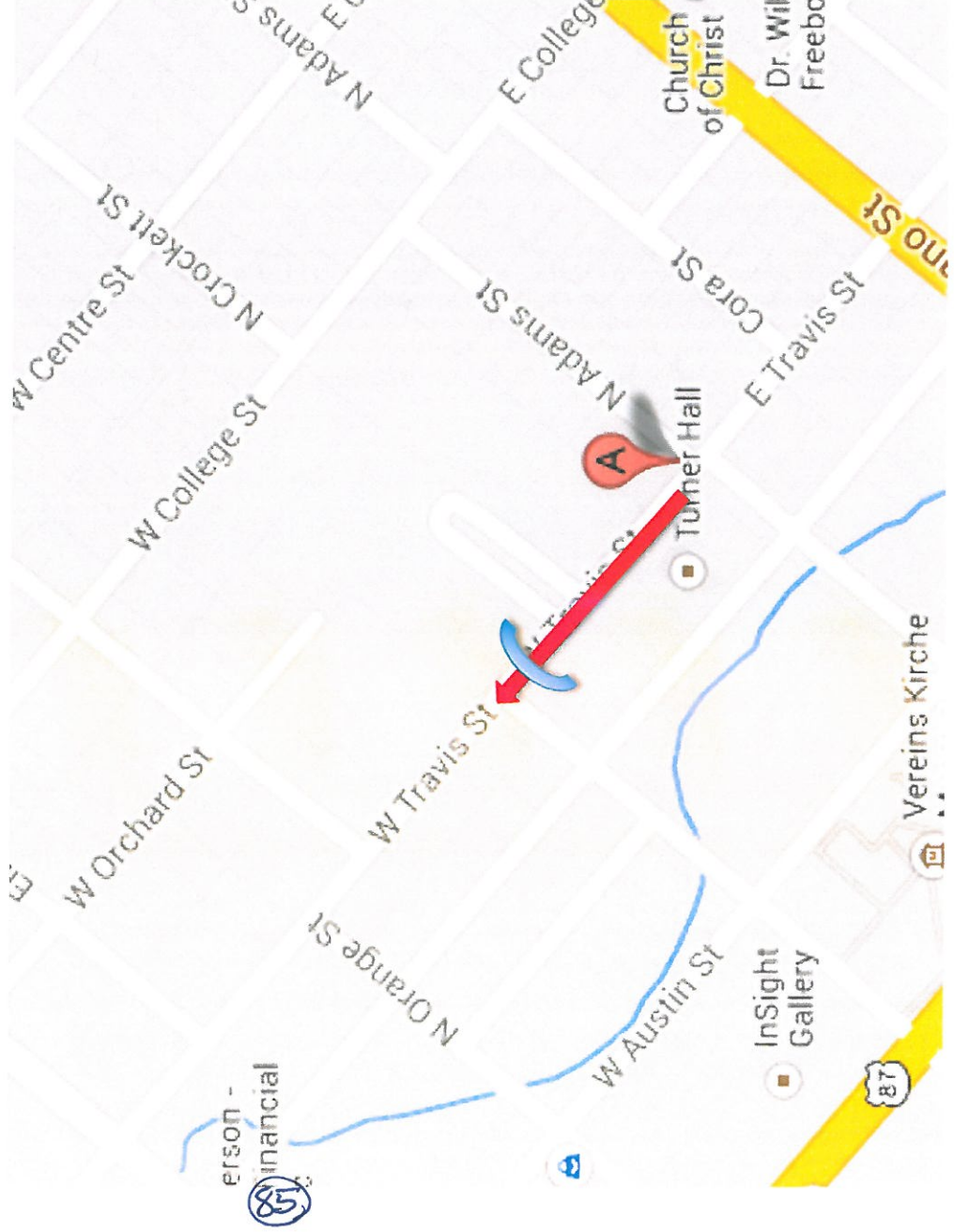




# REQUESTED STREET CLOSING

## Fredericksburg Middle School

### 110 W. Travis St.



TRAVIS ST.



From: **ADAMS**

To: **CROCKET**

5.00 am to 5.00 pm

Cyclists will be escorted out of the city with lead vehicles and the help and support of FPD



# REQUESTED STREET CLOSING

## Fredericksburg Middle School

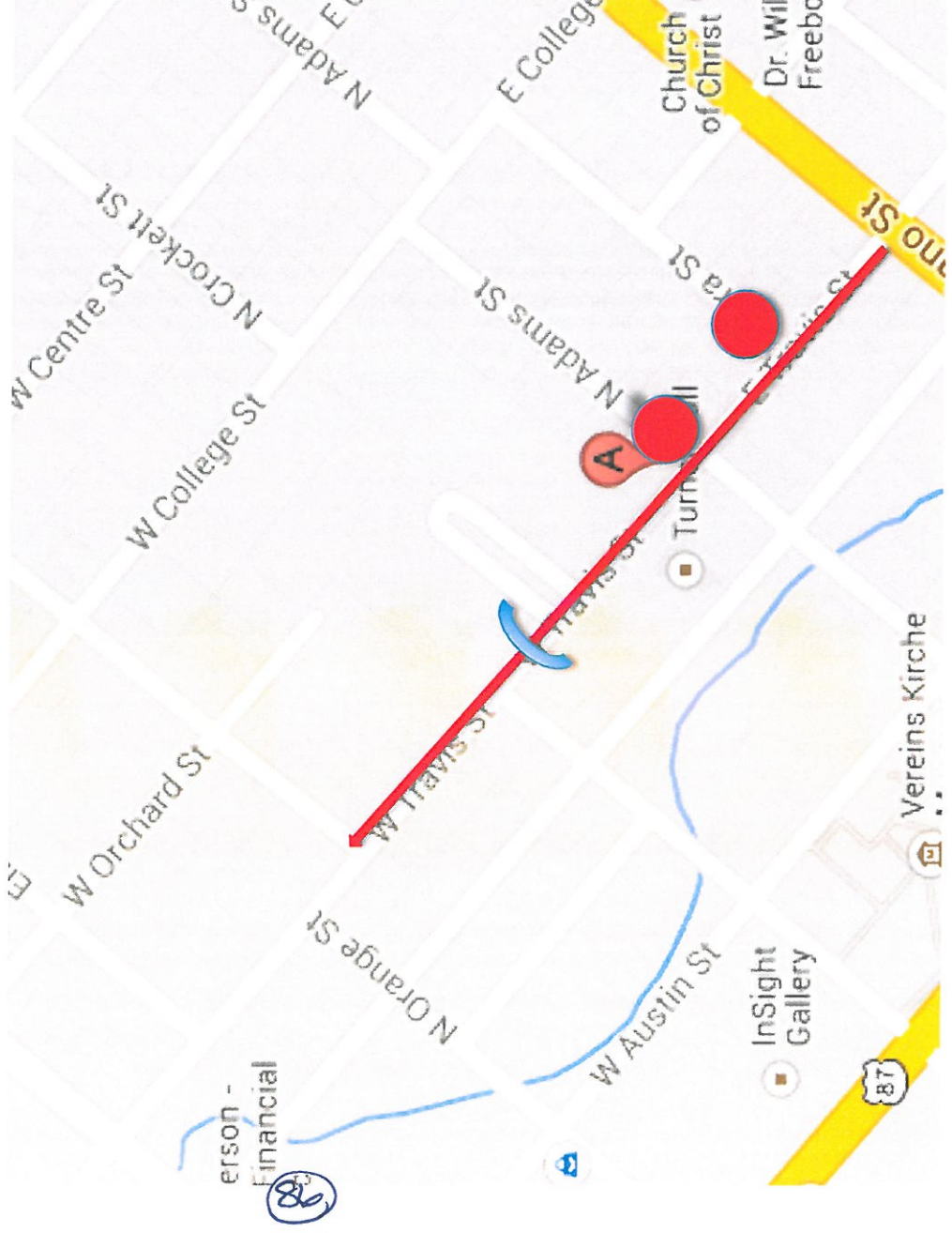
### 110 W. Travis St.

#### FINISH:

**One lane** from Lano to Orange St. will be coned for the final sprint

**10.00 am to 4.00 pm**

Volunteers and Marshals will be posted at the intersections of Cora St. and N. Adams St. for traffic control







# REQUESTED STREET CLOSING

## Fredericksburg Middle School

### 110 W. Travis St.

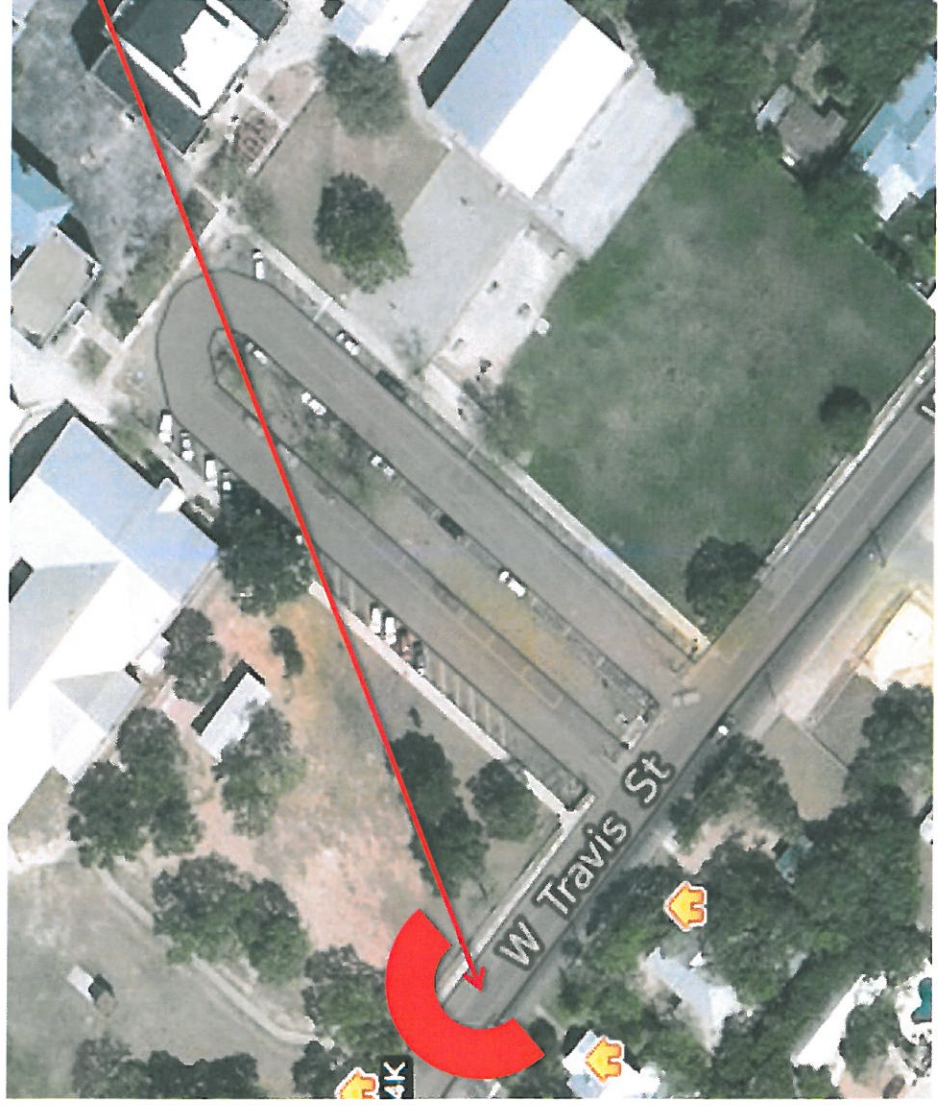
#### START/FINISH LINE

No parking at the Middle School  
Start Corral will be arranged at the  
Horseshoe area of the school with  
Warm up area for cyclists.

#### Alternative parking:

Hampton Inn  
Sunday House  
Holiday Inn Express  
Bethany Lutheran Church  
Market Platz

**We encourage ALL participants  
to ride their bikes to the start line.**

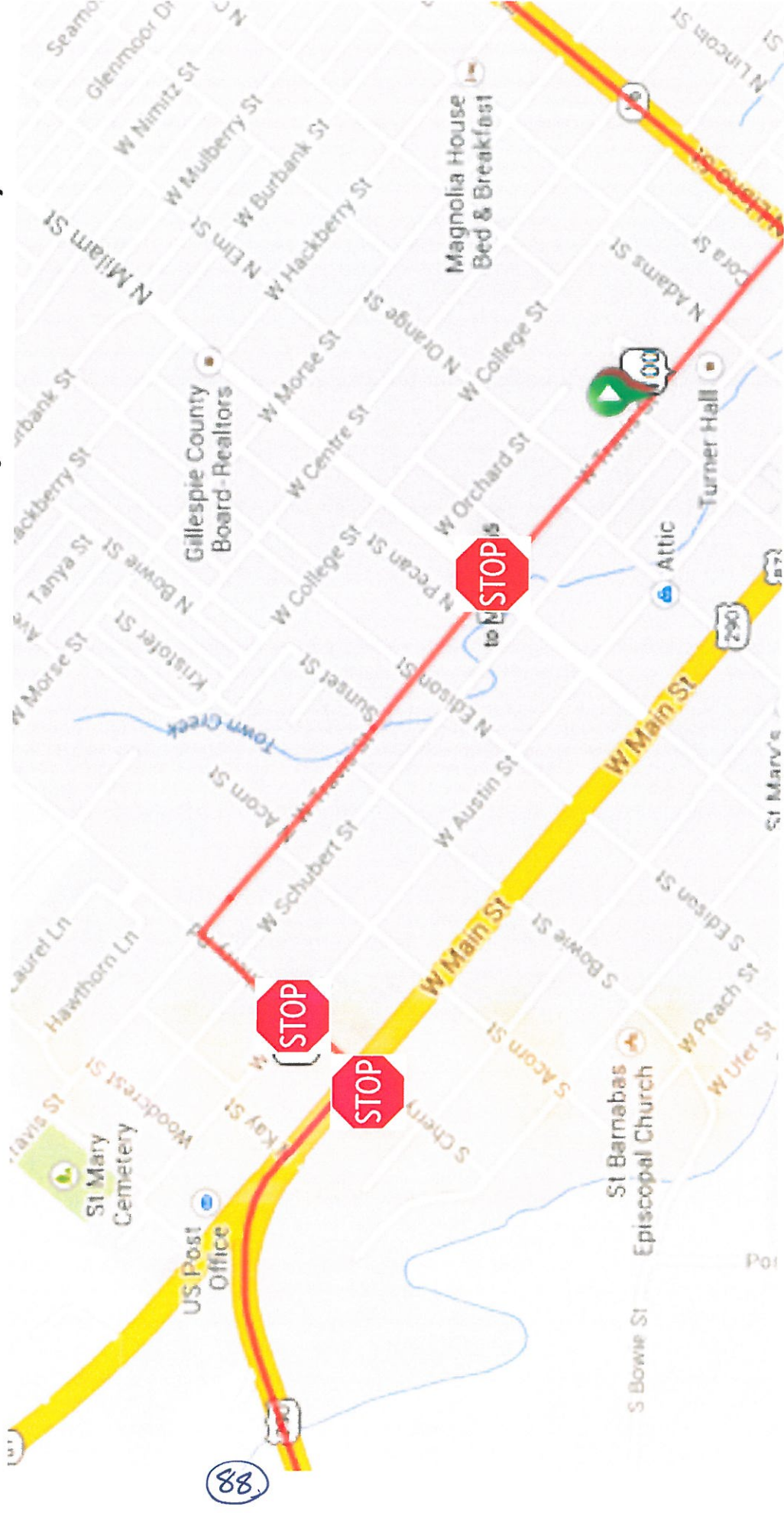




# Out of Town

## 290 WEST

### 100 mile Route (1.5 MILES)



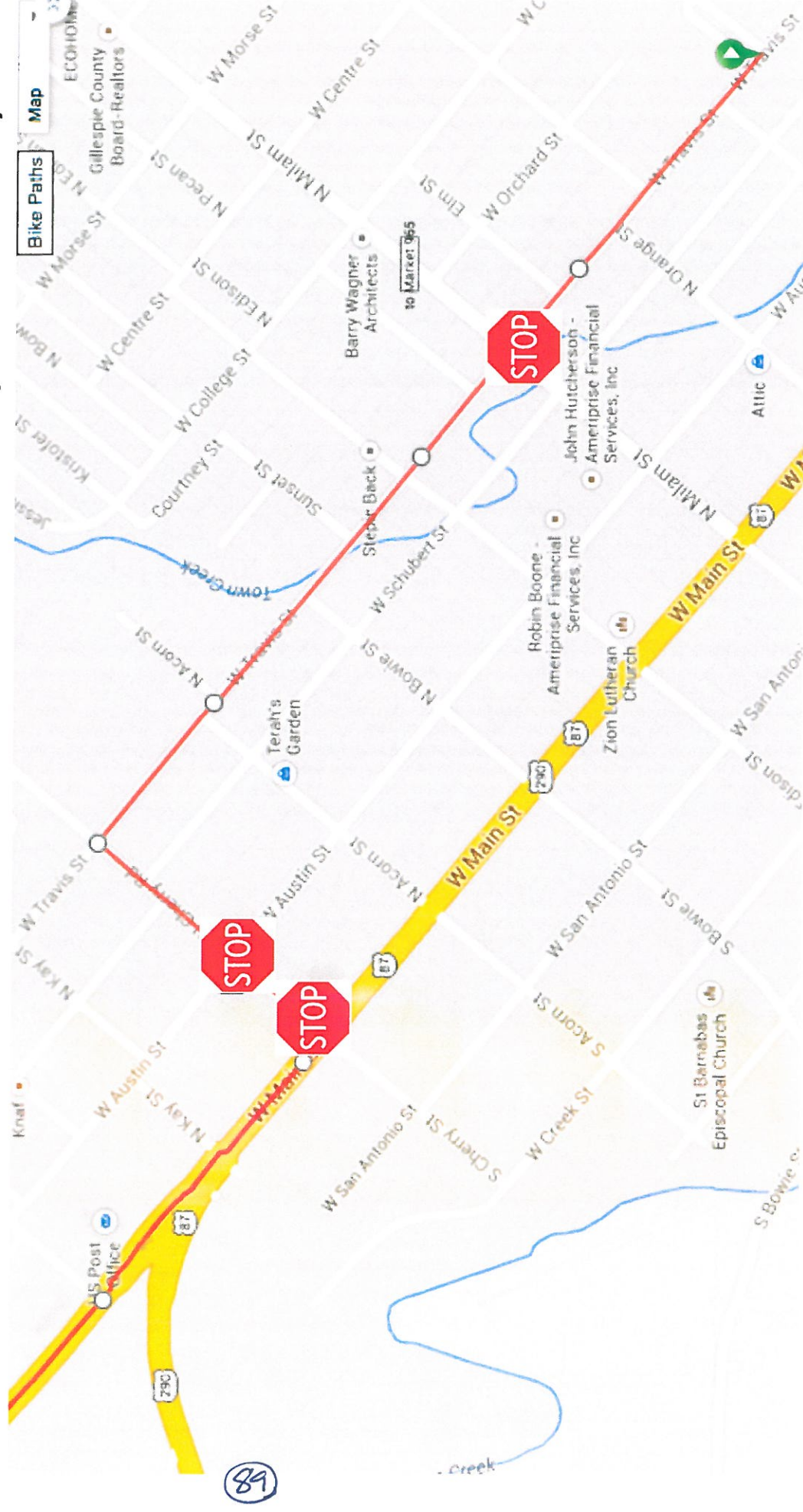




Out of Town

87 NORTH

65 and 35 mile Routes (1.5 MILES)

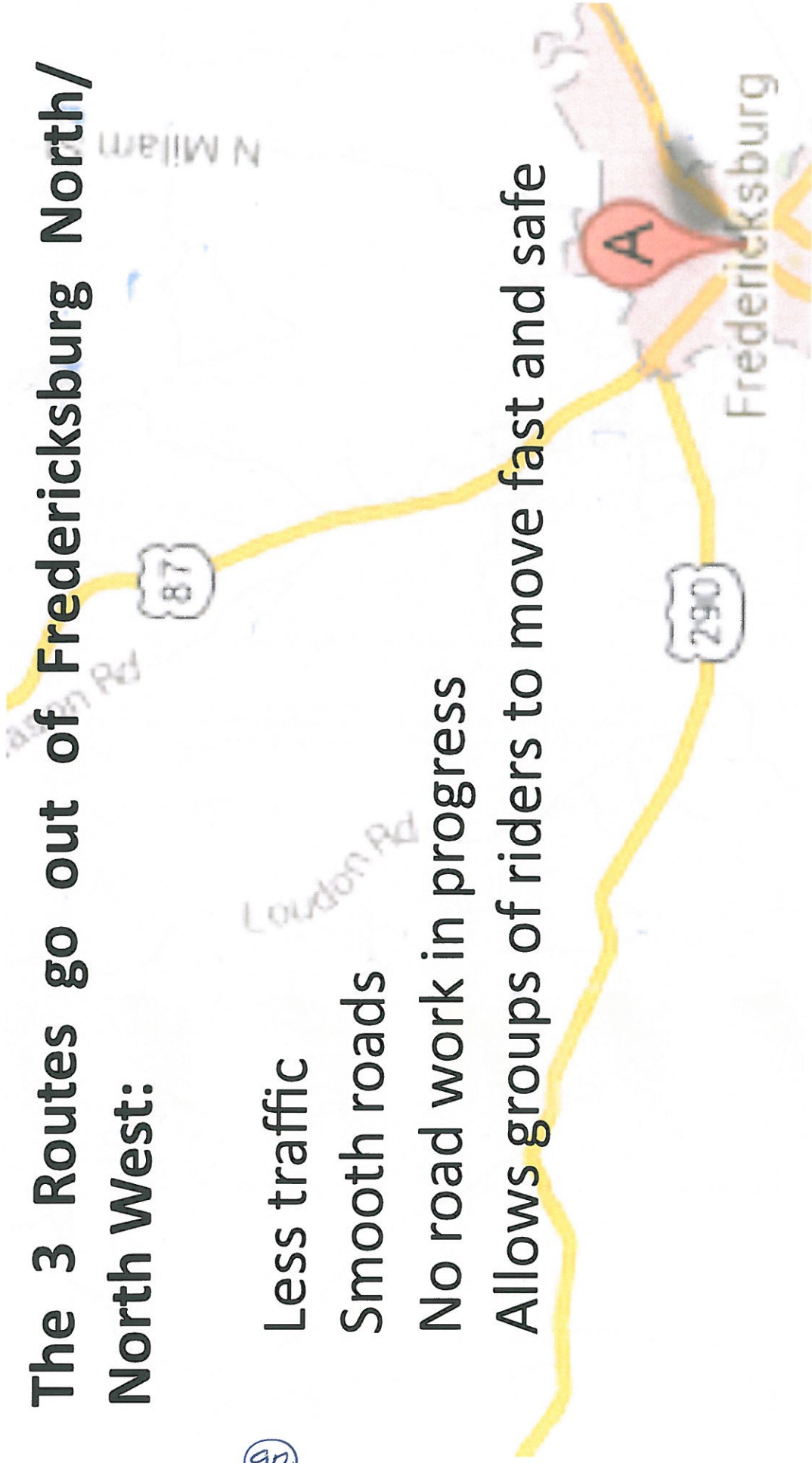




## The 3 Routes go out of Fredericksburg North/ North West:

(90)

- Less traffic
- Smooth roads
- No road work in progress
- Allows groups of riders to move fast and safe







## ROLLING ENCLOSURE/CARAVAN

A Rolling Enclosure helps with:

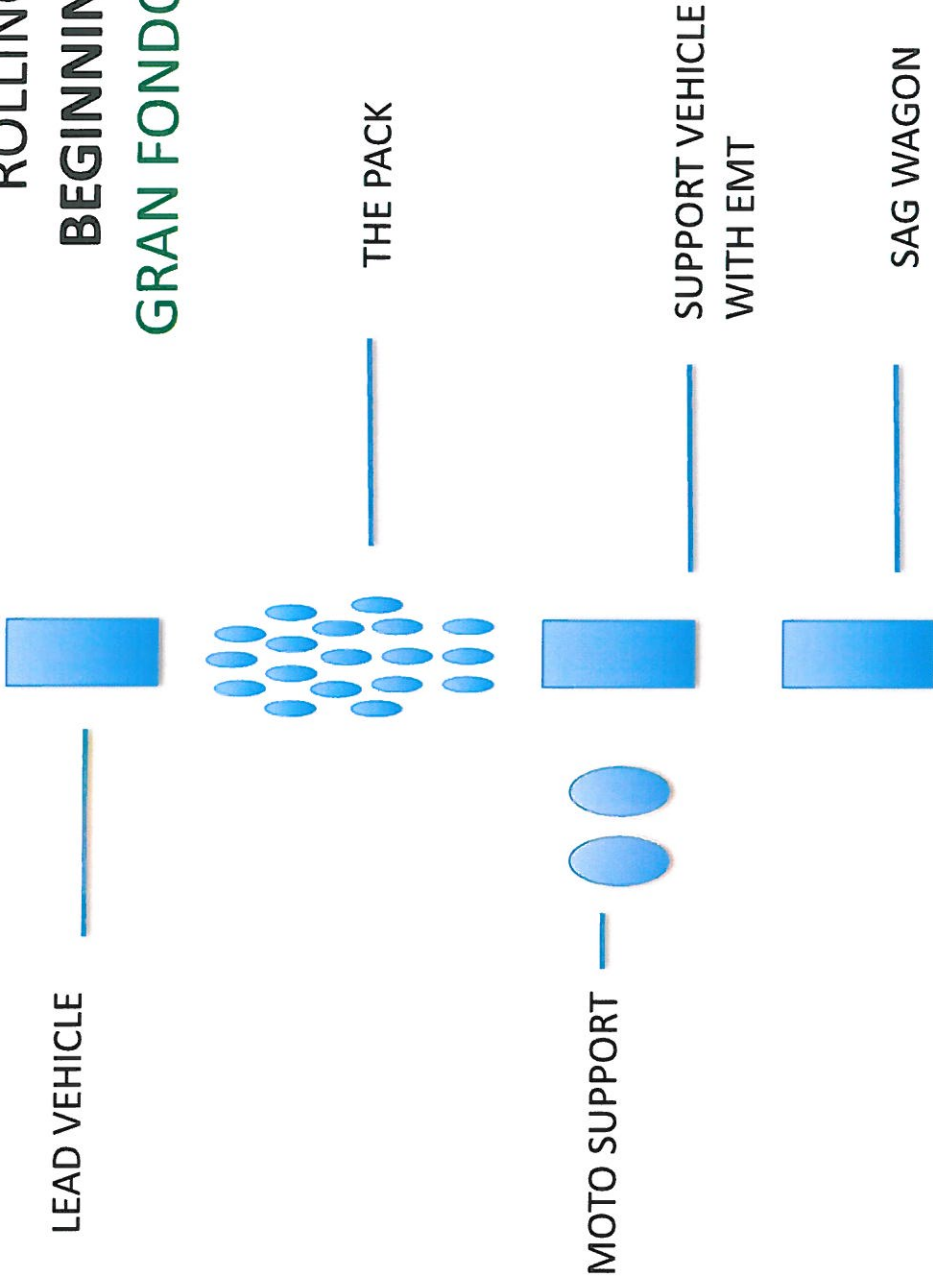
- Keeping the peloton safe: Safety in Numbers = Pack
- Motorists become more aware of cyclists (focus)
- Helps move the riders in a well organized, fast and safe environment
- Minimum disruption for motorists and general public

### Transportation Code 551.105

*If the Peloton breaks up, the riders outside the enclosure **MUST** follow the Rules of the Road and **MUST** strictly abide Code Transportation Code 551.103*



ROLLING ENCLOSURE  
BEGINNING OF THE RACE  
GRAN FONDO\*/MEDIO FONDO\*



92

\*The Gran Fondo and Medio Fondo EACH will have the same RE each.





GRAN FONDO

ROLLING ENCLOSURE

DURING THE RACE

GRAN FONDO/MEDIO FONDO

LEAD VEHICLE



BREAK AWAY



MOTO SUPPORT



SUPPORT VEHICLE  
WITH EMT



THE PACK



MOTO SUPPORT



SAG WAGON



DROPPED RIDER **MUST** abide by Rules of the Road

\*The Gran Fondo and Medio Fondo EACH will have the same RE each.



## **SUPPORT VEHICLES and EMT For all Routes**

One Support Vehicle with EMT per route  
One SAG/Mechanic Vehicle per route  
Sweep Vehicle for every route  
Medic Tent at start finish line



# 290 WEST GRAN FONDO 100 MILES

Distance: 100.0 mi  
 Elevation: + 5563 ft  
 Good For: cycling

9.7 MILES INTO  
 LLANO COUNTY



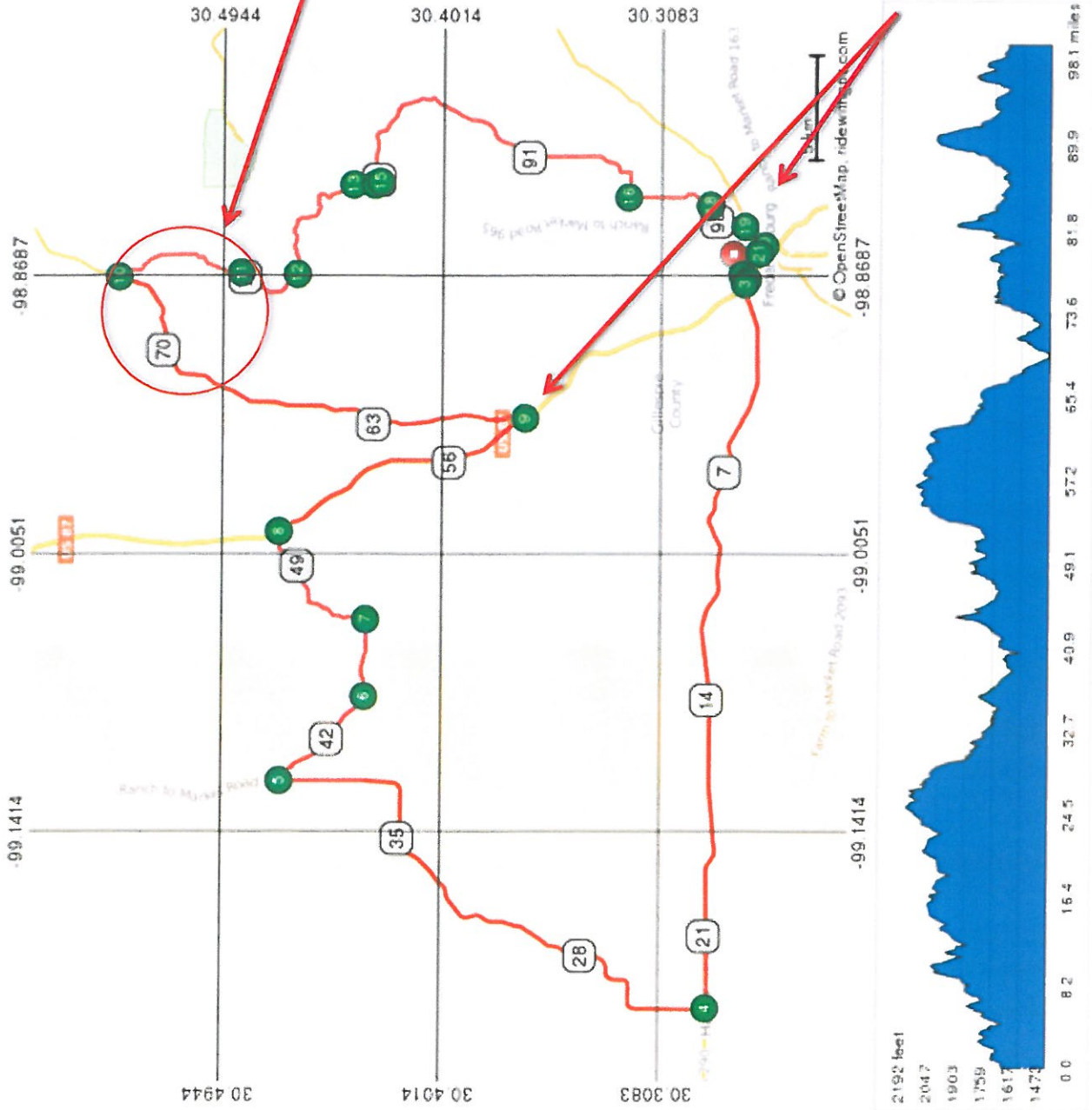
3 MAYOR INTERSECTIONS:

MAIN ST EXITING FBG

87 / 2323 (58 M)

LLANO ST ENTERING FBG

LAW ENFORCEMENT SUPPORT



# 64.8 miles Medio Fondo February

Distance: 64.8 mi  
 Elevation: + 3633 ft  
 Good For: cycling



## 4 MAYOR INTERSECTIONS:

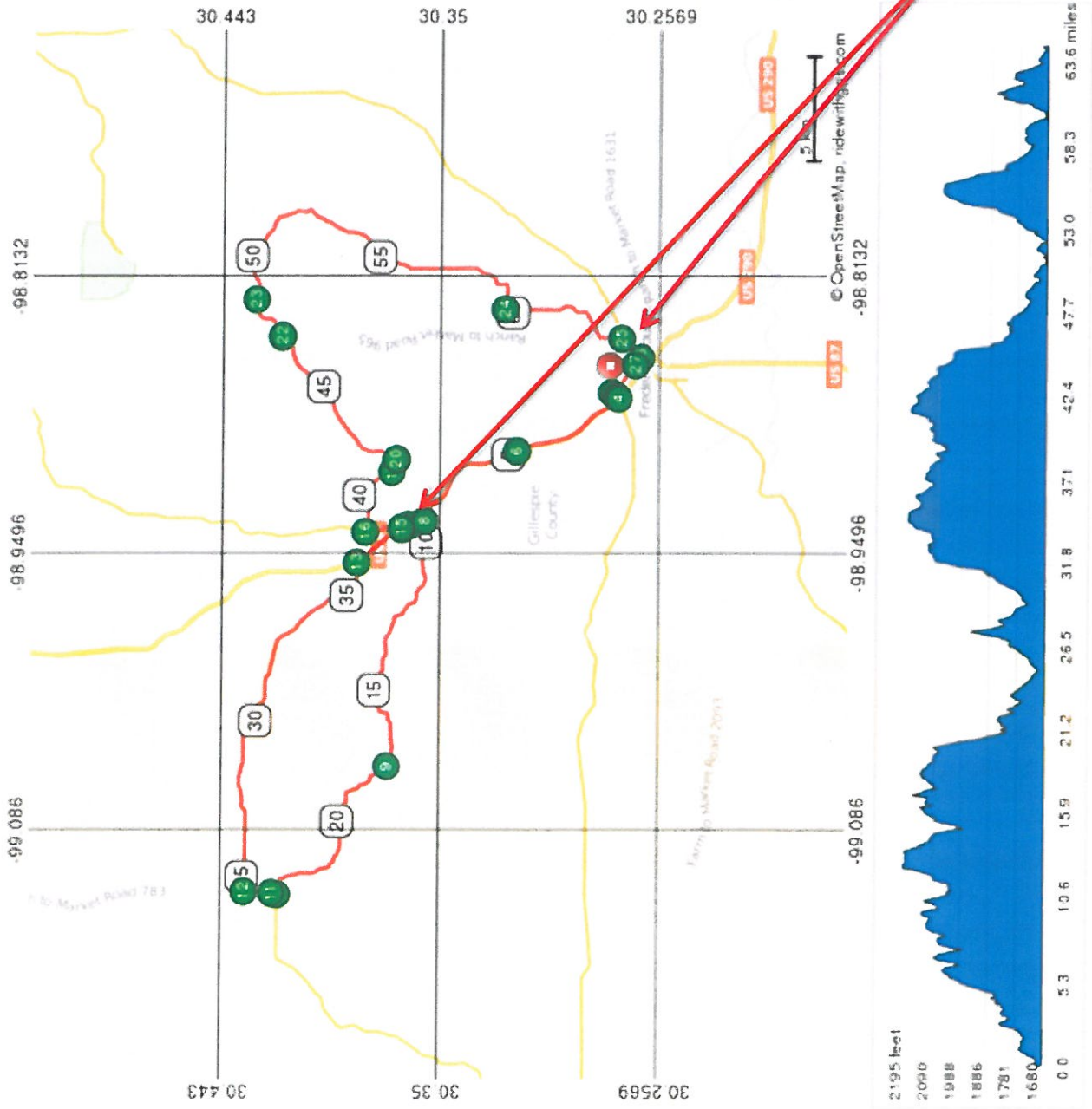
MAIN ST EXITING FBG

87 / OLD MASON (8.8 M)

87 / 2323 (37 M)

LLANO ST ENTERING FBG

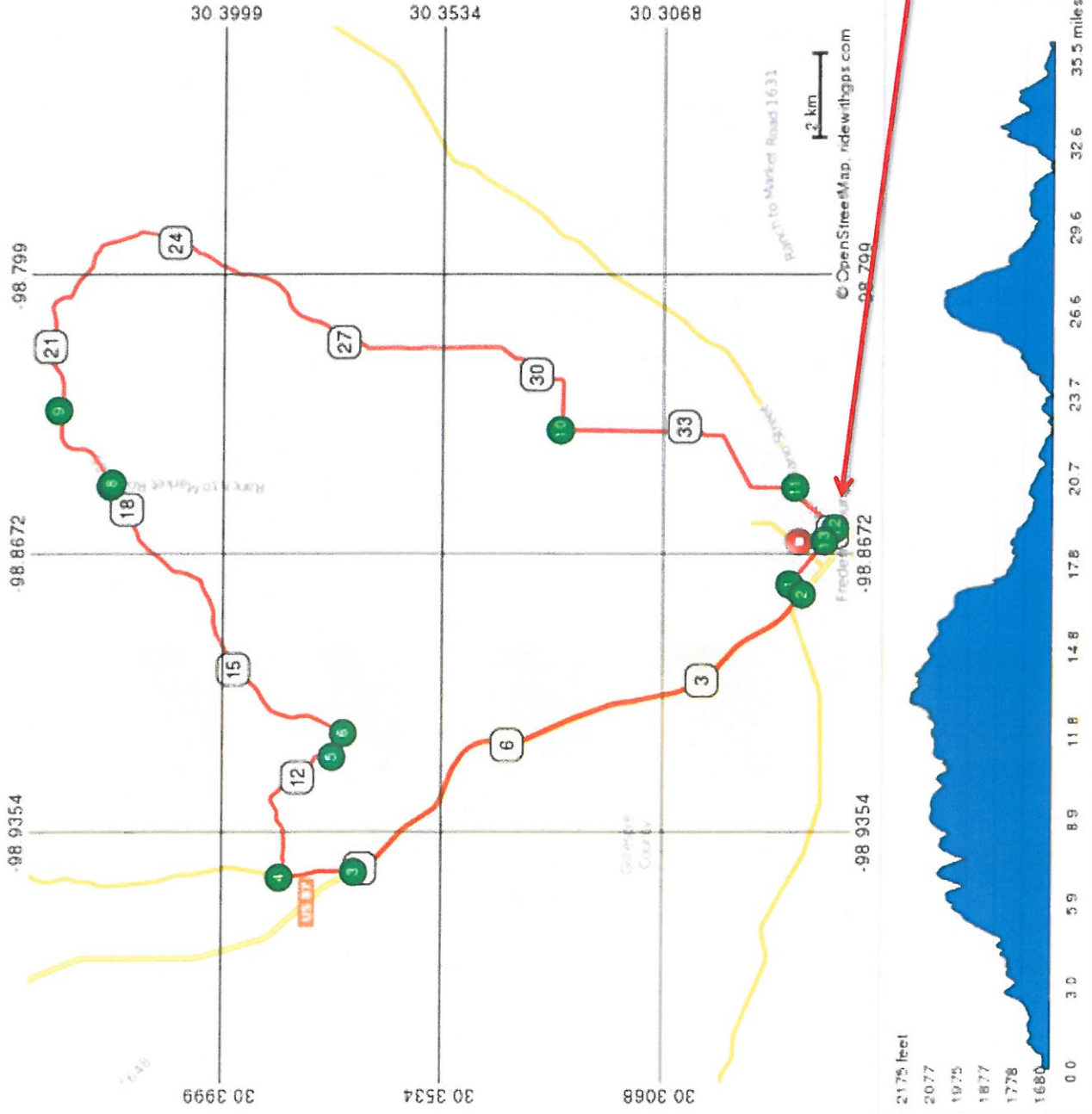
## LAW ENFORCEMENT SUPPORT





# 36 mile Piccolo Fondo February

Distance: 36.2 mi  
 Elevation: + 1905 / - 1905 ft  
 Good For: cycling



2 MAYOR

INTERSECTIONS:

MAIN ST EXITING

FBG

LLANO ST

ENTERING FBG

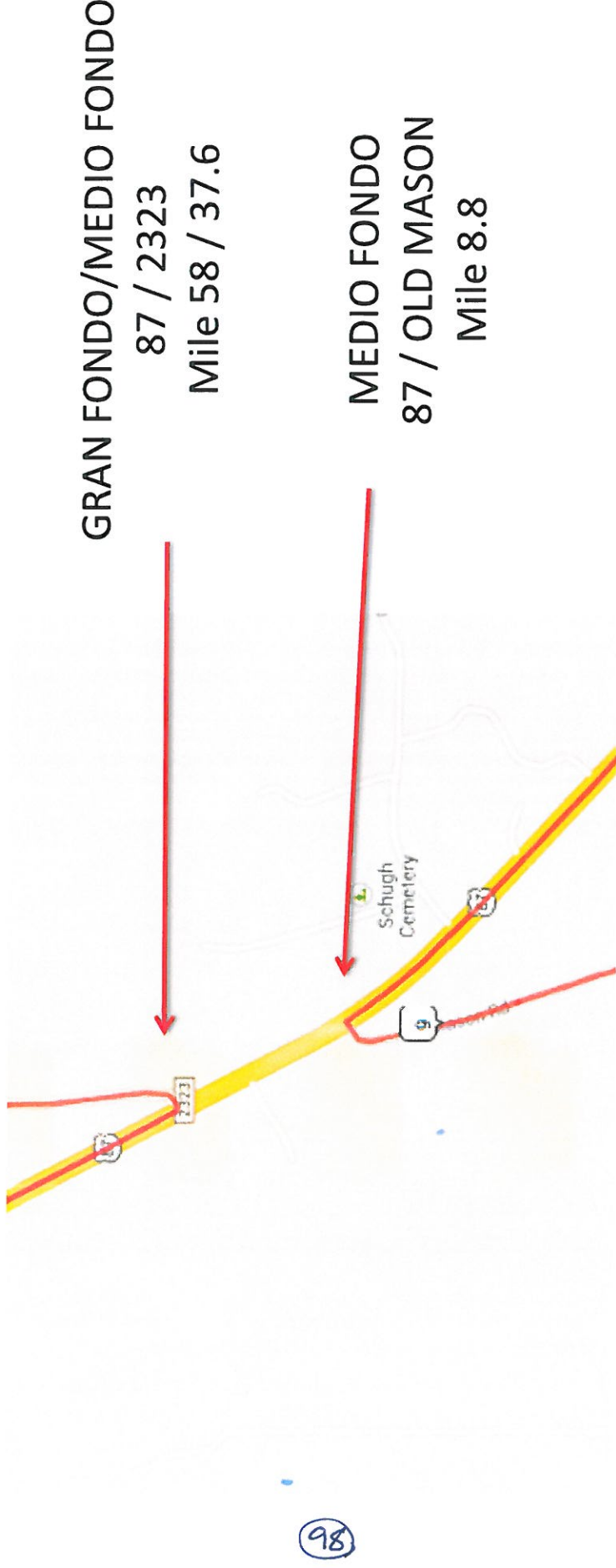
LAW

ENFORCEMENT

SUPPORT



## 2 MAYOR INTERSECTIONS REQUIRING LAW ENFORCEMENT SUPPORT



Cyclists from the Medio Fondo will cross 87 into Old Mason within 30 mins of start  
Cyclists from the Medio Fondo will cross 87 into 2323 within 2 hours of start  
Cyclists from the Gran Fondo will cross 87 into 2323 within 3 hours of start

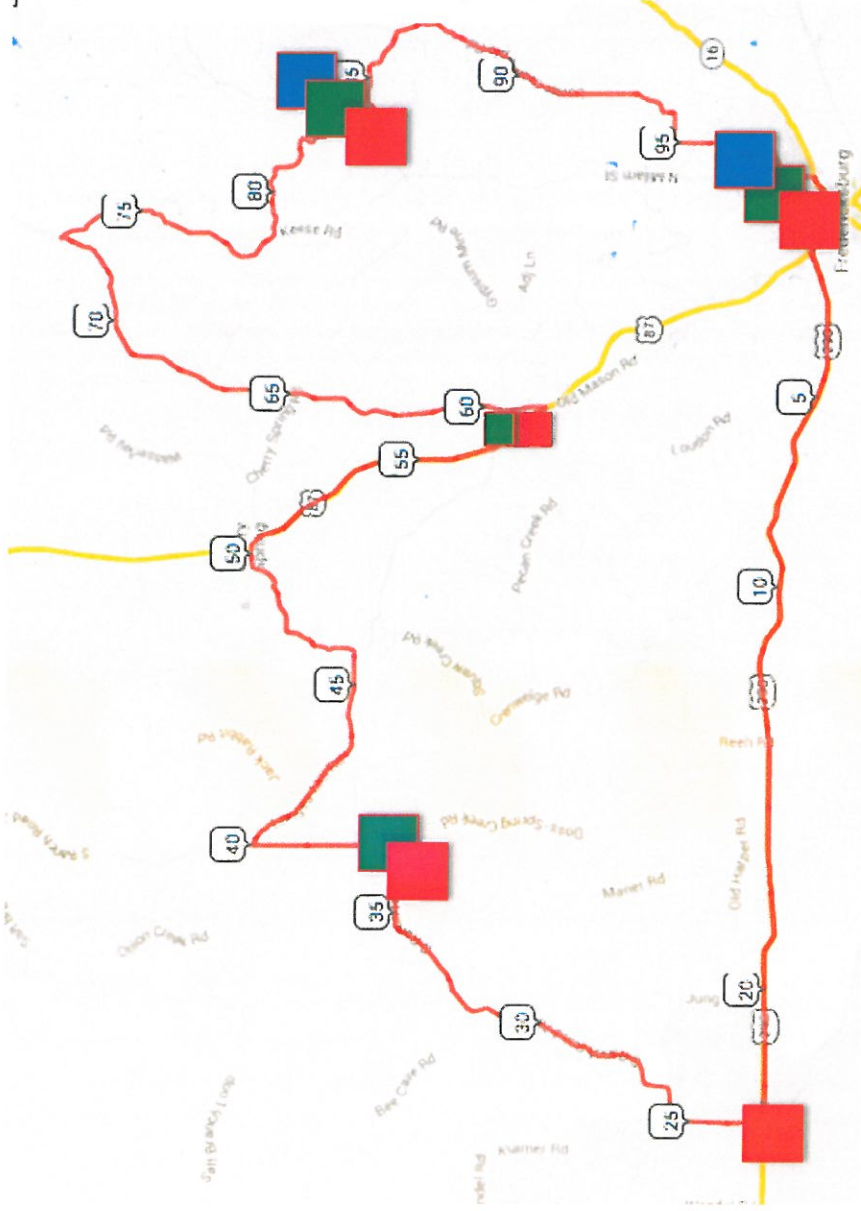




## AID AND FEED STATIONS

THERE WILL BE 5 AID STATIONS  
FOR THE 3 ROUTES

- 1) HARPER
- 2) DOSS
- 3) HILL TOP CAFÉ
- 4) CRABAPPLE
- 5) FINISH LINE



- GRAN FONDO
- MEDIO FONDO
- PICCOLO FONDO



## AID AND FEED STATIONS

**ALL AID STATIONS WILL PROVIDE:**

**WATER**

**ELECTROLITE DRINKS**

**GELS**

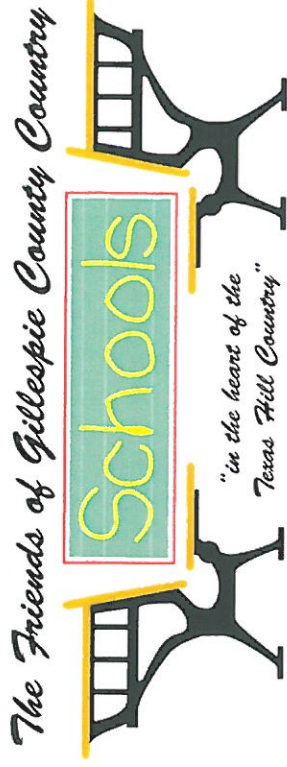
**ENERGY BARS**







## AID AND FEED STATIONS



GRAN FONDO



MEDIO FONDO



PICCOLO FONDO





## VOLUNTEERS

We will need 110 volunteers for:

- Packet pick up
- Start/Finish line
- Marshalls
- Route marking and signage
- Aid Stations

### Sources:

Hill Country Memorial Hospital  
Rotary Club  
Hill Country Radio and newspaper  
Bike Shops

San Antonio, Austin, Dallas, Kerrville and Fredericksburg

Sponsors: Opa's, Pedernales Brewing Co., Wineries, The Shops at La Cantera.  
Hilton and La Cantera Hill Country Resort

San Antonio Wheelmen

Austin Cycling Association

Bike Texas

Local Folks wanting to help



## SOME POST RACE CELEBRATION SPONSORS AT THE HAMPTON INN



*Simply The Best You Can Buy!*



**Inwood Estates**  
**Vineyards**



**BECKER**  
**VINEYARDS**





THANK YOU  
FOR YOUR TIME

