



City of Fredericksburg

City Council Regular Meeting Agenda
Tuesday, November 7, 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 Tuesday, November 7, 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 on the basis of the Executive Session discussion. The City Council may also publicly discuss any item listed on the agenda for the Executive Session.

Attendance By Other Elected or Appointed Officials: It is anticipated that the Planning & Zoning Commission, Historic Review Board, Charter Review Committee, and Board of Adjustments members may attend the City Council Meeting at the date and time above in numbers that may constitute a quorum. Notice is hereby given that at the City Council Meeting at the date and time above, no Board or Commission action will be taken by such in attendance unless such item and action are specifically provided on a separate agenda posted subject to the Texas Open Meeting Act. This is not an agenda of an official meeting of the City Boards and Commissions, and minutes will not be taken.

1. CALL TO ORDER

2. INVOCATION

Justin Hagendorf, Hill Country Church Youth Director, 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 October 17, 2023, City Council Regular Meeting Minutes (Shelley Goodwin, City Secretary)
- B. Consider the following actions for the Fredericksburg Convention and Visitors Bureau Board of Directors (Shelley Goodwin, City Secretary)
 - i. KK Welch appointment for a term expiring September 30, 2025
 - ii. Chris Perrenoud appointment for a term expiring September 30, 2025
 - iii. David Shields appointment to a full term expiring September 30, 2025
- C. Consider the approval of the Professional Services Agreement between the City of Fredericksburg and Lucy Pearson, Prosecutor, effective October 1, 2023 (Krista Wareham, Director of Finance)

7. ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS

- A. Consider the proposed amendments to the Zoning Municipal Ordinances as part of the City of Fredericksburg Code of Ordinances regarding Short-Term Rentals (#Z-2318) (Anna Hudson, Director of Development Services)
 - i. Motion to take from the table (previously tabled on October 17, 2023)
 - ii. Presentation by Staff
 - iii. Discussion by City Council
 - iv. Consider the approval of Ordinance 2023-18, repealing Section 5.401, "Additional Requirements for Short-Term Rental Uses," of Appendix B, "Zoning Ordinance," of the Fredericksburg Municipal Code; amending Section 2.100, "Definitions," of Appendix B, "Zoning Ordinance," by revising definitions related to Short-Term Rentals; adding a new Article VII, "Short-Term Rentals," to Chapter 20, "Offenses And Miscellaneous Provisions," to provide for the regulation and permitting of Short-Term Rentals; creating a new Section 4.400, "General Regulations for Short-Term Rentals," in Appendix B, "Zoning Ordinance," to provide for zoning regulations related to Short-Term Rentals; amending Section 5.500, "Board of Adjustment," of Appendix B, "Zoning

Ordinance,” to authorize the Board of Adjustment to grant Special Exceptions related to Short-Term Rentals; amending miscellaneous provisions in Appendix B, “Zoning Ordinance,” to ensure consistency with the amendments herein; providing this Ordinance shall be cumulative; providing a severability clause; providing a penalty for violation; providing a savings clause; providing for publication in the official newspaper; and providing an effective date

- B. Consider the approval of Resolution 2023-17R approving a 3-year Lease Purchase Financing and acquisition of FY 2024 Capital Equipment with First American Equipment Finance of \$2,404,701 from various funds (Krista Wareham, Director of Finance)

8. OTHER ACTION ITEMS AND UPDATES

- A. Consider the approval of giving the City Manager the authority to enter into a Hotel Occupancy Tax Grant Agreement for 2023/2024 between the City of Fredericksburg and the Fredericksburg Convention and Visitor Bureau, Inc. (Clinton Bailey, City Manager)
- B. Consider approval of the Sidewalk Construction Contract (Evan Williamson, Assistant City Engineer)
- C. Consider approval of the Water and Sewer Main Replacement Construction Contract (Kris Kneese, Director of Public Works/Utilities)
- D. Consider the approval of the Amendment to the Lower Colorado River Authority (LCRA) Electric Easement (Kris Kneese, Director of Public Works/Utilities)
- E. Consider the approval of the 2024 City of Fredericksburg City Holidays (Shelley Goodwin, City Secretary)
- F. Discuss and provide direction regarding future Work Session dates and topics (Clinton Bailey, City Manager)

9. CITY MANAGER’S REPORT

- A. Update on Sports Park Soccer Fields
- B. Neighborhood Town Hall Update
- C. Fredericksburg Citizen University

10. ITEMS FOR FUTURE AGENDA

- A. Review the Future Agenda spreadsheet

11. EXECUTIVE SESSION

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Sections - 551.074 (Personnel Matters):

- A. Consider and discuss the annual evaluation of the City Manager (Section 551.074)

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 4:15 p.m. on November 2, 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 REGULAR MEETING MINUTES
TUESDAY, OCTOBER 17, 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
Andrea Schmidt, Director of Parks and Recreation
Kris Kneese, Director of Public Works and Utilities
Anna Hudson, Director of Development Services
Braxton Roemer, Police Lieutenant
Justin Calhoun, Emergency Management Coordinator
Krista Wareham, Director of Finance
Eric Whiting, Director of Information Technology
Lea Feuge, Public Information Officer
Leslie Embrey, Assistant to the City Secretary
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, October 17, 2023. He announced that a quorum had been met.

2. INVOCATION

George Studor, City resident, led 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 Watson reported on the Airport Board:

- Santa Fly-In is scheduled for December 16, 2023
- Three large hangers are currently under construction
- Fuel sales are improving

He also noted Sam Sagebiel complimented Jennifer Krupa, Special Events Coordinator, and stated she was accommodating.

Councilmember Briley thanked the following people:

- Andrea Schmidt, Director of Parks and Recreation, and her entire Parks team for their hard work with Oktoberfest
- City Staff for walking him through the Texas Municipal League Conference and activities. He stated Fredericksburg seems to be the envy of our neighboring cities.

Councilmember Kirchner stated she attended the Neighborhood Town Hall Meeting on October 12 at Pioneer Museum Sanctuary. She stated the next Neighborhood Town Hall Meeting is October 26, 2023, at 6:00 p.m. at the Presbyterian Church.

6. CONSENT

A. Consider approval of the October 3, 2023, City Council Regular Meeting Minutes

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

7. ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS

A. Consider the proposed amendments to the Zoning Municipal Ordinances as part of the City of Fredericksburg Code of Ordinances regarding Short-Term Rentals

i. Motion to take from the table (previously tabled on October 3, 2023)

Motion: A motion was made by Councilmember Klein, seconded by Councilmember Watson, to remove from the table from the October 3, 2023 City Council Regular Meeting. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

ii. Presentation by Staff

Mayor Hoover stated that the City Council should review and discuss the draft Ordinance at this meeting. Then, allow the City Attorney to provide a clean draft and vote on the Ordinance at the November 7, 2023, Regular Meeting.

Mick McKamie, City Attorney, reviewed the process that would need to take place if the City Council tables the Ordinance until November 7, 2023.

Anna Hudson, Director of Development Services, provided the attached PowerPoint with the changes made at the October 3, 2023 Regular Meeting. She also reviewed areas that Staff still needs direction on.

iii. Discussion by City Council

The City Council discussed the following:

- Parking
- R2 and R1 zoned areas being used as STR or long-term rental as long as they keep up their permit
- Special Exceptions for R1 and R2 zoned areas that are considered stranded
- Removing R2 facility, no budding, special exceptions, and commercial
- Make R2-zoned areas like R1-zoned areas
- Historic Overlay District
- STR permits and code violations
- Discuss the Fee Schedule at the Regular Meeting scheduled for November 7
- Major and Minor events (three minors = one major)
- Life and Safety issues
- Notify process for permits are coming due

Tom Musselman, City resident, spoke regarding his residence on Friendship Lane, which is in the R2 zoned area, and the properties around him are undeveloped. He inquired whether his property would be considered stranded and whether he would be able to apply for a STR permit due to the special exception rule.

Matthew Durette stated the Ordinance has been doing what it is designed to do. He noted that Fredericksburg is a tourism town, and STRs are meeting a demand.

Mark Collins spoke regarding built condo STRs in town and owns 4 STRs. He noted he built his STRs in an R2-zoned area and next to each other to avoid disrupting the neighbors. He also spoke regarding property rights and felt STRs do not drive the tourists to Fredericksburg.

Mike Mahoney, City resident, stated that R2 is residential zoning and feels the City Council should tighten up the Ordinance. He also discussed major and minor code violations and encouraged the City Council to review this provision.

Jeffery Colp, City resident, thanked the City Council for addressing the problem of STRs.

- iv. Consider the approval of Ordinance 2023-18, repealing Section 5.401, “Additional Requirements for Short-Term Rental Uses,” of Appendix B, “Zoning Ordinance,” of the Fredericksburg Municipal Code; amending Section 2.100, “Definitions,” of Appendix B, “Zoning Ordinance,” by revising definitions related to Short-Term Rentals; adding a new Article VII, “Short-Term Rentals,” to Chapter 20, “Offenses And Miscellaneous Provisions,” to provide for the regulation and permitting of Short-Term Rentals; creating a new Section 4.400, “General Regulations for Short-Term Rentals,” in Appendix B, “Zoning Ordinance,” to provide for zoning regulations related to Short-Term Rentals; amending Section 5.500, “Board of Adjustment,” of Appendix B, “Zoning Ordinance,” to authorize the Board of Adjustment to grant Special Exceptions related to Short-Term Rentals; amending miscellaneous provisions in Appendix B, “Zoning Ordinance,” to ensure consistency with the amendments herein; providing this Ordinance shall be cumulative; providing a severability clause;**

providing a penalty for violation; providing a savings clause; providing for publication in the official newspaper; and providing an effective date

Motion: A motion was made by Councilmember Klein, seconded by Councilmember Kirchner, the City Council finds that the proposed changes are consistent with the objectives of the zoning ordinance and with the Comprehensive Plan and more to table the final approval of this Ordinance to the November 7, 2023, City Council Regular Meeting. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

B. Consider the approval of Ordinance 2023-19 amending the schedule for Outdoor Irrigation Under Stage 4 of the City's Water Conservation Measures; provides for outdoor watering hours; and providing an effective date

Kris Kneese, Director of Public Works/Utilities, reviewed the Ordinance and the changes to the watering times. He noted Staff is requesting these changes be effective in 30 days.

The City Council discussed the following:

- Hand watering and other watering measures other than irrigation in the morning from 6:00 a.m. to 10:00 a.m. and 6:00 p.m. to 10:00 p.m.
- Changing the outdoor irrigation time to 6:00 a.m. to 10:00 a.m.
- Education efforts

Motion: A motion was made by Councilmember Briley, seconded by Councilmember Klein, to approve Ordinance 2023-19 amending the schedule for Outdoor Irrigation Under Stage 4 of the City's Water Conservation Measures, providing for outdoor watering hours 6:00 a.m. to 10:00 a.m. Friendly Amendment: A motion was made by Councilmember Briley, seconded by Councilmember Klein, to amend the Ordinance to allow for hand watering and other watering measures other than irrigation in the morning from 6:00 a.m. to 10:00 a.m. and 6:00 p.m. to 10:00 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

C. Consider approval of Resolution 2023-16R supporting innovative One Water Strategies and directing Staff to explore such strategies in public and private development projects

Councilmember Kirchner read the Resolution and stated that innovative strategies came from the Hill Country Alliance. She stated she feels this is a great idea and hopes that Staff, residents, and development can work together. She announced that she and Mr. Bailey are ending their time in the group, and Councilmember Watson and Assistant City Manager Garret Bonn will be in the second group of the Alliance.

Motion: A motion was made by Councilmember Kirchner, seconded by Councilmember Watson, to approve Resolution 2023-16R supporting innovative One Water Strategies and directing Staff to explore such strategies in public and private development projects. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

D. Consider a request by Amelia Zesch for a Conditional Use Permit to Operate a STR-Unoccupied in an R2 Zoned Area located in the Historic District on Property located at 407 West San Antonio Street (#Z-2320)

i. Presentation by applicant

Ameila Zech reviewed the application and her request. She stated she has been operating her Short-Term Rental since 2016 and stopped during COVID and then limited reservations. She noted she let the permit lapse by mistake.

ii. Staff Report

Anna Hudson, Director of Development Services, reviewed the history of the application and the process for expired permits. She stated that the Planning and Zoning Commissions recommended approval and that the Staff needed to do an inspection.

iii. Hold a Public Hearing to receive comments for or against the request

Motion: A motion was made by Councilmember Kirchner, seconded by Councilmember Klein, to go out of the Regular Meeting and into the Public Hearing at 9:20 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 Briley, to go out of the Public Hearing and into the Regular Meeting at 9:21 a.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

iv. Take action on the Conditional Use Permit request

The City Council discussed the notification process for permit renewals.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Briley, to approve the request by Amelia Zesch for a Conditional Use Permit to Operate a STR-Unoccupied in an R2 Zoned Area located in the Historic District on Property located at 407 West San Antonio Street (#Z-2320). The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

E. Consider a request by William Joseph for a Conditional Use Permit (CUP) per Section 3.110 to Operate a STR-Unoccupied in an R2 Zoned Area Located in the Historic Overlay District on Property Located at 411 East Creek Street (#Z-2317)

i. Presentation by applicant

William Joseph reviewed the application and the request. He reviewed all the STRs in the neighborhood and noted the neighborhood has changed. He stated the application is a defensive move to help maintain the permanent home and rent when traveling.

ii. Staff Report

Anna Hudson, Director of Development Services, reviewed the application, neighborhood, and the conditions that the Planning and Zoning Commission provided during the approval.

iii. Hold a Public Hearing to receive comments for or against the request

Motion: A motion was made by Councilmember Klein, seconded by Councilmember Kirchner, to go out of the Regular Meeting and into the Public Hearing at 9:28 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

Kirchner, to go out of the Public Hearing and into the Regular Meeting at 9:28 a.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

iv. Take action on the Conditional Use Permit request

Motion: A motion was made by Councilmember Klein, seconded by Councilmember Watson, to a request by William Joseph for a Conditional Use Permit (CUP) per Section 3.110 to Operate a STR-Unoccupied in an R2 Zoned Area Located in the Historic Overlay District on Property Located at 411 East Creek Street (#Z-2317). The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

F. Consider a request by Theresa Guettler for a Conditional Use Permit to Operate a STR- Condominium in a C2 Commercial Zoned Area for Property located at 510 Mueller Street #33 (#Z-2308)

i. Presentation by applicant

Applicant was not present.

ii. Staff Report

Anna Hudson, Director of Development Services, reviewed the property's application and history. She noted the Planning and Zoning Commission denied the request due to parking issues.

iii. Hold a Public Hearing to receive comments for or against the request

Motion: A motion was made by Councilmember Kirchner, seconded by Councilmember Watson, to go out of the Regular Meeting and into the Public Hearing at 9:34 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 Kirchner, to go out of the Public Hearing and into the Regular Meeting at 9:35 a.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

iv. Take action on the Conditional Use Permit request

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Kirchner, to deny the request by Theresa Guettler for a Conditional Use Permit to Operate a STR-Condominium in a C2 Commercial Zoned Area for Property located at 510 Mueller Street #33. (#Z-2308). The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

G. Consider a request by Mitchell Sharrock for a Conditional Use Permit (CUP) per Section 3.200 to Operate a Restaurant - Limited Use on Property Located at 811 North Llano Street (#Z-2319)

i. Presentation by applicant

ii. Staff Report

iii. Hold a Public Hearing to receive comments for or against the request

iv. Take action on the Conditional Use Permit request

Anna Hudson, Director of Development Services, stated that the applicant requested this item be pulled from the Agenda.

8. OTHER ACTION ITEMS AND UPDATES

A. Consider approving the CXT Concrete Building restroom and shower quote for LBJ Municipal Park for \$272,530

Andrea Schmidt, Director of Parks and Recreation, reviewed the request and the need for the restroom. She stated the current restrooms are 45 years old and having issues with plumbing.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Kirchner, to approve the CXT Concrete Building restroom and shower quote for LBJ Municipal Park for \$272,530. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

B. Consider a request from Heritage Hill Country Subdivision Relating to the Maintenance of Roadways within the Development

Garret Bonn, Assistant City Manager, reviewed the request. He noted this came up during a recent Neighborhood Town Hall meeting. He stated this is a gated subdivision, but the property owners receive all the other services except routine maintenance, and their roads are in great shape.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Klein, to approve the request from Heritage Hill Country Subdivision Relating to the Maintenance of Roadways within the Development. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Allen Johnson, Heritage Hill Country Subdivision HOA President, thanked the City Council for their approval.

C. Discuss and provide direction on the Fredericksburg Food and Wine Fest event

Clinton Bailey, City Manager, stated the City Council has held several discussions regarding the Fredericksburg Food and Wine Fest and the possibility of postponing the 2024 event. He stated that the Staff needs directions regarding the 2024 event since the festival is coming up on October 28, 2023. He stated this event began in 1991, and the announcement for the next year's event usually begins at the current event.

The City Council discussed the following:

- Funds that the event brings in
- City staff time
- Successful Food and Wine Festival
- Highlight other wineries in Gillespie County
- Look at a venue change
- Impact of Market Square
- Possibly another less busy month

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Briley, to suspend the festival for 2024 with a plan to revamp the festival for 2025. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

9. CITY MANAGER'S REPORT

A. City Manager Monthly Update

Clinton Bailey, City Manager, provided the attached PowerPoint.

The City Council discussed the following:

- Comprehensive Plan
- Warnings and Citations issued
- The completion of the waterline project
- Sales Tax
- Four employment opportunities in the Police Department

10. ITEMS FOR FUTURE AGENDA

A. Review the Future Agenda spreadsheet

Clinton Bailey, City Manager, reviewed the Future Agenda Spreadsheet.

11. ADJOURN

Motion: A motion was made by Councilmember Kirchner, seconded by Councilmember Watson, to adjourn the Tuesday, October 17, 2023, City Council Regular Meeting at 11:41 a.m.

Jeryl Hoover
Mayor

Shelley Goodwin, TRMC/CMC
City Secretary



City Manager's Monthly Update

October 17, 2023

Page 13 of 130

City Manager's Monthly Update

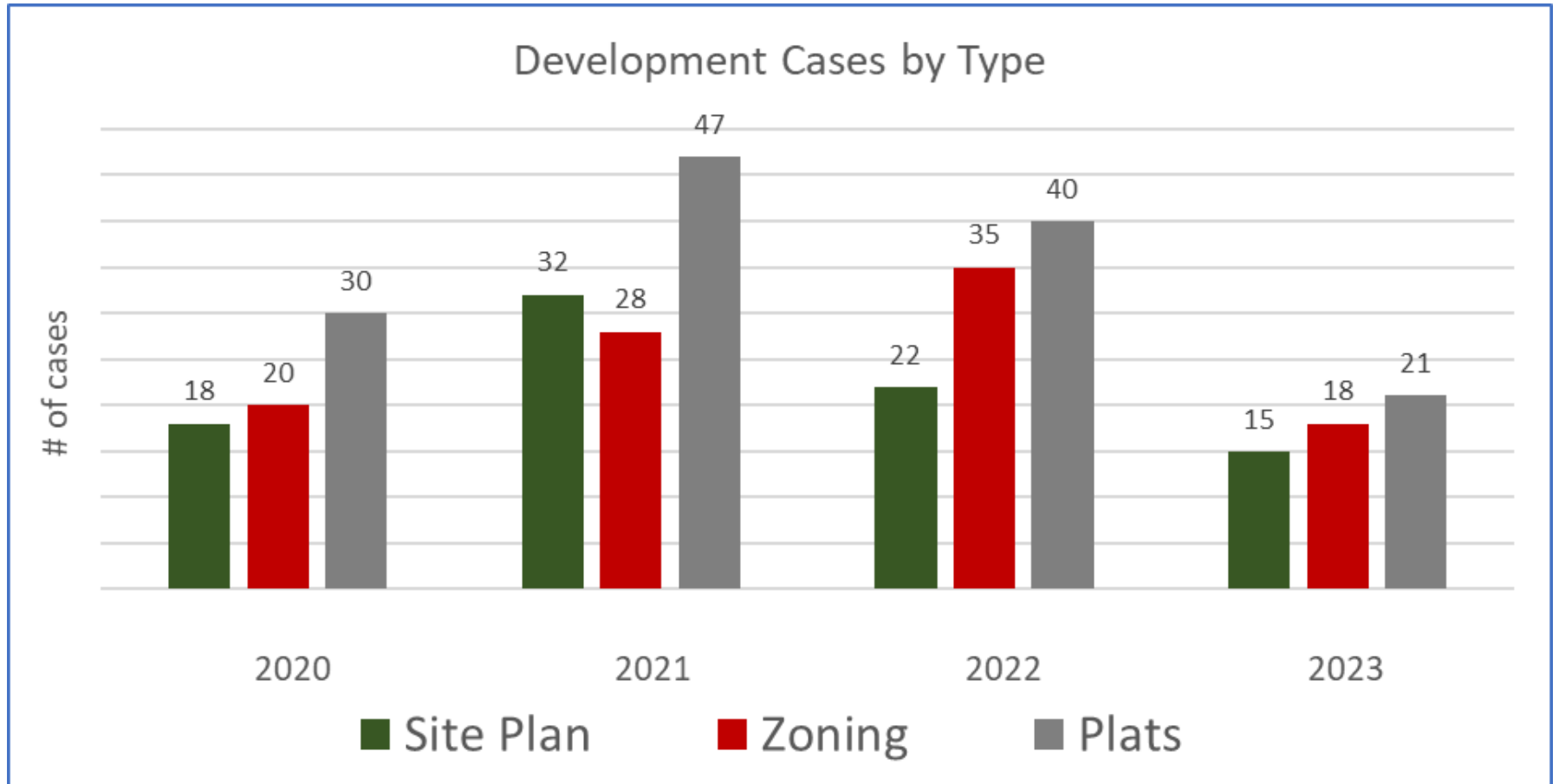


1. Development
2. Projects
3. Financial
4. Miscellaneous

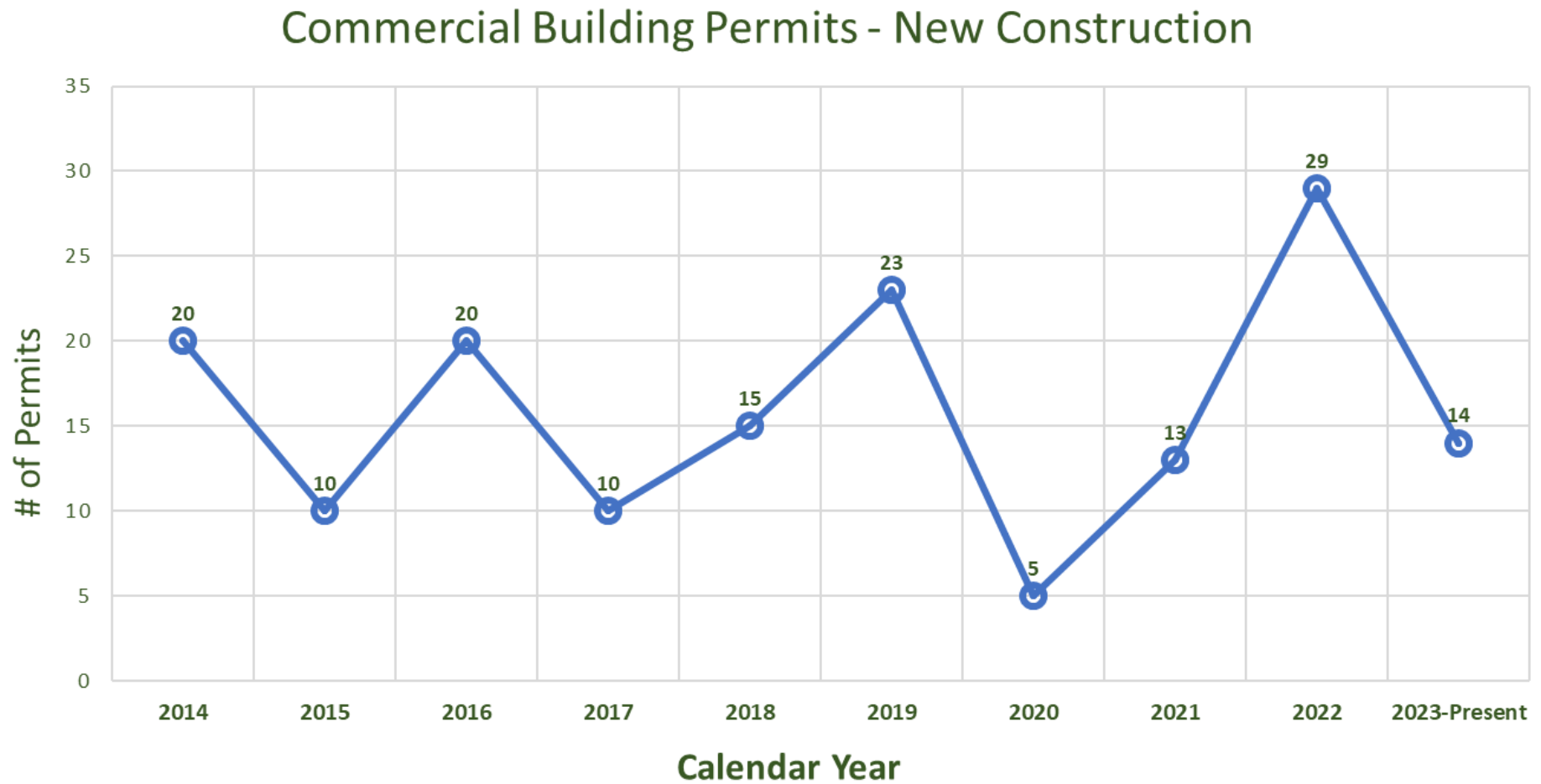
COMPREHENSIVE PLAN

September 2023			
Task/Meeting	Date	Notes	Status
Parks Plan draft to City	9.15	City review for ~2-3 weeks	Complete
October 2023			
Task/Meeting	Target Date	Notes	Status
Comp Plan draft to City	10.3	City review for ~2-3 weeks	In Progress
November 2023			
Task/Meeting	Target Date	Notes	Status
TRIP - CPAC #5 - Review Parks Master Plan	Week of Oct 30 th ?	Second draft to CPAC on ~10/23	In Progress
TRIP - CPAC #6 - Review of Comp Plan	Week of Nov 13 th ?	Second draft to CPAC on ~11/3	In Progress
December 2023			
Task/Meeting	Target Date	Notes	Status
TRIP – Final joint CC/PZ Meeting	Early December?	Discuss both plan drafts	In Progress
Public Comment Period	All of December or after CC/PZ		In Progress
January 2024			
Task/Meeting	Target Date	Notes	Status
P&Z Public Hearing for Adoption	TBD	P&Z formally recommend for adoption	In Progress
City Council Public Hearing for Adoption	TBD	Public hearing and adoption	In Progress

Development Activity



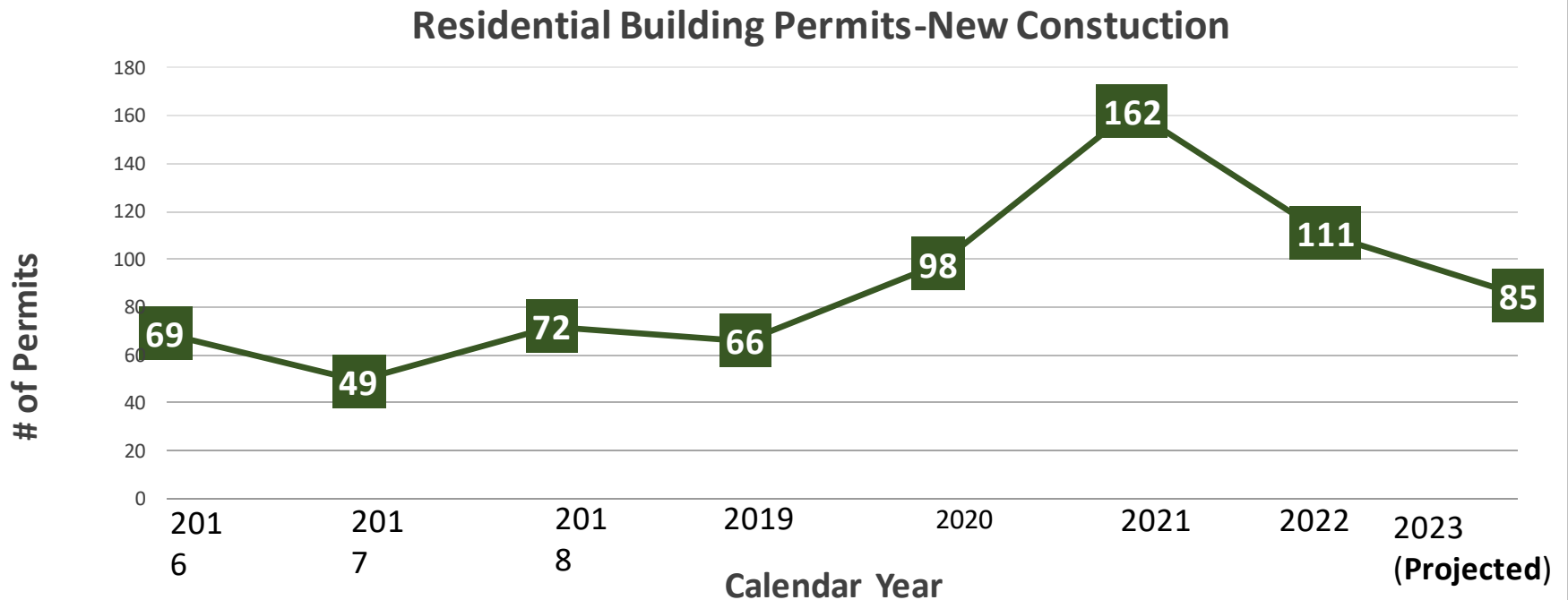
Commercial New Construction Permits



Single Family Residential Subdivisions

Name	~ Acres	Units	Status	Year Approved
Crabapple Grove	40	159	All lots sold	2015
Oaks of Windcrest	70	243	All lots sold	Phase 5
Heights of Windcrest			All lots sold	2020
Madrona	13	54	All lots sold	2022
The Beginning	11	52	All lots built out	
Harmony Hills	21	72	Under construction	2023
Post Oak Village	6	39	Homes under construction	2022
Friendship Oaks (4 phases)	117	418	Phase 1 under construction	2022
Frieden	218	112	Homes under construction	2022
Woodcrest	3	9	Plat approved	2023
Altstadt Phase 1	10	22	Development for sale	2022
Altstadt Phase 2	6	19	Civil plan review	
Stoneridge Phase 11	11	24	Homes under construction	2022
W. Walch		5	Plat approved	2023
1228 total lots				

Single Family Residential Permits



Multi-Family: Under Construction

Name	Acres	Units	Status	Location
Algarita	3	63	Older section open	619 W. Live Oak
Baron's Park Apts	4	88	Under Construction	202 E. Ufer
Orchard Grove Apartments	5	90	Under Construction	N. Llano
The 1846 Luxury Apts & The Woodland Cottages	18	296	Under Construction	175 Friendship Lane
West Live Oak Duplexes	2.4	46	Under Construction	W. Live Oak
		583		

Multi-Family: Recently Completed

Name	Acres	Units	Status
Eagle's Village (STRs)	4	24	Completed
Vineyard Crossing Apartments	3	38	Completed
Friendship Lane Cottages (STRs)	1	8	Completed
		70	

Multi-Family: **Approved Not Started**

Name	Acres	Units	Status	Location
Friendship Oaks Ranch duplexes	6	60	Site Plan Approved	S. Creek at Friendship (Friendship Oaks Phase 4)
SECO	32	95	Civil Plan Approved	Friendship at S. Eagle
Botanica	13	148	Civil Plan Approved	Friendship near Eagle
Keller Oaks Phase 1 Townhomes	14	21	Plat Approved	Between Windcrest and Burger King
Verandas at Frieden	25	305	Site Plan Approved	Frieden
		629		

Multi-Family:



583 Under Construction

70 Recently Completed

629 Approved not started

1,282 total Multi Family units

Parks

The City of Fredericksburg 2023 Special Events Calendar

OCTOBER

*Friday, October 6: 43rd Oktoberfest (6 p.m. to midnight)

Saturday, October 7: 43rd Oktoberfest (10 a.m. to midnight)

*Saturday, October 7: Kraut Run (8:30 a.m.)

Sunday, October 8: 43rd Oktoberfest (11 a.m. to 6 p.m.)

*Friday, October 13: Mesquite Arts Festival (12 p.m. to 6 p.m.)

Friday, October 13: Dance at Kinder Halle for Mesquite Arts (6 p.m.)

Saturday, October 14: Mesquite Arts Festival (10 a.m. to 6 p.m.)

Sunday, October 15: Mesquite Arts Festival (10 a.m. to 3 p.m.)

*Saturday, October 21: Bestfest (11 a.m. to 11 p.m.)

Saturday, October 28: Hill Country Indian Artifact Show

*Saturday, October 28: 33rd Fredericksburg Food & Wine Fest

Marktplatz: Entire Square

Marktplatz: Entire Square

Town Pool/Race Route

Marktplatz: Entire Square

Marktplatz: Adels, Oktober, Kinder & kitchen

Marktplatz: Kinder Halle

Marktplatz: Entire Square

Marktplatz: Entire Square

Marktplatz: Entire Square

LBJMP: Pioneer Pavilion (8 a.m. to 4 p.m.)

Marktplatz: Entire Square (12 p.m. to 7 p.m.)

Parks

OCTOBER 2023

Special Events

BARRICADES ON MAIN STREET
ALL MONTH LONG



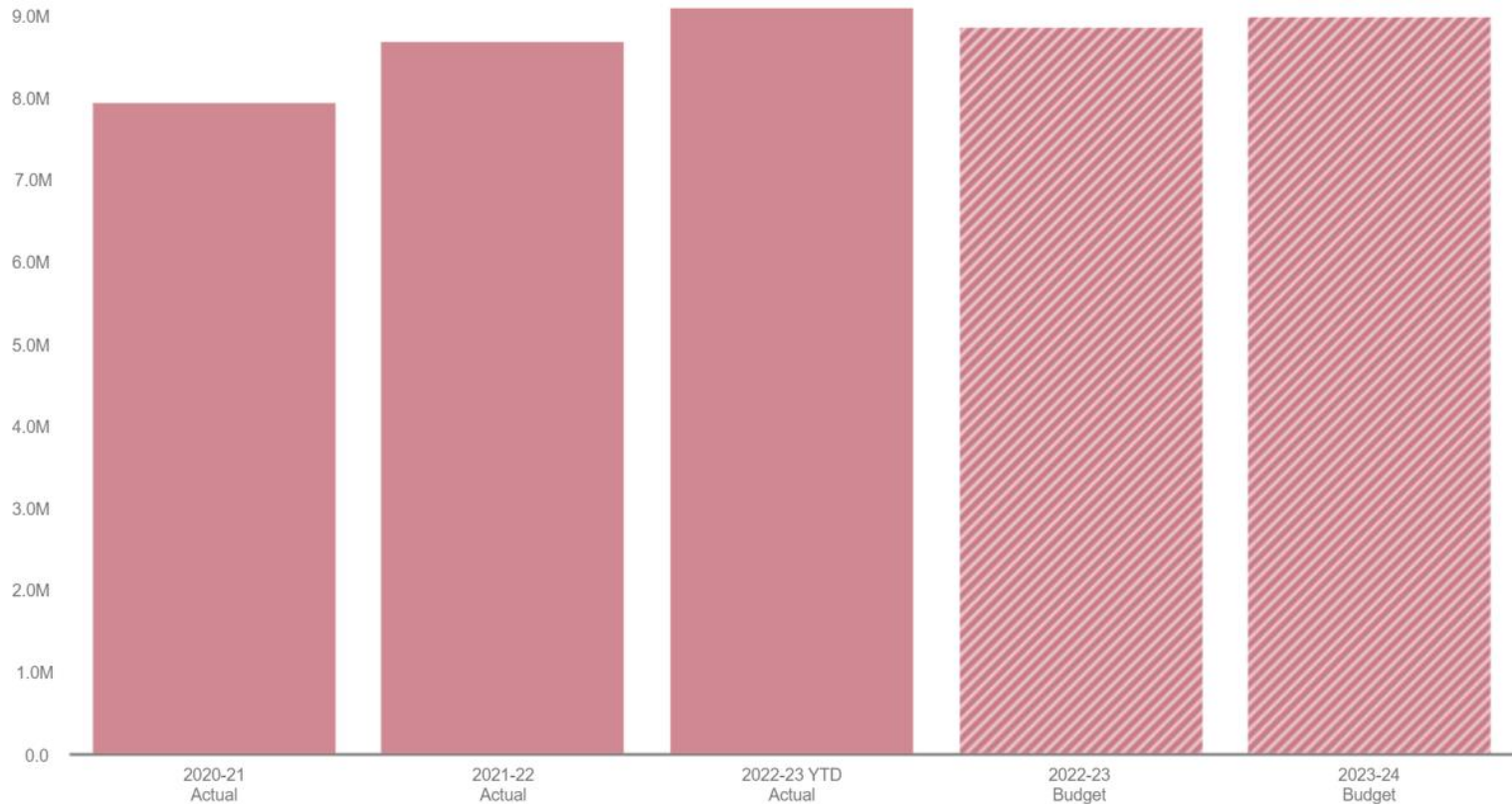
Date Details

- October 6: Oktoberfest from 6 pm-midnight at Marktplatz
- October 7: FBG Morning Rotary Club Kraut Run at FMS & Town Pool; 8:30 a.m. race start
- October 7: Oktoberfest from 10am-midnight at Marktplatz
- October 8: Oktoberfest from 11am-6pm at Marktplatz
- October 13: Texas Mesquite Arts Festival from 12pm-6pm at Marktplatz
- October 14: Texas Mesquite Arts Festival from 10am-6pm at Marktplatz
- October 15: Texas Mesquite Arts Festival from 10am-3pm at Marktplatz
- October 21: Bestfest from 11am-11pm at Marktplatz
- October 28: Fredericksburg Food & Wine Fest from 12pm-7pm at Marktplatz
- October 28: Indian Artifact Show at Pioneer Pavilion at LBJMP from 8am-4pm (\$5 admission)
- October 31: Friends of Fire/EMS Halloween Open House at Central Fire Station

SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3	4	5	6: OKTOBERFEST	7: KRAUT RUN, OKTOBERFEST
8: OKTOBERFEST	9	10	11	12	13: TEXAS MESQUITE ARTS FESTIVAL	14: TEXAS MESQUITE ARTS FESTIVAL
15: TEXAS MESQUITE ARTS FESTIVAL	16	17	18	19	20	21: BESTFEST
22	23	24	25	26	27	28: FBG FOOD & WINE FEST, INDIAN ARTIFACT SHOW
29	30	31: FIRE/EMS OPEN HOUSE  HALLOWEEN				



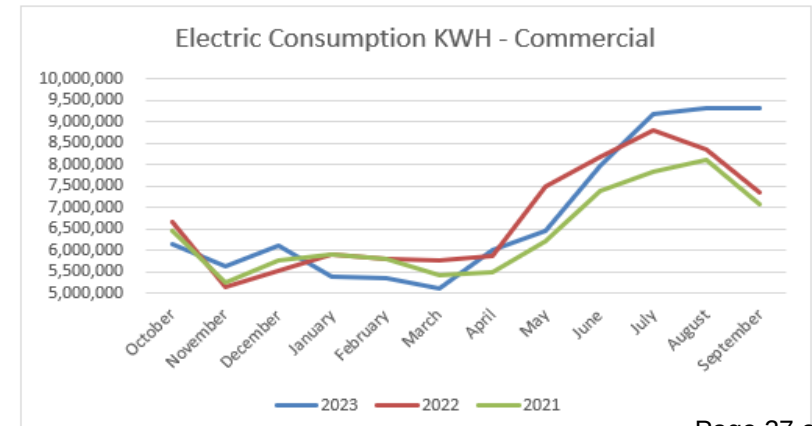
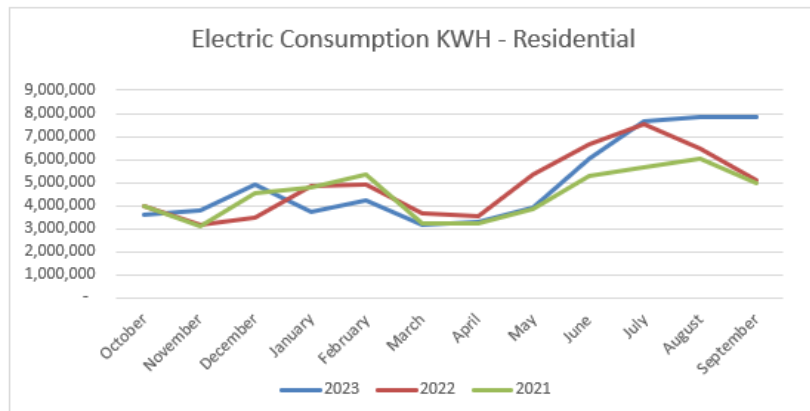
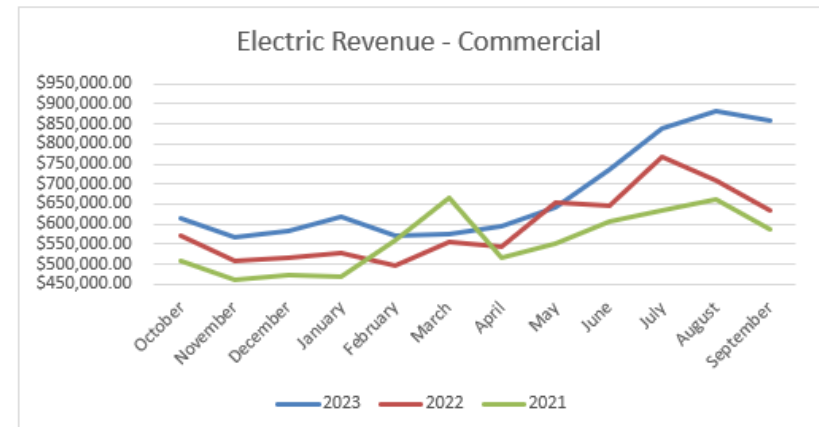
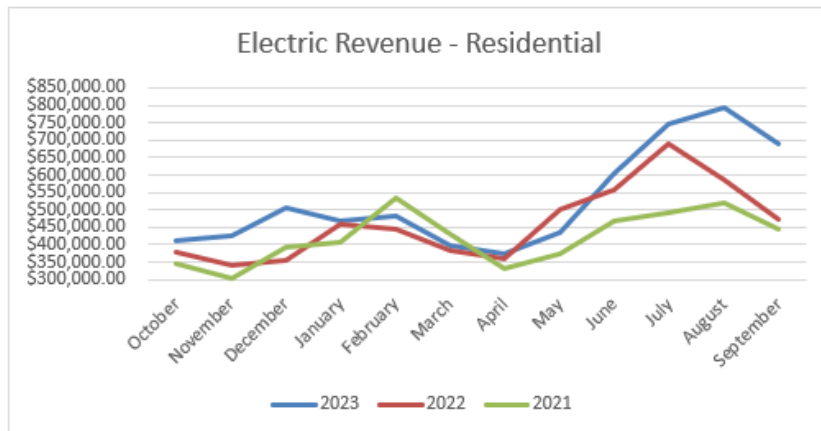
Finance-Sales Tax



FY 2023 Actuals up 4.9% over FY 2022 at \$9.1M collected
\$8M (2021), \$8.7M (2022)

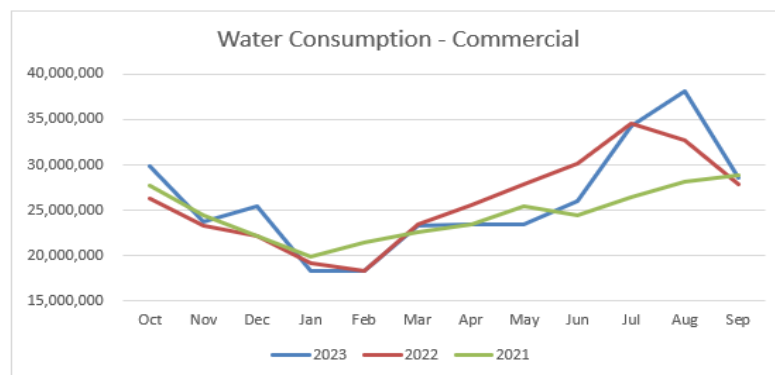
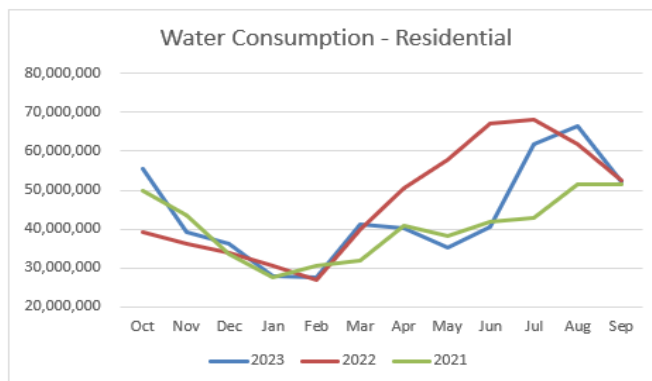
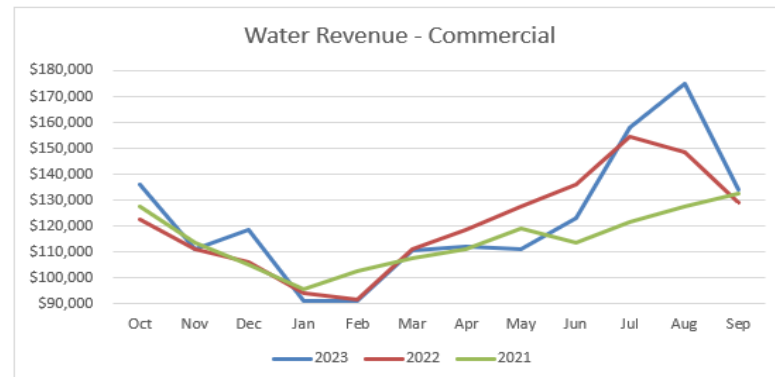
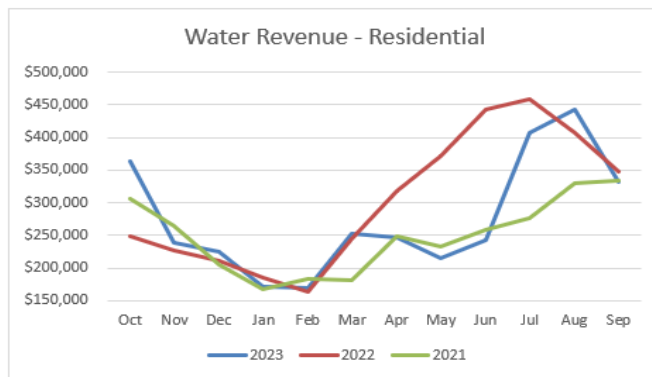
Finance-Electric Revenue and Consumption

Electric revenues through September 2023, \$15.1M,
104.6% of \$14.5M budget *revenues not finalized



Finance-Water Revenue and Consumption

Water & WW revenues through September 2023, \$10.1M, 95.6% of \$10.6M budget *revenues not finalized

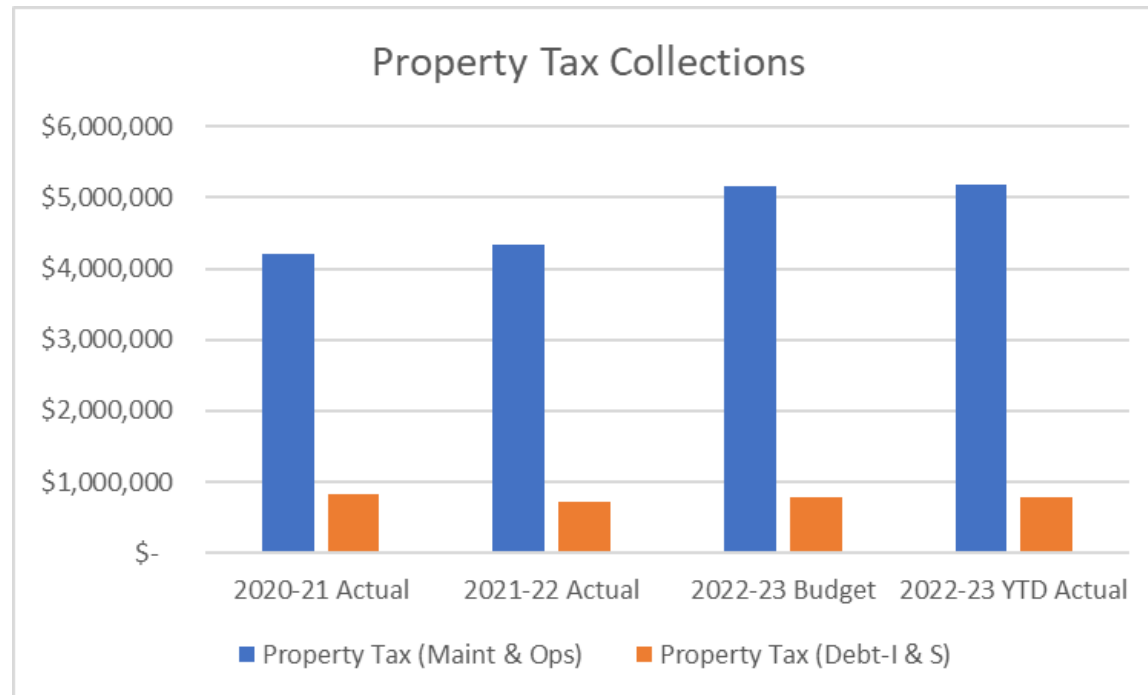


Finance-Property Tax

Property Tax Collected (thru August 2023)

Actual \$5,966,242

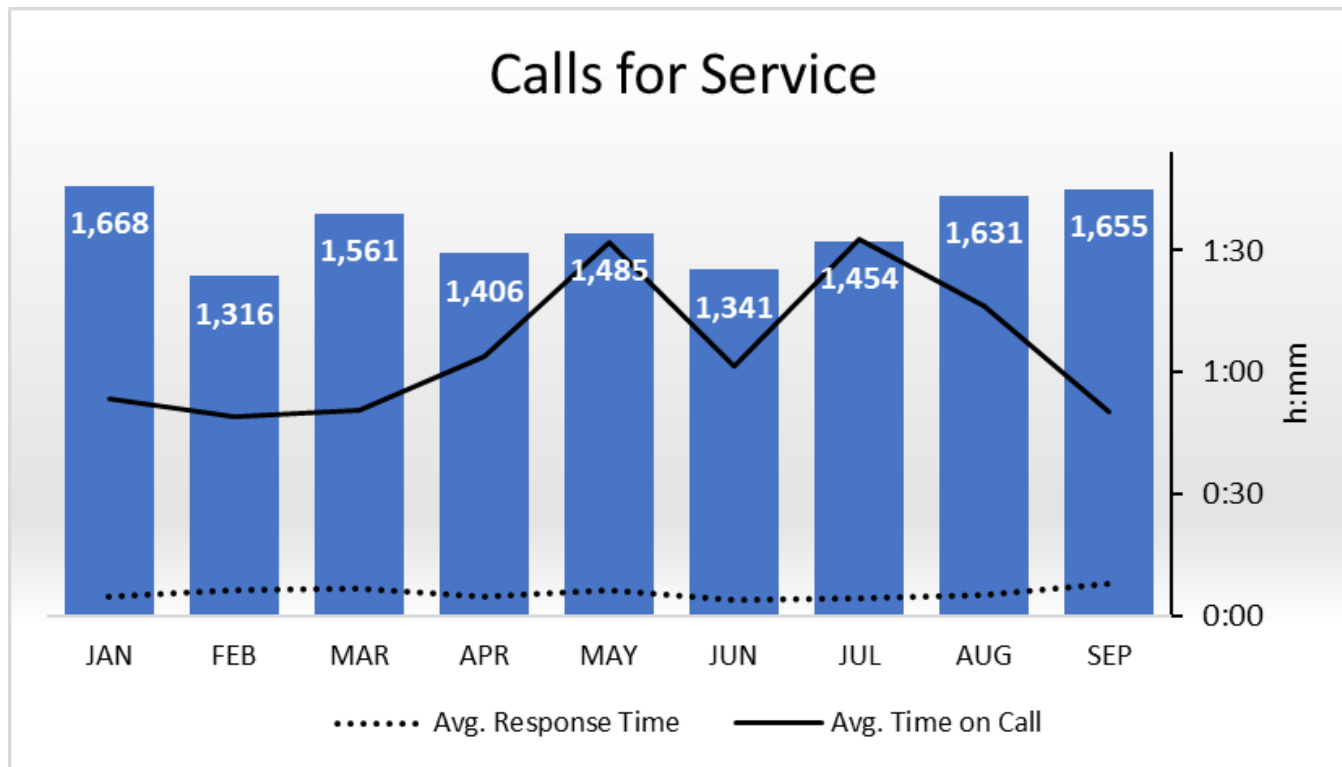
Budget \$5,945,651



Police Department

September 2023 Calls for Service – 1,655

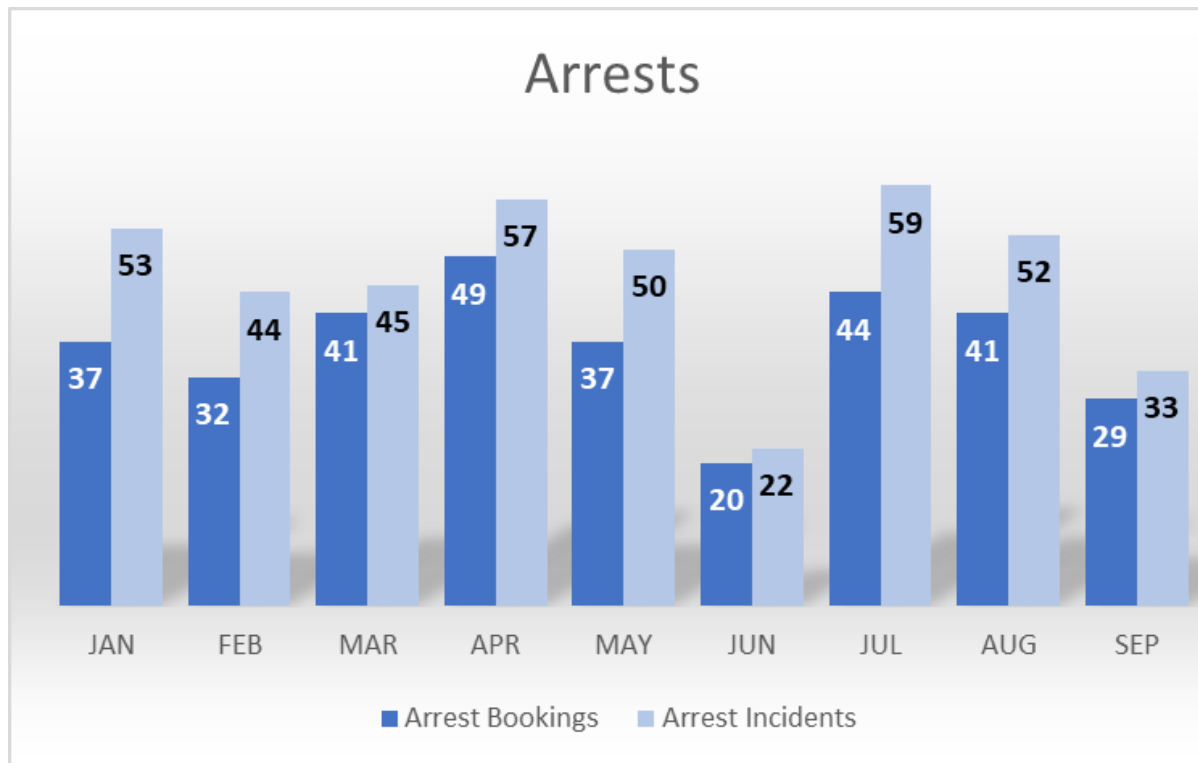
- ▣ Average Response Time - 7 minutes 56 seconds
- ▣ Average Time on Calls - 1 hour 6 minutes



Police Department

September 2023 Arrests

- ▣ 29 Individuals Booked
- ▣ 33 Total Charges



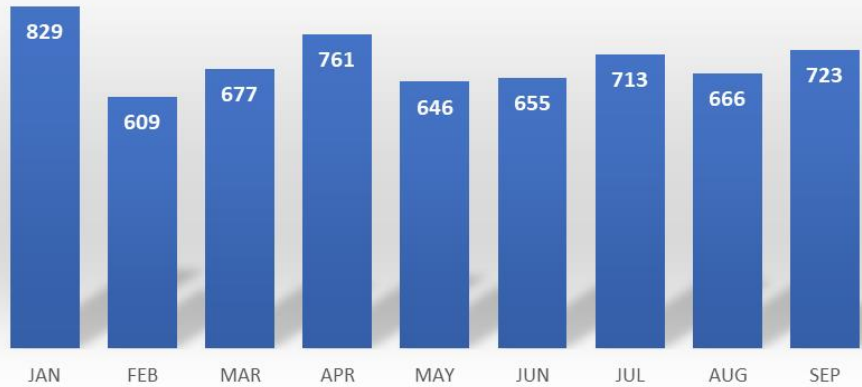
Police Department

September 2023 Warnings and Citations - 804

723 Warnings

81 Citations

Warnings



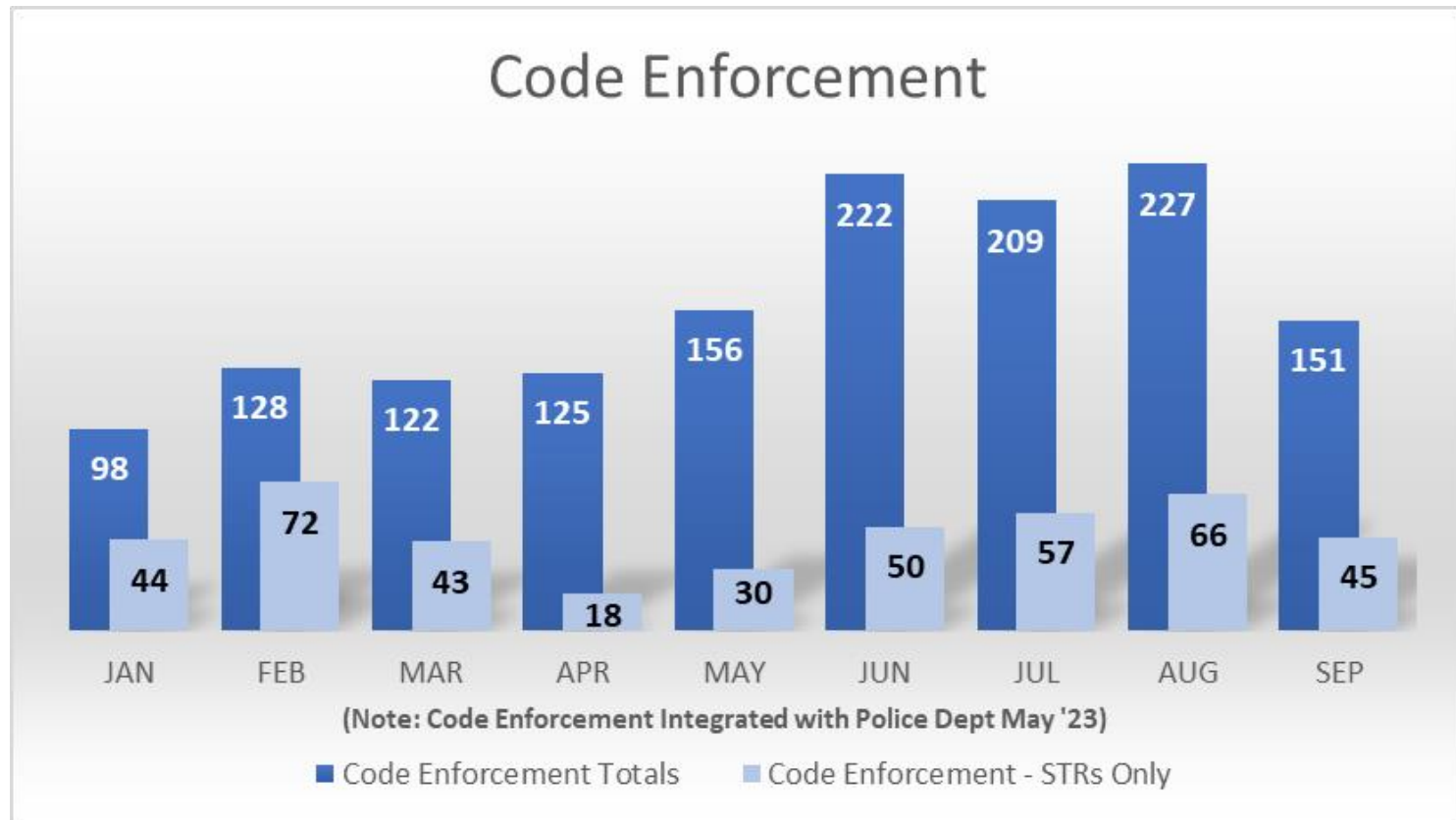
Citations



Police Department

September 2023 Code Enforcement Activity - 151

▣ 45 of the 151 were STR Activity



Police Department

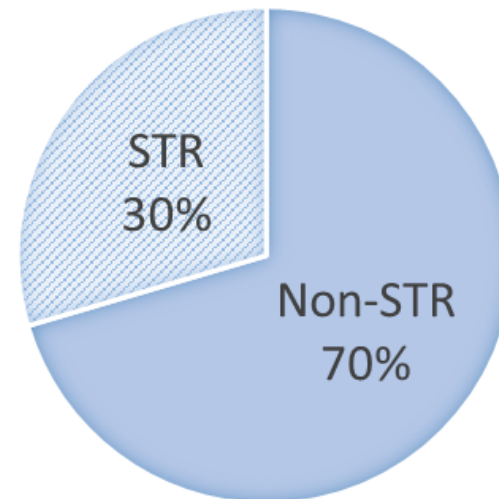
January - September 2023 Code Enforcement Totals

1,438 Code Enforcement Violations

1,013 Non – STR

425 STR

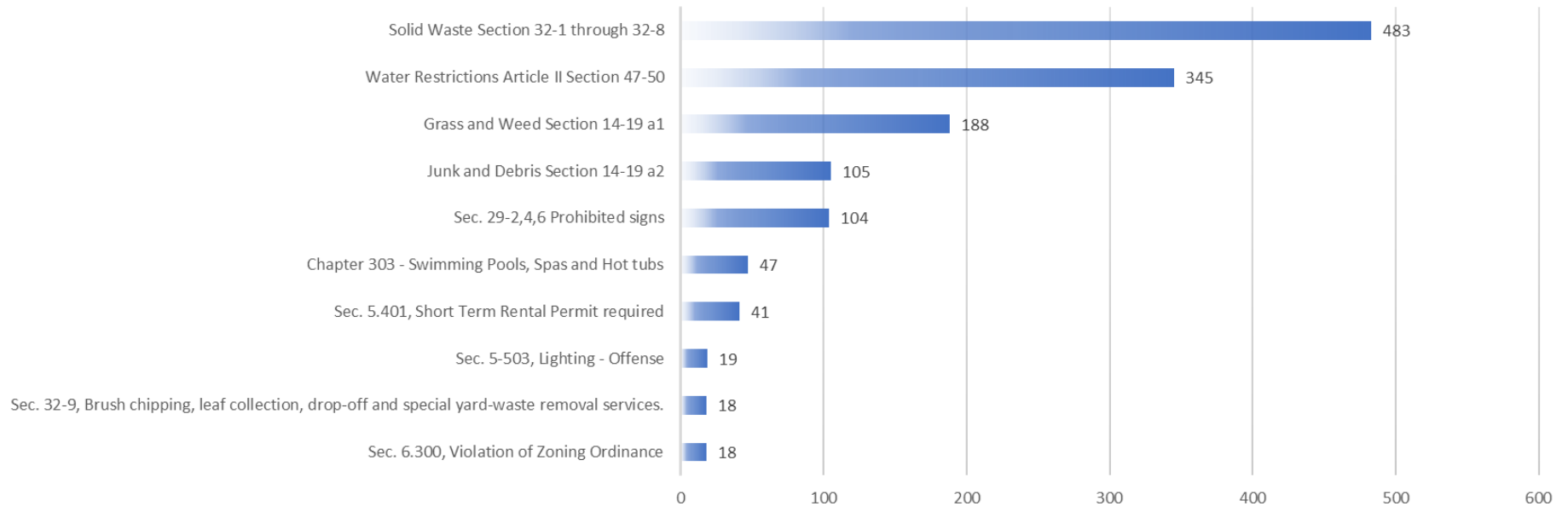
CODE ENFORCEMENT
SHORT-TERM RENTAL VIOLATIONS
COMPARED TO TOTAL (JAN-SEP '23)



Police Department

January - September 2023 Code Enforcement Top 10

TOP TEN CODE ENFORCEMENT VIOLATIONS (JAN-SEP '23)



Sept 2023 RMS Report

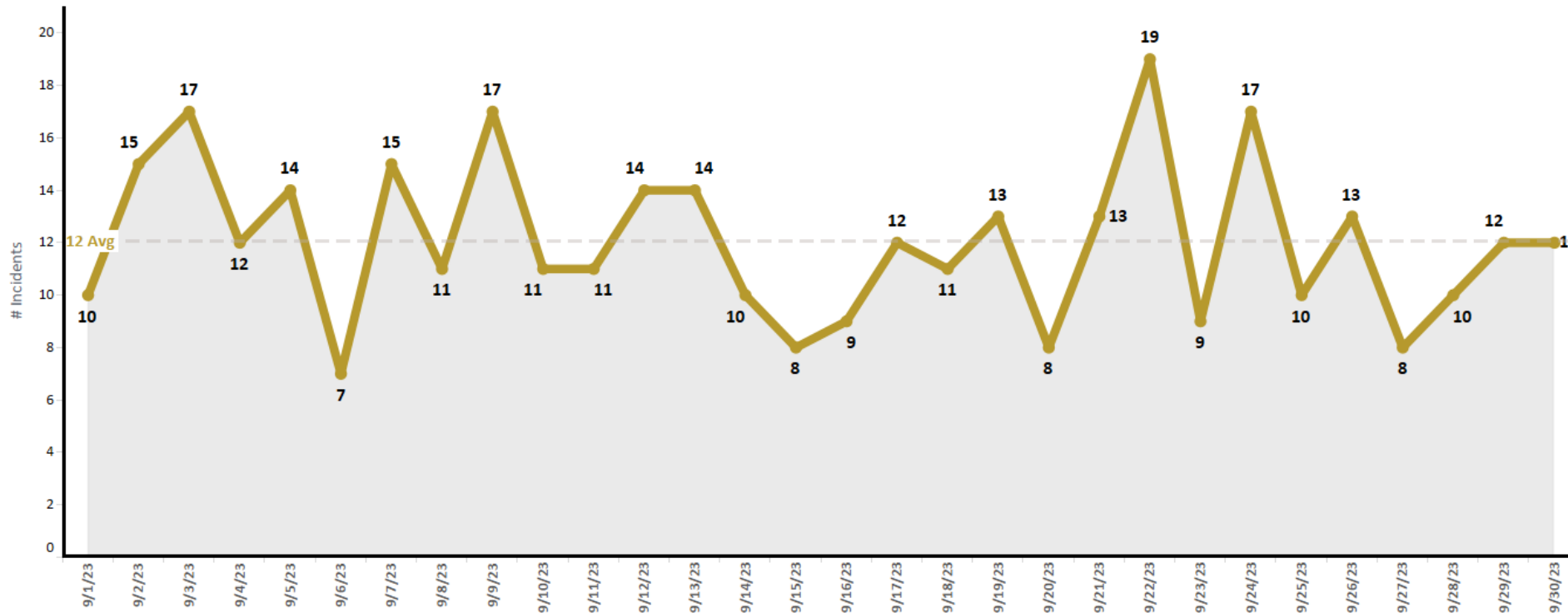


Department Volume

Incident Measures per *Day*

362 Incidents	12 Average	12 Median	7 Minimum	19 Maximum
-------------------------	----------------------	---------------------	---------------------	----------------------

Incidents per *Day*



Department Volume

Fredericksburg Fire and EMS



Incident Measures per *Month*

3,080

Incidents

342

Average

346

Median

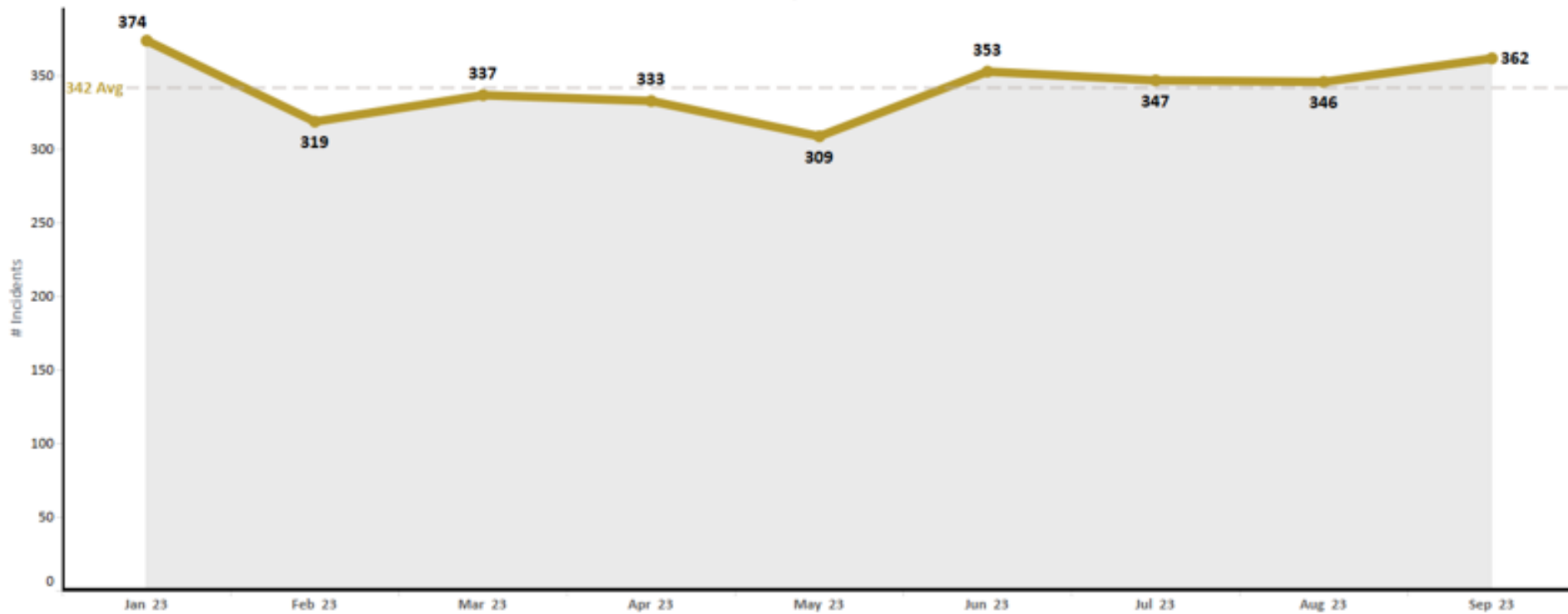
309

Minimum

374

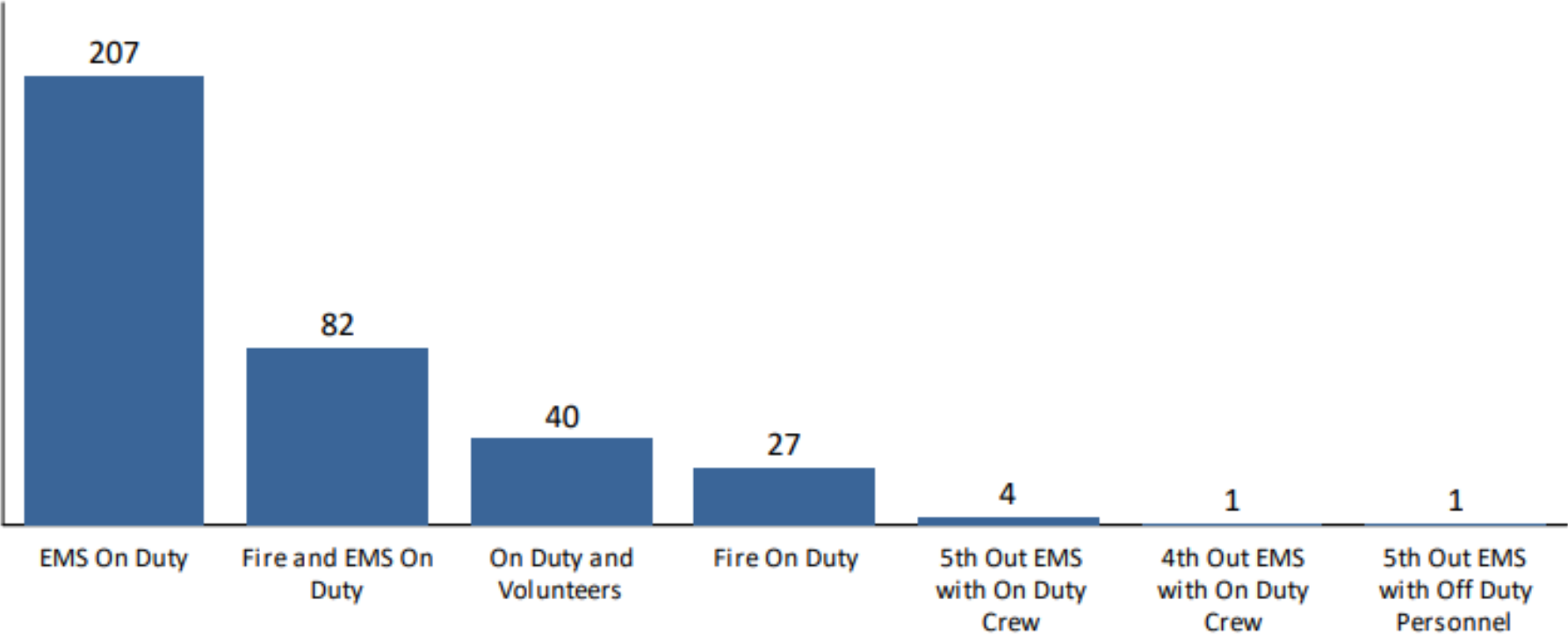
Maximum

Incidents per *Month*





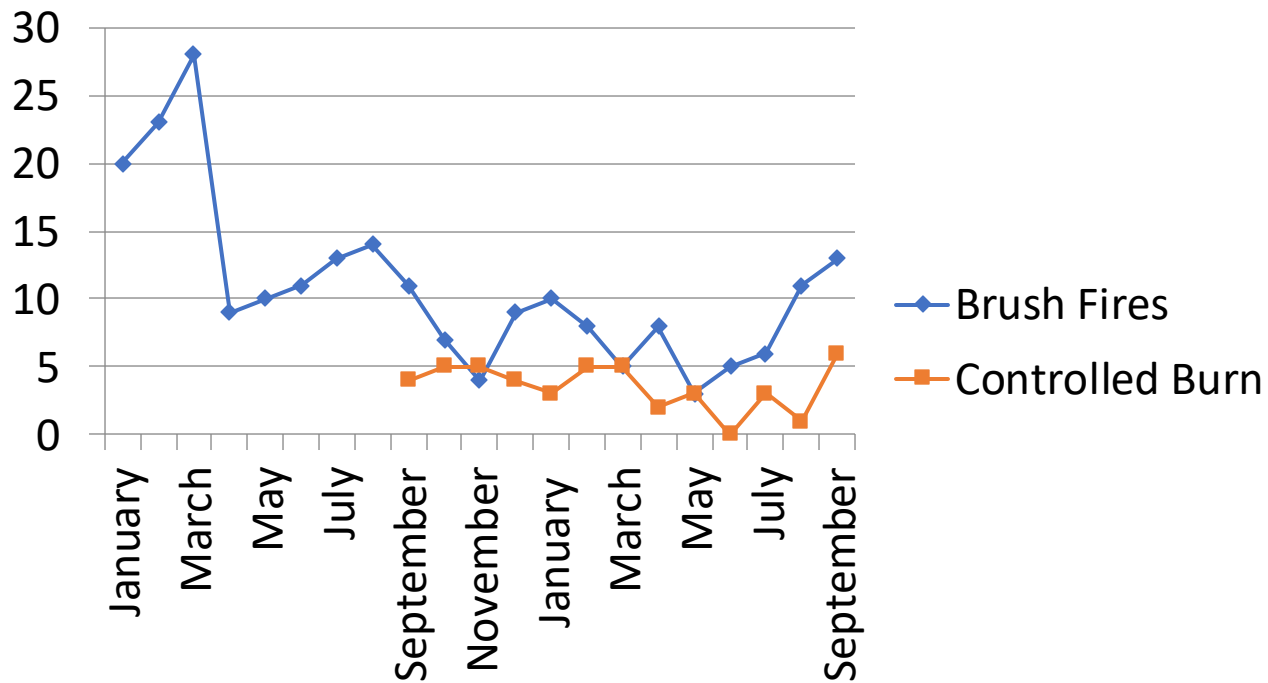
September 2023
Incidents Alarm Types



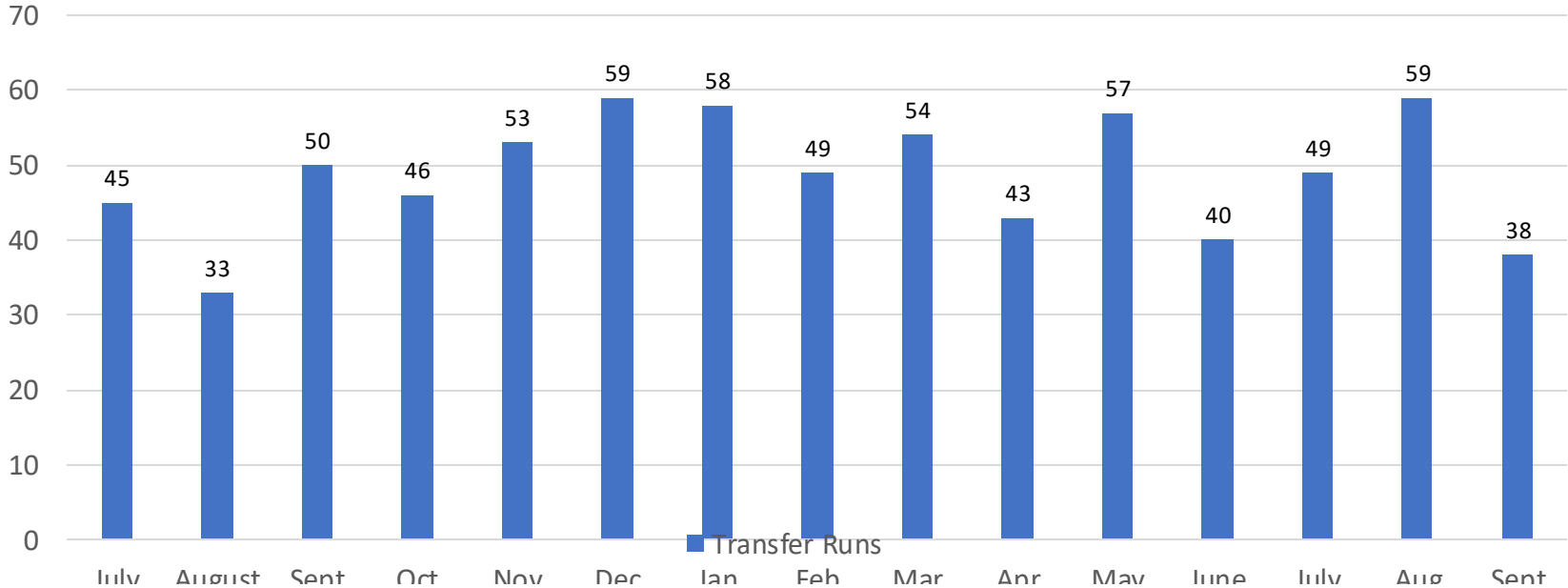
YTD 2022 vs YTD 2023 Comparison

- Total Runs 3007 vs 3080
 - Delta 73 runs or 2.4% increase
- 100 Fire Runs 196 vs 112
 - Delta - 84 runs or -43% decrease
- 300 EMS Runs 2353 vs 2516
 - Delta 81 runs or 6.9% increase
 - Delta Med/Trauma runs 128 or 8% increase
 - Delta Transfers runs 81 or 22% increase

2022-23 Brush Fire Season



2022-23 Transfers Per Month



Station Volume

Fredericksburg Fire and EMS



Incidents per Station		Incidents per <i>Day</i>			
		Average	Median	Minimum	Maximum
Central	49% 177	6	6	2	10
EAST	27% 96	3	3	1	6
South	25% 89	3	3	1	9

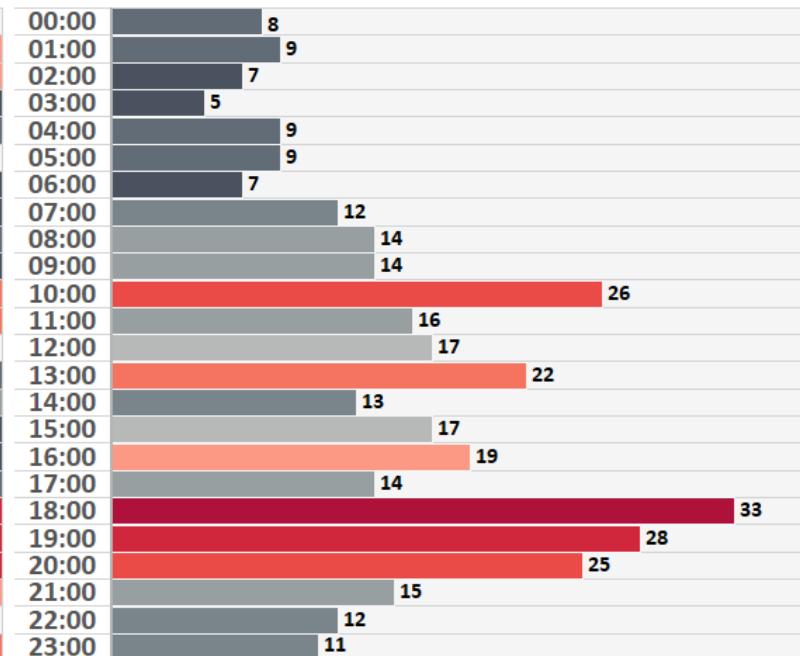
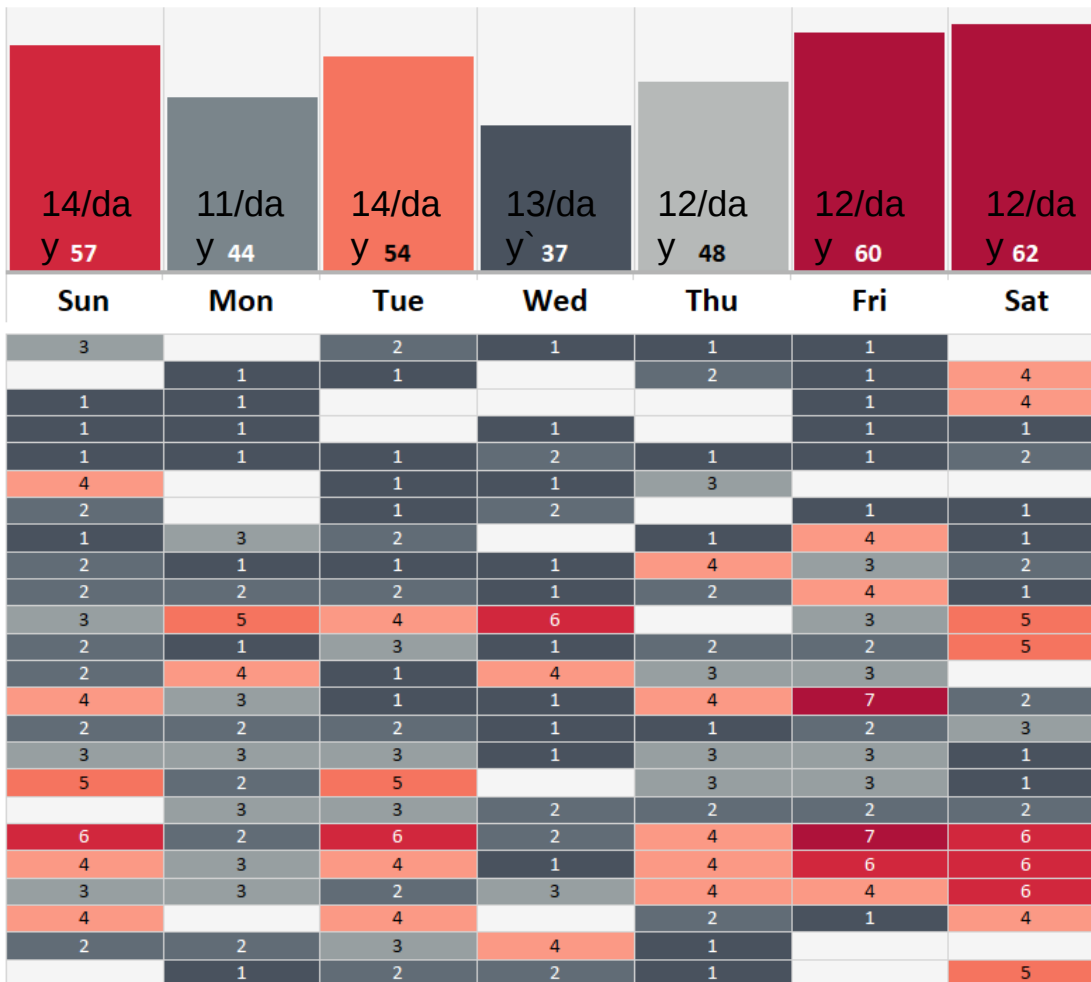


Department Incidents by Day & Hour

Fredericksburg Fire and EMS

362
Incidents

Low High



Incident Locations by Type

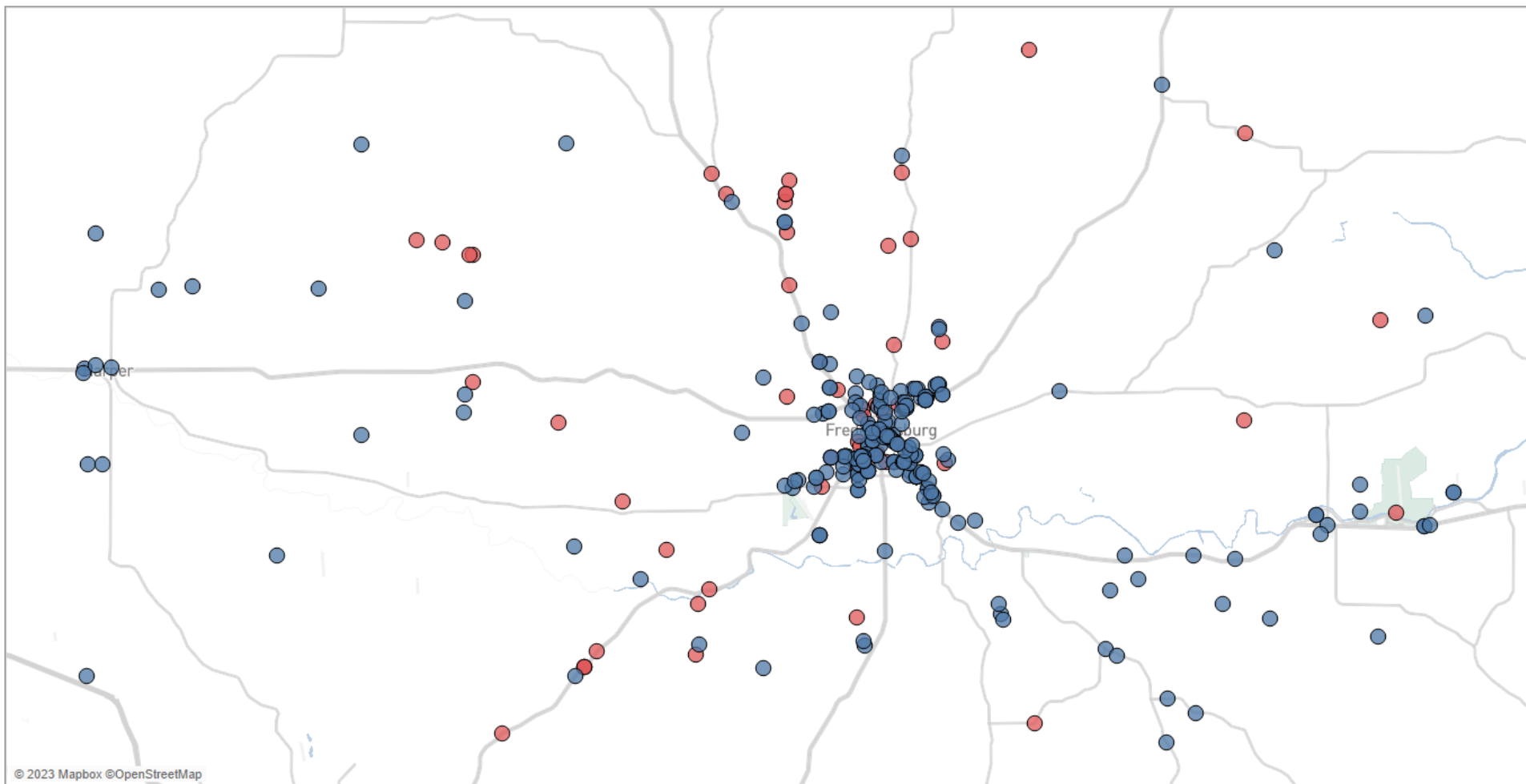
Click to highlight Fire or EMS

Fire

EMS

359 (99.2%) incidents have coordinates out of 362 incidents total.
Incidents without coordinates are not shown.

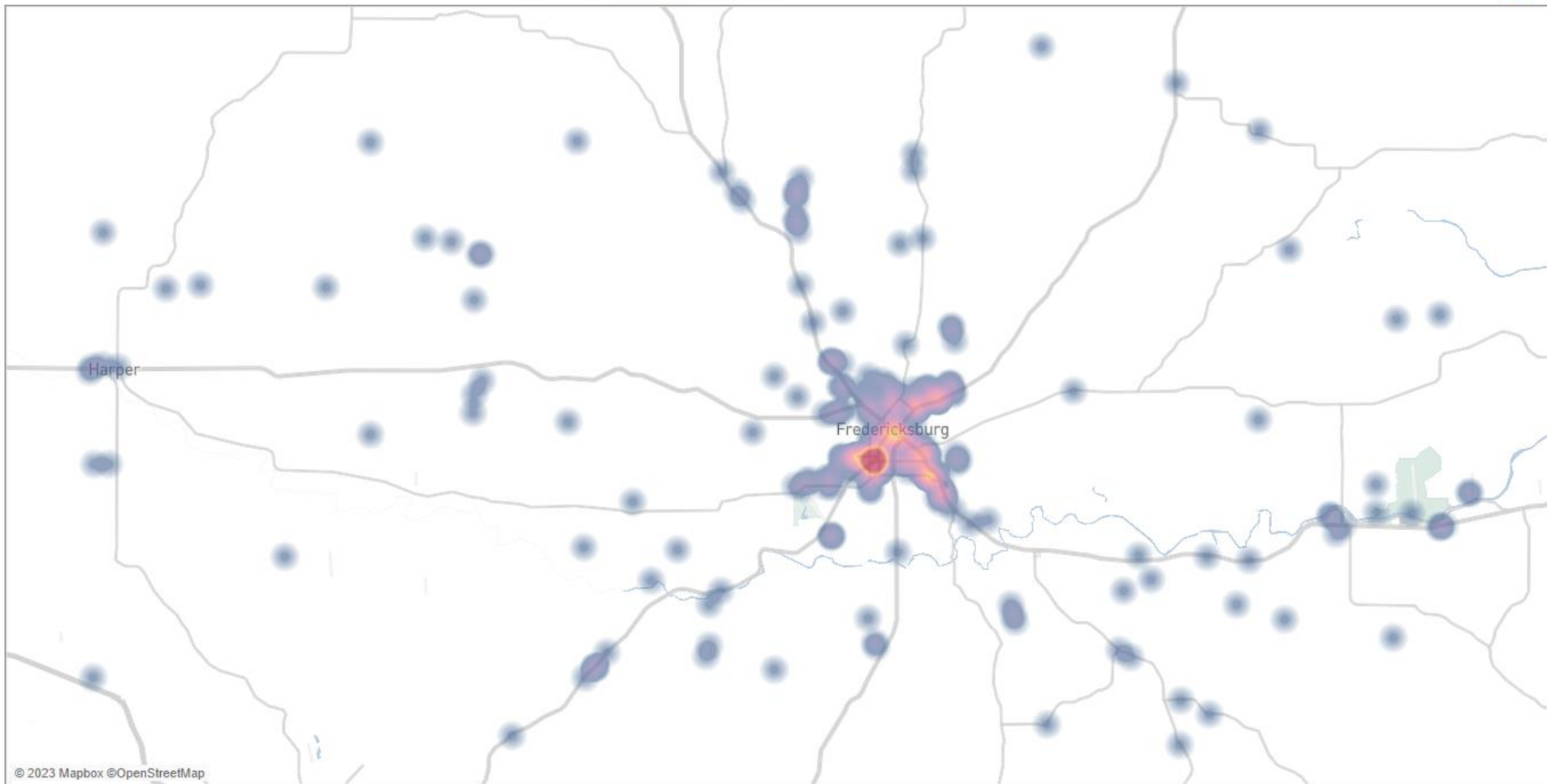
Fredericksburg Fire and EMS



Incident Location Heat Map



Fredericksburg Fire and EMS



359 (99.2%) incidents have coordinates out of 362 incidents total. Incidents without coordinates are not shown.

City Department Openings

Open Positions – October 17, 2023

Fire/EMS Department - Captain (Promotional testing process is being scheduled)

- Fire Fighter / EMT

Police Department - 3 Police Officers

Water Department - Crew Chief (probable internal promotion, leaving crew worker open)

- Master Electrician

Engineering - Staff Engineer

Street Department - Heavy Equipment Specialist

Development Services - Senior Planner / Historic Preservation Officer

City Department Openings

Recently Filled Positions

Utility Account Analyst/Customer Service – Tyler Debish

Community Outreach Liaison (Police Dept) – Alyssa Rivera

Civic Engagement

- Neighborhood Town Hall Meeting-Pioneer Museum Sanctuary
 - October 12th
 - ▣ 20 residents, 4 Councilmembers and 8 Staff
 - ▣ Short Term Rental issues
 - ▣ Development and water concerns
 - ▣ Traffic issues
- Coffee with the City Manager
 - October 18th at 8:00 a.m. at the Lady Bird Johnson Golf Course in the Cardinal Room



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary

TO: Mayor & City Council Members

FROM: Clinton Bailey, City Manager

MEETING DATE: November 7, 2023

CATEGORY: CONSENT

CAPTION: Consider the following actions for the Fredericksburg Convention and Visitors Bureau Board of Directors (Shelley Goodwin, City Secretary)

- i. KK Welch appointment for a term expiring September 30, 2025
 - ii. Chris Perrenoud appointment for a term expiring September 30, 2025
 - iii. David Shields appointment to a full term expiring September 30, 2025
-

PRESENTATION:

SUMMARY:

The City of Fredericksburg has been notified of three CVB Board of Directors appointments that need to be confirmed by the City Council.

BACKGROUND:

David Shields filled a vacancy in February 2023 for a term expiring in September 2023; the Board of Directors is requesting the confirmation of the appointment of a full term expiring September 2025. The Board of Directors also requests the confirmation of two new members, KK Welch and Chris Perrenoud, to terms expiring September 2025.

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Business Visioning
Government Vision

ATTACHMENTS:

None

APPROVAL/REVIEW:

Date: October 24, 2023

William McKamie, City Attorney

A handwritten signature in blue ink, appearing to read "Shelley Goodwin", written over a horizontal line.

Date: October 24, 2023

Shelley Goodwin, City Secretary

A handwritten signature in blue ink, appearing to read "Clinton Bailey", written over a horizontal line.

Date: November 02, 2023

Clinton Bailey, City Manager



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Finance Department

TO: Mayor & City Council Members

FROM:

MEETING DATE: November 7, 2023

CATEGORY: CONSENT

CAPTION: Consider the approval of the Professional Services Agreement between the City of Fredericksburg and Lucy Pearson, Prosecutor, effective October 1, 2023 (Krista Wareham, Director of Finance)

PRESENTATION:

SUMMARY:

The FY 2024 adopted budget includes professional services to the City as follows: Deputy City Attorney - duties limited to Municipal Prosecutor, responsible for prosecution of all cases in the City of Fredericksburg Municipal Court.

BACKGROUND:

The professional services contract with Lucy Pearson has been revised to cover the increased number of municipal court dockets rather than hiring additional prosecutors.

FUNDING SOURCE: General Fund

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

Staff recommends approval of the professional services agreement between the City of Fredericksburg and Lucy Pearson effective Oct. 1, 2023.

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Government Vision

ATTACHMENTS:

None

APPROVAL/REVIEW:

Date: October 31, 2023

William McKamie, City Attorney

A handwritten signature in blue ink, appearing to read "Shelley Goodwin".

Date: November 01, 2023

Shelley Goodwin, City Secretary

A handwritten signature in blue ink, appearing to read "Clinton Bailey".

Date: November 02, 2023

Clinton Bailey, City Manager



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services

TO: Mayor & City Council Members

FROM: Anna Hudson, Director of Development Services

MEETING DATE: November 7, 2023

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Consider the proposed amendments to the Zoning Municipal Ordinances as part of the City of Fredericksburg Code of Ordinances regarding Short-Term Rentals (#Z-2318) (Anna Hudson, Director of Development Services)

- i. Motion to take from the table (previously tabled on October 17, 2023)
 - ii. Presentation by Staff
 - iii. Discussion by City Council
 - iv. Consider the approval of Ordinance 2023-18, repealing Section 5.401, "Additional Requirements for Short-Term Rental Uses," of Appendix B, "Zoning Ordinance," of the Fredericksburg Municipal Code; amending Section 2.100, "Definitions," of Appendix B, "Zoning Ordinance," by revising definitions related to Short-Term Rentals; adding a new Article VII, "Short-Term Rentals," to Chapter 20, "Offenses And Miscellaneous Provisions," to provide for the regulation and permitting of Short-Term Rentals; creating a new Section 4.400, "General Regulations for Short-Term Rentals," in Appendix B, "Zoning Ordinance," to provide for zoning regulations related to Short-Term Rentals; amending Section 5.500, "Board of Adjustment," of Appendix B, "Zoning Ordinance," to authorize the Board of Adjustment to grant Special Exceptions related to Short-Term Rentals; amending miscellaneous provisions in Appendix B, "Zoning Ordinance," to ensure consistency with the amendments herein; providing this Ordinance shall be cumulative; providing a severability clause; providing a penalty for violation; providing a savings clause; providing for publication in the official newspaper; and providing an effective date
-

PRESENTATION:

SUMMARY:

The proposed amendments will repeal the existing STR ordinance and shift the majority of STR regulations to Chapter 20 of the Fredericksburg Municipal Code. Highlights from the amendments include provisions relating to the following functions:

- To clarify and update the regulations to be applied to STRs;
- To create a specific enforcement structure for repeated major STR permit violations;
- To create new appeals procedures related to STR permits to ensure due process of law;

- To clarify procedures for transferring and renewing permits, particularly by allowing greater flexibility with respect to permit transfers; and
- To establish that certain types of STRs may continue operations as legal nonconforming uses.

BACKGROUND:

In April 2022, new regulations governing short-term rentals (STR) were adopted along with the implementation of a new software package for permitting and compliance monitoring. The Mayor appointed an STR Task Force in the Fall of 2022 to analyze the particular issues faced by the City and to provide recommendations on approaches to improve the 2022 STR Ordinance. The task force's final report was presented to City Council on March 7, 2023.

Since the completion of the Task Force's report, the City Council and the Planning & Zoning Commission have held three joint work sessions to evaluate the recommendations of the Task Force and City staff and to review STR-related data. As part of this process, numerous members of the public community have voiced their support and opposition of STR's within the City.

As of August 1, 2023, there were 1,058 active STR permits within the City Limits.

City staff has worked closely with the City Attorney's office to prepare an ordinance that is legally enforceable and addresses the issues and concerns that have been brought up with the 2022 ordinance. The first draft ordinance was made public on August 15, 2023, along with an [interactive map](#) that shows permitted STRs operating within the City Limits and ETJ.

City Council considered The Planning & Zoning Commission recommendations and held a Public Hearing on October 3, 2023. The enclosed redline tracks the changes requested by City Council at the October 17, 2023 meeting.

FUNDING SOURCE: The proposed ordinance keeps a yearly permit and requires an annual inspection. A fee ordinance amendment will be considered on November 21, 2023.

FINANCIAL IMPACT: 7% Hotel Occupancy Taxes (HOT) are collected by the Finance Department quarterly for all STR properties.

STAFF RECOMMENDATION:

Staff recommend the proposed amendments to the ordinance to address the availability of housing options, provide additional clarification for future permitting, remittance of hotel occupancy taxes, and enforcement. Planning and Zoning held a Public Hearing on September 7, 2023 and made a recommendation for approval with 11 changes. Those recommendations were considered by City Council on October 3, 2023. Changes suggested by City Council at the October 17 meeting are included in this final draft.

Nonconforming uses: Allowing all existing, legally operating STRs to continue to operate, transfer permits and renew permits annually. Existing permits must come into compliance with the following: life safety, 24-hour contact, signage, food service, host rules, conduct on premises, duration of rental, hotel occupancy tax, application information, and advertising. Occupancy and parking requirements for existing permits will NOT be required to meet new ordinance requirements. Sec 20-226

Long Term Rentals: Allows an STR to switch to a Long Term Rental by notifying staff and continuing to remit a zero-dollar HOT report.

Parking: New permits will have to provide 1 parking space per bedroom (facilities park 60% of occupancy). Tandem parking is allowed and no credit for on-street parking. All required parking must be on-site. Existing permits will not have to come into compliance with new rules.

Occupancy: Proposed occupancy of 2 people per bedroom plus 2 with an overall max occupancy of 12 . Occupant definition is not tied to age. All persons count towards maximum occupancy. Existing permits with higher occupancy would not be required to come into compliance at renewal.

Special Exceptions: In place of the Conditional Use Permit process, this ordinance creates a Special Exception that would require approval by the Zoning Board of Adjustment based on new criteria along with other variance procedures. Special Exceptions would be allowed for "Stranded R1 and R2" properties or to increase occupancy or to reduce parking requirements.

R1 and R2 zoned Stranded Properties: R2 zoning will now be like R1 and will no longer allow new unoccupied STRs by right. There is a provision for "stranded" properties. For a stranded property to be eligible to apply for a Special Exception for an STR-Unoccupied STR permit, there must be 50% of other properties in a 200' radius that are either non-residential uses or other STRs. Staff suggests specifying CBD and C2 zoning instead of "non-residential". *Sec 20-223*

Condos/R3: Prohibits new STR Condos in any zoning district. Removes STR use in R3 Multi-family zoning. Staff recommend the change in order to preserve R3 housing stock for affordable housing. *Section 2, Section 7, Section 8*

Transfers: Allows transfers (including non-conforming uses in good standing) within 90 days of the sale of the property. If operating an STR within the 90-day transfer period, a new STR owner must comply with all applicable regulations in the new ordinance, regardless of whether or not the transfer application has been submitted. Transfers also require a new inspection. *Sec 20-221(3)*

Inspections/Length of Permit: Proposed ordinance will continue a yearly permit that requires an annual inspection. All life/safety requirements must come into compliance. *Sec 20-221(4)*

STR Regulations/Requirements: Currently located in Sec 5.401 - proposed moves to Sec 20-222

Enforcement: Allows permit suspension for failure to pay HOT, addresses repeat offenses and clarifies major and minor violations. Three minor violations will equal 1 major violation and 3 majors within 12 months will send a permit to City Council to consider suspension for up to 90 days. The appeal of a permit denial will be sent to City Council. City Council will have the ability to revoke or suspend a permit. *Sec 20-224, 20-225*

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Business Visioning
Government Vision
Family Life Vision
Quality of Life Vision

ATTACHMENTS:

1. Summary of final STR Amendments
2. STR Ordinance Amendment_Final

APPROVAL/REVIEW:



Anna Hudson, Director of Development Services

Date: November 01, 2023

William McKamie, City Attorney

Date: November 01, 2023



Shelley Goodwin, City Secretary

Date: November 02, 2023



Clinton Bailey, City Manager

Date: November 02, 2023



MEMO

DATE: October 27, 2023

FROM: Anna Hudson, Director of Development Services

SUBJECT: Final draft STR Amendments – Summary

This serves as a summary of the proposed changes from the existing “2022 STR Ordinance” to the new “2024 STR Ordinance”. The final draft is available on the City’s STR webpage and will be considered by City Council on November 7, 2023, at 9:00 at the Law Enforcement Center at 1601 E Main Street.

<https://www.fbgtx.org/845/Short-Term-Rentals>

If the proposed draft is approved as presented, the following changes will go into effect:

Zoning:

- R2 zoning to be treated like R1 (no new unoccupied, no new facilities)
- No new STR-Condominium
- R3- STR not allowed
- Special Exceptions will be handled by Zoning Board of Adjustments instead of Conditional Use Permits by City Council and Planning & Zoning Commission
- Special Exceptions available for:
 - R1 and R2 Unoccupied “Stranded properties” (must share two property lines with STR-unoccupied or non-residential use, and 50% of other properties within 200’ radius must have STR-unoccupied permit or non-residential use to be able to apply for the Special Exception)
 - Expanding occupancy or parking requirement exception.
 - STR on first floor in historic shopping district

Permits:

- Can be transferred within 90 days of sale of property
- Permit must be posted to be visible from exterior of entrance.
- Non-conforming or “grandfathered” permits can continue to operate and transfer. Must come into compliance with all new requirements except parking and occupancy at time of permit renewal.

The City of Fredericksburg

- Existing permits must come into compliance with the following: life safety, 24-hour contact, signage, food service, host rules, conduct on premises, duration of rental, hotel occupancy tax, application information, and advertising
- Inspections: yearly for renewal and upon transfer or after modifications, or violations
- Parking: 1 space per bedroom. Tandem parking is allowed. On-street parking is still allowed, but no credit given towards minimum requirements.
- Max occupancy of 12 (all persons count towards occupancy).

Enforcement:

- 3 minor violations (such as watering, trash, advertising, lighting) count as 1 Major Violation. 3 Major violations (related to health and safety, occupancy, noise, a failure to update application information, an unresponsive 24-hour contact, non-remittance of hotel occupancy tax, unlawful advertisements, and operations without a permit) within 12 months will require City Council review and permit may be suspended for up to 90 days.
- Lack of H.O.T. remittance results in 90-day suspension of permit.

Effective date:

Proposed January 1, 2024. During the time between adoption date and effective date of the ordinance staff will:

- go live with new STR Permitting software, MyGovNow;
- update website, educational materials, and STR newsletter with new regulations;
- train Zoning Board of Adjustment on new Special Exception provisions
- continue to process renewals, transfers, and new permits under 2022 ordinance.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FREDERICKSBURG, TEXAS, REPEALING SECTION 5.401, "ADDITIONAL REQUIREMENTS FOR SHORT-TERM RENTAL USES," OF APPENDIX B, "ZONING ORDINANCE," OF THE FREDERICKSBURG MUNICIPAL CODE; AMENDING SECTION 2.100, "DEFINITIONS," OF APPENDIX B, "ZONING ORDINANCE," BY REVISING DEFINITIONS RELATED TO SHORT-TERM RENTALS; ADDING A NEW ARTICLE VII, "SHORT-TERM RENTALS," TO CHAPTER 20, "OFFENSES AND MISCELLANEOUS PROVISIONS," TO PROVIDE FOR THE REGULATION AND PERMITTING OF SHORT-TERM RENTALS; CREATING A NEW SECTION 4.400, "GENERAL REGULATIONS FOR SHORT-TERM RENTALS," IN APPENDIX B, "ZONING ORDINANCE," TO PROVIDE FOR ZONING REGULATIONS RELATED TO SHORT-TERM RENTALS; AMENDING SECTION 5.500, "BOARD OF ADJUSTMENT," OF APPENDIX B, "ZONING ORDINANCE," TO AUTHORIZE THE BOARD OF ADJUSTMENT TO GRANT SPECIAL EXCEPTIONS RELATED TO SHORT-TERM RENTALS; AMENDING MISCELLANEOUS PROVISIONS IN APPENDIX B, "ZONING ORDINANCE," TO ENSURE CONSISTENCY WITH THE AMENDMENTS HEREIN; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Fredericksburg, Texas (the "City"), is a home rule city acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution, and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City ("City Council") recognizes the City's desirability as a premier tourist destination, as well as the importance of maintaining affordable housing for long-term residents of the City and its essential duty to protect residential areas as neighborhoods defined as districts that form a community with relation to its inhabitants or interests, and has therefore determined that the regulation of short-term rental properties is in the best interest of the public; and

WHEREAS, the City Council has previously adopted regulations governing short-term rentals and appointed a Short-Term Rental Task Force in Fall 2022 to analyze the particular issues faced by the City and to provide recommendations on approaches to improve the previously adopted regulations; and

WHEREAS, the City Council and Planning & Zoning Commission of the City have held multiple joint work sessions to evaluate the recommendations of the Task Force, recommendations of City staff, and data on short-term rental issues within the City; and

WHEREAS, the City Council and Planning & Zoning Commission have heard and reviewed extensive comments by members of the public, including citizens of the City expressing complaints as to noise, density, parking, and other adverse effects related to

the operation of short-term rentals in residential areas, as well as non-resident owners of short-term rental properties within the City expressing their commitment to supporting the City's tourism industry; and

WHEREAS, in consideration of the information, recommendations, and public comments provided, the City Council now seeks to amend the City's short-term rental regulations; and

WHEREAS, the purpose of the regulations set forth herein is to provide a procedure to allow the rental of private residences to visitors on a short-term basis, while ensuring that such rental use does not cause adverse impacts to residential neighborhoods due to the intensive nature of the use creating excessive traffic, noise, density, and other adverse effects, and additionally to ensure that the number of occupants within such rental units do not exceed the design capacity of the structure causing health and safety concerns, and that minimum health and safety standards are maintained in such units to protect visitors from unsafe or unsanitary conditions; and

WHEREAS, the City Council has determined that the enforcement of such regulations will promote the public health, safety and welfare of its citizens and the general public; ensure consistency in land uses and development; and protect the rights of property owners, residents, and visitors in the City of Fredericksburg.

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

SECTION 1

Section 5.401, "Additional requirements for short-term rental uses," of Appendix B, "Zoning Ordinance," of the Fredericksburg Municipal Code is hereby repealed.

SECTION 2

Section 2.100, "Definitions," of Appendix B, "Zoning Ordinance," of the Fredericksburg Municipal Code is amended by deleting the following definitions:

"LOCAL CONTACT PERSON.

The Owner, Operator, or person designated by the Owner or the Operator, who shall be available 24 hours per day for the purpose of responding to concerns or requests for assistance related to the Owner's Short-term Rental.

OPERATOR.

The Owner or the Owner's authorized representative who is responsible for advertising and/or operating a Short-term Rental.

SHORT-TERM RENTAL (STR).

Any structure used for transient or guest lodging accommodations, rented for compensation of a dwelling unit, which includes but is not limited to a single-family residence, townhouses, and other residential use real estate improvements, in which the public may obtain sleeping accommodations for a period less than 30 consecutive days. This term applies regardless of whether the dwelling was originally constructed or zoned as a residential dwelling. This term does not apply to multi-family projects or apartment complexes. This term is a general definition and the various types of STRs are further defined in this Section 2.100.

SHORT-TERM RENTAL, ACCESSORY.

A short-term rental providing transient or guest lodging accommodations for compensation within a lawful Guest House on the same lot as the primary structure which is the principal residence of the Owner (as evidenced by a current residence homestead exemption filed with the Gillespie Central Appraisal District) or the Local Contact Person (as evidenced by a sworn affidavit of principal residency). The Guest House shall not exceed the size of the primary structure. For purposes of this definition, the term "principal residence" refers to a person's primary or chief residence that the person actually occupies on a regular basis.

SHORT-TERM RENTAL, B&B.

A short-term rental providing transient or guest lodging accommodations for compensation within the rooms of the primary structure which is the principal residence of the Owner (as evidenced by a current residence homestead exemption filed with the Gillespie Central Appraisal District) or the Local Contact Person (as evidenced by a sworn affidavit of principal residency). Separate short-term rental permits shall be required for each separate bedroom unit within a Short-Term Rental, B&B which may be rented. For purposes of this definition, the term "principal residence" refers to a person's primary or chief residence that the person actually occupies on a regular basis.

SHORT-TERM RENTAL, BEDROOM.

A short-term rental, bedroom shall be defined as a room within a structure used for Short-Term Rental purposes, with a minimum size of 70 square feet, plus a closet directly accessible from the room, that meets all the minimum international building code and fire code regulations regarding bedroom sizes, ingress, and egress.

SHORT-TERM RENTAL, CONDOMINIUM.

Short-term rental located in a complex or housing group that is part of a declared and recorded condominium regime.

SHORT-TERM RENTAL, DWELLING UNIT.

A structure or room that is rented separately from other rental units on the property, for the purpose of transient or guest lodging. Each individual short-term rental dwelling unit shall be required to obtain a separate short-term rental permit.

SHORT-TERM RENTAL, FACILITY.

A facility or complex containing multiple short-term rental dwelling units (up to eight units) on a single lot, for transient or guest lodging where sleeping accommodations are provided for compensation. Any facility or complex, located in a commercial zoning district, containing multiple short-term rental dwelling units on a single lot, shall be developed in accordance with the multi-family regulations of the base zoning district.

SHORT-TERM RENTAL PERMIT.

A permit issued by the City authorizing the use of a privately owned dwelling as a Short-term Rental.

SHORT-TERM RENTAL, UNOCCUPIED.

A short-term rental providing transient or guest lodging accommodations for compensation within a lawful structure, that is not located on the same lot as the property owner's principal residence, and which includes, but is not limited to, a single-family residence, townhouses, duplexes, and other residential real estate improvements."

SECTION 3

Chapter 20, "Offenses and Miscellaneous Provisions," of the Fredericksburg Municipal Code is hereby amended by adding a new Article VII to read as follows:

"ARTICLE VII. – SHORT-TERM RENTALS

Sec. 20-220. – Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

24-hour contact. The local responsible party who can be contacted regarding emergencies, immediate concerns, and complaints from the public. Said individual must be available in person or by phone at all times during any occupant's rental term for the short-term rental. If called, the 24-hour contact must respond to such call within thirty (30) minutes, and shall either resolve the issue or be present at the premises within one (1) hour of receiving a call from the director, the police department, code enforcement, or other city staff requesting the 24-hour contact's presence. A 24-hour contact must be authorized to make decisions regarding the premises and its occupants.

Bathroom. An enclosed space containing one or more bathtubs, showers, or both, as well as one or more toilets, lavatories or fixtures serving similar purposes.

Bedroom. A room used or intended to be used for sleeping purposes and not as a kitchen, bathroom, living room, closet, hallway, utility space, reading nook, alcove, entry way, garage, patio or breezeway.

Block. A tract of land bounded by streets, or a combination of streets, public parks, railroad rights-of-way, shorelines of waterways or corporate limits.

Code or city code. The Fredericksburg Municipal Code.

Department. The development services department of the city.

Director. The director of development services of the city or their designee.

Listing. An advertisement containing information on a short-term rental through which a potential occupant may book a short-term rental premises for a specific period of time. A listing may be, but is not necessarily, an electronic advertisement, and it may be, but is not necessarily, posted on a platform like AirBNB, VRBO, or another website.

Long-term rental. The rental of any residence or residential structure, or portion of a residence or residential structure, to a residential tenant for a period of thirty (30) or more consecutive days.

Occupant. The person(s) who has/have lawfully obtained the exclusive use and possession of a short-term rental from the owner and/or operator, as well as any invitee(s) of such person(s).

Operator. The owner or local responsible party tasked with managing a property operating as a short-term rental on behalf of the owner.

Owner. The individual or entity who owns a property operating as a short-term rental.

Permit. The permit issued pursuant to the terms of this article authorizing the operation of a short-term rental.

Short-term rental or STR. The rental for compensation of any residence or residential structure, or a portion of a residence or residential structure, for the purpose of transient or guest overnight lodging accommodations for a period of less than thirty (30) consecutive days. Short-term rentals may include but are not limited to single-family residences, townhomes, duplexes, and other residential dwelling units, regardless of whether the dwelling was originally constructed or zoned as a residential dwelling. Short-term rentals shall not include hotels or motels. A short-term rental is further subject to the provisions of this article.

Short-term rental accessory or STR-ADU. A short-term rental operating within a lawful accessory dwelling unit on the same lot as the primary structure, in which the primary structure is (a) the owner's homestead as evidenced by a current homestead exemption filed with the Gillespie Central Appraisal District or (b) the primary residence of the 24-hour contact, as evidenced by a sworn affidavit to be provided with the short-term rental permit application. The accessory dwelling unit shall comply with section 8.220 of the city zoning ordinance.

Short-term rental B&B or STR-B&B. A short-term rental that operates on a residential property in which the owner, operator, or 24-hour contact resides as their principal residence (as evidenced by a current residence homestead exemption filed with the Gillespie Central Appraisal District or a sworn affidavit). Separate short-term rental permits, with a maximum of four units, shall be required for each separate bedroom unit operating as a short-term rental within a short-term rental B&B.

Short-term rental facility or STR-facility. A facility or complex, owned or operated by a single owner or operator, containing multiple short-term rental units (up to eight units) operated for short-term rental purposes on a single lot. Each unit within an STR-facility shall require a separate short-term rental permit.

Short-term rental unoccupied or STR-unoccupied. A short-term rental within a lawful residential dwelling that is not operating as an STR-ADU or STR-B&B.

Sec. 20-221. – Short-term rental permitting and inspections.

It shall be unlawful for any owner, operator, or other person to advertise, offer to rent or rent, lease, sublease, license or sublicense a residential property within the city as a short-term rental for which a permit application has not been properly made and filed with the department, and a permit issued.

(1) Permit application; fees.

- a. A separate permit application must be submitted for each individual short-term rental.
- b. A permit application shall be made upon forms furnished by the city for such purpose and shall be accompanied by the nonrefundable application fee identified in the city fee schedule.

(2) Permit term; renewals; conditions.

- a. Each individual short-term rental shall be assigned a unique permit number by the city to remain assigned to the short-term rental through any property ownership transfers.
- b. An owner and/or operator shall obtain a unique permit for each short-term rental unit operating within an STR-facility or STR-B&B.

- c. Permits shall be valid for a term of one (1) year.
- d. A permit holder shall apply for renewal prior to permit expiration on a form furnished by the city for such purpose. The permit holder shall either update the information required on the initial application form or provide a certification affirming that the information previously submitted is still accurate. A complete application for renewal received after the expiration of a current permit shall be treated as an application for a new permit in accordance with section 20-221(1). Notwithstanding the foregoing, the permit holder of a short-term rental located in a zoning district where the short-term rental use is no longer permitted by right may transfer said permit pursuant to section 20-221(3).
- e. Upon issuance, each short-term rental shall receive a physical permit, indicating the permit number, property address, maximum occupancy, the name and phone number of the 24-hour contact, and expiration date, that shall be posted at or near the exterior front door of every short-term rental. The physical permit may be posted inside a front window at or near the exterior front door such that it is easily viewed from the exterior of the structure.

(3) Transfers of ownership.

- a. For properties located in zoning districts where short-term rental uses are permitted by right, a short-term rental permit may be transferred to a new property owner upon submission of a complete short-term rental permit application prior to commencing short-term rental operations under new ownership. A permit transfer shall be required upon transfer of more than fifty percent (50%) of the ownership interest in any short-term rental, including any such transfer of interest in a legal entity owning a short-term rental.
- b. For properties located in zoning districts where short-term rental uses are no longer permitted by right, a short-term rental permit may be transferred subject to the following regulations.
 - 1. A permit transfer shall be required upon transfer of more than fifty percent (50%) of the ownership interest in any short-term rental, including any such transfer of interest in a legal entity owning a short-term rental.
 - 2. The new owner must submit a new permit application in accordance with this section 20-220 within the time period for voluntary discontinuance of a nonconforming use identified in section 6.110, "Continuance of a Nonconforming Use," of the city zoning ordinance, beginning on the date of closing on the

property or, in the absence of a closing date, other effective date of the transfer of interest.

3. In the event the new owner fails to submit a short-term rental permit application within the time period identified in section 6.110, the short-term rental use must be discontinued, and the short-term rental permit shall not be transferred or issued, pursuant to section 6.110 of the city zoning ordinance governing the abandonment of nonconforming uses.
4. Notwithstanding the foregoing, the owner of any short-term rental located in a zoning district where the short-term rental use is no longer permitted by right who, on the effective date of this article, has timely filed an appeal of a short-term rental permit application denial with the city manager, may obtain a vesting determination from the city manager allowing said owner to obtain a short-term rental permit without regard to such zoning prohibition but subject to all other regulations herein. The city manager may issue a formal vesting determination based on a short-term rental's prior lawful operations, relevant application dates, and any other mitigating factors.

(4) Inspections.

- a. Prior to permit issuance, the director shall perform an initial inspection of the short-term rental premises to determine compliance with all applicable codes, laws, and regulations. No permit shall be issued until the premises successfully passes such inspection.
- b. Prior to permit renewal, the director shall perform a renewal inspection of the short-term rental premises to determine compliance with all applicable codes, laws, and regulations.
- c. Additional inspections shall be conducted in the following circumstances:
 1. Upon transfer of ownership;
 2. When an owner or operator makes modifications to the short-term rental property that would alter the property's maximum occupancy, alter the property's evacuation plan, or otherwise affect the health and safety of any occupant; and
 3. When complaints are filed regarding property conditions related to health and safety concerns.

- d. Upon receiving notification from the director that a short-term rental permit application has proceeded to the inspection phase of the application review process, the owner and/or operator must schedule such inspection within thirty (30) days of receiving such notification. Failure to comply with this provision may result in permit denial.
 - e. An owner and/or operator may refuse to consent to an inspection. In the event the owner or operator does not authorize the director to enter and inspect the premises, the director is authorized to seek a warrant pursuant to article 18.05 of the Texas Code of Criminal Procedure, as amended. Any warrants issued will constitute authority for the director to enter upon and inspect the rental unit described therein.
 - f. If, upon completion of any inspection, the premises are found to be in violation of one or more provisions of this section, the director shall provide written notice of such violation and shall set a re-inspection date. Failure to pass the re-inspection shall result in permit denial. Re-inspection fees will be charged in accordance with the city fee schedule. A property cannot be occupied as a short-term rental while its status is noted as being in violation.
- (5) Public information. All permits issued under this article constitute public information, subject to the terms of the Public Information Act.

Sec. 20-222. –Regulations.

- (a) Duration of rental period. An owner and/or operator shall not rent or lease a short-term rental unit for a period of less than one (1) night. If an owner and/or operator seeks to operate a short-term rental property as a long-term rental for a rental term of thirty (30) or more consecutive days, the owner and/or operator shall notify staff in accordance with section 20-226(d) in order to preserve the property's short-term rental permit.
- (b) Occupancy. The maximum number of persons permitted to stay in a short-term rental is limited to two (2) persons per bedroom as defined herein, plus two (2) additional persons; however, no short-term rental shall permit the cumulative total number of occupants to exceed twelve (12) persons. An owner or operator may indicate a reduced occupancy maximum on a short-term rental permit application or an advertisement for a short-term rental. Notwithstanding the foregoing, an owner or operator may apply for a special exception in accordance with this article and section 5.500 of the city zoning ordinance in order to increase the occupancy maximum for a short-term rental.
- (c) Parking restrictions. A short-term rental owner and/or operator must provide one on-site parking spot per bedroom operating as a short-term rental. Additionally, it shall be unlawful for an occupant to park a motor vehicle on an unimproved

surface, or for an owner and/or operator to permit such parking. All motor vehicles are further subject to the parking requirements of chapter 44, article VI of the code. Tandem parking is permitted for multiple vehicles, so long as no part of any parked vehicle obstructs a public right-of-way.

(d) Life safety.

- (1) The short-term rental must be equipped with the following life safety measures:
 1. Working smoke alarms, meeting the requirements of Section 92.254 and 92.255 of the Texas Property Code, with a minimum of one on each floor or level; one in each room used as a bedroom; and, if multiple bedrooms are served by the same corridor, one in the corridor in the immediate vicinity of the bedrooms; and
 2. A minimum of one working carbon monoxide detector on each floor or level if the premises are equipped with natural gas, propane, and/or an attached garage; and
 3. A minimum of one 2A:10B:C type fire extinguisher (a standard five-pound extinguisher) available on each floor, inspected annually in accordance with the International Fire Code and tagged by a third-party inspector.
- (2) All gas appliances shall be properly ventilated outside the home.
- (3) Each room used as a bedroom must have at least one means of egress opening directly to the outdoors.
- (4) All pool and spa facilities must comply with the International Property Maintenance Code as adopted in article IX, chapter 5 of the city code.
- (5) All properties must comply with sections 7.330 and 7.340 of the city zoning code governing setback requirements, in addition to all applicable provisions contained in the city zoning code.
- (6) Any room that does not comply with this subsection (d) shall not be used as a bedroom, and where equipped with a door, shall remain locked at all times when the dwelling is being used as a short-term rental. Any non-compliant bedroom shall not be included in the maximum occupancy calculation for the short-term rental, nor be advertised as a bedroom.

- (e) Signage. All signs must comply with the city sign ordinance, as applicable, set forth in chapter 29 of the code. Short-term rental uses may erect a nameplate sign, which shall be considered a sign exempted from certain regulations under section 29-5(3) of the code, provided that such sign is not more than two square feet in area and is attached to the structure.
- (f) Food service. Only overnight guests may be served meals except in zones permitting restaurant use. Such meals shall be limited to a continental-type breakfast consisting of, for example, pastries prepared by a licensed provider, milk, cereal, fruit, fruit juice and coffee, unless the facility meets the State of Texas and Gillespie County Health Division requirements for commercial food service.
- (g) 24-hour contact. The owner and/or operator must designate the name and contact information of a 24-hour contact who shall be the local responsible party who can be contacted regarding emergencies, immediate concerns, and complaints from the public. Said individual must be available in person or by phone at all times during any occupant's rental term for the short-term rental. If called, the 24-hour contact must respond to such call within thirty (30) minutes, and shall either resolve the issue or be present at the premises within one (1) hour of receiving a call from the director, the police department, code enforcement, or other city staff requesting the 24-hour contact's presence. A 24-hour contact must be authorized to make decisions regarding the premises and its occupants.
- (h) Advertising. The owner and/or operator shall not advertise or promote, or allow another to advertise or promote, the short-term rental without including the following information on the listing: City permit number, occupancy maximum, maximum parking capacity, host rules, and a street-view image of the front of the property.
- (i) Conduct on premises. Each short-term rental owner, operator, and occupant shall comply with all requirements of the city code. Owners and/or operators shall be responsible for informing occupants that occupants must comply with all relevant city codes and may be liable for violations of same, including but not limited to the following specific provisions:
 - (1) Conduct that would violate the city noise ordinance contained in chapter 20, article VI of the code, in residential zoning districts or planned unit developments with residential uses, including, but not limited to, the following outside areas: decks, portals, porches, balconies, patios, hot tubs, pools, saunas or spas;
 - (2) Conduct that would violate the city trash ordinance contained in chapter 32 of the code;
 - (3) Conduct that would violate the city's outdoor fire regulations contained in chapter 17, article V of the code;

- (4) Operating exterior string and flood lights in violation of chapter 5, article XV ("Outdoor Lighting," or the City's Dark Sky regulations) of the code; and
 - (5) Using or permitting the use of the short-term rental for the purpose of selling illegal drugs; selling alcohol or another activity that requires a permit or license under the Alcoholic Beverage Code; or operating as a sexually oriented business.
- (j) Host Rules. The owner and/or operator shall post in a conspicuous location of the short-term rental premises a packet containing, at a minimum, host rules with the following information:
- (1) Maximum number of occupants;
 - (2) Location of required off-street parking and prohibition of parking on unimproved areas;
 - (3) Applicable quiet hours (10:00 p.m. to 7:00 a.m. in residential zones);
 - (4) Waste pick-up requirements, including location of waste and recycling receptacles;
 - (5) Exterior lighting requirements due to Dark Sky regulations;
 - (6) 24-hour contact name and phone number;
 - (7) Operator contact name and phone number;
 - (8) If relevant, emergency evacuation procedures;
 - (9) Emergency and non-emergency dispatch numbers; and
 - (10) Notice that failure to conform to city ordinances constitutes a violation of the code for which an occupant may be cited.
- (k) Hotel occupancy taxes. In accordance with chapter 41, article IV of the city code, the owner and/or operator of the short-term rental property shall contact the city finance department prior to the date that the short-term rental permit application is submitted, and the owner and/or operator must remit all applicable hotel occupancy taxes in a timely manner pursuant to applicable laws.
- (l) Application information to be updated. Within ten (10) business days of any change to information provided on the permit application form, other than a change of ownership, the owner or operator of a short-term rental shall notify the city of such change by providing an amended application form.

Sec. 20-223. – Special exceptions available.

An owner and/or operator seeking to operate a short-term rental may apply for a special exception in the following circumstances, subject to the regulations outlined in section 5.500 of the city zoning ordinance:

- (1) To permit short-term rental unoccupied operations in the R-1 and R-2 zoning districts if (1) the property shares two (2) or more lot lines, or one (1) or more lot lines for a corner lot, with a property lawfully operating as a STR-unoccupied use or designated for another non-residential use or zoning district, and (2) more than fifty (50) percent of the properties within a two hundred (200) foot radius are lawfully operating as a short-term rental unoccupied or other nonresidential use.
- (2) To permit short-term rental operations with an expanded occupancy maximum or exception to parking requirements.
- (3) To permit short-term rental operations in the historic shopping district overlay involving the operation of a short-term rental use on the first floor of any new construction or converted existing structure.

Sec. 20-224 - Enforcement; repeat offenses; suspension; revocation.

(a) Enforcement.

- (1) If the owner, operator, or any occupant of the short-term rental property fails or refuses to comply with the standards and requirements contained herein, the city may initiate enforcement action against the owner, operator, or any occupant, including, but not limited to, the immediate issuance of a citation.
- (2) Failure to timely remit applicable hotel occupancy tax is a violation under this article and shall result in a 90-day permit suspension upon notice by the director if all applicable tax is not paid in accordance with a delinquency notice issued by the finance department. The city retains the right to pursue all available remedies prescribed under chapter 351 of the Local Government Code.
- (3) Any advertisement, whether it be online or in print, promoting the availability of a property within the city for rent for a period of less than thirty (30) days shall constitute prima facie evidence of the property's use as a short-term rental.
- (4) For citations issued to the owner and/or operator of a short-term rental, the address information provided for each owner and/or operator on the permit application shall be presumed valid for the purposes of serving such citations.

(b) Repeat offenses; suspension; revocation.

- (1) Violations of this article shall be classified as follows:
 - a. Minor violations shall include any violations of section 20-222 not presenting a threat to health and safety or otherwise enumerated in subsection 20-224(b)(1)(b).
 - b. Major violations shall include violations related to health and safety, occupancy, noise, a failure to update application information, an unresponsive 24-hour contact, non-remittance of hotel occupancy tax, unlawful advertisements, and operations without a permit. Three (3) citations for minor violations within a twelve (12) month period shall constitute one major violation.
- (2) If the director finds that the owner, operator, or any occupant of a short-term rental accumulates three (3) major violations within a 12-month period, the director shall refer the short-term rental permit to city council for review. Upon consideration of evidence presented by staff, city council may suspend the permit for up to ninety (90) days.
- (3) If the director finds that a property is the subject of five (5) or more violations of federal law, state law, or the other provisions of the city code outside of this article within the previous 24-month period, the director shall refer the short-term rental permit to city council for review. Upon consideration of evidence presented by staff, the city council may suspend the permit for ninety (90) days. City council may consider factors including (1) the frequency of any repeated violations; (2) whether a violation was committed intentionally or knowingly; and (3) any other information that demonstrates the degree to which the owner or occupant has endangered public health, safety, or welfare.
- (4) If a permit is referred to city council for review more than two (2) times within a 24-month period and the property ownership has not changed, city council may revoke the permit or suspend the permit for a period between ninety (90) and one hundred eighty (180) days, based on factors including (1) the frequency and severity of any repeated violations; (2) whether a violation was committed intentionally or knowingly; and (3) any other information that demonstrates the degree to which the owner or occupant has endangered public health, safety, or welfare.

Sec. 20-225. – Appeal.

- (a) The director's denial of an application for a permit to operate a short-term rental, whether an initial application or a renewal application, may be appealed to the city council in accordance with the provisions of this section. Enforcement of this article shall be stayed during the pendency of any appeal pursuant to this section.

- (b) An appeal filed under this section must be filed with the director no later than the 20th day following the date on which the permit was denied. The appeal must be sworn and must identify each alleged point of error, facts and evidence supporting the appeal, and reasons why the action of the director should be modified or reversed.
- (c) The city council shall, at the next regularly scheduled city council meeting following the expiration of fourteen (14) calendar days following the perfection of the appeal, hear the appeal, and may affirm, modify, or reverse an application denial. The city council shall give written notice of a decision on an appeal to the appellant.
- (d) An appellant who seeks judicial review of the city council's review on appeal, or of the city council's decision to revoke or suspend a permit, must file a petition with a court of competent jurisdiction located in Gillespie County, Texas. Such judicial review shall be governed by the procedural rules contained in section 211.011 of the Texas Local Government Code as if the board of adjustment had conducted the review on appeal.

Sec. 20-226. – Applicability to existing operations; nonconforming uses; discontinuance of operations.

- (a) The regulations identified herein pertaining to life safety, 24-hour contact, signage, food service, host rules, conduct on premises, duration of rental, hotel occupancy tax, application information, and advertising shall apply uniformly to existing and new short-term rentals. Existing short-term rentals operating pursuant to a lawful permit on the effective date of this article shall come into compliance with all applicable regulations upon renewal of the existing short-term rental permit. Regulations governing the occupancy maximum and parking shall not apply to short-term rentals holding a lawful permit on the effective date of this article.
- (b) The owner and/or operator of a property used as a short-term rental who held a valid short-term rental permit prior to the effective date of this article, and who is unable, fails, or refuses to obtain a permit renewal due to noncompliance with the regulations herein following the effective date of this article shall discontinue the short-term rental use within sixty (60) days of the notice of permit denial.
- (c) All legal nonconforming short-term rental uses located in zoning districts where short-term rental uses are no longer permitted by right shall be subject to the abandonment of nonconforming use provisions contained in section 6.110 of the city zoning ordinance.
- (d) It shall be a defense to any permit denial based on the abandonment of a nonconforming use that the short-term rental use was suspended, for a period of ninety (90) or more days, for repair or renovation, for the property owner's use as a primary residence, or for use as long-term rental housing, and the property owner (1) notified the department of such suspension of use before the expiration of the voluntary discontinuance period described by subsection 20-226(c); (2) files a

zero-dollar hotel occupancy tax report on a quarterly basis as required by chapter 41, article IV of the code; and (3) renews the short-term rental permit in accordance with section 20-221 of the code.”

SECTION 4

Section 2.100, “Definitions,” of Appendix B, “Zoning Ordinance,” of the Fredericksburg Municipal Code is amended by adding the following definitions, inserted alphabetically to read as follows:

“SHORT-TERM RENTAL or STR.

The rental for compensation of any residence or residential structure, or a portion of a residence or residential structure, for the purpose of transient or guest overnight lodging accommodations for a period of less than thirty (30) consecutive days. Short-term rentals may include but are not limited to single-family residences, townhomes, duplexes, and other residential dwelling units, regardless of whether the dwelling was originally constructed or zoned as a residential dwelling. Short-term rentals shall not include hotels or motels. A short-term rental is further subject to the provisions of chapter 20, article VII of the city code.

SHORT-TERM RENTAL ACCESSORY or STR-ADU.

A short-term rental operating within a lawful accessory dwelling unit on the same lot as the primary structure, in which the primary structure is (a) the owner’s homestead as evidenced by a current homestead exemption filed with the Gillespie Central Appraisal District or (b) the primary residence of the 24-hour contact, as evidenced by a sworn affidavit to be provided with the short-term rental permit application. The accessory dwelling unit shall comply with section 8.220 of the city zoning ordinance.

SHORT-TERM RENTAL B&B or STR-B&B.

A short-term rental that operates on a residential property in which the owner, operator, or 24-hour contact resides as their principal residence (as evidenced by a current residence homestead exemption filed with the Gillespie Central Appraisal District or a sworn affidavit). Separate short-term rental permits, with a maximum of four units, shall be required for each separate bedroom unit operating as a short-term rental within a short-term rental B&B.

SHORT-TERM RENTAL FACILITY or STR-FACILITY.

A facility or complex, owned or operated by a single owner or operator, containing multiple short-term rental units (up to eight units) on a single lot, for transient or guest lodging where sleeping accommodations are provided for compensation. Any facility or complex located in a commercial zoning district and containing multiple short-term rental dwelling units on a single lot shall be developed in accordance with the multi-family regulations of the base zoning district.

SHORT-TERM RENTAL UNOCCUPIED or STR-UNOCCUPIED.

A short-term rental within a lawful residential dwelling that is not an STR-ADU or STR-B&B.”

SECTION 5

Section 4.400 of Appendix B, “Zoning Ordinance,” of the Fredericksburg Municipal Code is hereby added to read as follows:

“Sec. 4.400. – GENERAL REGULATIONS FOR SHORT-TERM RENTAL USES.

- (a) Short-term rentals shall be subject to the permitting requirements and regulations contained in chapter 20, article VII of the code. Such uses shall be permitted (“P”) in only specific zoning districts as follows, as well as planned unit developments where short-term rental use is identified as a permitted use, and shall otherwise comply with all regulations identified in chapter 20, article VII:

STR USE	ZONING DISTRICT																		
	R-1	R-1-A	R-2	R-3	R-4	R-5	RURAL RESIDENTIAL	C-1	C-1.5	C-2	C B D	INDUSTRIAL	M-1	M-2	M-3	OS	PF	MU-1	MU-2
STR-ADU	P		P					P	P	P	P							P	P
STR-B&B	P		P					P	P	P	P							P	P
STR-FACILITY								P	P	P	P							P	P
STR-UNOCCUPIED	P (by special exception only)		P (by special exception only)					P	P	P	P							P	P

- (b) The zoning board of adjustment is authorized to hear applications for special exceptions in order to allow short-term rental operations in accordance with section 5.500 of this ordinance, subject to this section and in conjunction with section 20-223 of the code.”

SECTION 6

Section 5.500 of Appendix B, “Zoning Ordinance,” of the Fredericksburg Municipal Code is hereby amended to add a special exception provision as follows:

“Special Exceptions. To hear and decide, upon application, special exceptions to the terms of the zoning ordinance. The term “special exception” shall mean a deviation from the requirements of the zoning regulations herein established.

Special exceptions shall be granted only when the board finds that such special exceptions will not adversely affect the value and use of adjacent or neighboring property or be contrary to the public interest. The procedural guidelines for variances outlined in sections 5.610, 5.620, 5.630, 5.640, 5.660, 5.670, 5.671, 5.680, and 5.690 of the city zoning code shall be utilized for special exceptions to the extent applicable.

(a) Special exceptions may be granted only in the following circumstances:

- (1) To permit short-term rental unoccupied operations in the R-1 and R-2 zoning districts if (1) the property shares two (2) or more lot lines, or one (1) or more lot lines for a corner lot, with a property lawfully operating as a STR-unoccupied use or designated for another non-residential use or zoning district, and (2) more than fifty (50) percent of the properties within a two hundred (200) foot radius are lawfully operating as a short-term rental unoccupied or other nonresidential use.
- (2) To permit short-term rental operations with an expanded occupancy maximum or exception to parking requirements.
- (3) To permit short-term rental operations in the Historic Shopping District Overlay involving the operation of a short-term rental use on the first floor of any new construction or converted existing structure.

(b) In hearing an application for a special exception for short-term rental operations, the board may consider factors such as the following:

- (1) Whether such operation is likely to disrupt adjacent owners' right to the quiet enjoyment of their property (for example, by considering whether lot sizes are small enough that noise is likely to affect neighboring property owners);
- (2) Whether operation as a short-term rental in the property's zoning district is compatible with the quality of the surrounding area;
- (3) Whether such operation will substantially impact nearby streets, including whether the property provides only limited off-street parking;
- (4) Which type of short-term rental, as defined in section 20-220, the applicant seeks to operate;
- (5) For a short-term rental existing prior to the effective date of chapter 20, article VII of the code, the duration of that short-term rental's operations and the number and type of complaints and/or citations related to that short-term rental;

- (6) Whether operation with the terms of the special exception will adversely impact the residential quality of the surrounding neighborhood; and
- (7) Specific property characteristics of the short-term rental like lot size or large square footage of the structure.”

SECTION 7

Table 7.863 “Off-Street Parking” of Section 7.860 “Design Standards” of Appendix B, “Zoning Ordinance,” of the Fredericksburg Municipal Code is hereby amended by deleting the use classification and minimum off-street parking requirements for the short-term rental, condominium use classification and by amending the use classifications and minimum off-street parking requirements for the following use classifications: short-term rental, unoccupied; short-term rental, accessory; short-term rental, B&B; and short-term rental, facility.

USE CLASSIFICATION	MINIMUM OFF-STREET PARKING REQUIREMENTS
* * *	
Short-term Rental Unoccupied	Parking spaces shall be provided at a ratio of one (1) space per bedroom. In no case shall the number of required off-street parking spaces be reduced below two (2) spaces per parcel. Tandem parking is allowed for multiple vehicles, so long as no part of any parked vehicle obstructs a public right-of-way.
Short-term Rental Accessory	Two (2) spaces for the primary structure, plus one (1) space per each bedroom in the accessory structure used for short-term rental operations. In no case shall the number of required off-street parking spaces be reduced below two (2) spaces per parcel. Tandem parking is allowed for multiple vehicles, so long as no part of any parked vehicle obstructs a public right-of-way.
Short-term Rental B&B	Two (2) spaces for the primary structure, plus one (1) space per each bedroom within the primary structure used for short-term rental operations. Tandem parking is allowed for multiple vehicles, so long as no part of any parked vehicle obstructs a public right-of-way.
* * *	
Short-term Rental Facility	Parking spaces shall be provided at a ratio of 60% of the permitted occupancy. Tandem parking is allowed for multiple vehicles, so long as no part of any parked vehicle obstructs a public right-of-way.

SECTION 8

The following sections of Appendix B, “Zoning Ordinance,” of the Fredericksburg Municipal Code are hereby amended as follows:

- A. Section 3.100, “R-1: Single Family Residential,” is hereby amended by replacing the references to “Section 5.401” with references to “Chapter 20, Article VII of the Code” and by deleting the provision that reads as follows:

“Short-term Rental, Unoccupied (With a STR permit and adherence to Section 5.401)

- If 2 or more lot lines (only 1 or more lot lines required for a corner lot) are abutting a lawfully permitted "STR Unoccupied" use (STR B&B and STR Accessory uses are not included in this calculation); and
- If 75% or more of the properties on the same side of the street, between intersecting streets, are a lawfully permitted "STR Unoccupied" use (STR B&B and STR Accessory uses are not included in this calculation)."

- B. Section 3.110, “R-2: Mixed Residential,” is hereby amended by replacing the references to “Section 5.401” with “Chapter 20, Article VII of the Code” and by deleting the provisions that read as follows:

“Short-term Rental, Unoccupied—not located within the Historic Overlay District: (With a STR permit, adherence to Section 5.401).”

“Short-term Rental, Unoccupied - located within the Historic Overlay District: (With a STR permit, adherence to Section 5.401).”

“Short-term Rental, Condominium (With a STR permit and adherence to Section 5.401)

- If the property is immediately abutting a Non-Residential Zoning District (Open Space not included), or a PUD that allows commercial uses.
- When located within the Historic Overlay District, use is limited to a maximum of one structure per 5,000 square feet of land.”

“Short-term Rental, Facility: (With a STR permit and adherence to Section 5.401)

- If the property is immediately abutting a Non-Residential Zoning District (Open Space not included), or a PUD that allows commercial uses.
- When located within the Historic Overlay District, use is limited to a maximum of one structure per 5,000 square feet of land.”

- C. Section 3.120, “R-3: Multi-Family Residential,” is hereby amended by deleting the provisions that read as follows:

“Short-term Rental, B & B: (With a STR permit and adherence to Section 5.401).”

“Short-term Rental, Facility: (With a STR permit and adherence to Section 5.401).”

“Short-term Rental, Unoccupied: (With a STR permit and adherence to Section 5.401).”

“Short-term Rental, Accessory: (With a STR permit and adherence to Section

5.401).”

“Short-term Rental, Condominium (With a STR permit and adherence to Section 5.401).”

- D. Section 3.200, “C-1: Neighborhood Commercial,” is hereby amended by replacing the references to “Section 5.401” with “Chapter 20, Article VII of the Code” and by deleting the provision that reads as follows:

“Short-term Rental, Condominium (Section 5.401).”

- E. Section 3.205: “C-1.5: Medium Commercial,” is hereby amended by replacing the references to “Section 5.401” with “Chapter 20, Article VII of the Code” and by deleting the provision that reads as follows:

“Short-term Rental, Condominium (With a STR permit and adherence to Section 5.401).”

- F. Section 3.210, “C-2: Commercial,” is hereby amended by replacing the references to “Section 5.401” with “Chapter 20, Article VII of the Code” and by deleting the provision that reads as follows:

“Short-term Rental, Condominium (With a STR permit and adherence to Section 5.401).”

- G. Section 3.220, “CBD: Central Business District,” is hereby amended by replacing the references to “Section 5.401” with “Chapter 20, Article VII of the Code” and by deleting the provision that reads as follows:

“Short-term Rental, Condominium (Section 5.401).”

- H. Section 3.510, “HSD: Historic Shopping District Overlay,” of Appendix B, “Zoning Ordinance,” of the Fredericksburg Municipal Code is hereby amended by deleting the following provision:

“A Conditional Use Permit is required for any new construction of any type of STR use, or for conversion of any existing structure to any type of STR use, if located on the first floor, and the review and evaluation criteria of section 5.461 shall be used as applicable.”

- I. Section 3.800, “MU-1: Mixed Use – Infill,” is hereby amended by replacing the references to “Section 5.401” with “Chapter 20, Article VII of the Code” and by deleting the provision that reads as follows:

“Short-term Rental, Condominium (With a STR permit and adherence to Section 5.401).”

- J. Section 3.810, “MU-2: Mixed Use – Corridor,” is hereby amended by replacing the

references to “Section 5.401” with “Chapter 20, Article VII of the Code” and by deleting the provision that reads as follows:

“Short-term Rental, Condominium (With a STR permit and adherence to Section 5.401).”

- K. Section 6.110, “Continuance of a Nonconforming Use,” is hereby amended by deleting the following provision:

“A non-conforming short-term rental use shall not be considered voluntarily discontinued if the use is suspended for repairs, modifications, additions, or remodels, or if the owner of the property utilizes the property as their personal residence, for a period not to exceed 365 consecutive days.”

SECTION 9

This Ordinance shall be cumulative of all provisions of ordinances and of the Fredericksburg Municipal Code, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 10

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 11

Any person, firm, or corporation who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1-6 of the Fredericksburg Municipal Code. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

SECTION 12

All rights and remedies of the City of Fredericksburg are expressly saved as to any and all violations of the provisions of the Fredericksburg Municipal Code, as amended or revised herein, or any other ordinances affecting the matters regulated herein which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or

not, under such ordinances, same shall not be affected by this Ordinance, but may be prosecuted until final disposition by the courts.

SECTION 13

The City Secretary is hereby directed to publish the caption and penalty clause of this Ordinance in the official newspaper of the City as required by Section 3.12 of Article III of the Charter of the City of Fredericksburg.

SECTION 14

This Ordinance shall be in full force and effect from and after January 1, 2024, as provided by the Fredericksburg City Charter and the laws of the State of Texas.

PRESENTED AND PASSED this 7th day of November, 2023, at a regular meeting of the City Council of the City of Fredericksburg, Texas.

Mayor

ATTEST:

City Secretary



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Finance Department
TO: Mayor & City Council Members
FROM: Krista Wareham, Director of Finance
MEETING DATE: November 7, 2023

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Consider the approval of Resolution 2023-17R approving a 3-year Lease Purchase Financing and acquisition of FY 2024 Capital Equipment with First American Equipment Finance of \$2,404,701 from various funds (Krista Wareham, Director of Finance)

PRESENTATION:

SUMMARY:

The FY 2024 adopted City Budget includes approved funding for acquiring capital equipment through Lease Purchase Financing. \$2,404,701.00 will be financed over three years. The financing was bid with the low bid received from First American Equipment Finance with an interest rate of 5.024%.

BACKGROUND:

FUNDING SOURCE: Lease Purchase Financing
Principal and interest payments will be funded with operating revenues from the General, Electric, Water, Sanitation, and EMS funds.
Total for Lease Purchase Financing: \$2,404,701.00 (principal) and \$118,792.23 (interest) for a total of \$2,523,493.23.

- General Fund: \$284,701.00 (principal), \$14,064.23 (interest) for a total of \$298,765.23
- Electric Fund: \$425,000.00 (principal), \$20,995.00 (interest) for a total of \$445,995.00
- Water Fund: \$610,000.00 (principal), \$30,134.00 (interest) for a total of \$640,134.00
- Sanitation Fund: \$595,000 (principal), \$29,393.00 (interest) for a total of \$624,393.00

FINANCIAL IMPACT: The first payment of \$841,164.41 will be due on November 15, 2023. This payment will go toward the principal on the note.

- General Fund: \$99,588.41
- Electric Fund: \$148,665.00
- Water Fund: \$213,378.00
- Sanitation Fund: \$208,131.00
- EMS Fund: \$171,402.00

- EMS Fund: \$490,000.00 (principal), \$24,206.00 (interest) for a total of \$514,206.00.

STAFF RECOMMENDATION:

Staff recommends approval of resolution and contract with First American Equipment Finance for the 3-year Lease Purchase Financing of capital equipment.

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Government Vision

ATTACHMENTS:

1. Resolution 2023-17R
2. Capital Equipment Expenditures Financed 3 Year Term
3. Latest Future Agenda Spreadsheet 2023

APPROVAL/REVIEW:

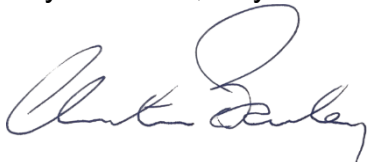
William McKamie, City Attorney

Date: October 31, 2023



Shelley Goodwin, City Secretary

Date: November 01, 2023



Clinton Bailey, City Manager

Date: November 02, 2023

RESOLUTION 2023- 17R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, APPROVING THE LEASE PURCHASE FINANCING OF PUBLIC EQUIPMENT, AND AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS REQUIRED IN CONNECTION THEREWITH

WHEREAS. the City of Fredericksburg (City) desires to procure equipment using lease purchase financing; and

WHEREAS, the City has awarded the bid to provide said financing to First American Equipment Finance; and

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

Section I. The City Council hereby approves the acquisition and financing of equipment using financing provided by First American Equipment Finance said equipment being general described as:

Water Truck with Tank #56	(Street Department)
Pneumatic Roller S-7	(Street Department)
International Digger/Derrick Truck	(Electric Department)
Backhoe Loader	(Water Department)
Vac-Jet Truck	(Water Department)
Track Loader	(Sanitation Department)
Chipper	(Sanitation Department)
Ambulance-Replace Med 1 (Remount)	(EMS)
Ambulance-Replace Med 1 (Remount)	(EMS)

Section 2. The City Council hereby approves the financing at a total cost of \$2,404,701.00 and interest rate as set forth in the Master Lease/Purchase Agreement. document. a copy of which is attached hereto as Exhibit "A". which is made a part of that certain

Section 3. The City Council hereby authorizes Clinton Bailey. in his capacity as the City Manager to execute the Lease and other documents related to said Financing. on behalf of the City.

Section 4. *Effective Date.* This Resolution shall be effective upon its passage.

PASSED AND APPROVED on this the _____ day of November, 2023.

Jeryl Hoover
Mayor

ATTEST

Shelley Goodwin
City Secretary, TRMC/CMC

**Capital Expenditure Requests
FY 2024**

		G/L	Amount
Street	Water Truck With Tank #56	01-24-6430-00	142,690
Street	Pneumatic Roller S-7	01-24-6426-00	142,011
	GENERAL FUND STREET TOTALS		\$ 284,701
Electric	International Digger/Derrick Truck	02-21-6212-00	425,000
	ELECTRIC TOTALS		\$ 425,000
Water	Backhoe Loader	03-21-6344-00	165,000
Water	Vac-Jet Truck	03-21-6345-00	445,000
	WATER & SEWER TOTALS		\$ 610,000
Sanitation	Track Loader	05-21-6518-00	490,000
Sanitation	Chipper	05-21-6526-00	105,000
	SANITATION TOTALS		\$ 595,000
EMS	Ambulance - Replace Med 1 (Remount)	06-21-6624-00	245,000
EMS	Ambulance - Replace Med 1 (Remount)	06-21-6624-00	245,000
	EMS FUND TOTALS		\$ 490,000
	GRAND TOTALS		\$ 2,404,701

City Council Regular Meeting October 17, 2023

2023-105	City Council Minutes October 3, 2023 Regular Meeting	Consent - Approve	Shelley Goodwin	City Secretary
	Request #Z-2317: By William Joseph to Consider a Conditional Use Permit (CUP) per Section 3.110 to Operate a STR-Unoccupied in a R2 Zoned Area Located in the Historic Overlay District on Property Located at 411 East Creek Street.	Public Hearing and Approve	Anna Hudson	Development Services
2023-474	i. Presentation by applicant ii. Staff Report iii. Hold a Public Hearing to receive comments for or against the request iv. Take action on the Conditional Use Permit request			
	Request #Z-2319: By Mitchell Sharrock to Consider a Conditional Use Permit (CUP) per Section 3.200 to Operate a Restaurant - Limited Use on Property Located at 811 North Llano Street.	Public Hearing and Approve	Anna Hudson	Development Services
2023-475	i. Presentation by applicant ii. Staff Report iii. Hold a Public Hearing to receive comments for or against the request iv. Take action on the Conditional Use Permit request			
	Request #Z-2320: By Amelia Zesch to Consider a Conditional Use Permit to Operate a STR-Unoccupied in a R2 Zoned Area located in the Historic District on Property located at 407 W. San Antonio St.	Public Hearing and Approve	Anna Hudson	Development Services
2023-569	i. Presentation by applicant ii. Staff Report iii. Hold a Public Hearing to receive comments for or			

against the request

iv. Take action on the Conditional Use Permit request

2023-488	Consider a Request from Heritage Hill Country Subdivision Relating to Maintenance of Roadways within the Development (Garret Bonn, Asst. City Manager)	Approval	Garret Bonn	Asst. City Manager
2023-562	Consider revision to Stage 4 Water Restriction Times	Approval	Kris Kneese	Director of Public Works/Utilities
2023-563	Consider approval of Sidewalk Construction Contract	Approval	Kris Kneese	Director of Public Works/Utilities

Future Agenda Items

2023-74	Consider naming rights for Marktplatz northwest corner project (Fall 2023)	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 (Fall 2023)	Approve	Andrea Schmidt	Parks and Recreation
2023-	Award Construction Bid for S. Llano Shared-Use Bridge & Ufer St. Sidewalk Project	Approve	Garret Bonn	City Manager
	Recognition of Patrolman Victor Martinez	Recognize	Clinton Bailey	City Manager
2023-471	Adopt fees for the John Klein Meeting room (Nov or Dec)	Ordinance	Andrea Schmidt	Parks and Recreation

2023-487	Consider a Request from the Fredericksburg Independent School District (FISD) For Vacation and Abandonment of Public Right of Way in the Vicinity of the New Middle School Campus	Approve	Garret Bonn,	Asst. City Manager
2023-488	Consider a Request from Heritage Hill Country Subdivision Relating to the Maintenance of Roadways within the Development	Approve	Garret Bonn,	Asst. City Manager
2023-489	Consider an Agreement with the Gillespie County Historical Society Relating to Public Restrooms at the Pioneer Museum and Operations and Maintenance of the Vereins Kirche	Approve	Garret Bonn,	Asst. City Manager
2023-341	Approve new fees for pool parties based on new pay rates for lifeguards (December 2023 or early 2024)	Ordinance	Andrea Schmidt	Parks and Recreation
2023-342	Approve new pavilion, Tatsch House and other recreational fees (Dec/Jan)	Ordinance	Andrea Schmidt	Parks and Recreation
2023-471	Approve ordinance to adopt fees for John Wm. Klein Meeting room (Nov. or Dec. 2023)	Ordinance	Andrea Schmidt	Parks and Recreation
2023-556	Consider approving a bid for renovations at the Pioneer Pavilion to include roof replacement and wall repairs	Ordinance	Andrea Schmidt	Parks and Recreation

Upcoming City Council Meetings

October 17, 2023 - City Council Regular Meeting at 9:00 a.m. at the Law Enforcement Center

November 7, 2023 - City Council Regular Meeting at 9:00 a.m. at the Law Enforcement Center

November 21, 2023 - City Council Regular Meeting at 9:00 a.m. at the Law Enforcement Center

December 5, 2023 - City Council Regular Meeting at 9:00 a.m. at the Law Enforcement Center

December 19, 2023 - City Council Regular Meeting at 9:00 a.m. at the Law Enforcement Center



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM: Clinton Bailey, City Manager
MEETING DATE: November 7, 2023

CATEGORY: OTHER ACTION ITEMS AND
UPDATES

CAPTION: Consider the approval of giving the City Manager the authority to enter into a Hotel Occupancy Tax Grant Agreement for 2023/2024 between the City of Fredericksburg and the Fredericksburg Convention and Visitor Bureau, Inc. (Clinton Bailey, City Manager)

PRESENTATION:

SUMMARY:

The City of Fredericksburg and the Convention and Visitor Bureau (CVB) entered into a HOT Grant Agreement every year for the Fiscal Year 2024. Due to the amount of the Agreement, the City Manager would need permission to enter into the Agreement.

BACKGROUND:

The City shall pay HOT Funds to CVB in the amount of Four Million, Three Hundred Twelve Thousand, Two Hundred Fourteen and no/100 (\$4,312,214.00) for the expenditure of the HOT Funds in compliance with Chapter 351 of the Texas Tax Code. The City shall also pay CVB Twenty-Two Thousand, Seven Hundred and no/100 Dollars (\$22,700.00) to perform building and ground maintenance to the visitor center facilities. These payments are made in four (4) installments. There are other provisions provided in the attached agreement.

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

Staff recommends the approval of the Agreement and permission to allow the City Manager to sign the Agreement.

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Business Visioning
Government Vision
Family Life Vision
Quality of Life Vision

ATTACHMENTS:

1. 2024 CVB HOT Agreement

APPROVAL/REVIEW:



Krista Wareham, Director of Finance

Date: October 24, 2023

William McKamie, City Attorney

Date: October 24, 2023



Shelley Goodwin, City Secretary

Date: October 24, 2023



Clinton Bailey, City Manager

Date: November 02, 2023

HOTEL OCCUPANCY TAX GRANT AGREEMENT - 2023/2024

This Hotel Occupancy Tax Grant Agreement ("Agreement") is entered into by and between the City of Fredericksburg ("City"), a political subdivision of the State of Texas with an address of 126 W. Main Street, Fredericksburg, Texas, 78624, and the Fredericksburg Convention and Visitor Bureau, Inc. ("Grantee"), with an address of 302 E. Austin Street, Fredericksburg, Texas, 78624.

NOW, THEREFORE, the City and Grantee hereby agree as follows:

1. **Term.** Unless terminated earlier as provided herein, this Agreement shall commence on October 1, 2023, and terminate on September 30, 2024.
2. **Grantee Activities.**
 - (a) **Services.** Grantee shall conduct activities or hold programs or events (to be known collectively as "Services") as follows:
 - i. Conduct a continuing program of advertising and promotion for the purpose of attracting visitors, tourists, and conventions to the local area and to the City of Fredericksburg, by publishing and distributing brochures and community information packets, by advertising in various tourist publications and general media publications which are appropriate, by representing the City of Fredericksburg and its vicinity at travel shows and other such events, by participating with state, regional, national, and international agencies in tourist development programs of benefit to the local area and to the City of Fredericksburg, and by using all appropriate means to increase the traveling public's awareness of the resort and recreational advantages of the local area and the City of Fredericksburg; and
 - ii. Provide tourist-related information about the City of Fredericksburg and its vicinity upon request, and serve as an advisory body to the City, upon request, in matters related to enhancing and promoting tourism and the convention and hotel industry within the City; and
 - iii. Provide employees, equipment, supplies and other administrative support or materials as may be necessary to perform the Grantee's duties and obligations under this Agreement, and to accomplish the purposes of this Agreement.
 - (b) **Promotion of Tourism.** The Services shall directly enhance and promote tourism and the convention and hotel industry within the City and shall comply with the requirements set forth in Chapter 351 of the Texas Tax Code.

3. **Grant of funds.** As consideration for Grantee's promise to perform the Services, City shall pay a disbursement of municipal Hotel Occupancy Tax revenue ("HOT Funds") to Grantee. The Grantee shall only expend the HOT Funds in compliance with Chapter 351 of the Texas Tax Code, for expenses incurred by Grantee in the performance of the Services and for actual administrative costs incurred in day-to-day operations, including supplies, salaries, office rental, travel expenses, and other administrative costs, if same have been previously approved by City in the budget and if directly related to the promotion of tourism and the convention and hotel industry.

The City shall pay HOT Funds to the Grantee in the amount of Four Million, Three Hundred and Twelve Thousand, Two Hundred and Fourteen and NO/100 Dollars (\$4,312,214.00), to be paid as follows:

Date of payment	Amount of payment
October 1, 2023	\$1,078,053.50
January 1, 2024	\$1,078,053.50
April 1, 2024	\$1,078,053.50
July 1, 2024	\$1,078,053.50

The City shall pay additional HOT Funds to the Grantee in the amount of Twenty-Two Thousand, Seven Hundred and NO/100 Dollars (\$22,700.00), to be expended by Grantee for the sole purpose of performing building maintenance and grounds maintenance to the visitor center facilities operated by the Grantee, to be paid as follows:

Date of payment	Amount of payment
October 1, 2023	\$5,675.00
January 1, 2024	\$5,675.00
April 1, 2024	\$5,675.00
July 1, 2024	\$5,675.00

4. **Grantee Budget, Recordkeeping and Reporting.**

- (a) **Budget.** Prior to disbursement of any HOT Funds to Grantee under this Agreement, Grantee shall provide to the City a proposed budget for the term of this Agreement and said budget must be approved by the City Council of the City of Fredericksburg ("City Council"). The Parties agree and acknowledge that a fiduciary duty is created in the Grantee with respect to disbursement and expenditure of HOT Funds in accordance with the approved budget, and any budget amendments shall be approved in advance by the City Council.

- (b) **Recordkeeping.** Grantee shall maintain complete and accurate financial records ("HOT Records") of each expenditure of HOT Funds received by Grantee under this Agreement. Grantee shall retain HOT Records required under this Agreement for a period of two (2) years from the date of expenditure and shall promptly make said HOT Records available for inspection and review by City upon request. The Grantee shall maintain HOT Funds in a segregated bank account established for the sole purpose of holding HOT Funds, and Grantee shall not commingle HOT Funds with any other funds.
- (c) **Reports.** Grantee shall provide to the City a quarterly financial report ("HOT Report"), listing the activities that are conducted by Grantee using HOT Funds received under this Agreement. The quarterly HOT Report shall be submitted to the City on or before January 31st, April 30th, July 31st, and October 31st of each year. Grantee shall provide to the City an audited annual financial statement, on or before October 31, 2024, listing all expenditures of HOT Funds by Grantee under this Agreement.

5. **Termination.**

- (a) **Breach.** This Agreement may be terminated by the non-defaulting party upon a breach of a material term or condition of this Agreement, when said breach is not cured by defaulting party within ninety (90) calendar days of receiving written notice of breach from the non-defaulting party.
- (b) **Non-appropriation.** This Agreement is subject to the availability and appropriation of budgeted HOT Funds by City. In the event receipt of HOT Funds by the City are inadequate to meet the payment schedule set forth in this Agreement, the City agrees that it will utilize any available unallocated funds within the Hotel Occupancy Tax account of the City to make such payments, and if said available unallocated funds are inadequate, the City will pro-rate the available HOT Funds among all recipients thereof. In the event that receipt of HOT Funds by the City are inadequate to meet the payment schedule set forth in this Agreement, any delinquent HOT Funds collected by the City will be paid to the Grantee when received by City, up to the amount set forth in Paragraph 3 of this Agreement. Upon an occurrence of non-availability of HOT funds to City, for any reason, this Agreement shall terminate, and the City shall not be obligated to pay any City funds to the Grantee.

- 6. **Survival upon Termination.** Upon termination of this Agreement, the provisions set forth in Section 4(6), Section 4(c), and Section 10(h) of this Agreement shall survive termination of this Agreement.

- 7. **Relationship of Parties.** The Parties agree and acknowledge that the Grantee is not an employee or agent of City. The City shall not be liable for employment or

withholding taxes for the Grantee. The Grantee is solely liable for Grantee's expenses incurred in performing the Services. Grantee shall not, by reason of this Agreement, acquire any benefits, privileges or rights under any benefit offered by City or its subsidiaries or affiliates for the benefit of City employees or volunteers. The Grantee agrees and acknowledges that Grantee is not authorized to enter into any contract or obligation on behalf of, or as an agent of, the City.

8. **Force Majeure.** A defaulting party shall not be liable for delays **in** the performance of its obligations hereunder when the default is caused by acts of God, inability to obtain labor or materials or reasonable substitutes therefor, governmental restrictions or regulations, acts of war, civil unrest, fire or other casualty, or any causes beyond the reasonable control of the defaulting party.
9. **Assignment.** This Agreement may not be assigned by Grantee without the prior written consent of City, which consent may be withheld in the sole discretion of City. This Agreement shall inure to the benefit of City and its successors or assigns. Grantee may contract with state, regional, national, and international tourism programs or agencies for participation in joint promotion programs.
10. **Miscellaneous.**
 - (a) This Agreement shall be governed by the laws of the State of Texas. Any litigation or other legal action under this Agreement shall be filed in a court of proper jurisdiction in Gillespie County, Texas.
 - (b) This Agreement may only be amended or modified by a written amendment executed by the Parties.
 - (c) All notices and other communications hereunder shall be in writing and shall be given by certified mail, return receipt requested, postage prepaid, addressed and sent to the party's address as set forth in the first paragraph of this Agreement, or to such other address as either party may have furnished to the other party. Notices and communications are deemed effective upon deposit with the U.S. Mail.
 - (d) The invalidity or unenforceability of any provision of this Agreement shall not affect the validity or enforceability of any other provision of this Agreement. This Agreement may be executed in counterparts that together shall constitute a single agreement.
 - (e) The failure of City at any time to enforce performance by Grantee of any provisions of this Agreement shall in no way affect City's rights thereafter to enforce the same, nor shall the waiver by City of any breach of any provision hereof be held to be a waiver of any other breach of the same or any other provision.

- (f) It is expressly agreed by the Parties that this Agreement does not bind the City in the future as to any action of the City Council in connection with the alteration, repeal, or amendment of the City's Hotel Occupancy Tax Ordinance (Chapter 41, Article IV). It is expressly agreed by the Parties that in the event that HOT funds are not collected by the City under the provisions of the City's Hotel Occupancy Tax Ordinance, for any reason, the City shall not be obligated under this Agreement to pay any funds of the City to the Grantee. It is expressly agreed by the Parties that the Grantee shall have no right or demand upon the City for funds payable under this Agreement if HOT funds are not available, for any reason.
- (g) The Grantee shall carry general liability insurance with minimum coverage limits of FIVE HUNDRED THOUSAND AND NO/100 DOLLARS (\$500,000.00) for each occurrence and ONE MILLION AND NO/100 DOLLARS (1,000,000.00) cumulative. Said insurance policy shall name the City as an additional insured, and an insurance certificate evidencing coverage shall be filed with the City.
- (h) **GRANTEE SHALL INDEMNIFY, DEFEND AND HOLD HARMLESS CITY AND ITS OFFICERS, DIRECTORS, AGENTS, EMPLOYEES AND VOLUNTEERS, FROM AND AGAINST ANY AND ALL CLAIMS, DEMANDS, CAUSES OF ACTION, LOSSES, DAMAGES, COSTS AND EXPENSES INCLUDING REASONABLE ATTORNEYS' FEES, ARISING OUT OF OR RELATING TO GRANTEE'S PERFORMANCE UNDER THIS AGREEMENT, INCLUDING BUT NOT LIMITED TO GRANTEE'S ACTS OR OMISSIONS, INCLUDING NEGLIGENT OR WILLFUL ACTS OR OMISSIONS BY GRANTEE OR ANYONE GRANTEE HAS ENGAGED TO PERFORM ANY PORTION OF THE SERVICES, GRANTEE'S BREACH OF THIS AGREEMENT, OR ANY CLAIM FOR TAXES THAT MIGHT ARISE OR BE IMPOSED DUE TO THIS AGREEMENT OR THE GRANTEE'S PERFORMANCE OF SERVICES HEREUNDER.**
- (i) This Agreement shall in all cases be construed simply, as a whole, and in accordance with its fair meaning. The captions of this Agreement are not part of the provisions hereof and shall have no force or effect. In the event of an ambiguity in or dispute regarding the interpretation of this Agreement, this Agreement shall not be interpreted or construed against the party preparing it.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement as of the date set forth below.

City of Fredericksburg

By: _____

Clinton Bailey, City Manager

Date: _____

Grantee - Fredericksburg Convention
and Visitor Bureau, Inc.

By: _____

Title: _____

Date: _____



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Public Works and Utilities

TO: Mayor & City Council Members

FROM:

MEETING DATE: November 7, 2023

CATEGORY: OTHER ACTION ITEMS AND
UPDATES

CAPTION: Consider approval of the Sidewalk Construction Contract (Evan Williamson, Assistant City Engineer)

PRESENTATION:

SUMMARY:

The Engineering Department is seeking renewal of the contract with Hazelett's Concrete and guidance on proposed sidewalk improvement projects for fiscal year 2024.

BACKGROUND: In 2013, the City Council made a commitment to improve pedestrian access throughout the City by implementing the Annual Sidewalk Improvement Program. The initial construction contract was awarded to Hazelett Concrete Contractors and exercised the option to renew for a maximum of five years. The contract was renewed for five years and a new construction contract was advertised for bid for fiscal year 2019. Hazelett Concrete Contractors was awarded the contract as the low bidder. In recent years, the City budgeted between \$50,000 to \$150,000.

The FY 2019 contract included the option to renew for up to five years. Hazelett Concrete Contractors has agreed to maintain the unit costs from the initial contract award. If the construction contract is renewed, this would be the fifth year the contract is renewed. The approved FY 2024 budget includes \$150,000 for the annual sidewalk improvement program. The projects below are a short list of possible areas to be addressed. During the presentation, the Council will be able to provide priorities, including but not limited to, the list below.

1. Old Fair Park - From Park Street to Ufer Street.
2. 1800 Block N. Adams - Extend existing sidewalk to Driftwood Drive.
3. 1900 Block N. Adams - Connect existing sidewalks across a drainage channel.
4. 200-300 Block of W. Live Oak - Construct sidewalk with drainage improvements.
5. Cross Mountain - From Cross Mountain drive to Cross Mountain Park.
6. 200 Block E. Main Street Rehabilitation - Reconstruct sidewalk where falls have been reported.
7. FHS Tennis Courts - From Hwy 16 S/Highway Street to FHS sidewalk

The estimated construction cost, including 10% contingency, is \$139,286. This is within the \$150,000 budget. The remainder of the budget that is not sufficient to complete an entire project will be used to address problematic portions of sidewalk around town where repairs or modifications may be needed.

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

Staff recommends renewing the construction contract for the fifth time with Hazelett Concrete Contractors, the low bidder for the contract award in fiscal year 2019 at the same rates, for the sidewalk program and other concrete flatwork improvements throughout the City of Fredericksburg.

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Business Visioning
Government Vision
Family Life Vision
Quality of Life Vision

ATTACHMENTS:

None

APPROVAL/REVIEW:



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

Date: November 01, 2023



Garret Bonn, Assistant City Manager

Date: November 01, 2023



Krista Wareham, Director of Finance

Date: November 01, 2023

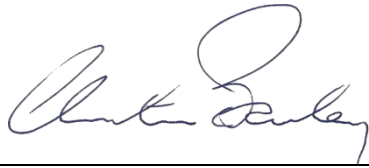
William McKamie, City Attorney

Date: November 01, 2023



Shelley Goodwin, City Secretary

Date: November 02, 2023



Clinton Bailey, City Manager

Date: November 02, 2023



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Public Works and Utilities

TO: Mayor & City Council Members

FROM:

MEETING DATE: November 7, 2023

CATEGORY: OTHER ACTION ITEMS AND
UPDATES

CAPTION: Consider approval of the Water and Sewer Main Replacement Construction Contract
(Kris Kneese, Director of Public Works/Utilities)

PRESENTATION:

SUMMARY:

Consider extending the Water and Sanitary Sewer Main Replacement Project construction contract to JM Pipeline, LLC for FY2024 in the amount not to exceed \$600,000.

BACKGROUND: The City's utility system includes undersized and aging water and sanitary sewer infrastructure throughout town. This infrastructure includes 2 inch water mains and 4 inch sanitary sewer mains, which are undersized to provide fire protection (water) and in many cases are the source of leaks (water) and sewer blockages.

To address the undersized and aging water and sanitary sewer infrastructure, City Staff created a project and developed a set of project bid documents. The bid documents were set up similar to the annual sidewalk contract, where the bid is based on unit price to construct a specific detail. With this type of contract, City Staff can select an area of town, usually a couple of blocks, and issue a work order to the contractor.

The order in which the mains will be replaced will be based on a number of factors including;

- Fire flow, fire hydrant spacing, and/or water pipe network connections
- The street paving project
- Areas with known water leaks
- Areas with known sewer issues, including broken clay piping, sewer blockages, etc

Over the last two year, this project has replaced approximately 3040 feet of 2 inch water mains and 930 feet of 4 inch sewer main were replaced with 8 or 12 inch water mains and 6- inch sewer mains, while adding manholes, water isolation valves, and fire hydrants.

The construction contract documents were set up for an annual renewal for up to five years. This

renewal will be the second of five. City Staff recommends extending the construction contract to JM Pipeline, LLC for amount not to exceed \$600,000 for FY2024.

FUNDING SOURCE: Water Department

FINANCIAL IMPACT:

\$600,000 (\$450,000 for Water Main Replacement and \$150,000 for Sanitary Sewer Main Replacement)

STAFF RECOMMENDATION:

City staff recommends extending the Water and Sanitary Sewer Main Replacement Project construction contract another year to JM Pipeline, LLC for an amount not to exceed \$600,000.

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Government Vision

ATTACHMENTS:

None

APPROVAL/REVIEW:



Garret Bonn, Assistant City Manager

Date: November 01, 2023



Krista Wareham, Director of Finance

Date: November 01, 2023

William McKamie, City Attorney

Date: November 01, 2023



Shelley Goodwin, City Secretary

Date: November 01, 2023



Clinton Bailey, City Manager

Date: November 02, 2023



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Public Works and Utilities

TO: Mayor & City Council Members

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

MEETING DATE: November 7, 2023

CATEGORY: OTHER ACTION ITEMS AND
UPDATES

CAPTION: Consider the approval of the Amendment to the Lower Colorado River Authority (LCRA)
Electric Easement (Kris Kneese, Director of Public Works/Utilities)

PRESENTATION:

SUMMARY:

Consider amending an electric line easement to the Lower Colorado River Authority (LCRA).

BACKGROUND:

The LCRA has approached the city to amend an electric line easement off Post Oak Road near the LCRA's new electric substation called the Peach Substation. The city-owned property is a stormwater detention pond that was conveyed to the city as part of the Windcrest Medical Addition Subdivision off West Windcrest Drive. The property has an existing electric easements and infrastructure running through it.

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

Staff recommends approving the LCRA electric line easement.

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Business Visioning
Government Vision

ATTACHMENTS:

1. City of Fredericksburg amendment for Peach to Headwaters

APPROVAL/REVIEW:



Garret Bonn, Assistant City Manager

Date: October 31, 2023



Krista Wareham, Director of Finance

Date: November 01, 2023

William McKamie, City Attorney

Date: November 01, 2023



Shelley Goodwin, City Secretary

Date: November 01, 2023



Clinton Bailey, City Manager

Date: November 02, 2023

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

AMENDMENT TO EASEMENT AND RIGHT-OF-WAY

STATE OF TEXAS §

§
COUNTY OF GILLESPIE §

DATE: _____, 20__

Type text here

GRANTOR: CITY OF FREDERICKSBURG, TEXAS

GRANTOR'S MAILING ADDRESS: 126 W. Main
Fredericksburg, Texas 78624

GRANTEE: LCRA TRANSMISSION SERVICES CORPORATION, a Texas non-profit corporation

GRANTEE'S MAILING ADDRESS: c/o Lower Colorado River Authority
P. O. Box 220
Austin, Texas 78767-0220

PRIOR EASEMENT: That certain Easement, recorded August 13, 1926, recorded in Volume 35, Page 168, Real Property Records of Gillespie County, Texas.

GRANTOR'S PROPERTY: 2.10 acres of land, more or less, being all of Lot 3XAR of The Windcrest Medical Addition, Gillespie County, Texas, and being more particularly described on Plat recorded under Instrument No. 2009010027, at Volume 4, Page 142, Real Property Records, Gillespie County, Texas.

AGREEMENT

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, GRANTOR and GRANTEE agree that the PRIOR EASEMENT as it affects GRANTOR'S PROPERTY only, is hereby amended as follows:

Notwithstanding anything in the PRIOR EASEMENT to the contrary,

1. GRANTOR hereby amends, grants, sells, and conveys to GRANTEE an easement and right-of-way (the "Easement") in, on, over, under, upon, and across the area described and depicted in Exhibit "A", attached hereto and

incorporated herein for all purposes (the "AMENDED EASEMENT PROPERTY"), together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to GRANTEE and GRANTEE'S successors and assigns forever. The Easement, right-of-way, rights, and privileges herein granted shall be used for the purposes of constructing, placing, operating, maintaining, reconstructing, altering, improving, replacing, rebuilding, upgrading, removing, inspecting, protecting, patrolling, or repairing an electric transmission line, or any part thereof, and making connections therewith.

2. GRANTEE shall have the right to place any number of poles, towers, or other ground-based support structures permanently on the AMENDED EASEMENT PROPERTY. Such structures may be made of concrete, steel, or any other materials. GRANTEE shall have the right to locate, relocate, or reconstruct the transmission line and transmission line structures within the AMENDED EASEMENT PROPERTY. GRANTEE shall have the right to place new or additional wire or wires within the AMENDED EASEMENT PROPERTY and to change the sizes and transmission voltages thereof.
3. GRANTEE shall have the right of ingress and egress at all times upon and across the AMENDED EASEMENT PROPERTY and PRIOR EASEMENT for the above stated purposes. In the event that such access is not reasonably available over the AMENDED EASEMENT PROPERTY or PRIOR EASEMENT, GRANTEE shall have the right of reasonable ingress and egress over the adjacent property of GRANTOR.

This Amendment to Easement and Right-of-Way, and the terms and conditions contained herein, and the rights contained in the PRIOR EASEMENT as amended herein, shall inure to the benefit of and be binding upon GRANTEE and GRANTOR, and their respective personal representatives, successors, and assigns. All terms of the PRIOR EASEMENT are hereby ratified and shall remain in full force and effect, as amended hereby, and nothing herein shall be construed as depriving GRANTEE of any rights obtained in the PRIOR EASEMENT except as specifically set out herein.

GRANTOR warrants and shall forever defend the Amendment to Easement and Right-of-Way to GRANTEE against anyone lawfully claiming or to claim the AMENDED EASEMENT PROPERTY or any part thereof.

GRANTOR:

CITY OF FREDERICKSBURG, TEXAS

By: _____

Name:

Title:

ACKNOWLEDGMENT

STATE OF TEXAS §

§

COUNTY OF _____ §

This instrument was acknowledged before me on this ____ day of _____, 20____,
by _____ in his or her capacity as _____
of City of Fredericksburg, Texas, on behalf of said City.

Notary Public, State of Texas

GRANTEE:
LCRA Transmission Services Corporation
a Texas non-profit corporation

By: _____
Mark Sumrall
Authorized Agent

ACKNOWLEDGMENT

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this ____ day of _____, 20____, by Mark Sumrall, Authorized Agent of LCRA Transmission Services Corporation, a Texas non-profit corporation, on behalf of said corporation.

Notary Public, State of Texas

After recording, return to:
LCRA Transmission Services Corporation
c/o Lower Colorado River Authority
P. O. Box 220
Austin, Texas 78767-0220
Attn: Andrew Sustaita

EXHIBIT " A "

DESCRIPTION OF A 0.444 ACRE TRACT OF LAND SITUATED IN THE ASENCIO VOCA SURVEY, ABSTRACT NO. 707, GILLESPIE COUNTY, TEXAS, BEING A PORTION OF A TRACT OF LAND CONVEYED FROM CAROLINE ROSE CORNETT, CLIFFORD DAN CORNETT, KAREN G. CORNETT AND MARK DANIEL CORNETT TO THE CITY OF FREDERICKSBURG OF THE COUNTY OF GILLESPIE, STATE OF TEXAS, DATED SEPTEMBER 24, 2010, AND RECORDED IN DOCUMENT NO. 20104271 OF THE OFFICIAL PUBLIC RECORDS OF GILLESPIE COUNTY, TEXAS (O.P.R.G.C.T.) AND BEING A PORTION OF TRACT 3XAR OF THE RESUBDIVISION OF TRACT 3, WINDCREST MEDICAL ADDITION INTO TRACTS 3AR, 3BR, 3CR, 3XAR, & 3XBR, DATED DECEMBER 31, 2009, AND RECORDED IN DOCUMENT NO 2009010027 OF THE O.P.R.G.C.T. THE PERIMETER OF SAID 0.444 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING 1/2 inch iron rod with plastic cap stamped "BONN RPLS4447" found in concrete (Grid Coordinates = **Northing** 10,062,737.67 U.S. ft., **Easting** 2,752,979.07 U.S. ft.) in the north right-of-way line of West Windcrest Street (right-of-way width varies) as reference in said Resubdivision of Tract 3, Document No. 2009010027, being the southeast corner of Lot No. 3 conveyed to 602 West Windcrest Street, LLC, a Texas Limited Liability Company, dated March 08, 2022, and recorded in Document No. 20221632 of the O.P.R.G.C.T. and being a portion of Lot 3 of the Villages of Windcrest Phase 1, Lots 2 & 3, dated December 05, 2018, and recorded in Volume 5, Page 188 of the Plat Records of Gillespie County, Texas (P.R.G.C.T.), also being the southwest corner of a tract of land conveyed to C2 FBG, LLC a Texas Limited Liability Company, dated March 11, 2016, and recorded in Document No. 20161349 of the O.P.R.G.C.T., same being the southwest corner of Tract 3AR on said Resubdivision of Tract 3, Windcrest Medical Addition, also being the southeast corner of an Abandoned Road as referenced in said Subdivision Plat, Volume 5, Page 188;

THENCE North 00°05'47" East, with the east line of said Lot No. 3, being the west line of said Tract 3AR, passing at a distance of **324.60 feet** a 1/2 inch iron rod found for the southwest corner of said Tract 3XAR, being the northwest corner of said Tract 3AR, and continuing for a total distance of **341.69 feet** to a 5/8 inch iron rod with aluminum cap stamped "LCRA" set for the **POINT OF BEGINNING** and the south corner of this tract (Grid Coordinates = **Northing** 10,063,079.30 U.S. ft., **Easting** 2,752,979.65 U.S. ft.);

THENCE North 00°05'47" East, with the common line of said Tract 3XAR and said Lot No. 3, passing at a distance of **190.79 feet** a 1/2 inch iron rod with cap stamped "MDS" found in the east right-of-way (R.O.W.) line of Post Oak Road, a 60 feet wide R.O.W., as referenced in said Subdivision Plat, Volume 5, Page 188, passing at a distance of **238.00 feet** a 1/2 inch iron rod with cap stamped "MDS" found and continuing for a total distance of **291.66 feet** 5/8 inch iron rod with aluminum cap stamped "LCRA" set for the northwest corner of this tract, from which a 1/2 inch iron rod with cap stamped "BONN RPLS4447" found bears **North 00°05'47" East** a distance of **121.47 feet**;

THENCE over and across said Tract 3XAR the following four (4) courses and distances:

- 1) **North 80°28'59" East**, a distance of **66.15 feet** to a 5/8 inch iron rod with aluminum cap stamped "LCRA" set on the centerline of an Easement a R.O.W. to West Texas Utilities Company, dated July 29, 1926, and recorded in Volume 35, Page 168 of the Deed Records of Gillespie County, Texas (D.R.G.C.T.), being the northeast corner of this tract,

(INTENTIONALLY LEFT BLANK)

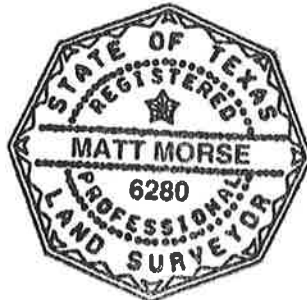
- 2) **South 19°29'24" East**, with said centerline of the Easement and R.O.W. a distance of **137.26 feet** to a 5/8 inch iron rod with aluminum cap stamped "LCRA" set for the southeast corner of this tract,
- 3) **South 84°28'01" West**, leaving the centerline of said Easement and R.O.W. a distance of **16.94 feet** to a 5/8 inch iron rod with aluminum cap stamped "LCRA" set for a corner of this tract,
- 4) **South 28°53'22" West**, a distance of **195.95 feet** to the **POINT OF BEGINNING** hereof, and containing 0.444 acres of land within the bearing and distance calls contained herein.

Bearing Basis: Texas Lambert Grid, Central Zone, NAD83/2011. All distances are surface values; to obtain grid values multiply surface distances by a Combined Scale Factor of 0.99988303. All distance units are U.S. Survey feet.

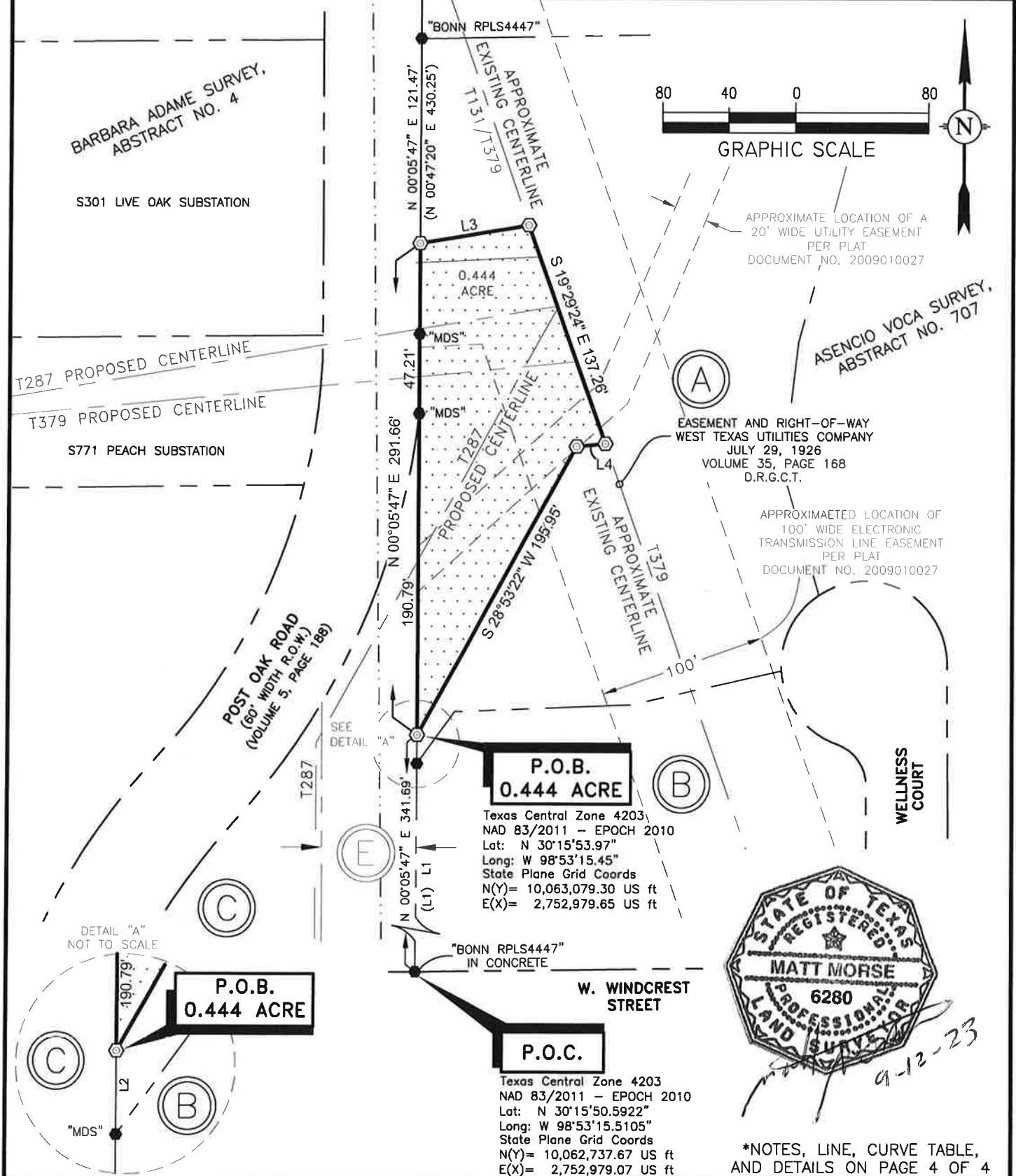
This description and plat attached hereto represent an on-the-ground survey made under my direct supervision July 2023.


Matt Morse
Registered Professional Land Surveyor No. 6280
Lower Colorado River Authority
3700 Lake Austin Boulevard
Austin, Texas 78703
(512) 473-3200
TBPLS FIRM# 10152700

9-12-2023
Date



WORD FILE: T287001B-0002A.docx
ACAD FILE: T287001B-0002A.dwg



ACAD FILE: T287001B-0002A.dwg
WORD FILE: T287001B-0002A.doc
DATE: 09/12/2023
PROJECT ID: 1017683
FIELD BOOK: 2023-06_PG 1-6
DRAWN BY: J.ORTIZ

PLAT SHOWING A 0.444 ACRE
TRACT OF LAND LOCATED IN THE
ASENCIO VOCA SURVEY, ABSTRACT NO. 707
GILLESPIE COUNTY, TEXAS

T-379 TRANSMISSION LINE

LCRA
ENERGY • WATER • COMMUNITY SERVICES
3700 LAKE AUSTIN BLVD. AUSTIN, TX 78703
(512)473-3200 www.lcra.org
TBPELS FIRM# 10152700



PROPERTY ID. 101446

CAROLINE ROSE CORNETT, CLIFFORD DAN CORNETT,
KAREN G. CORNETT AND MARK DANIEL CORNETT
TO

CITY OF FREDERICKSBURG OF
THE COUNTY OF GILLESPIE, STATE OF TEXAS
SEPTEMBER 24, 2010
DOCUMENT NO. 20104271
O.P.R.G.C.T.

TRACT 3XAR
(HEREON DEDICATED FOR PUBLIC STORM
WATER DETENTION AND DRAINAGE)

SEE NOTE IN PLAT
RESUBDIVISION OF TRACT 3,
WINDCREST MEDICAL ADDITION
INTO TRACTS 3AR, 3BR, 3CR,
3XAR, & 3XBR
DECEMBER 31, 2009
DOCUMENT NO. 2009010027
O.P.R.G.C.T.

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 00°05'47" E	324.60'
(L1)	N 00°47'20" E	324.58'
L2	N 00°05'47" E	17.09'
L3	N 80°28'59" E	66.15'
L4	S 84°28'01" W	16.94'

LEGEND

⊗ 5/8" IRON ROD WITH ALUMINUM
CAP STAMPED "LCRA" SET

● 1/2" IRON ROD WITH
CAP FOUND (AS NOTED)

() RECORD INFORMATION

— — — — — CENTERLINE OF TRANSMISSION LINE
— — — — — PROPERTY LINE

- - - - - APPROXIMATE LOCATION
OF SURVEY LINE

O.P.R.G.C.T. OFFICIAL PUBLIC RECORDS
GILLESPIE COUNTY, TEXAS

P.R.G.C.T. PLAT RECORDS
GILLESPIE COUNTY, TEXAS

D.R.G.C.T. DEED RECORDS
GILLESPIE COUNTY, TEXAS

HORIZONTAL DATUM: NAD83/2011 - EPOCH 2010
VERTICAL DATUM: NAVD 88 - GEOID18
COMBINED SCALE FACTOR: 0.99988303
BEARING BASIS: TX. LAMBERT GRID CENTRAL ZONE
DISTANCES SHOWN ARE SURFACE VALUES



C2 FBG, LLC,
A TEXAS LIMITED LIABILITY COMPANY
MARCH 11, 2016
DOCUMENT NO. 20161349
O.P.R.G.C.T.

TRACT 3AR
RESUBDIVISION OF TRACT 3,
WINDCREST MEDICAL ADDITION INTO TRACTS
3AR, 3BR, 3CR, 3XAR, & 3XBR
DECEMBER 31, 2009
DOCUMENT NO. 2009010027
O.P.R.G.C.T.



602 WEST WINDCREST STREET, LLC,
A TEXAS LIMITED LIABILITY COMPANY
LOT NO. 3
MARCH 08, 2022
DOCUMENT NO. 20221632
O.P.R.G.C.T.

LOT 3 OF
THE VILLAGES OF WINDCREST PHASE I,
LOTS 2 & 3
DECEMBER 05, 2018
1.41 ACRES
VOLUME 5, PAGE 188
P.R.G.C.T.



ABANDONED ROAD,
PER PLAT
VOLUME 5, PAGE 188
P.R.G.C.T.

GILLESPIE COUNTY, TEXAS

ASENCIO VOCA SURVEY, ABSTRACT NO. 707

PID: 101446

(CITY OF FREDERICKSBURG)

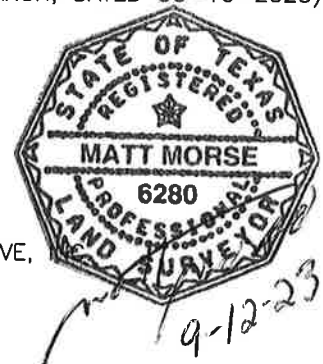
LIMITED TITLE CERTIFICATE (30-YEAR SEARCH, DATED 06-16-2023)

1- CHAS WAGNER TO
WEST TEXAS UTILITIES COMPANY
CENTERLINE EASEMENT
DATE: 07/29/1926
VOLUME 35, PAGE 168
AFFECTS THE THIS TRACT

2- ERNESTINE J. MOLDENHAUER TO
CENTRAL TEXAS ELECTRIC COOPERATIVE,
RIGHT-OF-WAY EASEMENT
DATE: 01-07-1977
VOLUME 121, PAGE 713
UNABLE TO LOCATE AS DESCRIBED

3- ERNESTINE MOLDENHAUER TO
CENTRAL TEXAS ELECTRIC COOPERATIVE, INC.
RIGHT-OF-WAY EASEMENT
DATE: 08-22-1991
VOLUME 220, PAGE 598
UNABLE TO LOCATE AS DESCRIBED

4- MOLDENHAUER ENTERPRISES PARTNERSHIP, LTD. TO
HIGHPOINT WIRELESS, INC.
MEMORANDUM OF TOWER SITE LEASE AND
ACCESS EASEMENT AND RIGHT OF FIRST REFUSAL
DATE: 08-22-1991
VOLUME 534, PAGE 105
DOES NOT AFFECT THE TRACT



ACAD FILE: T287001B-0002A.dwg
WORD FILE: T287001B-0002A.doc
DATE: 09/08/2023
PROJECT ID: 1017683
FIELD BOOK: 2023-06_PG 1-6
DRAWN BY: J.ORTIZ

PLAT SHOWING A 0.444 ACRE
TRACT OF LAND LOCATED IN THE
ASENCIO VOCA SURVEY, ABSTRACT NO. 707
GILLESPIE COUNTY, TEXAS

T-379 TRANSMISSION LINE

LCRA
ENERGY-WATER-COMMUNITY SERVICES
3700 LAKE AUSTIN BLVD, AUSTIN, TX 78703
(512)473-3200 www.lcra.org
TBPELS FIRM# 10152700



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary

TO: Mayor & City Council Members

FROM:

MEETING DATE: November 7, 2023

CATEGORY: OTHER ACTION ITEMS AND
UPDATES

CAPTION: Consider the approval of the 2024 City of Fredericksburg City Holidays (Shelley Goodwin, City Secretary)

PRESENTATION:

SUMMARY:

The City Council approves the City of Fredericksburg Holidays observed yearly. The proposed 2024 City of Fredericksburg Holidays are attached and based on the previous holidays. I have also attached the 2024 Gillespie County Holidays for your review.

BACKGROUND:

FUNDING SOURCE: In 2023, the City Council approved 13 City Holidays, and the same Holidays are being proposed for 2024.

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

Staff is asking for the City Council to approve the same holidays.

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Business Visioning
Government Vision

ATTACHMENTS:

1. 2024 City Holidays
2. County Holidays for 2024

APPROVAL/REVIEW:

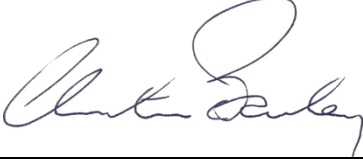
William McKamie, City Attorney

Date: October 24, 2023



Shelley Goodwin, City Secretary

Date: October 24, 2023



Clinton Bailey, City Manager

Date: November 02, 2023

2024 City of Fredericksburg Employee Holiday Schedule

New Year's Day	Monday, January 1, 2024
Martin Luther King Day	Monday, January 15, 2024
President's Day	Monday, February 19, 2024
Good Friday	Friday, March 29, 2024
Memorial Day	Monday, May 27, 2024
Independence Day	Thursday, July 4, 2024
County Fair Day	Friday, August 23, 2024
Labor Day	Monday, September 2, 2024
Veterans Day	Monday, November 11, 2024
Thanksgiving	Thursday, November 28, 2024 Friday, November 29, 2024
Christmas Eve	Tuesday, December 24, 2024
Christmas Day	Wednesday, December 25, 2024



Gillespie County, Texas

2024 Scheduled Holidays		
New Year's Day (Observed)	Monday	January 1, 2024
Martin Luther King Jr. Day	Monday	January 15, 2024
President's Day	Monday	February 19, 2024
Texas Independence Day	Friday	March 1, 2024
Good Friday	Friday	March 29, 2024
Memorial Day	Monday	May 27, 2024
Independence Day	Thursday	July 4, 2024
Gillespie County Fair Day	Friday	August 23, 2024
Labor Day	Monday	September 2, 2024
Veterans Day	Monday	November 11, 2024
Thanksgiving	Thursday & Friday	November 28 & 29, 2024
Christmas	Tuesday & Wednesday	December 24 & 25, 2024
New Year's Day (Observed)	Wednesday	January 1, 2025
It is with the approval of Commissioners Court that a holiday may be rescheduled for a specific department, when it is considered to be in the best interest of the County and that department.		



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM: Clinton Bailey, City Manager
MEETING DATE: November 7, 2023

CATEGORY: OTHER ACTION ITEMS AND
UPDATES

CAPTION: Discuss and provide direction regarding future Work Session dates and topics (Clinton Bailey, City Manager)

PRESENTATION:

SUMMARY: Over the next several months the Council may consider holding several Special "Work Session" meetings to discuss various topics. The following is a partial listing of potential discussion topics the Council may want to consider adding to future Work Sessions:

1. 2025 Food and Wine Fest
2. New Sources of General Fund Revenue
3. Future Bond Election for Transportation Projects, City Facilities, Parks etc.
4. Strategic Plan Development
5. Main Street
 - a. No Chains on Main Street
 - b. Open Container on Main Street
 - c. Trash and Recycling Collection
 - d. Sidewalk Cleaning
 - e. Parking Management
 - f. Tax Increment Reinvestment Zone (TIRZ)
6. New Ordinances and Amendments to Existing Ordinances

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

Staff recommends the Council provide direction regarding future Work Session meeting dates and discussion topics.

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Business Visioning
Government Vision
Family Life Vision
Quality of Life Vision

ATTACHMENTS:

None

APPROVAL/REVIEW:

William McKamie, City Attorney

Date: November 02, 2023



Shelley Goodwin, City Secretary

Date: November 02, 2023



Clinton Bailey, City Manager

Date: November 02, 2023



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM: Clinton Bailey, City Manager
MEETING DATE: November 7, 2023

CATEGORY: CITY MANAGER'S REPORT

CAPTION: Update on Sports Park Soccer Fields

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:

Krista Wareham, Director of Finance

Date: October 30, 2023

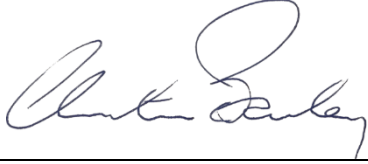
William McKamie, City Attorney

Date: November 01, 2023



Shelley Goodwin, City Secretary

Date: November 01, 2023



Clinton Bailey, City Manager

Date: November 02, 2023



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM: Clinton Bailey, City Manager
MEETING DATE: November 7, 2023

CATEGORY: CITY MANAGER'S REPORT

CAPTION: Neighborhood Town Hall Update

PRESENTATION:

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMMUNITY VISIONING/STRATEGIC INITIATIVES:

Family Life Vision
Quality of Life Vision

ATTACHMENTS:

None

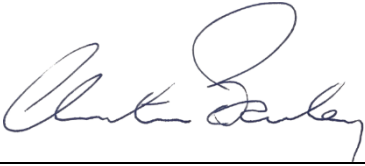
APPROVAL/REVIEW:

William McKamie, City Attorney

Date: November 01, 2023

Shelley Goodwin, City Secretary

Date: November 01, 2023

A handwritten signature in blue ink, appearing to read "Clinton Bailey", written over a horizontal line.

Clinton Bailey, City Manager

Date: November 02, 2023



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM: Clinton Bailey, City Manager
MEETING DATE: November 7, 2023

CATEGORY: CITY MANAGER'S REPORT

CAPTION: Fredericksburg Citizen University

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

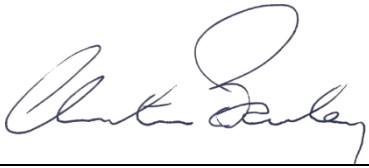
APPROVAL/REVIEW:

William McKamie, City Attorney

Date: November 01, 2023

Shelley Goodwin, City Secretary

Date: November 01, 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: November 02, 2023

City Council Regular Meeting November 21, 2023

2023-105	City Council Minutes November 7, 2023 Regular Meeting	Consent - Approve	Shelley Goodwin	City Secretary
2023-606	Casting votes for the Gillespie Central Appraisal District Board of Directors for the 2024-2025 Terms	Resolution- Approve	Clinton Bailey	City Manager
	City Manager Update	Presentation	Clinton Bailey	City Manager
	Consider a request by Travis Tucker #Z-2306 i. Presentation by applicant ii. Staff Report iii. Hold a Public Hearing to receive comments for or against the request iv. Take action on Ordinance 2023- Zoning Change	Public Hearing Approve – Ordinance	Anna Hudson	Development Services
2023-598	Amending Article 5.000 of Appendix A - Fee Schedule, amending Article 5.500 of Appendix A - Fee Schedule, and amending Article 6.000 of Appendix A - Fee Schedule, of the Code of Ordinances, to update and amend the fees for Permits and Administrative Services rendered by the City's Development Services Department and setting an effective date (Anna Hudson, Director of Development Services)	Ordinance – Approve	Anna Hudson	Development Services

Future Agenda Items

2023-471	Adopt fees for the John Klein Meeting room (Nov or Dec)	Approve - Ordinance	Andrea Schmidt	Parks and Recreation
2023-487	Consider a Request from the Fredericksburg Independent School District (FISD) For Vacation and Abandonment of	Approve	Garret Bonn	Asst. City Manager

Public Right of Way in the Vicinity of the New Middle School Campus

2023-489	Consider an Agreement with the Gillespie County Historical Society Relating to Public Restrooms at the Pioneer Museum and Operations and Maintenance of the Vereins Kirche	Approve	Garret Bonn	Asst. City Manager
2023-341	Approve new fees for pool parties based on new pay rates for lifeguards (December 2023 or early 2024)	Approve - Ordinance	Andrea Schmidt	Parks and Recreation
2023-342	Approve new pavilion, Tatsch House and other recreational fees (Dec/Jan)	Approve - Ordinance	Andrea Schmidt	Parks and Recreation
2023-556	Consider approving a bid for renovations at the Pioneer Pavilion to include roof replacement and wall repairs	Approve - Ordinance	Andrea Schmidt	Parks and Recreation
2023-607	Resolution appointing members to the Health Board (12-19-2023 Meeting)	Approve - Resolution	Kelli Olfers	Health Department
	Fiber Optic	Discuss and Approve	Eric Whiting	IT Department

Upcoming City Council Meetings

November 21, 2023 - City Council Regular Meeting at 9:00 a.m. at the Law Enforcement Center

December 5, 2023 - City Council Regular Meeting at 9:00 a.m. at the Law Enforcement Center

December 19, 2023 - City Council Regular Meeting at 9:00 a.m. at the Law Enforcement Center

Joint Meeting with Planning and Zoning Commission

Work Session to discuss potential Ordinances

Work Session to discuss Fredericksburg Food and Wine Fest

Special Meeting for Annexation Hearing



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary

TO: Mayor & City Council Members

FROM:

MEETING DATE: November 7, 2023

CATEGORY: EXECUTIVE SESSION

CAPTION: Consider and discuss the annual evaluation of the City Manager (Section 551.074)

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

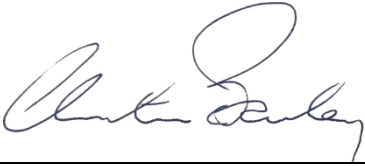
APPROVAL/REVIEW:

William McKamie, City Attorney

Date: October 24, 2023

Shelley Goodwin, City Secretary

Date: October 24, 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: November 02, 2023