



City of Fredericksburg

City Council Regular Meeting Agenda
Wednesday, July 5, 2023 ~ 9:00 AM
Law Enforcement Center
1601 E. Main Street
Fredericksburg, Texas 78624

Jeryl Hoover, Mayor
Tony Klein, Councilmember
Bobby Watson, Councilmember/Pro Tem

Randy Briley, Councilmember
Emily Kirchner, Councilmember
Clinton Bailey, City Manager

The City of Fredericksburg City Council will meet in a regular session on Wednesday, July 5, 2023, at 9:00 AM. Link to City of Fredericksburg YouTube Channel (Fredericksburg, Texas USA - YouTube <https://www.youtube.com/c/FredericksburgTexasUSA>).

The City Council welcomes citizen participation and comments at all City Council Meetings on Agenda Items.

Comment Card for Written or Verbal Comments-submitted by 4:00 p.m. the day before the meeting.

- i. Complete the Comment Card online at www.fbgtx.org;
- ii. Make sure to check the appropriate box (verbal or written);
- iii. Only one (1) agenda item per Comment Card.

Sign up in person between 8:30 a.m. and 9:00 a.m. at the meeting location.

- i. Only one (1) agenda item per Comment Card;
- ii. Speakers will be limited to 3 minutes to speak. **Please Note:** The Mayor can reduce the number of minutes for any speaker during Public Comment on a single agenda item depending on the number of people who sign up for it.
- iii. Any citizen with handouts should provide them to the City Secretary before speaking. If you wish the City Council to receive your handouts for the meeting, please provide ten (10) copies; if not, the City Council will receive your handouts the following day.

NOTE: The City Council may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for discussion. An announcement will be made of the basis for the Executive Session discussion. The City Council may also publicly discuss any item listed on the agenda for Executive Session.

1. CALL TO ORDER

2. INVOCATION

Tommy Le Fan, Pastor of Fredericksburg Church of Christ, will lead the Invocation

3. PLEDGE OF ALLEGIANCE

4. CEREMONIAL MATTERS/PROCLAMATIONS/EMPLOYEE RECOGNITION

5. COUNCIL COMMENTS

6. CONSENT

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

- A. Consider approval of City Council Minutes for the following meetings (Shelley Goodwin, City Secretary):
 - i. June 19, 2023, City Council and Planning and Zoning Commission Joint Meeting
 - ii. June 20, 2023, City Council Regular Meeting
- B. Consider approving a street closure request for the Gillespie County 4-H Adult Leaders BBQ, scheduled for Friday, August 25, 2023, at Marktplatz (Jennifer Krupa, Special Events Coordinator and Assistant Parks and Recreation Director)
- C. Consider the approval of Keller Oaks Maintenance Agreement (Evan Williamson, Assistant City Engineer)

7. ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS

- A. Public Hearing for Citizen Input on the FY 2024 Budget and announce the upcoming Budget meetings (Krista Wareham, Director of Finance):
 - i. Monday, July 24, 2023, City Council Workshop on General Fund Budget - Cardinal Room at 1:00 p.m.
 - ii. Wednesday, July 26, 2023, City Council Workshop on Enterprise Fund Budget - Cardinal Room at 1:00 p.m.
 - iii. Wednesday, August 9, 2023, proposed Joint Workshop with Gillespie County Commissioners - Cardinal Room at 9:00 a.m.
 - iv. Monday, August 14, 2023, file the Proposed Budget with the City Secretary
 - v. Wednesday, August 16, 2023, City Council Budget on all Funds - Cardinal Room at 1:00 p.m.
 - vi. Monday, August 21, 2023, Public Hearing on Proposed Budget and approve a Proposed Tax Rate - Cardinal Room at 1:00 p.m.
 - vii. Tuesday, September 19, 2023, Adoption of Tax Rate and FY2023 Budget at City Council Regular Meeting
- B. Charter Review Committee (Clinton Bailey, City Manager)
 - i. Review and discuss Charter Review Committee Applications
 - ii. Consider the approval of Resolution 2023-13R establishing a Charter Review Committee, including composition, purpose, and appointing individuals to the Committee

8. OTHER ACTION ITEMS AND UPDATES

- A. Consider the City Fredericksburg City Council Recognition, Proclamation, and Honor Policy (Mayor Hoover)
- B. Continued discussion regarding the need for affordable housing (Mayor Hoover)

9. CITY MANAGER'S REPORT

- A. July City Council Work Session

10. ITEMS FOR FUTURE AGENDA

- A. Review the Future Agenda Item Spreadsheet

11. EXECUTIVE SESSION

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Sections - 551.071 (Consultation with Attorney):

- A. Consult with the City Attorney regarding possible litigation related to short-term rentals (Section 551.071)

12. BUSINESS ITEM

The City Council will reconvene into Regular Session upon the conclusion of the Executive Session, the City Council may take action on any item posted in Executive Session, as necessary.

13. ADJOURN

CERTIFICATION

This is to certify that I, Shelley Goodwin, posted this Agenda at 2:20 p.m. on June 29, 2023, on the bulletin board of the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.



Shelley Goodwin, TRMC/CMC
City Secretary



City of Fredericksburg

CITY COUNCIL AND PLANNING AND ZONING COMMISSION JOINT MEETING MINUTES MONDAY, JUNE 19, 2023 ~ 5:30 PM LADY BIRD GOLF COURSE – CARDINAL ROOM FREDERICKSBURG, TEXAS 78624

City Council

Mayor Jeryl Hoover
Mayor Pro-Tem Bobby Watson
Councilmember Emily Kirchner
Councilmember Tony Klein
Councilmember Randy Briley

Members Absent:

None

Planning and Zoning Commission

Janice Menking, Chair
Commissioner Jeff Lawrence
Commissioner Polly Rickert
Commissioner Tom Musselman
Commissioner Jim Jarreau
Commissioner Tim Dooley
Commissioner Daryl Whitworth
Commissioner Steve Thomas

Members Absent:

Commissioner Cindy Scroggins

City Staff Present:

Clinton Bailey, City Manager
Mick McKamie, Interim City Attorney
Garret Bonn, Assistant City Manager
Brian Vorauer, Police Chief
Lynn Bizzell, Fire Chief
Eric Whiting, Director of Information Technology
Anna Hudson, Director of Development Services
Leslie Embrey, Administrative Assistant
Shelby Collier, Associate Planner
Jan Musgrove, STR Specialist
Shelley Goodwin, City Secretary

1. CALL TO ORDER

Mayor Hoover called the Fredericksburg City Council and Planning and Zoning Commission Joint Meeting to order at 5:30 p.m. on Monday, June 19, 2023. He announced that a quorum had been met of the City Council.

Chair Menking announced that a quorum had been met of the Planning and Zoning Commission.

2. PLEDGE OF ALLEGIANCE

Mayor Hoover led the Pledge of Allegiance.

3. BUSINESS ITEM

A. Consider proposed Short Term Rental (STR) amendments to the Zoning Ordinance

Commissioners Jeff Lawrence, Commissioner Polly Rickert, and Commissioner Jim Jarreau filed a Conflict-of-Interest Affidavit Form and left the dais.

Mayor Hoover reviewed the process used to schedule meetings and the process regarding any STR considerations.

Motion: Upon a motion to postpone the meeting for 72 hours was made by Councilmember Briley. The motion failed due to a lack of a second.

Mick McKamie, City Attorney, reviewed the Texas Local Government Code, Chapter 151 and the City Ethics Ordinance regarding Conflict of Interest. He also stated that the Affidavits are required to be signed and the Affidavits are required to be filed and maintained with City. Secretary.

Councilmember Briley made a statement regarding his Conflict of Interest. Councilmember Briley stated he has spoken with the City Attorney regarding his potential conflict due to owning a Short-Term Rental. He noted he has filed a Conflict of Interest Affidavit Form and he left the dais.

Harper Jeffery, spoke regarding protecting property rights.

Belinda McDonald, resident, spoke regarding STR Task Force

Cynthia Neilson, spoke regarding protecting property rights and property owners' freedoms.

Courtnei Munson, spoke regarding the need to listen to all sides, before making a decision.

Tim Heddleston spoke regarding the need to solve problems and feels this topic is creating divisions within the community.

Todd Plunk spoke in opposition to any changes to STR Ordinance.

Kathryn Sharrock encouraged the City Council to focus on housing for workers instead of STR.

Stephanie Hodges spoke in opposition to any changes to STR Ordinance.

Nancy Herndon spoke regarding Local Government Code Chapter 171.

Moise Sanchez, Cozi, spoke regarding the need to bring a solution to the problem so the community can move forward.

Colonel Michael True spoke regarding the need for data to supports any changes. He feels that the City is giving up knowledge with there being so many key members having to file a conflict of interest.

Mark Collins spoke regarding STR communities and investors who want the City of Fredericksburg to thrive due to visitors.

Leslie Spraggins spoke about the benefits of STR and opposed to any STR changes.

Chris Trevino spoke regarding property rights. He encouraged the City Council to listen to the people.

Jeff Hendphill spoke regarding the conflict-of-interest affidavit. He also encouraged the City Council to keep the history of the City and the Sunday Houses.

Tim Bush spoke regarding parking on street issues and the lightening regulations. He also stated the STRs, and residents should be treated the same.

Greg Wysocki spoke regarding the benefits of STRs. He noted that if you limit STRs the City will lose Hotel Occupancy Tax, sales tax, which will increase the property tax.

Tyler O'Brien spoke regarding enforcing the rules the City already has.

Greg Andrews spoke regarding the vast owners are not the problem and the ones creating the issues should be the ones that should be addressed.

Jill Taber encouraged the City Council to look at true issues and what is causing them. She also spoke regarding the concern with transferability of a STR permit.

i. Discussion

Anna Hudson, Director of Development Services, reviewed the changes with Code Enforcement and the status of the STR permits.

The City Council and Planning and Zoning Commission discussed the following:

- Diligent with addressing the issues of parking and lighting
- Software and processes for inspection
- Legislative changes
- Notification process
- Need more data before making changes
- Problems that need to be solved
 - Clean up permitting
 - Map identifying STRs

- o Clear and less confusing Ordinance
- o Zoning issues
- o Transferring of permits for new owners
- o Better enforcement
- o Lighting
- o Parking

ii. Legislative Update on STRs

Mick McKamie, City Attorney, reviewed the Legislative changes to Short-Term Rental.

iii. Next Steps

The City Council agreed to look at these issues and then bring back in 60 days to discuss.

4. ADJOURN

With no other business, Mayor Hoover adjourned the June 19, 2023, City Council and Planning and Zoning Commission Joint Meeting at 8:03 p.m.

Jeryl Hoover
Mayor

Shelley Goodwin, TRMC/CMC
City Secretary



City of Fredericksburg

CITY COUNCIL REGULAR MEETING MINUTES
TUESDAY, JUNE 20, 2023 ~ 9:00 a.m.
LAW ENFORCEMENT CENTER
1601 E. MAIN STREET
FREDERICKSBURG, TEXAS 78624

Mayor Jeryl Hoover
Mayor Pro-Tem Bobby Watson
Councilmember Emily Kirchner
Councilmember Tony Klein
Councilmember Randy Briley

Members Absent:

None

City Staff Present:

Clinton Bailey, City Manager
Mick McKamie, City Attorney
Garret Bonn, Assistant City Manager
Lynn Bizzell, Fire Chief
Brian Vorauer, Police Chief
Anna Hudson, Director of Development Services
Andrea Schmidt, Director of Parks and Recreation
Kris Kneese, Director of Public Works and Utilities
Justin Calhoun, Emergency Management Coordinator
Krista Wareham, Director of Finance
Eric Whiting, Director of Information Technology
Leslie Embrey, Administrative Assistant
Shelley Goodwin, City Secretary

1. CALL TO ORDER

Mayor Hoover called the Regular Meeting of the Fredericksburg City Council to order at 9:00 a.m. on Tuesday, June 20, 2023. He announced that a quorum had been met.

2. INVOCATION

Tim Bowyer, Chaplain from the Methodist Hospital, lead the Invocation.

3. PLEDGE OF ALLEGIANCE

Mayor Hoover led the Pledge of Allegiance.

4. CEREMONIAL MATTERS/PROCLAMATIONS/EMPLOYEE RECOGNITION

Clinton Bailey, City Manager, stated he did not have any recognitions.

5. COUNCIL COMMENTS

Councilmember Briley thanked the City Attorney for advising on Chapter 171, Texas Local Government Code conflict of interest. He also thanked everyone who attended the meeting on Monday, June 19, 2023, regarding Sort-Term Rentals.

Councilmember Klein provided an update on the recent Market Square Redevelopment Commission. He also noted the Market Square project is short funding, and if you are interested in donating, please get in touch with the Community Foundation.

6. CONSENT

A. Consider approval of City Council Minutes for the following meetings:

- i. May 25, 2023, Work Session**
- ii. May 30, 2023, Special Meeting**
- iii. June 6, 2023, Regular Meeting**

Motion: A motion was made by Councilmember Kirchner, seconded by Councilmember Watson, to approve the Consent Agenda Items 6. A. i., ii. and iii. The City Council voted five (5) for, none (0) opposed. The motion carried unanimously.

7. ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS

A. A Conditional Use Permit (CUP) for property located at 720 South Adams Street requested by Keving Spraggins with VEI (Z-2312)

- i. Presentation by Developer**
- ii. Staff Report**
- iii. Hold a public hearing to receive comments for or against the request**
- iv. Take action on the CUP request per Section 3.210 to allow a "Drive Through or Drive-in Facilities" for the property located at 720 South Adams Street**

Kevin Spraggins, VEI Consulting, reviewed the Conditional Use Permit request and the purpose of the request. He also reviewed the businesses that have already committed to being part of the building and the potential businesses that will be allowed.

Anna Hudson, Director of Development Services, reviewed the site plan and noted that the Planning and Zoning Commission recommended approval.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Kirchner, to go out of the Regular Meeting and into the Public Hearing at 9:10 a.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Klein, to go out of the Public Hearing and into the Regular Meeting at 9:11 a.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

The City Council discussed the following:

- Additional parking for additional rental space
- Impervious covers and green space

Motion: A motion was made by Councilmember Klein, seconded by Councilmember Kirchner, approved the request CUP request per Section 3.210 to allow a "Drive Through or Drive-in Facilities" for the property located at 720 South Adams Street. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

B. Consider the approval of Resolution 2023-12R approving the Acquisition and Lease Purchase Financing of SAN (Storage Area Network) equipment and switches with U.S. Bancorp Government Leasing and Finance, Inc.

Krista reviewed Resolution 2023-12R and the financing with US BancCorp. She noted that the City Council approved the Storage Area Network, and the financing needs to be approved.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Briley, approved Resolution 2023-12R approving the Acquisition and Lease Purchase Financing of SAN (Storage Area Network) equipment and switches with U.S. Bancorp Government Leasing and Finance, Inc. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

8. OTHER ACTION ITEMS AND UPDATES

A. Consider the City Fredericksburg City Council Recognition, Proclamation, and Honor Policy

Mayor Hoover reviewed the proposed Policy and provided the history of why there needs to be a policy.

Shelley Goodwin, City Secretary, stated the Policy would guide City staff and the public regarding recognitions, proclamations, and honors. She noted the Policy would be added to the website.

The City Council discussed the Policy and the need for the Policy.

Councilmember Klein asked for this item to be postponed until July 5, 2023, City Council Regular Meeting so that other municipalities' policies can be reviewed.

B. Discuss a Charter Review Committee and the composition of the Committee

Clinton Bailey, City Manager, reviewed the history of the City Charter Review Committee. He reviewed the different processes that can be used to select the members of the Committee. He also noted that the Charter should be reviewed after every Legislative Session.

Tim Dooley, City resident, stated that he feels 15 members are a good number. He also noted the Committee needs to have a diversified group of residents.

The City Council discussed the following:

- Advertising
- The form should include a resume for qualifications, government knowledge, and civic experience
- Duties and Purpose of the Committee
- Composition of the Committee
- May 4, 2024, Special Election

George Studor, City resident, provided suggestions regarding the application form.

Eric Hammersen, City resident, provided suggestions regarding the different experiences a Committee member needs to serve.

Jeannette Hormuth, City resident, provided suggestions on the composition of the Committee.

Mick McKamie, City Attorney, stated the appointments of the Committee will need to be done in the Regular Session. He also reviewed the current conflicts with the Charter and State Law.

C. Continued discussion regarding the need for affordable housing

Mayor Hoover reviewed the discussions he has had with the City of Brownsville regarding the program they have. He also noted that he had set appointments with Brownsville.

Councilmember Briley stated he would be sending out his SWOT Analysis regarding housing.

Wes Hesker, City resident, spoke regarding needing an affordable housing program where the potential homeowners are part of the building process, like Habitat for Humanity. He asked the City Council to do their homework before deciding and looking at solutions that need to be solved.

Jennette Hormuth, City resident, encouraged the City Council to consider a program that holds the individuals needing assistance accountable. She also stated she opposed the local government taking on this issue.

Annette Bennett, City resident, provided the attached handout. She encouraged the City Council to define the goal of who the City wants to help.

Mayor Hoover stated at the next meeting, he will have some talking points.

9. CITY MANAGER'S REPORT

A. Monthly Project and Operations Update

Clinton Bailey, City Manager, provided the attached Monthly Update PowerPoint.

Tim Dooley, City resident, spoke regarding the AT&T fiber lines.

Eric Hammersen, City resident, spoke regarding adding PowerPoint to the website.

Annette Bennett, City resident, spoke regarding the projects on Friendship. She also thanked the City Manager for the PowerPoint update.

B. City Lifeguard Update

Andrea Schmidt, Director of Parks and Recreation, provided an update on hiring six additional lifeguards. She also reviewed the pool hours.

The City Council thanked Andrea and her staff for the hard work they did to hire additional lifeguards.

10. ITEMS FOR FUTURE AGENDA

A. Review the Future Agenda Spreadsheet

Clinton Bailey, City Manager, reviewed the updated Future Agenda spreadsheet.

11. ADJOURN

With no other business, Mayor Hoover adjourned the June 6, 2023, Regular Meeting at 10:47 a.m.

Jeryl Hoover
Mayor

Shelley Goodwin, TRMC/CMC
City Secretary



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Parks and Recreation
TO: Mayor & City Council Members
FROM: Jennifer Krupa, Asst. PARD Director/
Special Events
MEETING DATE: July 5, 2023

CATEGORY: CONSENT

CAPTION: Consider approving a street closure request for the Gillespie County 4-H Adult Leaders BBQ, scheduled for Friday, August 25, 2023, at Marktplatz (Jennifer Krupa, Special Events Coordinator and Assistant Parks and Recreation Director)

PRESENTATION:

SUMMARY:

The Gillespie County 4-H Adult Leaders BBQ is requesting to close two streets for a total of three hours on Friday, August 25, 2023, to host to-go plate serving lines at Bethany Lutheran Church

BACKGROUND:

Code of Ordinances, Section 44-24. - Authority of chief of police to enforce traffic regulations.

(a)The chief of police is hereby empowered to take all actions as may be necessary or advisable to enforce traffic regulations to make effective the provisions of this chapter and other traffic laws or ordinances and to make and enforce temporary or experimental regulations to cover emergencies or special events or conditions. No such temporary or experimental regulation shall remain in effect for more than 90 days, nor shall it be effective until approved by the City Manager.

(b)The chief of police is hereby empowered, in addition to the traffic engineer, to close streets for emergencies, special events or other conditions. Street closures which are expected to be for periods in excess of two hours, except for emergencies, shall require approval by the City Council.

The streets division will be on-site on Friday, August 25, 2023, to deliver the closure equipment due to the Gillespie County Fair Parade.

An identical street closure request was approved for the event in August 2021 & 2022.

FUNDING SOURCE: N/A

FINANCIAL IMPACT:
N/A

STAFF RECOMMENDATION: City Council should consider adoption of a motion to approve the street closure requests on Friday, August 25, 2023, beginning at 10:00 a.m. and ending at 1:00 p.m., for the Gillespie County 4-H Adult Leaders BBQ:

- N. Crockett Street between W. Schubert and W. Travis; and
- W. Schubert between N. Crockett and N. Adams

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Quality of Life Vision

ATTACHMENTS:

1. GC_4-H_2023BBQStreetClosure

APPROVAL/REVIEW:

Andrea Schmidt

Date: June 06, 2023

Andrea Schmidt, Parks and Recreation Director

Krista Wareham

Date: June 08, 2023

Krista Wareham, Director of Finance

Date: June 08, 2023

William McKamie, City Attorney

Shelley Goodwin

Date: June 26, 2023

Shelley Goodwin, City Secretary

Clinton Bailey

Date: June 29, 2023

Clinton Bailey, City Manager

SPECIAL EVENTS - STREET CLOSURE REQUEST FORM; PAGE 9



Street closure requests must be made two (2) months in advance to City Council for any closure two (2) hours or more. Please consider this timeline when submitting your request. Please also attach the notification letter you will send to abutting property owners (if applicable) with this request to the Special Events Coordinator.

Event Name:	Gillespie 4-H BBQ
Event Date(s):	Friday, August 25, 2023
Contact Name:	Sheree Burrow
Contact Phone:	(830)998-0171

Closure Area:

☐ Entire Street
 ☐ Parking Lane Only
 ☒ Partial Street
 ☐ Blocking City owned property
 Side of street: _____ (N,S,E,W) Side of street: _____ Location: _____

Additional details (attach additional pages as needed for more streets and describe details of use below):
see attached map

Street Closure Details:

Street Name	Between (cross street)	And (cross street)	Start Date	Start Time	End Date	End Time
Example: Austin Street	Crockett Street	Adams Street	Friday, 4/2/18	6:00 PM	Sunday, 4/4/18	12:00 PM
N. Crockett	W. Schubert	W. Travis	Friday, 8/25/23	10:00 AM	Friday, 8/25/23	1:00 PM
W. Schubert	N. Crockett	N. Adams	Friday, 8/25/23	10:00 AM	Friday, 8/25/23	1:00 PM

If the event will impact surrounding property owners, a notification letter is required to be sent to property owners at least two weeks prior to the event date. Attach a copy of the notification letter and a list of addresses the letter will be sent to.

Date notice provided: August 10, 2023

Printed Name: Sheree Burrow

Signature: _____

Date: 6-6-2023

Street Department: _____

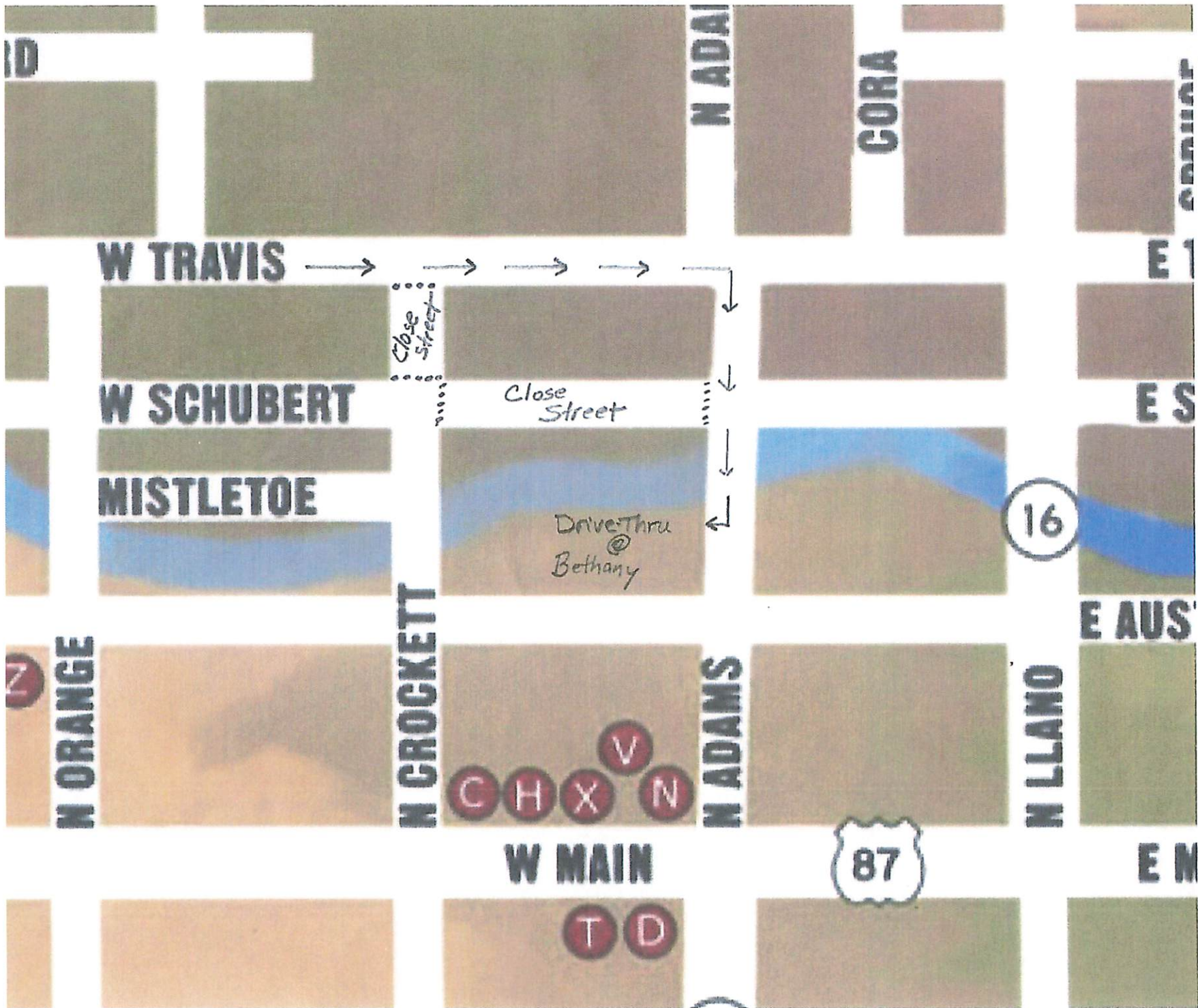
Date: _____

Police Department: _____

Date: _____

Parks Department: _____

Date: _____





CITY COUNCIL AGENDA MEMO

DEPARTMENT: Public Works and Utilities

TO: Mayor & City Council Members

FROM: Evan Williamson, Assistant City Engineer

MEETING DATE: July 5, 2023

CATEGORY: CONSENT

CAPTION: Consider the approval of Keller Oaks Maintenance Agreement (Evan Williamson, Assistant City Engineer)

PRESENTATION:

SUMMARY:

The Keller Oaks subdivision has submitted and received conditional civil construction plan approval for the Phase 1 townhome portion of the subdivision. Proposed in those plans are retaining walls, a landscaped island in the public right of way, and a 6-inch sanitary sewer main. This agreement would place the maintenance obligation for the retaining walls, landscaped island, and sanitary sewer main on the owners association.

BACKGROUND:

The first phase of the Keller Oaks subdivision will construct improvements necessary for 21 townhome lots. To address the topography of the site, the engineer proposed retaining wall construction, and in some areas, the retaining walls are located on the public right of way to be dedicated to the City. Additionally, a 6-inch sewer main was proposed on the rear and down-grade sides of the lots to provide sewer service to the townhomes. The sewer main passes under a retaining wall before connecting to the existing sanitary sewer main in Keller Crossing. It is not the staff's wish for the City to be responsible for maintaining the retaining walls proposed in the public right of way. The sewer main would also be difficult for City crews to maintain due to its location at the rear of the lots and the fact that it passes under a retaining wall. This agreement will place the maintenance obligation for those items as well as a landscaped island with the owner's association of the subdivision.

FUNDING SOURCE: NA

FINANCIAL IMPACT:
NA

STAFF RECOMMENDATION:

Staff recommends approval of the agreement.

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Business Visioning

ATTACHMENTS:

1. DRAFT_Keller Oak Subddivision_Maintenance Agreement_5-25-2023

APPROVAL/REVIEW:

Evan Williamson, Assistant City Engineer

Date: June 27, 2023



Kris Kneese, Director of Public Works, Utilities, and Engineer

Date: June 28, 2023

William McKamie, City Attorney

Date: June 28, 2023



Shelley Goodwin, City Secretary

Date: June 29, 2023



Clinton Bailey, City Manager

Date: June 29, 2023

Maintenance Agreement for Certain Subdivision Improvements

This Maintenance Agreement for Certain Subdivision Improvements (this "Agreement") is made and entered into as of the _____ day of _____, 2023, by and among NuVista Development, LLC, a Texas limited liability company ("NuVista"), and The City of Fredericksburg, Texas, a municipal corporation of Gillespie County, Texas (the "City"), separately hereinafter a "Party", collectively the "Parties".

RECITALS

WHEREAS, NuVista is the current owner and developer of a certain 14.25 acre tract of land located at 1032 S. Milam Street, Fredericksburg, Gillespie County, Texas (the "Property"), which has been subdivided into four (4) sections comprising Lot 1R-1A (3.69 Ac.), which has been subdivided into twenty-one (21) lots for townhomes (the "CrestView Lots"); Lot 1R-1B (2.423 Ac); Lot 1R-2 (6.704 Ac); and, Access Easement 1R-2A (1.436 Ac.) as documented in "A Replat Of Lot 1R-1 In The Keller Subdivision, A Plat of Record In Volume 6, Page 88 Of The Gillespie County Plat Records" to be known as Keller Oaks Subdivision ("Keller Oaks"). Keller Oaks is to be developed in four (4) or more phases ("Section(s)"); and,

WHEREAS, "Phase I" of the Keller Oaks will comprise Lot 1R-1A with lots platted for twenty-one (21) townhomes (the "CrestView Lots"); and, Access Easement 1R-2A and Lot 1R-1B that require improvements in connection with Phase 1 as detailed in certain Construction Plans prepared by John M. Hewitt, P.E., of Hewitt Engineering, Inc., dated February 27, 2023, for which the City has given Conditional Approval (the "Plans") incorporated herein by reference and, more specifically, Sheets U-01, U-02, and, U-03 of the Plans are attached hereto as Exhibits "B", "C" & "D"; and,

WHEREAS, the Plans indicate that a retaining wall is to be constructed along the south "east/west property line" of Lot 1R-1A (the "CrestView Wall"); and, along a short portion of the "east side right of way" of Highland Blvd; and, along a portion of the south "east/west property line" of lot 1R-1B" adjacent to Keller Crossing Way; and, a short concrete retaining wall along the west end of the north "east/west right of way" of Crestview Circle, collectively the "Phase 1 Retaining Walls"; and,

WHEREAS, a 6" gravity sanitary sewer pipeline will traverse the back of the CrestView Lots adjacent to the north side of the CrestView Wall with sewer taps to serve the CrestView Lots (the "Crestview Sewer Line"), then turn southward and cross under the CrestView Wall to become the downstream sewer line that extends southward across Lot 1R-1B to connect into the City Sewer Main in Keller Crossing Drive, said sewer line (hereinafter the "Lot 1R-1 Sewer Line"), collectively the "the Phase 1 Sewer Lines"; and,

WHEREAS, the afore listed Phase 1 Retaining Walls; the Phase 1 Sewer Lines; the Landscaping in the median of Highland Boulevard; Detention Ponds "P-1" & "P-2"; and, any required erosion control measures (collectively the "Subject Improvements") will require perpetual maintenance; and,

WHEREAS, it is the desire of the Parties to enter into this Agreement regarding the responsibility for maintaining the Subject Improvements;

NOW, THEREFORE, for and in consideration of mutual covenants set forth herein, the Parties hereby agree as follows:

Keller Oaks is to be a "Common Interest Community" comprised of Homeowners Associations ("HOAs") - structured to manage the residential properties), and Property Owner Associations ("POAs" - structured to manage any non-residential property), collectively "Sub-associations"; and, a Master Association to function as an "umbrella" organization having members appointed by the Sub-associations. The Master Association will manage common areas (if any) that are shared by Sub-associations (Collectively the "Associations").

NuVista, at NuVista's expense, covenants and agrees to be initially obligated for the cost of installation and maintenance of the Subject Improvements on any Property that NuVista owns ("Maintenance Obligations") until such time as all or any portion of the Property is sold. Upon the sale of all or any portion of the Property ("Sold Property"), a pro-rata portion of the afore stated Maintenance Obligations will be assumed by the new owner(s) and/or their respective Associations and NuVista shall be forever released from any and all Maintenance Obligations relative to such Sold Property. The amount of the Maintenance Obligations to be transferred to the Sold Property will be based on the total area of the Sold Property calculated pro-rata to the total acreage in that Section.

In the event a Party institutes any legal action or proceeding for the enforcement of any right or obligation contained in the Agreement, the prevailing Party after a final adjudication shall be entitled to recover its costs and reasonable attorney's fees incurred in their preparation and prosecution.

No waiver of any default of any obligation by any Party will be implied from the failure of the other Party to take any action with respect to a default. Nothing in this Agreement will be deemed or construed by any Party or by any third person to create the relationship of principal and agent or of limited or general partners or of joint venturers or of any other association between the Parties. This Agreement will inure to the benefit of the Parties and their successors, assigns, heirs, and personal representatives. This Agreement is a covenant that shall run with the land.

Time is of the essence of the Agreement. The Agreement shall be construed under and in accordance with laws of the State of Texas and all obligations of the Parties created hereunder are performable in Gillespie County, Texas.

In the event that one or more of the provisions contained in the Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

IN WITNESS WHEREOF, the Parties have executed this Agreement, to be effective as of the date above first written.

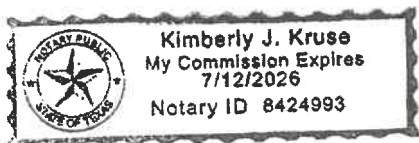
NuVista Development, LLC
A Texas Limited Liability Company

By: [Signature]
Name: Bryan Benson
Title: Managing Member

THE STATE OF TEXAS
COUNTY OF TOM GREEN

§

This instrument was acknowledged before me on the 22nd day of May, 2023, by Bryan Benson, managing member of NuVista Development, LLC, A Texas Limited Liability Company, on behalf of said company.



[Signature]
Notary Public – State of Texas

CITY OF FREDERICKSBURG, TEXAS
a municipal corporation

By: _____

Name: _____

Title: _____

THE STATE OF TEXAS
COUNTY OF GILLESPIE



This instrument was acknowledged before me on the _____ day of _____, 2023, by
_____, as _____ of CITY OF FREDERICKSBURG, TEXAS
a municipal corporation

Notary Public – State of Texas

KELLER OAKS PHASE 1
WATER LINE PLAN

Hewitt Engineering Inc.
Consulting Engineering Services
716 Barnett Street • Kerrville, Texas 78028 • 830.315.6800
TBPE Registration No. F-10739 • www.hewitt-inc.com



JOB NO.: 22112

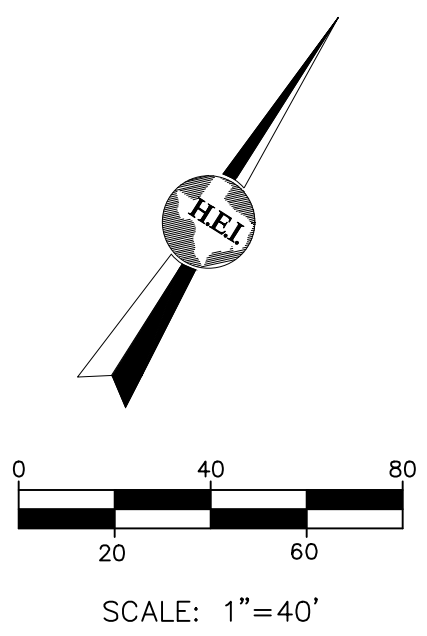
DATE: 1/27/23

DRAWN BY: CT

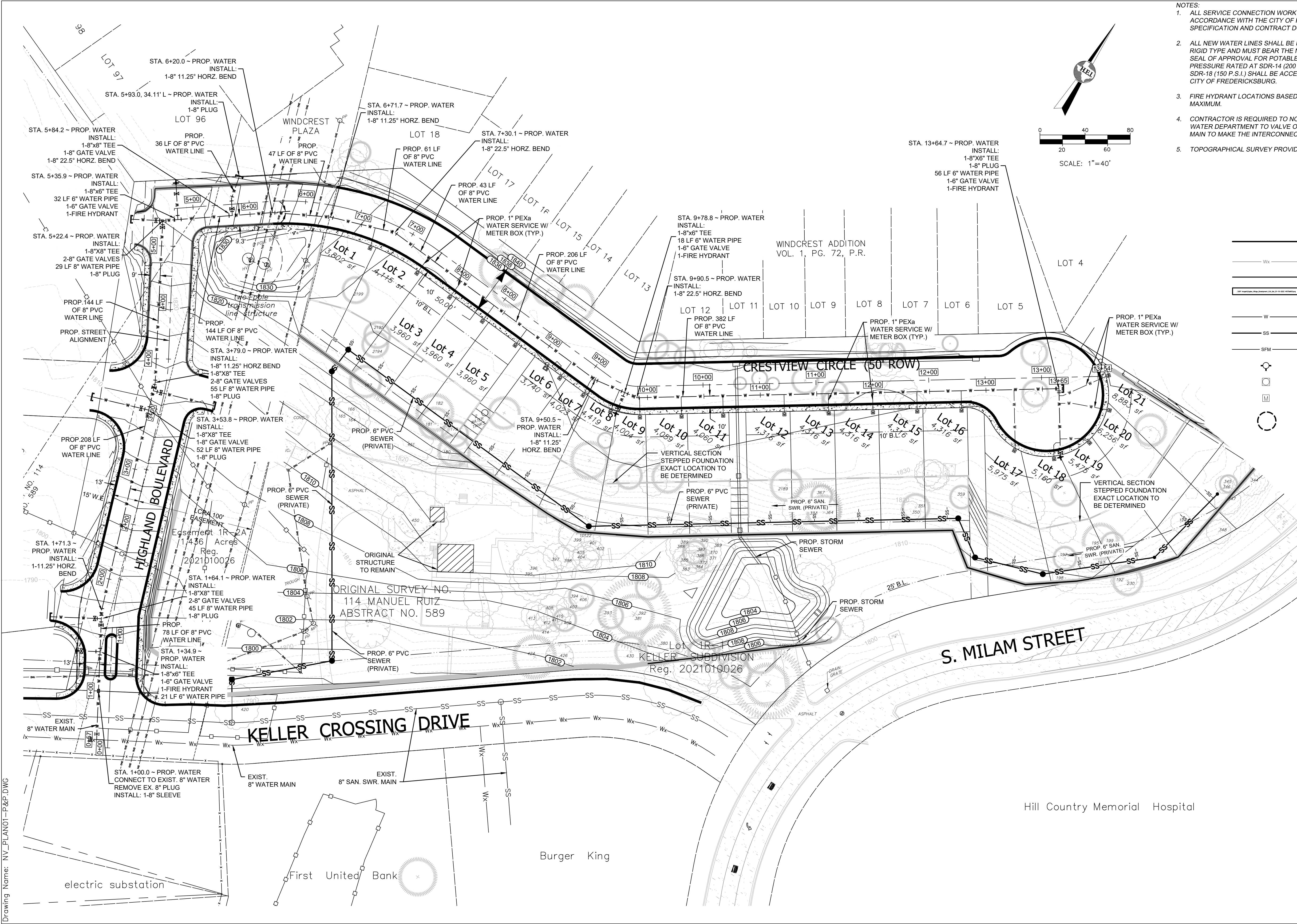
SHEET
U-01

1/27/23

- NOTES:
1. ALL SERVICE CONNECTION WORK AND TESTING SHALL BE IN ACCORDANCE WITH THE CITY OF FREDERICKSBURG STANDARD SPECIFICATION AND CONTRACT DOCUMENTS.
 2. ALL NEW WATER LINES SHALL BE POLYVINYL CHLORIDE (PVC) OF THE RIGID TYPE AND MUST BEAR THE NATIONAL SANITATION FOUNDATION SEAL OF APPROVAL FOR POTABLE WATER (NSF-PW) AND HAVE A PRESSURE RATED AT SDR-14 (200 P.S.I.) EXCEPT IN CERTAIN AREAS SDR-18 (150 P.S.I.) SHALL BE ACCEPTABLE WITH APPROVAL FROM THE CITY OF FREDERICKSBURG.
 3. FIRE HYDRANT LOCATIONS BASED ON A HOSE-LAY LENGTH OF 400' MAXIMUM.
 4. CONTRACTOR IS REQUIRED TO NOTIFY THE CITY OF FREDERICKSBURG WATER DEPARTMENT TO VALVE OFF PORTIONS OF THE EXISTING WATER MAIN TO MAKE THE INTERCONNECTIONS.
 5. TOPOGRAPHICAL SURVEY PROVIDED BY SULTEMEIER SURVEYING.



- LEGEND
- = PROPERTY LINE
 - Wx — = EXIST. WATER LINE
 - = PROP. EDGE ASPHALT DRIVE
 - ▭ = PROP. ASPHALT DRIVE
 - W — = PROP. WATER LINE
 - SS — = PROP. SANITARY SEWER LINE
 - SFM — = PROP. SANITARY SEWER FORCE LINE
 - ⊙ = PROP. FIRE HYDRANT
 - ⊠ = PROP. LIFT STATION GRINDER PUMP
 - M = PROP. WATER METER
 - = DENOTES UTILITY CROSSING
SEE UTILITY DETAIL SHEET FOR CROSSING DETAILS



Drawing Name: NV_PLAN01-P&P.DWG

Drawing Name: NV_PLAN01-P&P.DWG



- NOTES:
- ALL SERVICE CONNECTION WORK AND TESTING SHALL BE IN ACCORDANCE WITH THE CITY OF FREDERICKSBURG STANDARD SPECIFICATION AND CONTRACT DOCUMENTS.
 - ALL NEW SANITARY SEWER LINES SHALL BE SDR-26 PVC AND ALL FITTINGS SHALL HAVE GASKETS FOR SDR-26 PVC PIPE.
 - THE CONTRACTOR SHALL FURNISH A CLEAN-OUT WITH A CONCRETE PAD TO SURFACE OF FINISH GRADE. IF THE CLEAN-OUT IS INSTALLED AT A DRIVEWAY THE CLEAN-OUT SHALL BE TRAFFIC RATED AND ENCASED IN 8" OF CONCRETE.
 - TOPOGRAPHICAL SURVEY PROVIDED BY SULTEMEIER SURVEYING.

LEGEND

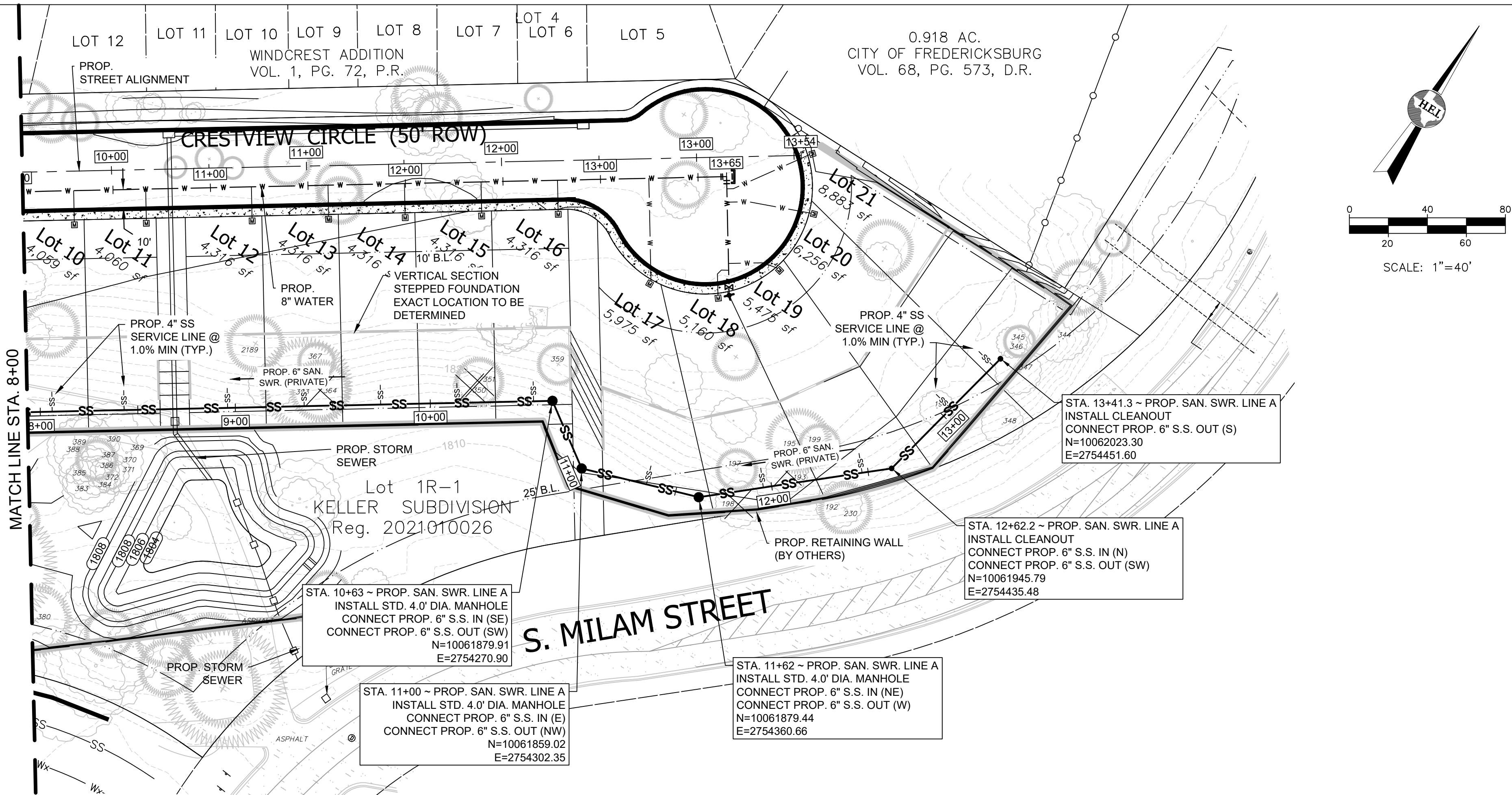
- = PROPERTY LINE
- Wx = EXIST. WATER LINE
- = PROP. EDGE ASPHALT DRIVE
- = PROP. ASPHALT DRIVE
- W = PROP. WATER LINE
- SS = PROP. SANITARY SEWER LINE
- SFM = PROP. SANITARY SEWER FORCE LINE
- ⊙ = PROP. FIRE HYDRANT
- ⊠ = PROP. LIFT STATION GRINDER PUMP
- M = PROP. WATER METER
- = DENOTES UTILITY CROSSING
SEE UTILITY DETAIL SHEET FOR CROSSING DETAILS

**KELLER OAKS PHASE 1
SANITARY SEWER LINE A PLAN AND PROFILE
BEGIN TO STA 8+00**

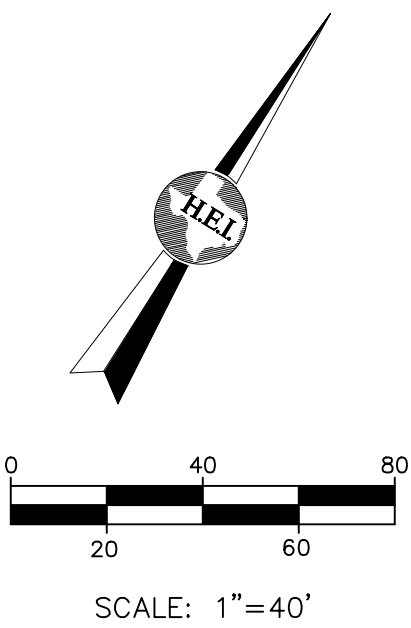
Hewitt Engineering Inc.
Consulting Engineering Services
716 Barnett Street • Kerrville, Texas 78028 • 830.315.8800
TBPE Registration No. F-10739 • www.hewitt-inc.com



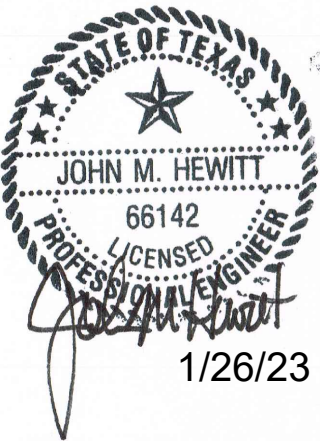
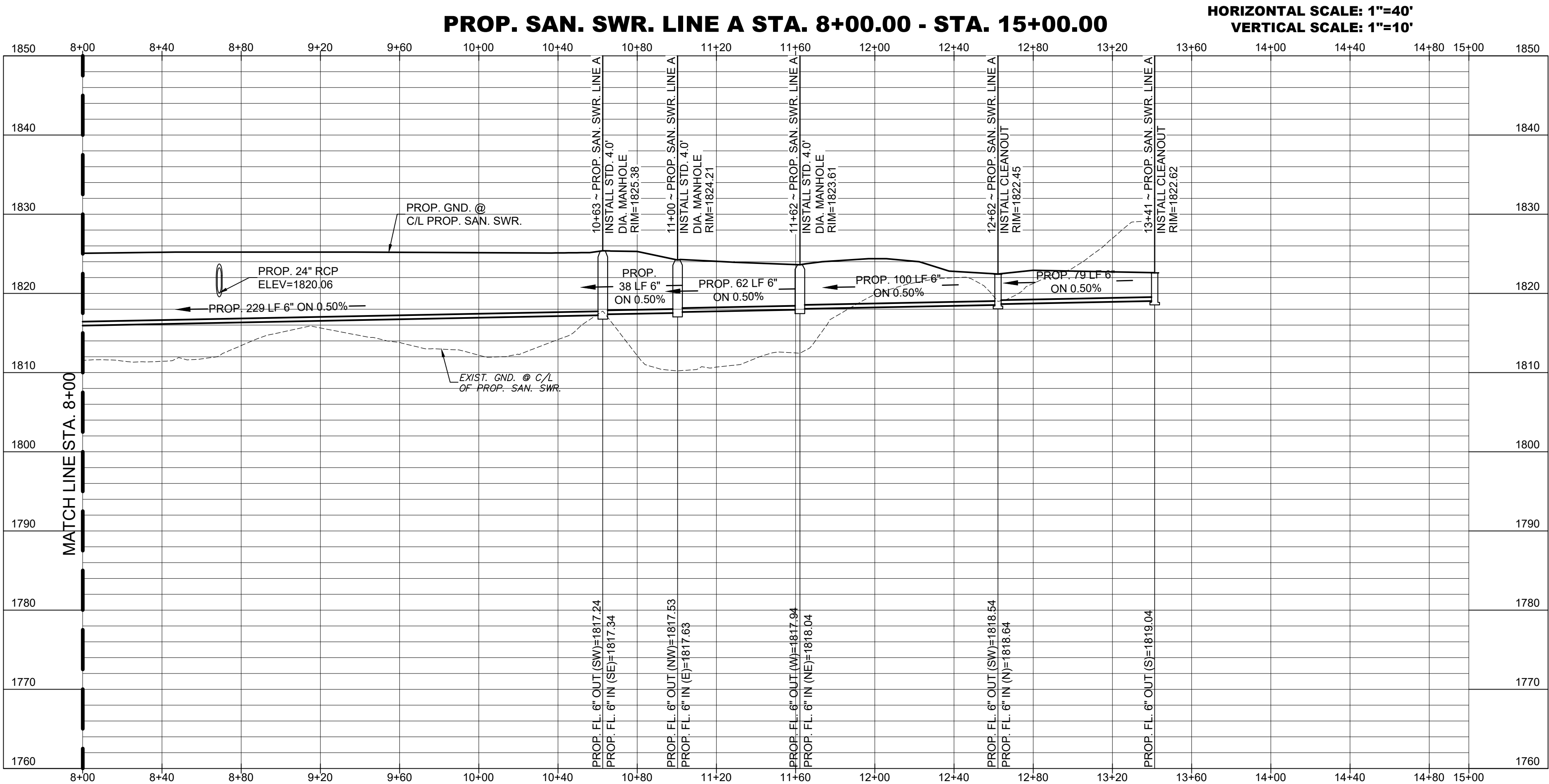
JOB NO.: 22112
DATE: 1/26/23
DRAWN BY: CT
SHEET
U-02



- NOTES:
1. ALL SERVICE CONNECTION WORK AND TESTING SHALL BE IN ACCORDANCE WITH THE CITY OF FREDERICKSBURG STANDARD SPECIFICATION AND CONTRACT DOCUMENTS.
 2. ALL NEW SANITARY SEWER LINES SHALL BE SDR-26 PVC AND ALL FITTINGS SHALL HAVE GASKETS FOR SDR-26 PVC PIPE.
 3. THE CONTRACTOR SHALL FURNISH A CLEAN-OUT WITH A CONCRETE PAD TO SURFACE OF FINISH GRADE. IF THE CLEAN-OUT IS INSTALLED AT A DRIVEWAY THE CLEAN-OUT SHALL BE TRAFFIC RATED AND ENCASED IN 8" OF CONCRETE.
 4. TOPOGRAPHICAL SURVEY PROVIDED BY SULTEMEIER SURVEYING.



- LEGEND
- = PROPERTY LINE
 - Wx — = EXIST. WATER LINE
 - = PROP. EDGE ASPHALT DRIVE
 - = PROP. ASPHALT DRIVE
 - W — = PROP. WATER LINE
 - SS — = PROP. SANITARY SEWER LINE
 - SFM — = PROP. SANITARY SEWER FORCE LINE
 - ⊙ = PROP. FIRE HYDRANT
 - ⊠ = PROP. LIFT STATION GRINDER PUMP
 - Ⓜ = PROP. WATER METER
 - = DENOTES UTILITY CROSSING
SEE UTILITY DETAIL SHEET FOR CROSSING DETAILS



KELLER OAKS PHASE 1
SANITARY SEWER LINE A PLAN AND PROFILE
STA 8+00 TO END

Hewitt Engineering Inc.
Consulting Engineering Services
716 Barnett Street • Kerrville, Texas 78028 • 830.315.8800
TBPE Registration No. F-10739 • www.hewitt-inc.com

JOB NO.: 22112
DATE: 1/26/23
DRAWN BY: CT
SHEET
U-03



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Finance Department
TO: Mayor & City Council Members
FROM: Krista Wareham, Director of Finance
MEETING DATE: July 5, 2023

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Public Hearing for Citizen Input on the FY 2024 Budget and announce the upcoming Budget meetings (Krista Wareham, Director of Finance):

- i. Monday, July 24, 2023, City Council Workshop on General Fund Budget - Cardinal Room at 1:00 p.m.
 - ii. Wednesday, July 26, 2023, City Council Workshop on Enterprise Fund Budget - Cardinal Room at 1:00 p.m.
 - iii. Wednesday, August 9, 2023, proposed Joint Workshop with Gillespie County Commissioners - Cardinal Room at 9:00 a.m.
 - iv. Monday, August 14, 2023, file the Proposed Budget with the City Secretary
 - v. Wednesday, August 16, 2023, City Council Budget on all Funds - Cardinal Room at 1:00 p.m.
 - vi. Monday, August 21, 2023, Public Hearing on Proposed Budget and approve a Proposed Tax Rate - Cardinal Room at 1:00 p.m.
 - vii. Tuesday, September 19, 2023, Adoption of Tax Rate and FY2023 Budget at City Council Regular Meeting
-

PRESENTATION:

SUMMARY:

An initial hearing on the FY 2024 City Budget is scheduled during the Wednesday, July 5th City Council meeting. The purpose of the public hearing is for the citizens to provide their input on the FY 2024 budget before it is prepared and presented to City Council.

BACKGROUND: Several years ago, we began scheduling an initial public hearing on the City Budget. It is not required by State law.

The link to the City's online FY 2023 budget book <https://www.fbgtx.org/1136/Budget-Reporting>. The Budget Calendar for FY 2024 is included in this packet as an attachment.

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

It is recommended that City Council have this hearing and accept comments from the public on any issue they would like us to address in next year's City Budget. No action is required.

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Business Visioning
Government Vision
Family Life Vision
Quality of Life Vision

ATTACHMENTS:

1. Notice of Public Hearing for Citizen Input on FY 2024
2. Budget Calendar FY 2024 for Agenda item
3. Historical-Prop Tax

APPROVAL/REVIEW:

Krista Wareham, Director of Finance

Date: June 24, 2023

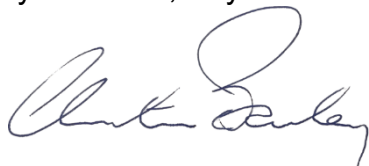
William McKamie, City Attorney

Date: June 24, 2023



Shelley Goodwin, City Secretary

Date: June 26, 2023



Clinton Bailey, City Manager

Date: June 29, 2023



Notice of Public Hearing for Citizen Input on FY 2024 Budget

The City of Fredericksburg will conduct a public hearing for Citizen input on the Fiscal Year 2024 Budget. The meeting will be held Wednesday, July 5, 2023, at 9:00 a.m. in the Law Enforcement Center, 1601 East Main Street, Fredericksburg, Texas.

The City Council welcomes citizen participation and comments at all City Council meetings on agenda Items. You can submit a written comment online at www.fbgtx.org or email citizencomments@fbgtx.org by 4:00 p.m. on Tuesday, July 4, 2023. You may also sign up to speak in person at the meeting location between 8:30 a.m. and 9:00 a.m.

Members of the public may access this meeting through the City of Fredericksburg website, www.fbgtx.org, and the City YouTube channel, www.youtube.com/c/fredericksburgtexasusa.

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

The City of Fredericksburg

126 W. Main St. • Fredericksburg, Texas 78624-3708 • (830) 997-7521 • Fax (830) 997-1861

City of Fredericksburg
FY 2024 Budget Calendar

May 31	Wednesday	City Manager Provides Budget Guidance to Department Heads
May 15 – 31		Develop Updated Capital Improvement Plan
June 1 – 16		Department Heads Prepare Proposed Operating and Capital Budgets
June 6	Tuesday	Five-Year Capital Improvement Plan (CIP) Presentation to Council - LEC (9:00 am)
June 14	Wednesday	Publish Notice of Public Hearing on Budget
June 21 - June 29		Meetings with CM, ACM, Finance Department, and City Departments
July 5	Wednesday	Public Hearing for Citizen Input on FY 2024 Budget - LEC (9:00 am)
July 6-12		City Manager, Assistant City Manager and Finance Director Prepare Balanced Budget
July 14	Friday	Send Proposed City Budget to City Council
July 24	Monday	City Council Workshop on Proposed General Fund Budget – Cardinal Room (1:00 pm)
July 25	Tuesday	Receive Certified Estimate of Property Values from GCAD
July 26	Wednesday	City Council Workshop on Proposed Enterprise Fund Budgets – Cardinal Room (1:00 pm)
August 7	Monday	Calculation of No-New-Revenue and Voter-Approval Tax Rates by Tax Assessor/Collector (Truth & Taxation Rates)
August 9	Wednesday	Budget Workshop with County Commissioners – Cardinal Room (9:00 am - 11:00 am) – not yet confirmed.
August 11	Friday	Publish Notice of Public Hearing on Budget
August 14	Monday	File Proposed Budget with City Secretary
August 16	Wednesday	City Council Budget Workshop on all Funds - Proposed General Fund & Enterprise Funds Budget – Cardinal Room (1:00 pm)
August 21	Monday	Council Public Hearing on Proposed Budget/No-New-Revenue Tax Rate Submitted to Council/Approve Proposed Tax Rate – Cardinal Room (1:00 pm)
August 30	Wednesday	Publish Notice of Public Hearing on Tax Rate Increase (if necessary)
September 13	Wednesday	Public Hearing on Tax Increase (if necessary) – Cardinal Room (1:00 pm)
September 19	Tuesday	Council Adopts Separate Budget and Tax Rate Ordinances - LEC (9:00 am)

PROPERTY TAX HISTORY										
	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
CITY OF FREDERICKSBURG	\$0.2600	\$0.2482	\$0.2313	\$0.2400	\$0.2256	\$0.2256	\$0.227284	\$0.220775	\$0.195823	\$0.195823
Gillespie County	\$0.3805	\$0.3971	\$0.4147	\$0.4342	\$0.3999	\$0.4081	\$0.4125	\$0.4044	\$0.3577	\$0.3326
Gillespie WCID	\$0.0002	\$0.0002	\$0.0002	\$0.0002	\$0.0002	\$0.0002	\$0.0002	\$0.0002	\$0.000191	\$0.000184
Hill Country UWCD	\$0.0080	\$0.0085	\$0.0078	\$0.0078	\$0.0071	\$0.0067	\$0.0062	\$0.0062	\$0.0057	\$0.0051
Fredericksburg ISD	\$1.1462	\$1.1462	\$1.1462	\$1.1462	\$1.1462	\$1.1462	\$1.0762	\$1.0553	\$0.9782	\$0.9608
Harper ISD	\$1.0400	\$1.0400	\$1.0400	\$1.0400	\$1.0400	\$1.0400	\$0.9700	\$0.9453	\$0.8720	\$0.8546
Doss CCSD	\$0.9267	\$0.9267	\$0.9267	\$0.9267	\$0.9267	\$0.9267	\$0.9267	\$0.9537	\$0.8720	\$0.8546
Stonewall WCID	\$0.3350	\$0.3633	\$0.3550	\$0.3813	\$0.3767	\$0.3767	\$0.3701	\$0.3701	\$0.3500	\$0.3278
CITY OF FREDERICKSBURG TAX RATE	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Maintenance & Operations	\$0.1879	\$0.1992	\$0.1761	\$0.2025	\$0.1627	\$0.1880	\$0.189749	\$0.184625	\$0.168029	\$0.169967
Interest & Sinking	\$0.0721	\$0.0490	\$0.0552	\$0.0375	\$0.0629	\$0.0376	\$0.037535	\$0.036150	\$0.027794	\$0.025856
Total Tax Rate	\$0.2600	\$0.2482	\$0.2313	\$0.2400	\$0.2256	\$0.2256	\$0.227284	\$0.220775	\$0.195823	\$0.195823

(City portion of property taxes approx. 13%)



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary

TO: Mayor & City Council Members

FROM: Clinton Bailey, City Manager

MEETING DATE: July 5, 2023

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Charter Review Committee (Clinton Bailey, City Manager)

- i. Review and discuss Charter Review Committee Applications
 - ii. Consider the approval of Resolution 2023-13R establishing a Charter Review Committee, including composition, purpose, and appointing individuals to the Committee
-

PRESENTATION:

SUMMARY: The City of Fredericksburg is a home-rule city, and the form of government is known as Council-City Manager. All powers of the City shall be exercised in the manner prescribed by the City Charter, if not prescribed by Ordinance, the State Constitution, or laws of the State of Texas.

Purpose

The Charter Review Committee is periodically appointed by the City Council to analyze the operations of the City and review the City Charter to determine whether it should be amended. Section 12.16 of the City Charter "Review of Charter" states the charter shall be reviewed at five (5) year intervals after the date of passage by the City Council. The last complete review and amendment of the City Charter was completed in 2016.

Duties

The Charter Review Committee shall review the City Charter to determine if it requires revision, propose recommendations it deems necessary to ensure compliance with state law, propose charter amendments it deems necessary to improve the effective application of the charter to current conditions and make a written report of its findings and recommendations to the City Council.

BACKGROUND:

The City Council appointed a fifteen (15) member Commission in 2015, which included:

Tom Musselman

Greg Oehler

Karen Oestreich

Larry Crump

Aaron Beeman (alternate)

Debbi McCurdy

Patrick Moore

Tim Dooley

Jim Jarreau

Tim Crenwelge
Boyd Harper
Jim Hardin
Gary Neffendorf, Ex Officio
Bobby Watson, Ex Officio
Kent Myers, City Manager
Pat McGowan, City Attorney
Shelley Britton, City Secretary

The Committee shall be composed of ten members, two City Councilmembers, and three City staff ex-officio members; City Manager, City Attorney, and City Secretary. The City Council should select the Committee members no later than July 2023. The members nominated to the Committee shall represent the community and reside within the City.

Applications are not included in the agenda background due to the application deadline of Friday, June 30, 2023.

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

Staff recommends approval of amended Resolution 2023-13R which includes ten (10) residents, two (2) Councilmembers and three (3) members of City Staff.

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Business Visioning
Government Vision
Family Life Vision
Quality of Life Vision

ATTACHMENTS:

1. Charter Review Resolution McK

APPROVAL/REVIEW:

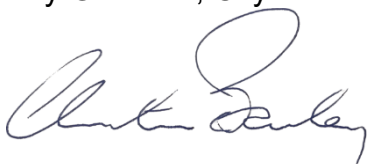
William McKamie, City Attorney

Date: June 21, 2023



Shelley Goodwin, City Secretary

Date: June 26, 2023



Clinton Bailey, City Manager

Date: June 29, 2023

RESOLUTION 2023-13R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, ESTABLISHING A CHARTER REVIEW COMMITTEE INCLUDING COMPOSITION, PURPOSE, AND APPOINTING INDIVIDUALS TO THE COMMITTEE

WHEREAS, The City Council establishes a Charter Review Committee to advise the City Council on revisions that may be necessary or desirable to align the City Charter with changes to municipal ordinances and to make recommendations to the City Council to improve and enhance transparency and the general functions of City government.

WHEREAS, the Committee shall be composed of ten members, two City Councilmembers, and three City staff ex-officio members; City Manager, City Attorney, and City Secretary. The City Council should select the Committee members no later than July 2023. The members nominated to the Committee shall represent the community and reside within the City.

WHEREAS, the Committee shall comply in all respects with the Texas Open Meetings.

WHEREAS, the Council may remove any member of the Committee for misconduct, failure to attend three or more consecutive meetings for any reason, or willful neglect of duty.

WHEREAS, Committee members shall receive no compensation for performing their duties as members. No Committee member shall receive any personal gain from serving on the Committee.

WHEREAS, the Committee shall begin its work in August 2023 to recommend amendments by no later than January 2024 for consideration by the Council to ensure that proposed amendments may be placed on the May 2024 ballot for a Special Election.

WHEREAS, the Committee shall seek citizen input and review the Charter to formulate recommendations for amendment, revision, or repeal of provisions of the Charter (the Recommendation Report) to the City Council.

WHEREAS, the Committee shall conduct one public hearing to encourage citizen input from the community to consider each Proposal before submitting the Recommendation Report to the Council.

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

Section 1. The City Council hereby appoints the following individuals as voting members to the Charter Review Committee, as follows:

- i.
- ii.
- iii.
- iv.
- v.
- vi.
- vii.
- viii.
- ix.
- x.
- xi.
- xii.

Effective Date. This Resolution shall be effective upon its passage.

PASSED AND APPROVED on this the th day of July 2023.

Jeryl Hoover, Mayor
City of Fredericksburg, Texas

ATTEST:

Shelley Goodwin, TRMC/CMC,
City Secretary



City of Fredericksburg City Council

Recognition, Proclamation, and Honor Policy

I. Purpose

To define parameters and qualifications for recipients of Certificates of Recognition, Mayoral Letters, and Proclamations.

II. Definitions

- A.** Mayoral Recognitions: A recognition of a citizen or organization for outstanding achievement or service to the community. They are typically read at City Council Meetings.
- B.** Certificates of Recognition: A certificate typically recognizing a sports team, band or academic team. They will be made available for pick up in the City Secretary's Office.
- C.** Mayoral Letter: Letters of welcome, recognition, or congratulations/celebrations
- D.** Proclamations: Document proclaiming a public or official announcement in honor of significant events, organizations, and persons who have made a significant contribution to the community.

III. Requirements

- A.** Mayoral Recognition will be issued to commemorate events such as:
 - 1. Retiring City employees or military service men and women with more than 20 years of service
 - 2. Outstanding meritorious achievement (e.g. heroic lifesaving actions)
 - 3. Service to the community (e.g. service across multiple boards and commissions over several years)
- B.** Certificates of Recognition will be issued to teams from educational organizations (public and private schools) for athletic or academic achievement.
- C.** Mayoral Letters will be issued to welcome conferences, conventions, seminars, etc.; significant birthdays (age 80 and above), wedding anniversaries (50th and above); organization anniversaries (25th and above).
- D.** Proclamations will be issued for:

1. Significant events (e.g. local version of Federal or State Proclamations)
2. Proclaiming a named day for outstanding meritorious achievement (e.g. heroic lifesaving actions)
3. Raising public awareness (e.g. alcohol awareness)

IV. Procedure

- A.** Mayoral Recognitions, Certificates of Recognition, and Proclamations are requested by filling out the form on the City Secretary's website and are subject to approval by the Mayor.
- B.** Mayoral Letters should be requested through the City Secretary's office and are subject to approval by the Mayor.
- C.** Requests must be completed three weeks before (including sample draft information).
- D.** Staff will review the proclamation draft included in the request and make any edits necessary to finalize the document.
- E.** Recognition documents shall be signed by the Mayor or the Mayor Pro Tem.

V. Exclusions

- A.** The following events will not be recognized in any form:
 1. Matters of political controversy, ideological or religious beliefs, or individual conviction
 2. Recognitions contrary to City policy or ordinances
 3. Attempts to influence government policy
 4. Personal, political, or business endorsement
 5. Commercial purposes
 6. Common events (e.g. engagements, children's birthdays)

(Adopted by City Council)



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM:

MEETING DATE: July 5, 2023

CATEGORY: OTHER ACTION ITEMS AND
UPDATES

CAPTION: Continued discussion regarding the need for affordable housing (Mayor Hoover)

PRESENTATION:

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Business Visioning
Government Vision
Family Life Vision
Quality of Life Vision

ATTACHMENTS:

1. City Council Rule of Procedures June 2023

APPROVAL/REVIEW:

Krista Wareham, Director of Finance

Date: June 26, 2023

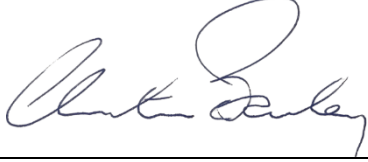
William McKamie, City Attorney

Date: June 26, 2023



Shelley Goodwin, City Secretary

Date: June 27, 2023



Clinton Bailey, City Manager

Date: June 29, 2023



City of Fredericksburg

City Council Rules of Procedure

Section 1 – Rules

These Rules shall govern the procedures followed by the City of Fredericksburg City Council for the conduct of Council meetings and other Council activities pursuant to state law and the City Charter.

Section 2 – Open Public Meetings Act

The Council shall comply with the Texas Open Meetings Act's provisions in conducting all meetings to which said Act is applicable.

Section 3 – Executive Session

The Council may discuss topics in executive session that are specified in state law or relate to potential or pending litigation and are subject to attorney-client privilege. The City Attorney shall inform the Council whenever any proposed discussion in the executive session is not legally allowed.

No member of the City Council, an employee of the City, or any other person present during the executive session of the City Council shall disclose to any person, the content or substance of any discussion which took place during said executive session, except during discussion of this issue in open meeting immediately following the executive session.

Section 4 – Work Session

Special meetings designated as work sessions shall be advertised and conducted in the same manner as regular meetings. Work sessions are for the purpose of in-depth review and discussion of specified issues. Council actions shall not be taken at designated work sessions.

Section 5 – Quorum

At all meetings of the Council, a majority of the Council members shall constitute a quorum for the transaction of business.

Section 6 – Attendance

Attendance via telephone conference call or video conference call – To participate in a meeting, all members of the Council shall be present, except that a meeting held by telephone conference call or video conference may be held if:

1. an emergency or public necessity exists within the meaning of Section 551.045 of the Government Code; and
2. the convening at one location of a quorum of the government body is difficult or impossible; and
3. the other requirements of Section 551.125 are met

Additionally, a member may attend a meeting via videoconference if a quorum of the government body is physically present at one location of the meeting, the proper communication equipment is available, and the other requirements of Section 551.127 of the Government Code are met.

Section 7 – Chair of the Council

The Mayor shall be the Chair of the Council and shall preside at all Council meetings. A Mayor Pro-Tem shall be selected annually at the first regular meeting of a new Council. In the absence of the Mayor, the Mayor Pro-Tem shall preside. If neither the Mayor nor the Mayor Pro-Tem is present at a meeting, the presiding officer for that meeting shall be selected by a majority of the vote of those Council Members present, providing there is a quorum.

The Chair of the Council may vote on all matters coming before the Council and may offer seconds to motions.

The Chair of the Council shall state all questions coming before the Council, provide the opportunity for discussion from the Council Member, and announce the decisions of the Council on all subjects. Procedural decisions shall be made by the Chair of the Council, who may request advice on such matters from the City Attorney.

Section 8 – Agenda

The City Manager shall prepare the agenda of business for all Council meetings. Topics may be added to the agenda:

1. When deemed appropriate by the City Manager
2. At the direction of the Mayor
3. As directed by at least two City Council Members

Every agenda action item must be supported by a written staff report informing the Council and staff of the issue, background and/or analysis, and recommendation and/or conclusion, unless the item is self-explanatory or the City Manager has waived this requirement.

Agendas will be made available to the public at least 72 hours prior to Regular Council Meetings, Special Meetings, and Work Sessions in the following ways:

1. A copy is placed on the City website at www.fbgtx.org
2. Copies are placed on the front counter at City Hall in the Utility Cashier services area
3. A copy is posted on the main entrance bulletin board at City Hall

Section 9 – Order of Business

The Mayor may determine the order of business for a particular City Council meeting.

The agenda should be arranged to best serve the needs and/or convenience of the Council and the public.

Public Comment: The Mayor will invite citizens to address the Council on an item on the Agenda. In offering input, one should address the City Council, not the audience. All persons wishing to be heard are asked to give their names and whether or not they are a City resident. To allow the Council to complete its legislative agenda, comments should be limited to no more than three (3) minutes per person. At the discretion of the Mayor or upon vote of the Council, this time may be lengthened or shortened. Following any public comment, the Mayor or any member of the City Council may direct staff to research the issue or concern raised by the public and report back to the Council. The Council shall not deliberate or discuss issues raised in the Public Comment. Written comments may be submitted into the record of a Council meeting by presenting the written document to the City Secretary prior to the meeting and be posted on the City website under Agendas. All written comments will be provided to the City Council prior to the meeting. If any speaker wishes to provide documents to the City Council for them to have while they speak, they must provide ten (10) copies of the documents to the City Secretary before the start of the meeting. Anyone only providing one copy, will not have their document distributed to the City Council and Staff until the following day.

The City Council requests that the format of the Agenda Items be as follows:

- i. Staff Presentation
- ii. Public Comments
- iii. City Council deliberation/discussion and action

The items of business for Regular Council meetings may include the following:

1. Call to Order
2. Pledge of Allegiance
3. Invocation
4. Ceremonial Matters/Proclamations/Employee Recognition
5. Council Comments
6. Consent Agenda
7. Public Hearings and action items
8. Ordinances and Resolutions
9. Other Action Items and Updates
10. City Manager's Report

11. Future Agenda Items
12. Executive Session
13. Business Items (if an Executive Session is posted)
14. Adjournment

Section 10 – Voting

Each Council Member shall vote on all questions put to the Council unless a conflict of interest or appearance of fairness problem requires a Council Member to excuse him/herself, which shall be noted in the minutes.

Section 11 – Reconsideration of Previous Vote

The City Council may, at time want to reconsider a vote previously taken. In order to proceed with reconsideration, a motion should be made for reconsideration, and such motion should be voted on and passed by a majority of the Council before the agenda item can be discussed or reconsidered.

Section 12 – Decorum and Debate

When a measure is presented for consideration to the Council, the Mayor shall recognize the appropriate individual to present the matter. When two or more members wish to speak, the Mayor shall name the member who is to speak first. No member of the Council shall interrupt another while speaking except to make a point of order or privilege.

Under the Texas Open Meetings Act, the City Council may not prohibit criticism of the governing body, including criticism of any act, omission, policy, procedure, program, or service, provided the criticism is not otherwise prohibited by law. Notwithstanding the previous sentence, behavior that fails to yield the floor when the speaker's time is concluded; is not relevant to the agenda item when required; repeatedly interrupts a Council or board member; disturbs the order of the meeting; involves defamatory, threatening, abusive, vulgar or obscene language; or disrupts the Council meeting is prohibited.

All speakers are asked to be respectful and courteous to Councilmembers, staff, other speakers, and those in attendance at the meeting.

Any speaker or audience member that violates these rules of decorum or engages in disruptive behavior may be subject to removal from the meeting.

Section 13 – Questions of Parliamentary Procedure

Questions of parliamentary procedure not covered by these Rules shall be governed by the current version of Robert's Rules of Order.

Section 14 – Notice of Public Hearings

Notice of all public hearings to be conducted by the City Council or any of its advisory boards and commissions shall be given by publishing written notice, as required by law, ordinance, or other statutes, or if there is no particular requirement, then at least once in the City's official newspaper prior to the date of the hearing.

Passed and approved by the City of Fredericksburg City Council July 1, 2013

Amended by the City of Fredericksburg City Council February 3, 2014

Amended by the City of Fredericksburg City Council June 4, 2018

Amended by the City of Fredericksburg City Council June 7, 2021

Amended by the City of Fredericksburg City Council December 6, 2021

Amended by the City of Fredericksburg City Council September 6, 2022

Reviewed by the City of Fredericksburg City Council May 25, 2023



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM:

MEETING DATE: July 5, 2023

CATEGORY: CITY MANAGER'S REPORT

CAPTION: July City Council Work Session

PRESENTATION:

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Business Visioning
Government Vision
Family Life Vision
Quality of Life Vision

ATTACHMENTS:

None

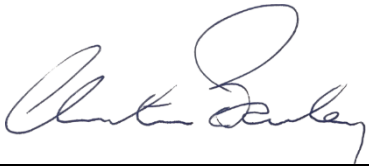
APPROVAL/REVIEW:

William McKamie, City Attorney

Date: June 28, 2023

Shelley Goodwin, City Secretary

Date: June 28, 2023

A handwritten signature in blue ink, appearing to read "Clinton Bailey". The signature is fluid and cursive, with the first name "Clinton" and last name "Bailey" clearly distinguishable.

Clinton Bailey, City Manager

Date: June 29, 2023

**City Council Regular Meeting
July 18, 2023**

2023-105	City Council Minutes July 5, 2023	Approve-Consent	Shelley Goodwin	City Secretary
2023-318	Approve a street closure request for the Gillespie County 4-H Adult Leaders BBQ, scheduled for Friday, August 25, 2023, at Marktplatz.	Approve-Consent	Jennifer Krupa	Parks and Recreation
2023-337	Z-2313 - 111 E Austin- A Conditional Use Permit for 5 new first floor Short Term Rental units in the Historic Shopping District	Public Hearing & Approve	Anna Hudson	Development Services
2023-338	Z-2313 - 400 block of East Austin Street – Ordinance for Rezone from R1 to R2.	Public Hearing & Approve	Anna Hudson	Development Services
2023-347	Take action on a request to waive a security deposit, reservation fees, and policy for the Veterans Council of Gillespie County to bring "The Moving Wall", a third scale replica of the Vietnam Veterans Wall in Washington DC, to the Pioneer Pavilion in either April or May 2025.	Approve	Andrea Schmidt	Parks and Recreation
2023-353	City Manager's Monthly Update i. Development ii. Recycling	Presentation	Clinton Bailey	City Manager

Future Agenda Items

2023-65	Consider the approval of a street closure request to close one southbound traffic lane and the parking lane adjacent to Marktplatz on North Adams from Austin to Main Street beginning Friday, October 20, 2023, at 7:00 a.m. until Sunday, October 22, 2023, at 12:00 p.m. for Bestfest.	Consent - Approve	Jennifer Krupa	Parks and Recreation
2023-67	Consider the approval of street closure requests for W. Crockett Street from N. Austin to N. Travis Street; W. Schubert (eastbound lane only) from N. Crockett to N. Adams Street, and N. Adams Street (southbound lane only) from W. Schubert to the church entrance on Adams Street; from 5:30 p.m. to 8:30 p.m., on both Friday and Saturday, December 8 & 9, 2023, for the Christmas Journey event hosted by Bethany Lutheran Church.	Consent - Approve	Jennifer Krupa	Parks and Recreation
2023-74	Consider naming rights for Marktplatz northwest corner project (summer 2023)	Approve	Andrea Schmidt	Parks and Recreation
2023-312	Announcements of upcoming budget activities (7-24-2023 Workshop)	Information	Shelley Goodwin	City Secretary
2023-310	Consider and discuss the General Fund (7-24-2023 Workshop)	Discussion	Clinton Bailey and Krista Wareham	City Manager and Director of Finance
2023-316	Announcements of upcoming budget activities (7-26-2023 Workshop)	Information	Shelley Goodwin	City Secretary
2023-313	Consider and discuss the Enterprise Fund (7-26-2023 Workshop)	Discussion	Clinton Bailey and Krista Wareham	City Manager and Director of Finance

2023-340	Award bid cleaning services (August or September)	Approve	Andrea Schmidt	Parks and Recreation
2023-341	Approve new fees for pool parties based on new pay rates for lifeguards (December 2023)	Approve	Andrea Schmidt	Parks and Recreation
2023-342	Approve new RV, pavilion, Tatsch House and other recreational fees (September)	Approve	Andrea Schmidt	Parks and Recreation
2023-	Ordinance 2023 Tax Rate	Approve	Clinton Bailey and Krista Wareham	City Manager and Director of Finance
2023-	Ordinance FY2024 Budget	Approve	Clinton Bailey and Krista Wareham	City Manager and Director of Finance
2023-	Award Construction Bid for S. Llano Shared-Use Bridge & Ufer St. Sidewalk Project	Approve	Garret Bonn	