City of Fredericksburg

City Council Regular Meeting Agenda
Tuesday, August 6, 2024 ~ 9:00 AM
Law Enforcement Center
1601 E. Main Street
Fredericksburg, Texas 78624

Jeryl Hoover, Mayor
Tony Klein, Councilmember
Bobby Watson, Councilmember
Randy Briley, Councilmember
Emily Kirchner, Councilmember/Pro-Tem
Clinton Bailey, City Manager

The City of Fredericksburg City Council will meet in a regular session on Tuesday, August 6, 2024, at 9:00 AM. The meeting will be live-streamed & available for re-watch on the City's website: fredericksburgtx.portal.civicclerk.com.

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 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, and Zoning Board of Adjustment 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 - Mayor Jeryl Hoover**

2. **INVOCATION - Christine Burdick, Supervisor at the Fredericksburg Visitor Information Center, will deliver the Invocation.**

3. **PLEDGES OF ALLEGIANCE - Mayor Jeryl Hoover will lead the Pledges**

4. **CEREMONIALS - No Ceremonials at this meeting.**

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 the approval of a street closure request to close one southbound traffic lane and the parking lane adjacent to Marktplatz on North Adams from Austin to Main Street beginning Friday, October 18, 2024, at 7:00 am until Sunday, October 20, 2024, by 12:00 pm for Bestfest (Jennifer Krupa, Assistant Director of Parks and Recreation/Special Event Coordinator)

   B. Approval of the City Council Regular Meeting Minutes of June 18, 2024. (Leticia Vacek, City Secretary)

7. **ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS**

   A. Adoption of Ordinance 2024-23 declaring that the Amendments to the City Charter approved by the Voters at the Special Election held on May 4, 2024 are hereby adopted by Ordinance and effective as of June 1, 2024. (Leticia Vacek, City Secretary)

   B. CONSIDERATION AND APPROVAL OF ORDINANCE 2024-22 BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS AUTHORIZING THE ISSUANCE OF “CITY OF FREDERICKSBURG, TEXAS, COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2024”; PROVIDING FOR THE PAYMENT OF SAID CERTIFICATES BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND FURTHER SECURING SAID CERTIFICATES BY A LIEN ON AND PLEDGE OF THE PLEDGED REVENUES OF THE CITY’S COMBINED UTILITY SYSTEM; AND OTHER MATTERS INCIDENT AND RELATED THERETO (Garret Bonn, Asst. City Manager)

      i. Presentation by Dan Wegmiller, Specialized Public Finance, Inc. (Financial Advisor)

ii. Hold a Public Hearing (Mayor declares the Public Hearing open and calls upon individuals to speak. Mayor declares the Public Hearing closed)
iii. Take Action to Adopt Ordinance No. 2024-22 (Adoption of Ordinance 2024-22)

8. OTHER ACTION ITEMS AND UPDATES

A. Discussion and possible action on the Glockenspiel Conceptual Plan at Marktplatz. (Mike Zenner, Pedernales Creative Arts Alliance and Andrea Schmidt, Director of Parks & Recreation)

B. Review and Discussion of the Truth in Taxation Rates provided by the Chief Appraiser of Gillespie Central County Appraisal District. (Krista Wareham - Director of Finance)

C. Overview of a Tax Increment Reinvestment Zone (TIRZ) Program. (Anna Hudson, AICP - Director of Development Services)

D. Petition for Release of Approximately 140.914 acres of Property, Generally located at 3567 US Highway 290 East from the City of Fredericksburg's Extraterritorial Jurisdiction, Gillespie County. (Mick McKamie, City Attorney)

9. CITY MANAGER’S REPORT

A. Pedernales Creative Arts Alliance donation to repaint the Maibaum at Marktplatz
Nimintz Rotary Club's donation for Improvements to Cross Mountain Park Entrance

B. Food and Wine Festival Update - Jim Makula, CEO Chamber of Commerce

C. Fredericksburg Police Department Community Outreach Update

10. ITEMS FOR FUTURE AGENDA

11. EXECUTIVE SESSION

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Sections - (551.071 & 551.072):

A. Consider and discuss the Civil Action No. 1:24-CV-00701-D11 Joseph Brillhart, Laura Brillhart, and Sally Clark, Plaintiffs, v. City of Fredericksburg, Texas, pending United States District Court for the Western District of Texas, Austin Division (551.071).

B. Consultation with City Attorney regarding legal requirements for municipal regulation of signs under current state and federal law (Texas Government Code 551.071). There will be no action after this Executive Session Item.

C. Consultation with City Attorney regarding legal requirements for determining eligibility for use of, reporting of, and audit of expenditures of HOT funds. (Texas Government Code 551.071)

D. Consider and discuss Real Estate in the vicinity of US 290E and Old San Antonio Rd. (Section 551.072)

E. Discussion and possible action on the value and disposition of city-owned real properties located throughout the City (Section 551.072)

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, Leticia Vacek, posted this Agenda at 4:30 pm on August 2, 2024 on the bulletin board of the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.

Leticia Vacek

Leticia Vacek, TRMC/CMC/MMC
City Secretary

CITY COUNCIL AGENDA MEMO

DEPARTMENT: Parks and Recreation
TO: Mayor & City Council Members
FROM: Jennifer Krupa, Asst. PARD Director/
Special Events
MEETING DATE: August 6, 2024 **CATEGORY:** CONSENT

CAPTION: Consider the approval of a street closure request to close one southbound traffic lane and the parking lane adjacent to Marktplatz on North Adams from Austin to Main Street beginning Friday, October 18, 2024, at 7:00 am until Sunday, October 20, 2024, by 12:00 pm for Bestfest (Jennifer Krupa, Assistant Director of Parks and Recreation/Special Event Coordinator)

PRESENTATION:

SUMMARY:
Bestfest is an annual event sponsored by the Knights of Columbus and is held each October at Marktplatz. This year's event will take place on Saturday, October 19, 2024. Event organizers have requested the closure of one southbound traffic lane and the parking lane of N. Adams Street, adjacent to Marktplatz from Austin to Main Street, beginning Friday, October 18, 2024, at 7:00 a.m. and ending no later than 12:00 p.m. (noon), on Sunday, October 20, 2024.

BACKGROUND:
This street closure request is identical to the 2022 & 2023 requests. The police department and streets division have approved this request internally and the closure will not impact the parking directly in front of the merchants on Adams Street (east parking lanes). The streets department will install the closure equipment on Friday, October 18th, and the event organizers will reopen the lanes no later than noon on Sunday, October 20th.

Code of Ordinances, Section 44-24. - Authority of chief of police to enforce traffic regulations.
(a)The chief of police is hereby empowered to take all actions as may be necessary or advisable to enforce traffic regulations to make effective the provisions of this chapter and other traffic laws or ordinances and to make and enforce temporary or experimental regulations to cover emergencies or special events or conditions. No such temporary or experimental regulation shall remain in effect for more than 90 days, nor shall it be effective until approved by the City Manager.
(b)The chief of police is hereby empowered, in addition to the traffic engineer, to close streets for emergencies, special events or other conditions. Street closures which are expected to be for periods in excess of two hours, except for emergencies, shall require approval by the City Council.

FUNDING SOURCE: General Fund

FINANCIAL IMPACT:
N/A

STAFF RECOMMENDATION:
Recommend City Council consider a motion to approve the request to close one southbound traffic lane and the parking lane adjacent to Marktplatz on North Adams from Austin to Main Street beginning Friday, October 18, 2024, at 7:00 a.m. until Sunday, October 20, 2024, by 12:00 p.m. for Bestfest.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:
Quality of Life Vision

ATTACHMENTS:
1. Bestfest_2024 Street Closure Request

APPROVAL/REVIEW:

Andrea Schmidt
_______________________ Date: August 02, 2024
Andrea Schmidt, Parks and Recreation Director

Krista Wareham
_______________________ Date: August 02, 2024
Krista Wareham, Director of Finance

_______________________ Date: August 02, 2024
William McKamie, City Attorney

_______________________ Date: August 02, 2024
Clinton Bailey, City Manager

Street Closure Request Form

Street Closures

Street closure requests must be made two (2) months in advance to City Council for any closure two (2) hours or more. Street closures less than two hours in length will need police department approval. Please consider this timeline when submitting your request. You must attach the dated notification letter or email you have sent to abutting property owners (if applicable) with any feedback received. Submit completed form and attachments to the Special Events Coordinator. Once received, your request will be routed to the appropriate departments for review and assigned to a meeting agenda for City Council consideration. The event organizer or representative should be present at the City Council meeting in case there are any questions.

Event Name: Bestfest (Knights of Columbus, KofC)

Event Date(s): October 19, 2024

Contact Name: John Eilers

Contact Phone: 830-456-6279

Closure Area:

☐ Entire Street ☑ Parking Lane Only ☑ Partial Street ☐ Blocking or Using City-Owned Property

Parking Lane Only — Side of Street (enter N,S,E,W): ✓

Partial Street — Side of Street (enter N,S,E,W): ✓

Location:

Additional details; describe details of use below:

Requesting to close the parking lane and one SB lane of S. Adams Street adjacent to Marktplatz. This closure will not block the parking spaces in front of the merchants on the east side of Adams. KofC will reopen the street on Sunday.

Street Closure Details:

Street Name	Between (cross street)	And (cross street)	Start Date	Start Time	End Date	End Time
Example: W. Austin Street	N. Crockett	N. Adams	Saturday, April 22, 2023	6:00 A.M.	Saturday, April 22, 2023	12:00 P.M.
Adams Street	Main Street	Austin Street	Friday, October 18, 2024	7:00 a.m.	Sunday, October 20, 2024	By noon

CITY USE ONLY:

Police: Lt. Seelig via email Date: 7-30-24

Streets: A. Dust via email Date: 7-30-24

Parks: [signature] Date: 7-30-24

CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM:
MEETING DATE: August 6, 2024 **CATEGORY:** CONSENT

CAPTION: Approval of the City Council Regular Meeting Minutes of June 18, 2024. (Leticia Vacek, City Secretary)

PRESENTATION:

SUMMARY:

BACKGROUND:

FUNDING SOURCE: **FINANCIAL IMPACT:**

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:
Neighborhood Quality
Workforce
Tourism
City Center
Mobility
Small Town Sensitive Growth
Governance

ATTACHMENTS:
1. Regular Meeting 6-18-2024lv final

APPROVAL/REVIEW:

Krista Wareham

Date: August 02, 2024

Krista Wareham, Director of Finance

William McKamie, City Attorney

Date: August 02, 2024

Leticia Vacek, City Secretary

Date: August 02, 2024

Clinton Bailey, City Manager

Date: August 02, 2024

City of Fredericksburg

City Council Regular Meeting Agenda
Tuesday, June 18, 2024 ~ 9:00 AM
Law Enforcement Center
1601 E. Main Street
Fredericksburg, Texas 78624

Members Present:
Mayor Jeryl Hoover
Mayor Pro-Tem Kirchner
Councilmember Randy Briley
Councilmember Bobby Klein
Councilmember Tony Watson

Members Absent:
None

City Staff Present:
Clinton Bailey, City Manager
Garret Bonn, Assistant City Manager
Rachel Raggio, City Attorney (via phone)
Leticia Vacek, City Secretary
Krista Wareham, Director, Finance
Kris Kneese, Director, Public Works and Utilities
Aaron Anderegg, Director, Information Technology
Andrea Schmidt, Director, Parks and Recreation
Anna Hudson, Director, Development Services
Sean Doerre, Public Information Officer
Lt. Derek Seelig, Police Department
Amy Burrier, Fire Department
Leslie Embrey, Assistant to the City Secretary

1. CALL TO ORDER
Mayor Hoover called the June 18, 2024, Regular City Council Meeting to order at 9:00 am and announced that a quorum had been met.

2. INVOCATION
Mayor Hoover introduced Mayor Pastor Bobby Vitek from Holy Ghost Lutheran Church who led the Invocation.

3. PLEDGE OF ALLEGIANCE
Mayor Hoover led the Pledge of Allegiance.

4. CEREMONIAL MATTERS/PROCLAMATIONS/EMPLOYEE RECOGNITION

A. Anna Hudson recognized Mr. Richard Laughlin who served on the City's Historic Review Board for the last 15+ years. Mayor Hoover thanked Mr. Laughlin for this dedication to the city and presented a plaque to Mr. Laughlin for his years of service.

B. Anna Hudson also recognized Mr. Steve Thomas who served on the City's Planning and Zoning Commission for the last 14 years. Mayor Hoover thanked Mr. Thomas for his dedication to the city and presented a plaque to Mr. Thomas for his years of service.

City Manager Clinton Bailey introduced the City's Newly Appointed City Secretary, Leticia "Letty" Vacek and provided a brief background of her 35 years of municipal government experience.

5. COUNCIL COMMENTS

Councilmember Briley:
- Acknowledged VFW Post 7105 for commemorating the 80th Anniversary of D-Day.
- Noted CVB's PeachFest at La Cantera where they sold 1,000 peaches in 90 minutes and called in reinforcements.
- Announced on July 9th Alamo Workforce Solutions will hold a Lunch and Learn Seminar on Youth Empowerment Services.

Councilmember Klein:
- Noted that he attended the County Commissioner's Court Meeting last week.
- Also attended the re-dedication at MarketPlatz and their meeting where they discussed the importance of maintaining and continuing to improve MarketPlatz. He added that he spoke with the County Judge to assist with additional improvements at MarketPlatz.
- Highlighted the new Food & WineFest Event to be held in October and made note of the marketing video that was recorded last Friday.

Mayor Pro-Tem Kirchner:
- Highlighted the City Employee Picnic held last Friday that she attended. She mentioned employees serving 5, 10, 15, 20, 25, and 30 years were honored for their service to the City of Fredericksburg.
- Reported that the Senate Natural Resources and Economic Interim Hearing where one of their items was to exam the use of Hotel Occupancy Taxes (HOT). She stated that it was clear that there was no appetite to use HOT to support General Fund expenses. She added that she was working on a Local Option that may be fruitful for Fredericksburg.
- Thanked all Board and Commission Applicants for taking the time to apply. She noted that the Council will make appointments today and that it is encouraging to know that a great number want to get involved.

Councilmember Watson:
- Highlighted the Airport Advisory Board Meeting last week where Hangar Occupancy is at 100% with 35 on the wait list.
- Reported that the High School has started a new Aviation Program where 25 students have signed up. Fuel Sales through the end of May are up by 29% over the same time last year. This year's expected sales goal is reaching 600,000 gallons of aviation fuel.
- Attending tomorrow's Food & WineFest Steering Committee Meeting, as Preview Week tickets go on sale tomorrow with a series of events.
- Thursday, he will attend the Hill Country Alliance Leadership Institute visiting the Blue Hole Elementary School in Wimberly which was built around water savings and solar.
- Reported that he will be attending the EDC Meeting this Friday.

Mayor Hoover:

- Highlighted Short-Term Rental activity and reported the following:
    - 384 Active R1 STR properties with an additional 286 permit applications in pending status and 40 under review
    - 278 Active R2 STR properties
    - 663 Active R1 and R2 STR properties
    - 816 Active Residential and Non-Residential STR properties
    - 12 Active STR properties delinquent in HOT payments
    - 7 properties operating without a permit

6. CONSENT

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

A. **Consider approval of City Council Minutes for the following Meetings:**
May 7, 2024 Regular Council Meeting
May 13, 2024 Special-Called Council Meeting

A motion was made by Mayor Pro-Tem Kirchner and seconded by Councilmember Klein to approve Item 6A with the corrections provided to the City Secretary. The motion carried unanimously.

7. ORDINANCES, RESOLUTIONS, AND PUBLIC HEARINGS

A. Consideration and Approval of a Resolution (2024-09R) Authorizing and Approving a Multiple Use Agreement with the Texas Department of Transportation for the use of automated license plate recognition cameras (Lt. Derek Seelig, Police Department Patrol)

Lt. Derek Seelig presented said item indicating that this particular technology is utilized for Amber Alerts, Sliver and Blue Alerts as well as utilizing the data within public safety to find stolen vehicles. He added that the data maintained will be secured and all system users must have CJIS Clearance to access. Mayor Hoover recognized the following citizens who all spoke in opposition for various reasons to the use of automated license plate recognition cameras:

Beatrice Bellino
Angela Smith
Allison Henson
Susan Doak
Sonia Rivero
Jerry McCorkle
Kathy Lux
Annette Bennett
Tonya Benson
Jeannette Hormuth

After a brief discussion, a motion was made by Councilmember Watson and seconded by Mayor Pro-Tem Kirchner to approve Resolution 2024-09R. The motion carried unanimously.

B. Request Z-2408 - By Margaret Klenzing to Consider a Conditional Use Permit (CUP) per Sec. 3.220 to Allow for Commercial Off-Street Parking for a Property Located at 406 East Main Street (Anna Hudson, Director of Development Services)

i. Presentation by applicant
ii. Presentation by staff

iii. Public hearing
iv. Take action to adopt Ordinance 2024-18 for a CUP for a Commercial Off-Street Parking lot at 406 E. Main Street

Brandon Weinheimer with SKT Architects stated that the 28-space parking lot located at 406 E. Main served as overflow parking for guests of The Emigrant. He added that the Klenzings were requesting a CUP to allow for 14-spaces to be used as paid public parking. Mr. Weinheimer provided an overview of the Site Plan and highlighted parking lot improvements to include installation of access controls arms and appropriate signage such as "Emigrant Parking Only." He added that the paid parking lot would be a benefit to all the businesses in the area while also serving as a revenue source for the owners of The Emigrant.

Anna Hudson provided an overview of parking requirements in the Historic Shopping District and reported that the Planning and Zoning Commission (P&Z) approved the CUP subject to wire fencing along the front of the parking lot be extended, more landscaping be added, and staff approval of signage and lighting before installation. Ms. Hudson spoke to the importance of developing a Downtown Master Plan that included parking.

Mayor Hoover declared the public hearing open and expressed concern with pedestrian safety and traffic congestion.

Mr. Weinheimer explained that the parking lot was initially constructed to comply with parking regulations in place at the time. Ms. Hudson stated that staff discussed alternative parking solutions based on Comprehensive Plan guidelines such as offering a lease to property owners. Tom Musselman, P&Z Board Member, addressed pedestrian safety concerns along downtown streets.

Mayor Pro-Tem Kirchner stated that the site plan initially presented by SKT to the P&Z Commission was required to be modified as it did not comply with zoning regulations. She requested painting of the sidewalk for pedestrian safety also be included with the recommendations from P&Z.

Mayor Hoover declared the Public Hearing closed.

A motion was made by Councilmember Klein and seconded by Councilmember Briley to adopt Ordinance 2024-18 for the CUP with staff recommendations on landscaping, signage, lighting, and painting of the sidewalk for pedestrian safety. The motion carried unanimously.

8. OTHER ACTION ITEMS AND UPDATES

A. Fiscal Year 2023 Annual Audit and Financial Statement based on the audit conducted by ABIP, CPAs/ADVISORS. (Krista Wareham, Director of Finance)

i. Presentation - Janet Pitman with ABIP
ii. Take action on the FY2023 Audit and Financial Statement prepared by ABIP

Janet Pitman, CPA, with ABIP, presented the Annual Audit and Financial Statement for the Fiscal Year ending September 30, 2023. She stated that a draft report was being presented as the firm was still reviewing leased vehicles and that the information would not change any material findings identified in the report. Ms. Pitman provided an overview of the process used to evaluate the City's financial records and noted that no deficiencies in internal auditing controls or compliance with public investment accounting requirements were identified.

A motion was made by Mayor Pro-Tem Kirchner and seconded by Councilmember Briley to approve the Annual Audit and Financial Report as presented. The motion carried unanimously.

B. Consideration of the Creation of an Annexation Development Agreement for 9.37 acres known as Kinman Subdivision Lot 2BR on Mariposa Drive in the Extra Territorial Jurisdiction of the City of Fredericksburg. (Anna Hudson, Director of Development Services)

Mayor Hoover reported that Item 8B, being the “Creation of an Annexation Development Agreement for the Kinman Subdivision” located along Mariposa Drive, would not be discussed today.

A motion was made by Councilmember Klein and seconded by Councilmember Briley to Table Item 8B to July 16, 2024. The motion carried unanimously.

C. Consider the award of Hotel Occupancy Tax (HOT) Funding to the Fredericksburg Chamber of Commerce for the Fredericksburg Food & Wine Festival (Garret Bonn, Asst City Manager)

Jim Makula, President and CEO of the Fredericksburg Chamber of Commerce, reported that a request was submitted for $185,000 in HOT Funding for the marketing of the 2024 Food & Wine Festival and detailed festival events starting June 19, 2024.

Mayor Hoover stated that the allocation amount was similar to such previously awarded by the City for the Food & Wine Festival marketing efforts.

A motion was made by Councilmember Klein and seconded by Councilmember Watson to approve Item 8C. The motion carried unanimously.

D. Consider the approval of a Construction Contract Award for Connection of Back-up Generators at City Water Well and Lift Station Sites (Kris Kneese, Director of Public Works & Utilities)

Kris Kneese reported that generators were purchased in Fiscal Year 2022 to ensure continued delivery of critical services during emergencies while the city outsourced installation due to departmental vacancies.

Mr. Kneese added that the selected vendor, DW Electric Company, submitted the lowest qualified bid totaling $259,212 which was $134,212 over budget. He stated that the difference would be funded using cost savings from Water Department Capital Improvement Projects and that the vendor had 180 days to install all the generators. The Mayor and Council briefly discussed options in completing electrical work.

A motion was made by Councilmember Klein and seconded by Councilmember Briley to approve Item 8D. The motion carried unanimously.

E. Consideration and Possible Action Relating to the Proposed Development of Transitional Housing for new City Employees on City-Owned Property Located on US 290E (Councilmember Briley and Mayor Hoover)

Councilmember Briley spoke on the housing and relocation challenges a new hire moving to Fredericksburg could encounter. He noted that the implementation of the City Staff Transitional Rent Housing Pilot Program could alleviate some of these burdens. He added this could be considered to ensure that local residents received quality services regardless of vacancies and staff availability. Councilmember Briley also noted that the city would manage the Transitional Housing Pilot Program utilizing various local funding sources.

Mayor Hoover read an email from Charlie Kiehne stating that the city needed to foresee consequences now and in the future should transitional housing be considered.

Lt. Derek Seelig stated that offering transitional housing decreased the possibility of the department encountering staffing challenges. Amy Burrier noted that one Emergency Responder commuted from Orange, Texas on a weekly basis.

City Manager Clinton Bailey provided a first-hand account of the benefits of not having to look for housing when he was initially hired. He mentioned that the availability of transitional housing, similar to what he was provided, would increase the city-wide applicant pool for emergency and on-call personnel.

Rachel Raggio reported that it was permissible to limit the use of public assets to only city employees as long as access or use was considered employee compensation and appropriate procedures were followed.

Andrea Schmidt added that new hires owning or having access to RVs had previously utilized the LBJ Park RV pads and stated that reserving RV hook-ups for employees would not impact operations.

Mayor Pro-Tem Kirchner voiced concern with the City being both an employer and landlord and suggested increasing salaries or offering other incentives that would alleviate new employee relocation burdens. She requested a review of employee salaries with findings to be presented by staff during Budget Meetings.

Mayor Hoover added that he was concerned with the City's role in the Pilot Housing Program. Councilmember Watson highlighted the use of other housing options and stated that employee housing needs could be determined during the interview process.

After due consideration, Mayor Hoover stated that a vote would not be taken on Item 8E.

F. Review and Provide Possible Amendments to the Council Rules of Procedure (Garret Bonn, Assistant City Manager)

Mayor Pro-Tem Kirchner requested that the City Council Rules of Procedure be amended to include reciting the Texas Pledge. It was the consensus of the Council to include the Texas Pledge.

Mayor Hoover spoke on the number and length of Proclamations presented at each City Council Meeting. A brief discussion Mayor Hoover stated that Proclamations would be addressed later.

City Secretary Vacek suggested several amendments to the Rules of Procedures to include entitling Section 4 - "Work Session" as opposed to Special Meeting.

A question was raised as to the difference between a Special Meeting and Work Session. City Secretary Vacek responded that the Council Meetings entitled "Special Meeting" allows the Council to take action, whereas Work Sessions are typical discussions with Council to obtain direction only.

Mrs. Vacek also noted that a vote is not required to open a Public Hearing as stated under Section 10 – Voting. She added that the process of opening and closing a Public Hearing can be declared or announced by the Mayor or Chair of the Board. She noted said rules would apply to all city boards and commissions.

With regards to the section of "Ceremonial Matters," she requested to remove the word "Matters" in order to simplify the term to "Ceremonials".

Council Member Klein made a motion to approve adding the Pledge to the Texas Flag to the Regular Council Meetings as requested by Mayor Pro-Tem Kirchner and to approve the suggestions made by City Secretary Vacek. Mayor Pro-Tem Kirchner seconded the motion. The motion carried unanimously.

9. CITY MANAGER'S REPORT

A. Comprehensive Plan Implementation Update: Sidewalks - presentation on Adopted Sidewalk Plan Map and strategies to improve connectivity (Development Services and Engineering)

Anna Hudson introduced Sadie Eidson, Intern, who worked with the Development Services and Engineering Department on the Sidewalk Update.

Ms. Eidson reported that sidewalk improvements are funded by the City from Capital Improvement Project allocations and well as allocations made from the budget and solicitation process and by developers during the development or redevelopment process. She stated that improvements made were based on concepts reflected in the Sidewalk Plan, Subdivision Plan, and Zoning regulations. She also reported that the city allocated $150,000 in FY 2024 to the Sidewalk Improvement Program. She mentioned that a goal outlined in the Comprehensive Plan was for Downtown Sidewalks and other pedestrian crossings to be designed in a manner that reduced vehicular congestion. She noted that the Sidewalk Map was last updated in 2015 and that revisions should address connectivity of all collector and arterial roadways based on the Throughfare and Comprehensive Plans. It was noted that sidewalk plans reflect future revisions to Subdivision and Zoning Ordinances. Ms. Eidson highlighted potential federal and state funding sources to include monies from the U.S. Department of Transportation Highway, Transit, and Safety Fund among others like the Texas Department of Transportation.

Garret Bonn, Assistant City Manager, reported that TXDoT was funding most of the improvements and provided a status on several projects.

Ms. Hudson highlighted provisions within the Subdivision Ordinance and Comprehensive Plan that address the location and design of sidewalks. She outlined recommended changes to the Sidewalk Plan to include the adoption of a new Sidewalk Map based on the Comprehensive Plan, Zoning Ordinance, and Subdivision Ordinance.

Moving forward, Ms. Hudson suggested that the City complete identified Sidewalk Projects, include funding in the FY 2025 Budget, and solicit funding from outside agencies. A suggestion was made by a citizen to require all developers to add sidewalks during the construction process with provisions requiring escrow under specific circumstances.

Mrs. Hudson recommended that Development Services hold public hearings to obtain possible changes to the Subdivision and Zoning Ordinances outlined in the Comprehensive Plan and approve a new Sidewalk Plan.

Mayor Hoover, Councilmembers, and City Manager Bailey thanked Sadie Eidson for her presentation.

B. City Manager's Monthly Update

City Manager Bailey stated that the Monthly Update would highlight Water Resources, the City's Financial Performance, Police and Fire Response data, and Community Engagement.

Mr. Kneese presented on the City's Water Resources to include water levels measured over the last 12 months, historical rainfall over the last decade, and pumpage volume.

In the area of Finances, Mr. Bailey reported that from October 1, 2023 to the end of June 2024, the City collected $7,018,872 in sales tax and that electric, water, and wastewater revenue and consumption increased slightly from May 2024. He reported on the number of Police incidents and calls, response time, as well as citations and warnings issued during May. As for Code Enforcement, Mr. Bailey reported that the Police Department responded to 372 Ordinance violation calls between January and May 2024. He noted that the Fire Department responded to a total of 392 incidents in May with an increase on weekends.

Mr. Bailey added that there were 16 full-time vacancies and one part-time vacancy while 3 positions had been filled. As for Civic Engagement, he highlighted the Main Street Merchant Town Hall Meeting and the upcoming Coffee with the City Manager.

10. ITEMS FOR FUTURE AGENDA
A. Future Agenda Spreadsheet

City Manager Bailey recognized Garret Bonn and Melinda Uriegas for assisting with City Secretary duties since April.

He noted that the only item scheduled for the July 2nd City Council Meeting was establishing the Municipal Court as a Court of Record and that said item was not time sensitive.

A motion was made by Councilmember Klein and seconded by Councilmember Watson to cancel the July 2nd City Council Regular Meeting. The motion carried unanimously.

Garret Bonn, Assistant City Manager requested the Mayor and Council send updates to the Sidewalk and Subdivision Plans to him or Anna Hudson.

11. EXECUTIVE SESSION
The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Sections 551.072 & 551.074:

A. Consider and discuss the appointment, evaluation, reassignment, duties, or dismissal of a public officer, specifically the reappointment of existing members on the City's Boards and Commissions, and the appointment of persons to fill vacancies on the City's Boards and Commissions (Section 551.074)

B. Consider and discuss Real Estate in the vicinity of US 290E and Old San Antonio Rd. (Section 551.072)

C. Consider and discuss the value and possible disposition of city-owned real properties located throughout the City (Section 551.072)

Mayor Hoover announced that at this time, the City Council Meeting would recess into Executive Session.

Mayor Hoover announced that the City Council Meeting would reconvene into an open session. He reported that Item 8A was discussed relative to Item 8G - Board Appointments would be heard at this time.

8. **OTHER ACTION ITEMS AND UPDATES**
   G. Consider and Take Action on Boards and Commission Appointments and Re-Appointments (Garret Bonn, Assistant City Manager)

A motion was made by Mayor Pro-Tem Kirchner to appoint and re-appoint the following:

Historic Review Board:
Appointment of Todd Eidson
Reappointment of Joe Salinas and Cydney Donnell

Zoning Board of Adjustment:
Appointment of Dr. Eric Hammersen, Taylor Williams, and Jim McAfee (Alternate)

Reappointment of Jennifer Eggleston and Mike Mahoney (Alternate)

Planning and Zoning Commission
Appointment of Belinda McDonnel
Reappointment of Janice Menking

Market Square Redevelopment Commission – Said appointments will be made at a future Meeting.

The motion was seconded by Councilmember Klein. The motion carried unanimously.

9. **BUSINESS ITEM**

Mayor Hoover announced that there were no other items to bring forth at this time.

10. **ADJOURN**

Mayor Hoover adjourned the Regular City Council Meeting 12:50 pm.

____
Jeryl Hoover
Mayor

____
Leticia Vacek, TRMC, CMC, MMC
City Secretary

CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM:
MEETING DATE: August 6, 2024

CATEGORY: ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS

CAPTION: Adoption of Ordinance 2024-23 declaring that the Amendments to the City Charter approved by the Voters at the Special Election held on May 4, 2024 are hereby adopted by Ordinance and effective as of June 1, 2024. (Leticia Vacek, City Secretary)

PRESENTATION:

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:
Neighborhood Quality
Workforce
Tourism
City Center
Mobility
Small Town Sensitive Growth
Governance

ATTACHMENTS:
1. Ordinance Declaring Approved Charter Amendments.DRAFTlv

APPROVAL/REVIEW:

Krista Wareham, Director of Finance

Date: August 02, 2024

William McKamie, City Attorney

Date: August 02, 2024

Leticia Vacek, City Secretary

Date: August 02, 2024

Clinton Bailey, City Manager

Date: August 02, 2024

ORDINANCE NO. 2024-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, DECLARING THAT THE AMENDMENTS TO THE CHARTER THAT WERE APPROVED BY THE VOTERS AT THE SPECIAL ELECTION HELD ON MAY 4, 2024, ARE ADOPTED; ADDING AN EFFECTIVE DATE OF JUNE 1, 2024, FOR PROPOSITION F RELATED TO THE AMENDMENT OF COMPENSATION TO BE PAID TO EACH COUNCILMEMBER; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Fredericksburg, Texas ("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 Texas Local Government Code; and

WHEREAS, on February 6, 2024, the City Council of the City of Fredericksburg, Texas, (the "City Council"), duly called a special election to be held on May 4, 2024, for the purpose of amending the City Charter; and,

WHEREAS, after duly canvassing said returns on May 13, 2024, the City Council found that each proposition submitted to the voters was approved; and,

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

SECTION 1.

All the above premises are true and correct of the City Council, and they are hereby approved, ratified, and incorporated herein this Ordinance.

SECTION 2.

The City Council hereby declares that the amendments to the Home Rule Charter as are adopted as follows:

PROPOSITION A

Section 1.02. Boundaries, of the Home Rule Charter of the City of Fredericksburg is amended to read as follows:

SEC. 1.02. BOUNDARIES.
The boundaries of the City of Fredericksburg may be enlarged or extended by the annexation of additional territory by any methods described in the State of Texas Local Government Code and boundaries in the official city map of the City of Fredericksburg, as now or hereafter amended.

PROPOSITION B

Section 1.04. Contraction of Boundaries, of the Home Rule Charter of the City of Fredericksburg is amended to read as follows:

SEC. 1.04. CONTRACTION OF BOUNDARIES.
Territory within the corporate limits of the City of Fredericksburg may be disannexed by any methods described in the Texas Local Government Code, as now or hereafter amended.

PROPOSITION C

Section 2.02. Eminent Domain, of the Home Rule Charter of the City of Fredericksburg is amended to read as follows:

SEC. 2.02. EMINENT DOMAIN.
The City shall have the full power and right to exercise the power of eminent domain where necessary or desirable to carry out any of the powers conferred upon it by this Charter or by the Constitution and Laws of the State of Texas. The power of eminent domain hereby conferred shall include the right of the City to take the fee in land so condemned and such power and authority shall include the right to condemn public property for such purposes. The City shall have and possess the power of condemnation for any municipal or public purposes even though not specifically enumerated in this Charter.

PROPOSITION D

Section 3.01. Number, Selection and Term, of the Home Rule Charter of the City of Fredericksburg is amended to read as follows:

SEC. 3.01. NUMBER, SELECTION AND TERM.
The Mayor and Councilmembers shall be known as the "City Council of the City of Fredericksburg." The Mayor and Councilmembers shall be elected from the City at Large. The term for the Mayor and Councilmembers shall be two years. Each member of the City Council shall serve until his or her successor is elected and qualified. The Mayor or Councilmembers may be elected to an unlimited number of terms, but to no more than four consecutive terms, in the same office.
The terms of the Councilmembers shall be staggered so that two (2) members will be elected to a regular term each year. All elections shall be held in the manner provided in Article VI of this Charter. Regular terms of office shall commence in accordance with the Election Code.

PROPOSITION E

Section 3.02. Qualifications, of the Home Rule Charter of the City of Fredericksburg is amended to read as follows:

SEC. 3.02. QUALIFICATIONS.

Each member of the City Council shall be eligible to be a candidate for public elective office in the State of Texas, a qualified voter of the State of Texas, a resident citizen of the City of Fredericksburg and shall have been such resident citizen of the City of Fredericksburg for a period of not less than twelve months immediately preceding his or her election, and shall not be indebted to the City of Fredericksburg provided, however, that any person with the above qualifications, except as the residence, who shall have been a resident for a period of not less than twelve months immediately preceding his or her election of any of the territory not formerly within the corporate limits of said City, but which is annexed under the provisions of this Charter, shall be eligible for said office. If any Councilmember fails to maintain the foregoing qualifications, the City Council must at its next regular meeting declare a vacancy to exist and shall fill said vacancy as set forth in Section 3.07 of this Charter.

a) If any Councilmember shall be absent from three consecutive regular meetings without valid excuse, the City Council may declare a vacancy to exist, and fill said vacancy as set forth in Section 3.07 of the Charter.

PROPOSITION F

Section 3.04. Compensation, of the Home Rule Charter of the City of Fredericksburg is amended to read as follows:

SEC. 3.04. COMPENSATION.

Compensation shall be set by municipal ordinance. Commencing June 1, 2024, the city council shall receive the following compensation: mayor, $1,000.00 per month and each City Councilmember, $700.00 per month. In addition, each shall be paid for any actual and necessary expenses incurred while in the discharge of the duties of the office, upon presentation of an itemized statement of such expense to the city council and approved by the City Council. Any adjustments to salary compensation shall be by municipal ordinance. Any increase in salary compensation by ordinance shall not become effective until the date of commencement of terms of office of the councilmembers or mayor elected at the next scheduled regular election.

PROPOSITION G

Section 3.06. Emergency Power of Mayor, of the Home Rule Charter of the City of Fredericksburg is amended to read as follows:

SECTION 3.06. EMERGENCY POWER OF MAYOR.

In time of danger or emergency, the Mayor may, with the consent of the City Council, take command of the Police Department, Fire Department, and Emergency Management and govern the City by proclamation and maintain order and enforce all laws.

PROPOSITION H

Section 4.04. City Secretary, of the Home Rule Charter of the City of Fredericksburg is amended to read as follows:

SEC. 4.04. CITY SECRETARY.

The City Manager shall employ a City Secretary who shall report to the City Manager. The City Manager shall establish his or her compensation and duties. The City Secretary shall:

(1) Unless excused by the City Manager for good cause, attend all meetings of the City Council and keep accurate minutes of its proceedings;

(2) Preserve and keep in order all books, papers, documents, records and files of the City;

(3) Authenticate by signing and recording all ordinances and resolutions;

(4) Serve as Chief Election Officer for the City and be responsible for the conduct of elections in accordance with this Charter and applicable State of Texas Laws; and

(5) Perform such other duties as the Charter, Ordinances, or the City Manager may provide. When authorized by the City Manager and City Council, the City Secretary may appoint assistants, subject to the approval of the City Manager, who may assist in performing any of these functions.

PROPOSITION I

Section 6.05. Candidates Elected, of the Home Rule Charter of the City of Fredericksburg is amended to read as follows:

SEC. 6.05. CANDIDATES ELECTED.

(a) The candidate in the regular City election who receives the greatest number of votes cast for the office of Mayor shall be declared elected. In the event of a tie vote between the candidates receiving the highest number of votes cast for the office of Mayor, the City Council and the City Secretary shall follow the laws and procedures provided in the State of Texas Election Code.

(b) The candidates in the regular City election who receive the greatest and second greatest number of votes cast for the office of Councilmember shall be declared elected. In the event there is a tie vote between candidates so that two candidates for council member do not receive the greatest and second greatest number of votes, the City Secretary shall follow the laws and procedures provided in the State of Texas Election Code.

(c) to be removed

PROPOSITION J

Section 7.02. Petitions for Recall, of the Home Rule Charter of the City of Fredericksburg is amended to read as follows:

SEC. 7.02. PETITIONS FOR RECALL.
Before the question of recall of such Elected Official shall be submitted to the qualified voters of the City, a petition demanding such question to be so submitted shall first be filed with the person performing the duties of the City Secretary, which petition shall be signed by qualified voters of the City equal in number to at least ten percent (10%) of the total number of registered voters as of the preceding January 1. Each such recall petition and each signature thereon shall comply fully with the requirements of the Texas Election Code, as now or hereafter amended.

PROPOSITION K

Section 7.03. Form of Recall Petition, of the Home Rule Charter of the City of Fredericksburg is amended to read as follows:

SEC. 7.03. FORM OF RECALL PETITION.
Notary Public, State of Texas

PROPOSITION L

Section 7.05. Presentation of Petition to City Council, of the Home Rule Charter of the City of Fredericksburg is amended to read as follows:

SEC. 7.05. PRESENTATION OF PETITION TO CITY COUNCIL.
Within sixty (60) days after the date of filing of the recall petition, the person performing the duties of the City Secretary shall verify that the petition is in correct form and is signed by the required number of registered voters. The City Secretary will present the petition, along with his or her findings, to the City Council. The City Council will determine the validity of the petition, and act thereon accordingly.

PROPOSITION M

Section 7.06. Public Hearing to be Held, of the Home Rule Charter of the City of Fredericksburg is amended to read as follows:

SEC. 7.06. PUBLIC HEARING TO BE HELD.
The Elected Official-whose removal is sought may, within five (5) days after such recall petition has been presented to the City Council, request that a public hearing be held to permit him or her to present facts pertinent to the charges specified in the recall petition. In this event, the City Council shall order such public hearing to be held, not less than five (5) days nor more than fifteen (15) days after receiving such request for a public hearing.

PROPOSITION N

Section 7.07. Election to be Called, of the Home Rule Charter of the City of Fredericksburg is amended to read as follows:

SEC. 7.07. ELECTION TO BE CALLED.

If an Elected Official whose removal is sought does not resign, then it shall become the duty of the City Council to order an election and to fix a date for holding such recall election, the date of which election shall be the next uniform election date following the date of the public hearing provided that the timing permits compliance with applicable State of Texas Election Laws, otherwise, the date of the election shall be the following uniform election date.

PROPOSITION O

Section 7.09. Result of Recall Election, of the Home Rule Charter of the City of Fredericksburg is amended to read as follows:

SEC. 7.09. RESULT OF RECALL ELECTION.

If a majority of votes cast at a recall election be "Yes" for the recall of the person named in the ballot, he or she shall be deemed removed from office, and the vacancy filled as provided in Section 3.07 of this Charter.

PROPOSITION P

Section 8.02. Initiative, of the Home Rule Charter of the City of Fredericksburg is amended to read as follows:

SEC. 8.02. INITIATIVE.

Registered voters of the City of Fredericksburg may initiate legislation by submitting a petition addressed to the City Council which requests the submission of a proposed ordinance or resolution to a vote of the registered voters of the City. Said petition must be signed by registered voters of the City equal in number to ten percent (10%) of the number of registered voters as of the preceding January 1, and each copy of the petition shall have attached to it a copy of the proposed ordinance or resolution. The petition shall be signed within the same time as recall petitions are signed, in the same manner as recall petitions are signed, and shall be verified by oath and filed with the City Secretary in the manner and form as recall petitions are presented as provided in this Charter. The petition may consist of one or more copies as permitted for recall petitions. Within sixty (60) days after the date of filing of the recall petition, the person performing the duties of the City Secretary shall verify that the petition is in correct form and is signed by the required number of registered voters. The City Secretary will present the petition, along with his or her findings, to the City Council. The City Council will determine the validity of the petition, and act thereon accordingly. If the City Council determines that the petition is valid, it shall become the duty of the City Council at the next Regular City Council Meeting for which public notice can be posted in accordance with the law, to pass and adopt such ordinance or resolution without alteration as to meaning or effect, or to call a special election to be held on the next uniform election date for which full compliance with applicable State of Texas Election Laws is possible.

PROPOSITION Q

Section 8.03. Referendum, of the Home Rule Charter of the City of Fredericksburg is amended to read as follows:

SEC. 8.03. REFERENDUM.

Registered voters of the City of Fredericksburg may initiate legislation by submitting a petition addressed to the City Council which requests the submission of a proposed ordinance or resolution to a vote of the registered voters of the City. Said petition must be signed by registered voters of the City equal in number to ten percent (10%) of the number of registered voters as of the preceding January 1, and each copy of the petition shall have attached to it a copy of the proposed ordinance or resolution. The petition shall be signed within the same time as recall petitions are signed, in the same manner as recall petitions are signed, and shall be verified by oath and filed with the City Secretary in the manner and form as recall petitions are presented as provided in this Charter. The petition may consist of one or more copies as permitted for recall petitions. Within sixty (60) days after the date of filing of the recall petition, the person performing the duties of the City Secretary shall verify that the petition is in correct form and is signed by the required number of registered voters. The City Secretary will present the petition, along with his or her findings, to the City Council. The City Council will determine the validity of the petition, and act thereon accordingly. If the City Council determines that the petition is valid, it shall become the duty of the City Council at the next Regular City Council Meeting for which public notice can be posted in accordance with the law, to pass and adopt such ordinance or resolution without alteration as to meaning or effect, or to call a special election to be held on the next uniform election date for which full compliance with applicable State of Texas Election Laws is possible.

PROPOSITION R

Section 8.05. Form of Ballots, of the Home Rule Charter of the City of Fredericksburg is amended to read as follows:

Sec. 8.05. FORM OF BALLOTS.

The ballots used when voting upon such proposed and referred ordinances, resolutions, or measures, shall set forth their nature sufficiently to identify them and shall set forth upon separate lines the words:

FOR
AGAINST

Or languages provided in the State of Texas Election Code

PROPOSITION S

Section 10.05. Public Hearing on Budget, of the Home Rule Charter of the City of Fredericksburg is amended to read as follows:

SEC. 10.05. PUBLIC HEARING ON BUDGET.

The City Council shall fix the time and place for a public hearing on the budget and shall cause to be published in a newspaper of general circulation of the City of Fredericksburg a notice of the hearing in compliance with Chapter 102 of the Texas Local Government Code, as now or hereafter amended. All interested persons shall be given an opportunity to be heard for or against any item or the amount of any item therein contained.

PROPOSITION T

Section 10.18. Enterprise Fund Usage, of the Home Rule Charter of the City of Fredericksburg is amended to read as follows:

SEC. 10.18. ENTERPRISE FUND USAGE.

The City of Fredericksburg shall not use proceeds or reserves from an Enterprise Fund (including but not limited to the Electric, Water and Sewer, Solid Waste and Drainage Funds) except for expenditures within the purpose of the fund, unless approved by the voters in elections that specify the amount and the money from which Enterprise Funds will be withdrawn.

PROPOSITION U

Section 11.06. Consent of Property Owners, of the Fredericksburg City Charter is hereby removed from the City Charter with the intent to handle by Ordinances.

PROPOSITION V

Section 12.02. Financial Interest, of the Home Rule Charter of the City of Fredericksburg is amended to read as follows:

SEC. 12.02. CONFLICT OF INTEREST.

Any City Officer, appointee, or employee who has a conflict of interest as defined by Chapter 176, Texas Local Government Code, as now or hereafter amended or by the City Ethics Ordinance then in effect shall disclose that interest as required by law and refrain from voting upon or otherwise deliberating upon or participating in his or her capacity as a City Officer, appointee, or employee in such matter that is the subject of conflict of interest. Any City Officer, appointee, or employee who conceals such a substantial financial interest or violates the requirements of this Section shall be guilty of malfeasance in office or position and shall forfeit his or her office or position.

PROPOSITION W

Section 12.17. Grammatical Construction, of the Home Rule Charter of the City of Fredericksburg is amended to read as follows:

SEC. 12.17. GRAMMATICAL CONSTRUCTION.

(a) Whenever in this Charter the singular is used, the plural shall be included; whenever the masculine gender is used the feminine shall be included.

SECTION 3.
PROPOSITION F

The City Council hereby specifically acknowledges that Proposition F, related to the amendment of compensation to be paid to each Councilmember, shall be effective as of June 1, 2024, and approves the compensation amounts to be paid to each Councilmember as of that date.

SECTION 4.
REPEALING CLAUSE

All ordinances and part of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5.
SAVINGS CLAUSE

All rights and remedies of the City of City of Fredericksburg, Texas, are expressly saved as to any and all violations of the provisions of the Fredericksburg Municipal Code, as amended, or 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 6.
CUMULATIVE CLAUSE

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Fredericksburg, Texas, as amended, except where 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 7.
SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section 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 phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 8.
INCLUSION IN CODE

The City Secretary shall record in the City Secretary's office the Charter Amendments adopted by the voters of the City in accordance with the applicable provisions of state law.

The City Secretary is hereby directed to certify to the Secretary of State an authenticated copy of the Charter Amendments under the City's seal showing approval by the voters of the City in accordance with the applicable provisions of state law.

The City Secretary is further hereby directed to provide for the inclusion of this Ordinance in the Code of Ordinances of the City of Fredericksburg, Texas, as required by Charter of the City of Fredericksburg, Texas.

SECTION 9.
EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage as required by law, and it is so Ordained.

PASSED AND APPROVED on this the ________ day of _____________, 2024.

____
Jeryl Hoover, Mayor
City of Fredericksburg, Texas

ATTEST:

____
Leticia Vacek, TRMC, CMC, MMC
City Secretary

APPROVED AS TO FORM:

____
William M. McKamie
City Attorney

CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Manager
TO: Mayor & City Council Members
FROM: Garret Bonn, Assistant City Manager
MEETING DATE: August 6, 2024

CATEGORY: ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS

CAPTION: CONSIDERATION AND APPROVAL OF ORDINANCE 2024-22 BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS AUTHORIZING THE ISSUANCE OF "CITY OF FREDERICKSBURG, TEXAS, COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2024"; PROVIDING FOR THE PAYMENT OF SAID CERTIFICATES BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND FURTHER SECURING SAID CERTIFICATES BY A LIEN ON AND PLEDGE OF THE PLEDGED REVENUES OF THE CITY'S COMBINED UTILITY SYSTEM; AND OTHER MATTERS INCIDENT AND RELATED THERETO (Garret Bonn, Asst. City Manager)

i. Presentation by Dan Wegmiller, Specialized Public Finance, Inc. (Financial Advisor)
ii. Hold a Public Hearing (Mayor declares the Public Hearing open and calls upon individuals to speak. Mayor declares the Public Hearing closed)
iii. Take Action to Adopt Ordinance No. 2024-22 (Adoption of Ordinance 2024-22)

PRESENTATION:

SUMMARY:
As part of the process for the City's acquisition and renovation of the Hill Country University Center facility, which is located on City-owned property, the City intends to utilize a combination of funding sources.

BACKGROUND:
Certificates of Obligation are to be issued under and pursuant to the provisions of the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code Section 271.041 through Section 271.064, Chapter 1502, as amended, Texas Government Code, and the City's Home Rule Charter. Dan Wegmiller with Specialized Public Finance, Inc. will present information relating to the sale of a certificate of obligation for the acquisition and renovation of the Hill Country University Center facility.

FUNDING SOURCE: General Fund & Various Enterprise Funds (Electric, Sanitation, Stormwater)

FINANCIAL IMPACT:
$9.5M

STAFF RECOMMENDATION:
Staff recommends the City Council adopt the ordinance authorizing the City of Fredericksburg, Texas, combination tax and limited pledge revenue certificates of obligation, series 2024.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:
Governance

ATTACHMENTS:
1. Letter
2. Ordinance

APPROVAL/REVIEW:

Clinton Bailey, City Manager — Date: July 30, 2024

Garret Bonn, Assistant City Manager — Date: July 30, 2024

Krista Wareham, Director of Finance — Date: July 30, 2024

William McKamie, City Attorney — Date: August 02, 2024

Leticia Vacek, City Secretary — Date: August 02, 2024

Clinton Bailey, City Manager — Date: August 02, 2024

July 22, 2024

Via E-Mail

NORTON ROSE FULBRIGHT

Norton Rose Fulbright US LLP
98 San Jacinto Boulevard, Suite 1100
Austin, Texas 78701-4255
United States

Stephanie Leibe
Partner
Direct line +1 512 536 2420
stephanie.leibe@nortonrosefulbright.com

Tel +1 512 474 5201
Fax +1 512 536 4598
nortonrosefulbright.com

Mr. Clinton Bailey
City Manager
City of Fredericksburg
126 West Main Street
Fredericksburg, Texas 78624

Re: City of Fredericksburg, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2024

Dear Mr. Bailey:

I enclose as Exhibit A to this letter the agenda item to be utilized in preparing the agenda for the August 6, 2024 regular meeting of the City Council. Thank you for ensuring that this agenda item is posted in accordance with the provisions of the Texas Open Meetings Act. I also enclose as Exhibit B the suggested motion for this item.

I also enclose a draft copy of the Ordinance for inclusion in the City Council's agenda packets. Please send any comments to this Ordinance to me as soon as possible so that it may be finalized.

Lastly, I enclose Exhibit A and Exhibit B in Word format for your convenience.

Thank you, in advance, for your prompt attention to this matter. If I can provide any additional assistance concerning this matter, please do not hesitate to contact me.

Very truly yours,

Stephanie V. Leibe

SVL/lc
Enclosures
cc: Garrett Bonn (City of Fredericksburg, Texas)
Sean Doerre (City of Fredericksburg, Texas)
Krista Wareham (City of Fredericksburg, Texas)
Leticia Vacek (City of Fredericksburg, Texas)
Dan Wegmiller (Specialized Public Finance Inc.)
Matthew A. Lee (Firm)
Chris Guevara (Firm)

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EXHIBIT A

CONSIDERATION AND APPROVAL OF AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS AUTHORIZING THE ISSUANCE OF "CITY OF FREDERICKSBURG, TEXAS, COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2024"; PROVIDING FOR THE PAYMENT OF SAID CERTIFICATES BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND FURTHER SECURING SAID CERTIFICATES BY A LIEN ON AND PLEDGE OF THE PLEDGED REVENUES OF THE CITY'S COMBINED UTILITY SYSTEM; AND OTHER MATTERS INCIDENT AND RELATED THERETO

EXHIBIT B

I MOVE THAT THE CITY COUNCIL ADOPT AN ORDINANCE AUTHORIZING THE "CITY OF FREDERICKSBURG, TEXAS, COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2024"

DRAFT

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF FREDERICKSBURG, TEXAS COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2024"; PROVIDING FOR THE PAYMENT OF SAID CERTIFICATES BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND FURTHER SECURING SAID CERTIFICATES BY A LIEN ON AND PLEDGE OF THE PLEDGED REVENUES OF THE CITY'S COMBINED UTILITY SYSTEM; PROVIDING THE TERMS AND CONDITIONS OF SAID CERTIFICATES AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SAID CERTIFICATES, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND AN OFFICIAL BID FORM; COMPLYING WITH THE REQUIREMENTS OF THE LETTER OF REPRESENTATIONS PREVIOUSLY EXECUTED WITH THE DEPOSITORY TRUST COMPANY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Fredericksburg, Texas (the *City*) has caused notice to be given of its intention to issue certificates of obligation in the maximum principal amount of $9,500,000 for the purpose of paying contractual obligations of the City to be incurred for making permanent public improvements and for other public purposes, to-wit: (1) designing, acquiring, purchasing, renovating, equipping, and improving a new municipal facility for the City's Public Works and Utilities department, City's Parks department, and other administrative offices of the City, and existing municipal facilities for police, fire, and emergency services, and (2) the payment of professional services including fiscal, engineering, architectural and legal fees and other such costs incurred in connection therewith including the costs of issuing the Certificates (hereinafter defined). This notice has been duly published in a newspaper hereby found and determined to be of general circulation in the City, once a week for two (2) consecutive weeks, the date of the first publication of such notice being not less than thirty (30) days prior to the tentative date stated therein for the passage of the ordinance authorizing the issuance of such certificates of obligation; and

WHEREAS, in accordance with the provisions of Section 271.049, as amended, Texas Local Government Code, the City confirms that notice of the City's intention to issue certificates of obligation was approved by resolution at a public meeting and stated (1) the then-current principal of all outstanding debt of the City; (2) the then-current combined principal and interest required to pay all outstanding debt obligations of the City on time and in full, based on the City's expectations relative to the interest due on any variable rate debt obligations, as applicable (3) the maximum principal amount of the certificates of obligation to be authorized; (4) the estimated combined principal and interest required to pay the certificates of obligation in full; (5) the estimated interest rate for the certificates of obligation or that the maximum interest rate for the certificates of obligation may not exceed the maximum legal interest rate; and (6) the maximum maturity date of the certificates of obligation; and

WHEREAS, no petition protesting the issuance of the certificates of obligation described in this notice, signed by at least 5% of the qualified electors of the City, has been presented to or filed with the City Secretary prior to the date tentatively set in such notice for the passage of this ordinance; and

WHEREAS, the City Council hereby finds and determines that the issuance of the certificates of obligation, under the terms herein specified, is in the best interests of the City and its residents; and

WHEREAS, the City Council hereby finds and determines that certificates of obligation in the principal amount of $_,___,___ described in such notice should be issued and sold at this time; now, therefore,

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

SECTION 1. Authorization - Designation - Principal Amount - Purpose. The certificates of obligation of the City shall be and are hereby authorized to be issued in the aggregate principal amount of ______AND NO/100 DOLLARS ($_,___,___), to be designated and bear the title of "CITY OF FREDERICKSBURG, TEXAS COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2024" (the *Certificates*), for the purpose of paying contractual obligations of the City to be incurred for making permanent public improvements and for other public purposes, to-wit: (1) designing, acquiring, purchasing, renovating, equipping, and improving a new municipal facility for the City's Public Works and Utilities department, City's Parks department, and other administrative offices of the City, and existing municipal facilities for police, fire, and emergency services, and (2) the payment of professional services including fiscal, engineering, architectural and legal fees and other such costs incurred in connection therewith including the costs of issuing the Certificates, pursuant to the authority conferred by and in conformity with the laws of the State of Texas, particularly the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code Section 271.041 through Section 271.064, Chapter 1502, as amended, Texas Government Code, and the City's Home Rule Charter.

SECTION 2. Fully Registered Obligations - Authorized Denominations - Stated Maturities - Interest Rates – Certificate Date. The Certificates are issuable in fully registered form only; shall be dated August 22, 2024 (the *Certificate Date*) and shall be issued in denominations of $5,000 or any integral multiple (within a Stated Maturity) thereof, and the Certificates shall become due and payable on February 15 in each of the years and in principal amounts (the *Stated Maturities*) and bear interest on the unpaid principal amounts from the Closing Date (anticipated to be on or about August 22, 2024), or from the most recent Interest Payment Date (hereinafter defined) to which interest has been paid or duly provided for, to the earlier of redemption or Stated Maturity, at the per annum rates, while Outstanding, in accordance with the following schedule:

Years of Stated Maturity	Principal Amounts ($)	Interest Rates (%)

The Certificates shall bear interest on the unpaid principal amounts from the Closing Date (anticipated to be on or about August 22, 2024), or from the most recent Interest Payment Date (hereinafter defined) to which interest has been paid or duly provided for, to Stated Maturity or prior redemption, while Outstanding, at the rates per annum shown in the above schedule (calculated on the basis of a 360-day year of twelve 30-day months). Interest on the Certificates shall be payable on February 15 and August 15 in each year (each, an *Interest Payment Date*), while the Certificates are Outstanding, commencing February 15, 2025.

SECTION 3. Payment of Certificates - Paying Agent/Registrar. The principal of, premium, if any, and interest on the Certificates, due and payable by reason of Stated Maturity, redemption, or otherwise, shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts, and such payment of principal of, premium if any, and interest on the Certificates shall be without exchange or collection charges to the Holder (hereinafter defined) of the Certificates.

The selection and appointment of BOKF, NA, Dallas, Texas (the *Paying Agent/Registrar*) to serve as the initial Paying Agent/Registrar, for the Certificates is hereby approved and confirmed, and the City agrees and covenants to cause to be kept and maintained at the corporate trust office of the Paying Agent/Registrar books and records (the *Security Register*) for the registration, payment and transfer of the Certificates, all as provided herein, in accordance with the terms and provisions of a Paying Agent/Registrar Agreement, attached, in substantially final form, as Exhibit A hereto, and such reasonable rules and regulations as the Paying Agent/Registrar and City may prescribe. The City covenants to maintain and provide a Paying Agent/Registrar at all times while the Certificates are Outstanding, and any successor Paying Agent/Registrar shall be (i) a national or state banking institution or (ii) an association or a corporation organized and doing business under the laws of the United States of America or of any state, authorized under such laws to exercise trust powers. Such Paying Agent/Registrar shall be subject to supervision or examination by federal or state authority and authorized by law to serve as a Paying Agent/Registrar.

The City reserves the right to appoint a successor Paying Agent/Registrar upon providing the previous Paying Agent/Registrar with a certified copy of a resolution or ordinance terminating such agency. Additionally, the City agrees to promptly cause a written notice of this substitution to be sent to each Holder of the Certificates by United States mail, first-class postage prepaid, which notice shall also give the address of the new Paying Agent/Registrar.

Principal of, premium, if any, and interest on the Certificates, due and payable by reason of Stated Maturity, redemption, or otherwise, shall be payable only to the registered owner of the Certificates appearing on the Security Register (the *Holder* or *Holders*) maintained on behalf of the City by the Paying Agent/Registrar as hereinafter provided (i) on the Record Date (hereinafter defined) for purposes of payment of interest thereon, (ii) on the date of surrender of the Certificates for purposes of receiving payment of principal thereof upon redemption of the Certificates or at the Certificates' Stated Maturity, and (iii) on any other date for any other purpose. The City and the Paying Agent/Registrar, and any agent of either, shall treat the Holder as the owner of a Certificate for purposes of receiving payment and all other purposes whatsoever, and neither the City nor the Paying Agent/Registrar, or any agent of either, shall be affected by notice to the contrary.

Principal of and premium, if any, on the Certificates shall be payable only upon presentation and surrender of the Certificates to the Paying Agent/Registrar at its corporate trust office. Interest on the Certificates shall be paid to the Holder whose name appears in the Security Register at the close of business on the last business day of the month next preceding an Interest Payment Date for the Certificates (the *Record Date*) and shall be paid (i) by check sent on or prior to the appropriate date of payment by United States mail, first-class postage prepaid, by the Paying Agent/Registrar, to the address of the Holder appearing in the Security Register or (ii) by such other method, acceptable to the Paying Agent/Registrar, requested in writing by the Holder at the Holder's risk and expense.

If the date for the payment of the principal of, premium, if any, or interest on the Certificates shall be a Saturday, Sunday, a legal holiday, or a day on which banking institutions in the city where the corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not such a day. The payment on such date shall have the same force and effect as if made on the original date any such payment on the Certificates was due.

In the event of a non-payment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a Special Record Date) will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (the *Special Payment Date* - which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each Holder of a Certificate appearing on the Security Register at the close of business on the last business day next preceding the date of mailing of such notice.

SECTION 4. Redemption.

A. Mandatory Redemption. The Certificates stated to mature on February 15, 20__, and February 15, 20__ are referred to herein as the "Term Certificates". The Term Certificates are subject to mandatory sinking fund redemption prior to their stated maturities from money required to be deposited in the Certificate Fund for such purpose and shall be redeemed in part, by lot or other customary method, at the principal amount thereof plus accrued interest to the date of redemption in the following principal amounts on February 15 in each of the years as set forth below:

Term Certificates Stated to Mature on February 15, 20__		Term Certificates Stated to Mature on February 15, 20__	
Year	Principal Amount ($)	Year	Principal Amount ($)

*Payable at Stated Maturity.

The principal amount of a Term Certificate required to be redeemed pursuant to the operation of such mandatory redemption provisions shall be reduced, at the option of the City, by the principal amount of any Term Certificates of such Stated Maturity which, at least fifty (50) days prior to the mandatory redemption date (1) shall have been defeased or acquired by the City and delivered to the Paying Agent/Registrar for cancellation, (2) shall have been purchased and cancelled by the Paying Agent/Registrar at the request of the City, or (3) shall have been redeemed pursuant to the optional redemption provisions set forth below and not theretofore credited against a mandatory redemption requirement.

B. Optional Redemption. The Certificates having Stated Maturities on and after February 15, 20__ shall be subject to redemption prior to Stated Maturity, at the option of the City, on February 15, 20__, or on any date thereafter, as a whole or in part, in principal amounts of $5,000 or any integral multiple thereof (and if within a Stated Maturity selected at random and by lot by the Paying Agent/Registrar), at the redemption price of par plus accrued interest to the date of redemption.

C. Exercise of Redemption Option. At least forty-five (45) days prior to a date set for the redemption of Certificates (unless a shorter notification period shall be satisfactory to the Paying Agent/Registrar), the City shall notify the Paying Agent/Registrar of its decision to exercise the right to redeem Certificates, the principal amount of each Stated Maturity to be redeemed, and the date set for the redemption thereof. The decision of the City to exercise the right to redeem Certificates shall be entered in the minutes of the governing body of the City.

D. Selection of Certificates for Redemption. If less than all Outstanding Certificates of the same Stated Maturity are to be redeemed on a redemption date, the Paying Agent/Registrar shall select at random and by lot the Certificates to be redeemed, provided that if less than the entire principal amount of a Certificate is to be redeemed, the Paying Agent/Registrar shall treat such Certificate then subject to redemption as representing the number of Certificates Outstanding which is obtained by dividing the principal amount of such Certificate by $5,000.

E. Notice of Redemption. Not less than thirty (30) days prior to a redemption date for the Certificates, the Paying Agent/Registrar shall cause a notice of redemption to be sent by United States mail, first-class postage prepaid, in the name of the City and at the City's expense, by the Paying Agent/Registrar to each Holder of a Certificate to be redeemed, in whole or in part, at the address of the Holder appearing on the Security Register at the close of business on the business day next preceding the date of mailing such notice, and any notice of redemption so mailed shall be conclusively presumed to have been duly given irrespective of whether received by the Holder. This notice may also be published once in a financial publication, journal, or reporter of general circulation among securities dealers in the City of New York, New York (including, but not limited to, The Bond Buyer and The Wall Street Journal), or in the State of Texas (including, but not limited to, The Texas Bond Reporter).

All notices of redemption shall (i) specify the date of redemption for the Certificates, (ii) identify the Certificates to be redeemed and, in the case of a portion of the principal amount to be redeemed, the principal amount thereof to be redeemed, (iii) state the redemption price, (iv) state that the Certificates, or the portion of the principal amount thereof to be redeemed, shall become due and payable on the redemption date specified, and the interest thereon, or on the portion of the principal amount thereof to be redeemed, shall cease to accrue from and after the redemption date, and (v) specify that payment of the redemption price for the Certificates, or the principal amount thereof to be redeemed, shall be made at the corporate trust office of the Paying Agent/Registrar only upon presentation and surrender thereof by the Holder.

If a Certificate is subject by its terms to redemption and has been called for redemption and notice of redemption thereof has been duly given or waived as herein provided, such Certificate (or the principal amount thereof to be redeemed) so called for redemption shall become due and payable, and if money sufficient for the payment of such Certificates (or of the principal amount thereof to be redeemed) at the then applicable redemption price is held for the purpose of such payment by the Paying Agent/Registrar, then on the redemption date designated in such notice, interest on the Certificates (or the principal amount thereof to be redeemed) called for redemption shall cease to accrue and such Certificates shall not be deemed to be Outstanding in accordance with the provisions of this Ordinance.

F. Transfer/Exchange of Certificates. Neither the City nor the Paying Agent/Registrar shall be required (1) to transfer or exchange any Certificate during a period beginning forty-five (45) days prior to the date fixed for redemption of the Certificates or (2) to transfer or exchange any Certificate selected for redemption, provided, however, such limitation of transfer shall not be applicable to an exchange by the Holder of the unredeemed balance of a Certificate which is subject to redemption in part.

SECTION 5. Execution - Registration. The Certificates shall be executed on behalf of the City by its Mayor or Mayor Pro Tem under the seal of the City reproduced or impressed thereon and attested by its City Secretary. The signature of either of said officers on the Certificates may be manual or facsimile. Certificates bearing the manual or facsimile signatures of individuals who were, at the time of the Certificate Date, the proper officers of the City shall bind the City, notwithstanding that such individuals or either of them shall cease to hold such offices prior to the delivery of the Certificates to the Purchasers (hereinafter defined), all as authorized and provided in Chapter 1201, as amended, Texas Government Code.

No Certificate shall be entitled to any right or benefit under this Ordinance, or be valid or obligatory for any purpose, unless there appears on such Certificate either a certificate of registration substantially in the form provided in Section 8C, executed by the Comptroller of Public Accounts of the State of Texas or his duly authorized agent by manual signature, or a certificate of registration substantially in the form provided in Section 8D, executed by the Paying Agent/Registrar by manual signature, and either such certificate upon any Certificate shall be conclusive evidence, and the only evidence, that such Certificate has been duly certified or registered and delivered.

SECTION 6. Registration - Transfer - Exchange of Certificates - Predecessor Certificates. The Paying Agent/Registrar shall obtain, record, and maintain in the Security Register the name and address of every owner of the Certificates, or if appropriate, the nominee thereof. Any Certificate may, in accordance with its terms and the terms hereof, be transferred or exchanged for Certificates of other authorized denominations upon the Security Register by the Holder, in person or by his duly authorized agent, upon surrender of such Certificate to the Paying Agent/Registrar for cancellation, accompanied by a written instrument of transfer or request for exchange duly executed by the Holder or by his duly authorized agent, in form satisfactory to the Paying Agent/Registrar.

Upon surrender for transfer of any Certificate at the corporate trust office of the Paying Agent/Registrar, the City shall execute and the Paying Agent/Registrar shall register and deliver, in the name of the designated transferee or transferees, one or more new Certificates of authorized denomination and having the same Stated Maturity and of a like interest rate and aggregate principal amount as the Certificate or Certificates surrendered for transfer.

At the option of the Holder, Certificates may be exchanged for other Certificates of authorized denominations and having the same Stated Maturity, bearing the same rate of interest and of like aggregate principal amount as the Certificates surrendered for exchange upon surrender of the Certificates to be exchanged at the corporate trust office of the Paying Agent/Registrar. Whenever any Certificates are so surrendered for exchange, the City shall execute, and the Paying Agent/Registrar shall register and deliver, the Certificates to the Holder requesting the exchange.

All Certificates issued upon any transfer or exchange of Certificates shall be delivered at the corporate trust office of the Paying Agent/Registrar, or be sent by registered mail to the Holder at his request, risk, and expense, and upon the delivery thereof, the same shall be the valid and binding obligations of the City, evidencing the same obligation to pay, and entitled to the same benefits under this Ordinance, as the Certificates surrendered upon such transfer or exchange.

All transfers or exchanges of Certificates pursuant to this Section shall be made without expense or service charge to the Holder, except as otherwise herein provided, and except that the Paying Agent/Registrar shall require payment by the Holder requesting such transfer or exchange of any tax or other governmental charges required to be paid with respect to such transfer or exchange.

Certificates cancelled by reason of an exchange or transfer pursuant to the provisions hereof are hereby defined to be Predecessor Certificates, evidencing all or a portion, as the case may be, of the same debt evidenced by the new Certificate or Certificates registered and delivered in the exchange or transfer therefor. Additionally, the term Predecessor Certificates shall include any Certificate registered and delivered pursuant to Section 25 in lieu of a mutilated, lost, destroyed, or stolen Certificate which shall be deemed to evidence the same obligation as the mutilated, lost, destroyed, or stolen Certificate.

SECTION 7. Initial Certificate. The Certificates herein authorized shall be issued initially either (i) as a single fully registered Certificate in the total principal amount of $_,___,___ with principal installments to become due and payable as provided in Section 2 and numbered T-1, or (ii) as one (1) fully registered Certificate for each year of Stated Maturity in the applicable principal amount and denomination and to be numbered consecutively from T-1 and upward (the *Initial Certificate*) and, in either case, the Initial Certificate shall be registered in the name of the Purchasers or the designee thereof. The Initial Certificate shall be the Certificates submitted to the Office of the Attorney General of the State of Texas for approval, certified and registered by the Office of the Comptroller of Public Accounts of the State of Texas and delivered to the Purchasers. Any time after the delivery of the Initial Certificate to the Purchasers, the Paying Agent/Registrar, pursuant to written instructions from the Purchasers or their designee, shall cancel the Initial Certificate delivered hereunder and exchange therefor definitive Certificates of authorized denominations, Stated Maturities, principal amounts and bearing applicable interest rates on the unpaid principal amounts from the Closing Date, or from the most recent Interest Payment Date to which interest has been paid or duly provided for, to Stated Maturity, and shall be lettered "R" and numbered consecutively from one (1) upward for transfer and delivery to the Holders named at the addresses identified therefor; all pursuant to and in accordance with such written instructions from the Purchasers, or the designee thereof, and such other information and documentation as the Paying Agent/Registrar may reasonably require.

SECTION 8. Forms.

A. Forms Generally. The Certificates, the Registration Certificate of the Comptroller of Public Accounts of the State of Texas, the Registration Certificate of Paying Agent/Registrar, and the form of Assignment to be printed on each of the Certificates shall be substantially in the forms set forth in this Section with such appropriate insertions, omissions, substitutions, and other variations as are permitted or required by this Ordinance and may have such letters, numbers, or other marks of identification (including identifying numbers and letters of the Committee on Uniform Securities Identification Procedures of the American Bankers Association) and such legends and endorsements (including insurance legends and any reproduction of an opinion of Bond Counsel (hereinafter referenced)) thereon as may, consistent herewith, be established by the

City or determined by the officers executing the Certificates as evidenced by their execution thereof. Any portion of the text of any Certificate may be set forth on the reverse thereof, with an appropriate reference thereto on the face of the Certificate.

The definitive Certificates shall be printed, lithographed, or engraved, produced by any combination of these methods, or produced in any other similar manner, all as determined by the officers executing the Certificates as evidenced by their execution thereof, but the Initial Certificate submitted to the Attorney General of the State of Texas may be typewritten or photocopied or otherwise reproduced.

B. Form of Definitive Certificate.

REGISTERED NO. _________	REGISTERED PRINCIPAL AMOUNT $_____________

United States of America
State of Texas
County of Gillespie
CITY OF FREDERICKSBURG, TEXAS
COMBINATION TAX AND LIMITED PLEDGE REVENUE
CERTIFICATES OF OBLIGATION, SERIES 2024

Certificate Date:	Interest Rate:	Stated Maturity:	CUSIP No.
August 22, 2024			

REGISTERED OWNER: ____

PRINCIPAL AMOUNT: ____

The City of Fredericksburg, Texas (the *City*), a body corporate and municipal corporation in the County of Gillespie, State of Texas, for value received, acknowledges itself indebted to and hereby promises to pay to the order of the Registered Owner specified above, or the registered assigns thereof, on the Stated Maturity date specified above, the Principal Amount specified above (or so much thereof as shall not have been paid upon prior redemption) and to pay interest on the unpaid Principal Amount hereof from the Closing Date (anticipated to be on or about August 22, 2024), or from the most recent Interest Payment Date (hereinafter defined) to which interest has been paid or duly provided for until such Principal Amount has become due and payment thereof has been made or duly provided for, to the earlier of redemption or Stated Maturity, while Outstanding, at the per annum rate of interest specified above computed on the basis of a 360-day year of twelve 30-day months; such interest being payable on February 15 and August 15 of each year (each, an *Interest Payment Date*) commencing February 15, 2025.

Principal and premium, if any, of this Certificate shall be payable to the Registered Owner hereof (the *Holder*), upon presentation and surrender, at the corporate trust office of the Paying Agent/Registrar executing the registration certificate appearing hereon or a successor thereof. Interest shall be payable to the Holder of this Certificate (or one or more Predecessor Certificates, as defined in the Ordinance hereinafter referenced) whose name appears on the Security Register maintained by the Paying Agent/Registrar at the close of business on the Record Date, which is the last business day of the month next preceding each Interest Payment Date. All payments of principal of and interest on this Certificate shall be in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts. Interest shall be paid by the Paying Agent/Registrar by check sent on or prior to the appropriate date of payment by United States mail, first-class postage prepaid, to the Holder hereof at the address appearing in the Security Register or by such other method, acceptable to the Paying Agent/Registrar, requested by the Holder hereof at the Holder's risk and expense.

This Certificate is one of the series specified in its title issued in the aggregate principal amount of $_,___,___ (the *Certificates*) pursuant to an Ordinance adopted by the governing body of the City (the *Ordinance*), for the purpose of paying contractual obligations of the City to be incurred for making permanent public improvements and for other public purposes, to-wit: (1) designing, acquiring, purchasing, renovating, equipping, and improving a new municipal facility for the City's Public Works and Utilities department, City's Parks department, and other administrative offices of the City, and existing municipal facilities for police, fire, and emergency services, and (2) the payment of professional services including fiscal, engineering, architectural and legal fees and other such costs incurred in connection therewith including the costs of issuing the Certificates, under and in strict conformity with the laws of the State of Texas, particularly Chapter 1502, as amended, Texas Government Code, the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code, Section 271.041 through 271.064, and the City's Home Rule Charter.

As provided in the Ordinance, the Certificates stated to mature on February 15, 20__ and February 15, 20__ are referred to herein as the "Term Certificates". The Term Certificates are subject to mandatory sinking fund redemption prior to their stated maturities from money required to be deposited in the Certificate Fund for such purpose and shall be redeemed in part, by lot or other customary method, at the principal amount thereof plus accrued interest to the date of redemption in the following principal amounts on February 15 in each of the years as set forth below:

Term Certificates Stated to Mature on February 15, 20__		Term Certificates Stated to Mature on February 15, 20__	
Year	Principal Amount ($)	Year	Principal Amount ($)

*Payable at Stated Maturity.

The principal amount of a Term Certificate required to be redeemed pursuant to the operation of such mandatory redemption provisions shall be reduced, at the option of the City, by the principal amount of any Term Certificates of such Stated Maturity which, at least 50 days prior to the mandatory redemption date (1) shall have been defeased or acquired by the City and delivered to the Paying Agent/Registrar for cancellation, (2) shall have been purchased and cancelled by the Paying Agent/Registrar at the request of the City, or (3) shall have been redeemed pursuant to the optional redemption provisions set forth below and not theretofore credited against a mandatory redemption requirement.

As provided in the Ordinance, the Certificates having Stated Maturities on and after February 15, 20__ shall be subject to redemption prior to Stated Maturity, at the option of the City, on February 15, 20__, or on any date thereafter, as a whole or in part, in principal amounts of $5,000 or any integral multiple thereof (and if within a Stated Maturity selected at random and by lot by the Paying Agent/Registrar), at the redemption price of par plus accrued interest to the date of redemption; provided, however, that at least thirty (30) days prior written notice shall be sent to the Holder of the Certificates to be redeemed by United States mail, first-class postage prepaid, and subject to the terms and provisions relating thereto contained in the Ordinance. If this Certificate is subject to redemption prior to Stated Maturity and is in a denomination in excess of $5,000, portions of the principal sum hereof in installments of $5,000 or any integral multiple thereof may be redeemed, and, if less than all of the principal sum hereof is to be redeemed, there shall be issued, without charge therefor, to the Holder hereof, upon the surrender of this Certificate to the Paying Agent/Registrar at its corporate trust office, a new Certificate or Certificates of like Stated Maturity and interest rate in any authorized denominations provided in the Ordinance for the then unredeemed balance of the principal sum hereof.

If this Certificate (or any portion of the principal sum hereof) shall have been duly called for redemption and notice of such redemption has been duly given, then upon such redemption date this Certificate (or the portion of the principal sum hereof to be redeemed) shall become due and payable, and, if the money for the payment of the redemption price, and the interest accrued on the principal amount to be redeemed to the date of redemption is held for the purpose of such payment by the Paying Agent/Registrar, interest shall cease to accrue and be payable hereon from and after the redemption date on the principal amount hereof to be redeemed. If this Certificate is called for redemption, in whole or in part, the City or the Paying Agent/Registrar shall not be required to issue, transfer, or exchange this Certificate within forty-five (45) days of the date fixed for redemption; provided, however, such limitation of transfer shall not be applicable to an exchange by the Holder of the unredeemed balance hereof in the event of its redemption in part.

The Certificates of this series are payable from the proceeds of an ad valorem tax levied upon all taxable property within the City, within the limitations prescribed by law, and are further payable from and secured by a lien on and pledge of the Pledged Revenues (identified and defined in the Ordinance), being a limited amount of the Net Revenues derived from the operation of the City's water and wastewater system (the *System*), such lien on and pledge of the limited amount of Net Revenues being subordinate and inferior to the lien on and pledge of such Net Revenues securing payment of the currently outstanding Prior Lien Obligations and any Additional Prior Lien Obligations, Junior Lien Obligations, or Subordinate Lien Obligations hereafter issued by the City. The City has previously authorized the issuance of the currently outstanding Limited Pledge Obligations (identified and defined in the Ordinance) that are payable, in part, from and secured by a lien on and pledge of a limited amount of the Net Revenues of the System in the manner and as described in the ordinances authorizing the issuance of the currently outstanding Limited Pledge Obligations. In the Ordinance, the City reserves and retains the right to issue Additional Prior Lien Obligations, Junior Lien Obligations, Subordinate Lien Obligations, and Additional Limited Pledge Obligations (all as identified and defined in the Ordinance), while the Certificates are Outstanding, without limitation as to principal amount but subject to any terms, conditions or restrictions as may be applicable thereto under law or otherwise.

Reference is hereby made to the Ordinance, a copy of which is on file in the corporate trust office of the Paying Agent/Registrar, and to all of the provisions of which the Holder by his acceptance hereof hereby assents, for definitions of terms; the description of and the nature and extent of the tax levied and the revenues pledged for the payment of the Certificates; the terms and conditions under which the City may issue Additional Prior Lien Obligations, Junior Lien Obligations, Subordinate Lien Obligations, and Additional Limited Pledge Obligations; the terms and conditions relating to the transfer or exchange of the Certificates; the conditions upon which the Ordinance may be amended or supplemented with or without the consent of the Holder; the rights, duties, and obligations of the City and the Paying Agent/Registrar; the terms and provisions upon which this Certificate may be redeemed or discharged at or prior to the Stated Maturity thereof, and deemed to be no longer Outstanding thereunder; and for the other terms and provisions specified in the Ordinance. Capitalized terms used herein without definition have the same meanings assigned in the Ordinance.

This Certificate, subject to certain limitations contained in the Ordinance, may be transferred on the Security Register upon presentation and surrender at the corporate trust office of the Paying Agent/Registrar, duly endorsed by, or accompanied by a written instrument of transfer in form satisfactory to the Paying Agent/Registrar duly executed by the Holder hereof, or his duly authorized agent, and thereupon one or more new fully registered Certificates of the same Stated Maturity, of authorized denominations, bearing the same rate of interest, and of the same aggregate principal amount will be issued to the designated transferee or transferees.

The City and the Paying Agent/Registrar, and any agent of either, shall treat the Holder hereof whose name appears on the Security Register (i) on the Record Date as the owner hereof for purposes of receiving payment of interest hereon, (ii) on the date of surrender of this Certificate as the owner hereof for purposes of receiving payment of principal hereof at its Stated Maturity or its redemption, in whole or in part, and (iii) on any other date as the owner hereof for all other purposes, and neither the City nor the Paying Agent/Registrar, or any such agent of either, shall be affected by notice to the contrary. In the event of a non-payment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a Special Record Date) will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (the *Special Payment Date* - which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each Holder appearing on the Security Register at the close of business on the last business day next preceding the date of mailing of such notice.

It is hereby certified, covenanted, and represented that all acts, conditions, and things required to be performed, exist, and be done precedent to the issuance of this Certificate in order to render the same a legal, valid, and binding obligation of the City have been performed, exist, and have been done, in regular and due time, form, and manner, as required by the laws of the State of Texas and the Ordinance, and that issuance of the Certificates does not exceed any constitutional or statutory limitation; and that due provision has been made for the payment of the principal of, premium if any, and interest on the Certificates by the levy of a tax and collection of Pledged Revenues as aforestated. In case any provision in this Certificate or any application thereof shall be deemed invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions and applications shall not in any way be affected or impaired thereby. The terms and provisions of this Certificate and the Ordinance shall be construed in accordance with and shall be governed by the laws of the State of Texas.

IN WITNESS WHEREOF, the City has caused this Certificate to be duly executed under its official seal.

CITY OF FREDERICKSBURG, TEXAS

By ________________________________
Mayor

ATTEST:

____
City Secretary

(CITY SEAL)

C. *Form of Registration Certificate of Comptroller of Public Accounts to Appear on Initial Certificate Only.

REGISTRATION CERTIFICATE OF
COMPTROLLER OF PUBLIC ACCOUNTS

OFFICE OF THE COMPTROLLER OF	§	
PUBLIC ACCOUNTS	§	
	§	REGISTER NO. __________
THE STATE OF TEXAS	§	

I HEREBY CERTIFY that this Certificate has been examined, certified as to validity and approved by the Attorney General of the State of Texas, and duly registered by the Comptroller of Public Accounts of the State of Texas.

WITNESS my signature and seal of office this ____________________

____
Comptroller of Public Accounts
of the State of Texas

(SEAL)

*NOTE TO PRINTER: Not to appear on printed Certificates.

D. Form of Certificate of Paying Agent/Registrar to Appear on Definitive Certificates Only.

REGISTRATION CERTIFICATE OF PAYING AGENT/REGISTRAR

This Certificate has been duly issued under the provisions of the within-mentioned Ordinance; the Certificate or Certificates of the above-entitled and designated series originally delivered having been approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts, as shown by the records of the Paying Agent/Registrar.

Registered this date:	BOKF, NA, DALLAS, TEXAS, as Paying Agent/Registrar
____________________________________	By: _______________________________ Authorized Signature

*NOTE TO PRINTER: Print on Definitive Certificates.

E. Form of Assignment.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns, and transfers unto (Print or typewrite name, address, and zip code of transferee): ___________________________________

____

(Social Security or other identifying number): ____ the within Certificate and all rights thereunder, and hereby irrevocably constitutes and appoints ____________________attorney to transfer the within Certificate on the books kept for registration thereof, with full power of substitution in the premises.

DATED: ____________________________

____
NOTICE: The signature on this assignment must correspond with the name of the registered owner as it appears on the face of the within Certificate in every particular.

Signature guaranteed:

____

F. The Initial Certificate shall be in the form set forth in paragraph B of this Section, except that the form of a single fully registered Initial Certificate shall be modified as follows:

(i) immediately under the name of the Certificate the headings "Interest Rate and "Stated Maturity shall both be completed "as shown below";

(ii) the first two paragraphs shall read as follows:

Registered Owner: ____

Principal Amount: ____

The City of Fredericksburg, Texas (the *City*), a body corporate and municipal corporation in the County of Gillespie, State of Texas, for value received, acknowledges itself indebted to and hereby promises to pay to the order of the Registered Owner named above, or the registered assigns thereof, the Principal Amount specified above stated to mature on the fifteenth day of February in each of the years and in principal amounts and bearing interest at per annum rates in accordance with the following schedule:

Years of Stated Maturity	Principal Amounts ($)	Interest Rates (%)

(Information to be inserted
from schedule in Section 2 hereof)

(or so much thereof as shall not have been paid upon prior redemption) and to pay interest on the unpaid Principal Amounts hereof from the Closing Date (anticipated to be on or about August 22, 2024), or from the most recent Interest Payment Date (defined below) to which interest has been paid or duly provided for until the Principal Amount has become due and payment thereof has been made or duly provided for, to the earlier of redemption or Stated Maturity, at the per annum rates of interest specified above, computed on the basis of a 360-day year of twelve 30-day months; such interest being payable on February 15 and August 15 of each year (each, an *Interest Payment Date*), commencing February 15, 2025.

Principal of this Certificate shall be payable to the Registered Owner hereof (the *Holder*), upon its presentation and surrender, to Stated Maturity or prior redemption, while Outstanding, at the corporate trust office of BOKF, NA, Dallas, Texas (the *Paying Agent/Registrar*). Interest shall be payable to the Holder of this Certificate whose name appears on the Security Register maintained by the Paying Agent/Registrar at the close of business on the Record Date, which is the last business day of the month next preceding each Interest Payment Date. All payments of principal of and interest on this Certificate shall be in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts. Interest shall be paid by the Paying Agent/Registrar by check sent on or prior to the appropriate date of payment by United States mail, first-class postage prepaid, to the Holder hereof at the address appearing in the Security Register or by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the Holder hereof.

G. Insurance Legend. If bond insurance is obtained by the City or the Purchasers for the Certificates, the Definitive Certificates and the Initial Certificate shall bear an appropriate legend as provided by the bond insurer to appear under the following header:

[BOND INSURANCE] or [STATEMENT OF INSURANCE]

SECTION 9. Definitions. For all purposes of this Ordinance (as defined below), except as otherwise expressly provided or unless the context otherwise requires: (i) the terms defined in this Section have the meanings assigned to them in this Section, and certain terms used in Sections 27 and 44 of this Ordinance have the meanings assigned to them in Sections 27 and 44 of this Ordinance, and all such terms, include the plural as well as the singular; (ii) all references in this Ordinance to designated "Sections" and other subdivisions are to the designated Sections and other subdivisions of this Ordinance as originally adopted; and (iii) the words "herein", "hereof", and "hereunder" and other words of similar import refer to this Ordinance as a whole and not to any particular Section or other subdivision.

A. The term *Additional Limited Pledge Obligations* shall mean (i) any bonds, notes, warrants, certificates of obligation or other evidences of indebtedness hereafter issued by the City payable in whole or in part from a limited pledge of and lien on Net Revenues of the System such pledge being subordinate and inferior to the lien thereon and pledge thereof securing the payment of any Additional Prior Lien Obligations, Junior Lien Obligations, or Subordinate Lien Obligations hereafter issued by the City, which pledge of revenues is limited pursuant to Section 1502.052, as amended, Texas Government Code, all as further provided in Section 20 of this Ordinance, and (ii) any obligations issued to refund the foregoing as determined by the City Council in accordance with applicable law.

B. The term *Additional Prior Lien Obligations* shall mean (i) any bonds, notes, warrants, certificates of obligation or any similar obligations hereafter issued by the City that are payable in whole or in part from and equally and ratably secured by a prior and first lien on and pledge of the Net Revenues of the System, all as further provided in Section 20 of this Ordinance, and (ii) obligations hereafter issued to refund any of the foregoing that are payable from and equally and ratably secured by a prior and first lien on and pledge of the Net Revenues as determined by the City Council in accordance with any applicable law.

C. The term *Authorized Officials* shall mean the Mayor, the City Manager, the Finance Director, and/or the City Secretary.

D. The term *Bonds* shall mean the "CITY OF FREDERICKSBURG, TEXAS UTILITY SYSTEM REVENUE BONDS, SERIES 2024" authorized and issued pursuant to an ordinance adopted August 20, 2024.

E. The term *Certificates* shall mean the $_,___,___ "CITY OF FREDERICKSBURG, TEXAS COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2024" authorized by this Ordinance.

F. The term *Certificate Fund* shall mean the special Fund created and established by the provisions of Section 10 of this Ordinance.

G. The term *City* shall mean the City of Fredericksburg, located in Gillespie County, Texas and, where appropriate, the City Council of the City.

H. The term *Closing Date* shall mean the date of physical delivery of the Initial Certificates in exchange for the payment of the agreed purchase price for the Certificates.

I. The term *Collection Date* shall mean, when reference is being made to the levy and collection of annual ad valorem taxes, the date the annual ad valorem taxes levied each year by the City become delinquent.

J. The term *Debt Service Requirements* shall mean, as of any particular date of computation, with respect to any obligations and with respect to any period, the aggregate of the amounts to be paid or set aside by the City as of such date or in such period for the payment of the principal of, premium, if any, and interest (to the extent not capitalized) on such obligations; assuming, in the case of obligations without a fixed numerical rate, that such obligations bear interest at the maximum rate permitted by the terms thereof and further assuming in the case of obligations required to be redeemed or prepaid as to principal prior to Stated Maturity, the principal amounts thereof will be redeemed prior to Stated Maturity in accordance with the mandatory redemption provisions applicable thereto.

K. The term *Depository* shall mean an official depository bank of the City.

L. The term *Fiscal Year* shall mean the annual financial accounting period for the System now ending on September 30th of each year; provided, however, the City Council may change such annual financial accounting period to end on another date if such change is found and determined to be necessary for accounting purposes or is required by applicable law.

M. The term *Government Securities*, as used herein, shall mean (i) direct noncallable obligations of the United States, including obligations that are unconditionally guaranteed by, the United States of America; (ii) noncallable obligations of an agency or instrumentality of the United States, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date the governing body of the issuer adopts or approves the proceedings authorizing the issuance of refunding bonds, are rated as to investment quality by a nationally recognized investment rating firm not less than "AAA" or its equivalent; (iii) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date the governing body of the issuer adopts or approves the proceedings authorizing the issuance of refunding bonds, are rated as to investment quality by a nationally recognized investment rating firm not less than "AAA" or its equivalent, or (iv) any additional securities and obligations hereafter authorized by the laws of the State of Texas as eligible for use to accomplish the discharge of obligations such as the Certificates.

N. The term *Gross Revenues* for any period shall mean all income and revenues received by the City by virtue of its ownership and operation of the System, including, but not limited to, its rentals, fees, and other revenues resulting from the ownership of the System.

O. The term *Holder* or *Holders* shall mean the registered owner, whose name appears in the Security Register, for any Certificate.

P. The term *Interest Payment Date* shall mean the date interest is payable on the Certificates, being February 15 and August 15 of each year, commencing February 15, 2025, while any of the Certificates remain Outstanding.

Q. The term *Junior Lien Obligations* shall mean (i) any bonds, notes, warrants, certificates of obligation or any similar obligations hereafter issued by the City that are payable in whole or in part from and equally and ratably secured by a junior and inferior lien on and pledge of the Net Revenues of the System, such pledge being junior and inferior to the lien on and pledge of the Net Revenues of the System that may be pledged to the payment of any Prior Lien Obligations hereafter issued by the City, but prior and superior to the lien on and pledge of the Net Revenues of the System that are or will be pledged to the payment of the currently outstanding Limited Pledge Obligations, and the Certificates, or any Subordinate Lien Obligations or Additional Limited Pledge Obligations hereafter issued by the City all as further provided in Section 20 of this Ordinance and (ii) obligations hereafter issued to refund any of the foregoing that are payable from and equally and ratably secured by a junior and inferior lien on and pledge of the Net Revenues of the System as determined by the City Council in accordance with any applicable law.

R. The term *Limited Pledge Obligations* shall mean (i) the Certificates and (ii) any obligations hereafter issued to refund any of the foregoing as determined by the City Council in accordance with any applicable law.

S. The term *Maintenance and Operating Expenses* shall mean all current expenses of operating and maintaining the System not paid from the proceeds of the Certificates, including (1) the cost of all salaries, labor, materials, repairs, and extensions necessary to render efficient service, but only if, in the case of repairs and extensions, they are, in the judgment of the City Council (reasonably and fairly exercised), necessary to maintain operation of the System and render adequate service to the City and the inhabitants thereof, or are necessary to meet some physical accident or condition which would otherwise impair obligations payable from Net Revenues, (2) payments to pension, retirement, health, hospitalization, and other employee benefit funds for employees of the City engaged in the operation or maintenance of the System, (3) payments under contracts for the purchase of water supply, treatment of sewage, or other materials, goods, or services for the System to the extent authorized by law and the provisions of such contract, (4) payments to auditors, attorneys, and other consultants incurred in complying with the obligations of the City hereunder, and (5) any legal liability of the City arising out of the operation, maintenance, or condition of the System, but excluding any allowance for depreciation, property retirement, depletion, obsolescence, and other items not requiring an outlay of cash and any interest on the Certificates or other bonds, notes, warrants, or similar obligations of the City payable from Net Revenues.

T. The term *Net Revenues* for any period shall mean the Gross Revenues of the System less the Maintenance and Operating Expenses of the System.

U. The term *Ordinance* shall mean this ordinance as finally passed and adopted by the City Council of the City.

V. The term *Outstanding* when used in this Ordinance with respect to the Certificates shall mean, as of the date of determination, all Certificates issued and delivered under this Ordinance, except:

(1) those Certificates cancelled by the Paying Agent/Registrar or delivered to the Paying Agent/Registrar for cancellation;

(2) those Certificates for which payment has been duly provided by the City in accordance with the provisions of Section 29 of this Ordinance; and

(3) those Certificates that have been mutilated, destroyed, lost, or stolen and replacement Certificates have been registered and delivered in lieu thereof as provided in Section 25 of this Ordinance.

W. The term *Pledged Revenues* shall mean, while the Certificates remain Outstanding, an amount of Net Revenues not in excess of $1,000. The Pledged Revenues shall be deposited, allocated, and expended in accordance with Section 10 of this Ordinance.

X. The term *Pledged Revenue Amount* shall mean the total amount, not to exceed $1,000 while the Certificates are Outstanding, of Net Revenues that may be transferred in whole or in part by the City in any given Fiscal Year (however, any amounts transferred prior to the final maturity date of the Certificates may not exceed the total amount of $1,000) to the Certificate Fund.

Y. The term *Prior Lien Obligations* shall mean (i) any bonds, notes, warrants, certificates of obligation or any similar obligations heretofor or hereafter issued by the City that are payable in whole or in part from and equally and ratably secured by a first and prior lien on and pledge of the Net Revenues of the System, all as further provided in Section 20 of this Ordinance, and (ii) any obligations hereafter issued to refund the foregoing if issued in a manner so as to be payable from and equally and ratably secured by a first and prior lien on and pledge of the Net Revenues of the System as determined by the City Council in accordance with any applicable law.

Z. The term *Purchasers* shall mean the initial purchaser or purchasers of the Certificates named in Section 26 of this Ordinance.

AA. The term *Stated Maturity* shall mean the annual principal payments of the Certificates payable on February 15 of each year the Certificates are Outstanding as set forth in Section 2 of this Ordinance.

BB. The term *Subordinate Lien Obligations* shall mean (i) any bonds, notes, warrants, certificates of obligation, or any similar obligations hereafter issued by the City that are payable, in whole or in part, from and equally and ratably secured by a lien on and pledge of the Net Revenues of the System, such pledge being subordinate and inferior to the lien on and pledge of the Net Revenues of the System that may be pledged to the payment of any Prior Lien Obligations or Junior Lien Obligations hereafter issued by the City, but prior and superior to the lien on and pledge of the limited amount of the Net Revenues securing, in part, the payment of the currently outstanding Limited Pledge Obligations and the Certificates or any Additional Limited Pledge Obligations hereafter issued by the City, all as further provided in Section 20 of this Ordinance and (ii) any obligations hereafter issued to refund any of the foregoing if issued in a manner so as to be payable from and equally and ratably secured by a subordinate and inferior lien on and pledge of the Net Revenues as determined by the City Council in accordance with any applicable law.

CC. The term *System* shall mean all properties, facilities and plants currently owned, operated, and maintained by the City for the supply, treatment, and transmission of treated potable water, for the collection and treatment of wastewater, together with all future extensions, improvements, replacements and additions thereto, whether situated within or without the limits of the City, and the City expressly reserves the right at its sole discretion to include additional utility (including electric and drainage/stormwater), telecommunications, technology, or similar enterprise services as components of the System (though such additional components are not at this time included); provided, however, that notwithstanding the foregoing, and to the extent now or hereafter authorized or permitted by law, the term System shall not mean to include facilities of any kind which are declared not to be a part of the System and which are acquired or constructed by or on behalf of the City with the proceeds from the issuance of "Special Facilities Bonds," which are hereby defined as being special revenue obligations of the City which are not payable from Net Revenues, but which are payable from and equally and ratably secured by other liens on and pledges of any revenues, sources or payments, not pledged to the payment of the Bonds Similarly Secured including, but not limited to, special contract revenues or payments received from any other legal entity in connection with such facilities.

SECTION 10. <u>Certificate Fund – Investments</u>. For the purpose of paying the interest on and to provide a sinking fund for the payment, redemption, and retirement of the Certificates, there shall be and is hereby created a special fund to be designated "COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2024, INTEREST AND SINKING FUND" (the *Certificate Fund*), which fund shall be kept and maintained at the Depository, and money deposited in the Certificate Fund shall be used for no other purpose and shall be maintained as provided in Section 27. Authorized Officials of the City are hereby authorized and directed to make withdrawals from the Certificate Fund sufficient to pay the purchase price or the amount of principal of, premium, if any, and interest on the Certificates as the same become due and payable and shall cause to be transferred to the Paying Agent/Registrar from money on deposit in the Certificate Fund an amount sufficient to pay the amount of principal and/or interest stated to mature on the Certificates, such transfer of funds to the Paying Agent/Registrar to be made in such manner as will cause immediately available funds to be deposited with the Paying Agent/Registrar on or before the business day next preceding each interest and principal payment date for the Certificates.

The City, at its sole discretion, may deposit the Pledged Revenue Amount to the Certificate Fund. The Pledged Revenue Amount, if deposited, shall be expended annually to pay principal of and interest on the Certificates as the same become due and payable. This Pledged Revenue Amount shall be accounted for and transferred to the Paying Agent/Registrar in accordance with the provisions of the previous paragraph of this Section.

Pending the transfer of funds to the Paying Agent/Registrar, money deposited in any fund created and established by this Ordinance may, at the option of the City, be placed in time deposits, certificates of deposit, guaranteed investment contracts, or similar contractual agreements, as permitted by the provisions of the Public Funds Investment Act, as amended, Chapter 2256, Texas Government Code, secured (to the extent not insured by the Federal Deposit Insurance Corporation) by obligations of the type hereinafter described, or be invested, as authorized by any law, including investments held in book-entry form, in securities, including, but not limited to, direct obligations of the United States of America, obligations guaranteed or insured by the United States of America, which, in the opinion of the Attorney General of the United States, are backed by its full faith and credit or represent its general obligations, or invested in indirect obligations of the United States of America, including, but not limited to, evidences of indebtedness issued, insured or guaranteed by such governmental agencies as the Federal Land Banks, Federal Intermediate Credit Banks, Banks for Cooperatives, Federal Home Loan Banks, Government National Mortgage Association, Small Business Administration, Farmers Home Administration, Federal Home Loan Mortgage Association, or Federal Housing Association; provided that all such deposits and investments shall be made in such a manner that the money required to be expended from such fund will be available at the proper time or times. All interest and income derived from deposits and investments in any fund established pursuant to the provisions of this Ordinance shall be credited to, and any losses debited to, such fund. All such investments shall be sold promptly when necessary to prevent any default in connection with the Certificates.

SECTION 11. Tax Levy. To provide for the payment of the Debt Service Requirements on the Certificates being (i) the interest on the Certificates and (ii) a sinking fund for their redemption at Stated Maturity or a sinking fund of 2% (whichever amount shall be the greater), there shall be and there is hereby levied for the current year and each succeeding year thereafter while the Certificates or any interest thereon shall remain Outstanding, a sufficient tax, within the limitations prescribed by law, on each one hundred dollars valuation of taxable property in the City, adequate to pay such Debt Service Requirements, full allowance being made for delinquencies and costs of collection; said tax shall be assessed and collected each year and applied to the payment of the Debt Service Requirements, and the same shall not be diverted to any other purpose. The taxes so levied and collected shall be paid into the Certificate Fund and are thereafter pledged to the payment of the Certificates. The City Council hereby declares its purpose and intent to provide and levy a tax legally and fully sufficient to pay the Debt Service Requirements, it having been determined that the existing and available taxing authority of the City for such purpose is adequate to permit a legally sufficient tax in consideration of all other outstanding indebtedness and other obligations of the City.

The amount of taxes to be provided annually for the payment of the principal of and interest on the Certificates shall be determined and accomplished in the following manner:

A. Prior to the date the City Council establishes the annual tax rate and passes an ordinance levying ad valorem taxes each year, the City Council shall determine:

(1) the amount of Debt Service Requirements to become due and payable on the Certificates between the Collection Date for the taxes then to be levied and the Collection Date for the taxes to be levied during the next succeeding calendar year;

(2) the amount on deposit in the Certificate Fund after (a) deducting therefrom the total amount of Debt Service Requirements to become due on Certificates prior to the Collection Date for the ad valorem taxes to be levied and (b) adding thereto the amount of the Pledged Revenues, if any, to be appropriated and allocated during such year to pay such Debt Service Requirements, if any, prior to the Collection Date for the ad valorem taxes to be levied; and

(3) the amount of Pledged Revenues, if any, to be appropriated and to be set aside for the payment of the Debt Service Requirements on the Certificates between the Collection Date for the taxes then to be levied and the Collection Date for the taxes to be levied during the next succeeding Fiscal Year.

B. The amount of taxes to be levied annually each year to pay the Debt Service Requirements on the Certificates shall be the amount established in paragraph (1) above less the sum total of the amounts established in paragraphs (2) and (3), after taking into consideration delinquencies and costs of collecting such annual taxes.

SECTION 12. Pledge of Revenues. The City hereby covenants and agrees that, subject to (i) any prior lien on and pledge of the Net Revenues of the System to the payment and security of the currently outstanding Prior Lien Obligations and any Additional Prior Lien Obligations, Junior Lien Obligations, or Subordinate Lien Obligations hereafter issued by the City and (ii) the lien on and pledge of a limited amount of the Net Revenues to the payment and security of the currently outstanding Limited Pledge Obligations, the Pledged Revenues are hereby irrevocably pledged to the payment of the principal of and interest on the Certificates and the pledge of Pledged Revenues herein made for the payment of the Certificates shall constitute a lien on the Pledged Revenues in accordance with the terms and provisions hereof and be valid and binding without any physical delivery thereof or further act by the City.

SECTION 13. Revenue Fund. The City hereby covenants and agrees that all Gross Revenues derived from the operation of the System shall be kept separate and apart from all other funds, accounts and money of the City and shall be deposited as collected into the "CITY OF FREDERICKSBURG, TEXAS UTILITY SYSTEM FUND" (the *Revenue Fund*). All money deposited in the Revenue Fund shall be pledged and appropriated to the extent required for the following purposes and in the order of priority shown:

- First: to the payment of the reasonable and proper Maintenance and Operating Expenses of the System required by statute or ordinances authorizing the issuance of any indebtedness of the City to be a first charge on and claim against the Gross Revenues of the System;

- Second: To the payment of the amounts that must be deposited in the special funds and accounts created and established for the payment, security, and benefit of the currently outstanding Prior Lien Obligations any Additional Prior Lien Obligations hereafter issued by the City in accordance with the terms and provisions of any ordinance authorizing their issuance;

- Third: To the payment of the amounts that must be deposited in the special funds and accounts created and established for the payment, security, and benefit of any Junior Lien Obligations hereafter issued by the City in accordance with the terms and provisions of any ordinance authorizing their issuance;

- Fourth: To the payment of the amounts that must be deposited in the special funds and accounts created and established for the payment, security, and benefit of any Subordinate Lien Obligations hereafter issued by the City in accordance with the terms and provisions of any ordinance authorizing their issuance; and

- Fifth: To the payment of the amounts that may be deposited in the special funds and accounts established for the payment of the currently outstanding Limited Pledge Obligations, including the Certificates, and any Additional Limited Pledge Obligations hereafter issued by the City in accordance with the terms and provisions of any ordinances authorizing their issuance.

Any Net Revenues remaining in the Revenue Fund after satisfying the foregoing payments, or making adequate and sufficient provision for the payment, security and benefit thereof, may be appropriated and used for any other City purpose now or hereafter permitted by law.

SECTION 14. Deposits to Certificate Fund – Surplus Certificate Proceeds. The City hereby covenants and agrees to cause to be deposited in the Certificate Fund prior to a principal and interest payment date for the Certificates, from the Pledged Revenues in the Revenue Fund, after the deduction of all payments required to be made to the special funds or accounts created for the payment, security, and benefit of (i) the currently outstanding Prior Lien Obligations and any Additional Prior Lien Obligations, Junior Lien Obligations, or Subordinate Lien Obligations hereafter issued by the City and (ii) the currently outstanding Limited Pledge Obligations, including the Certificates, and any amounts budgeted to be paid therefrom in such Fiscal Year.

Accrued interest, if any, received from the Purchasers of the Certificates shall be deposited to the Certificate Fund and ad valorem taxes levied and collected for the benefit of the Certificates shall be deposited to the Certificate Fund. In addition, any surplus proceeds, including investment income therefrom, from the sale of the Certificates not expended for authorized purposes shall be deposited in the Certificate Fund, and such amounts so deposited shall reduce the sums otherwise required to be deposited in said fund from ad valorem taxes.

SECTION 15. Security of Funds. All money on deposit in the funds for which this Ordinance makes provision (except any portion thereof as may be at any time properly invested as provided herein) shall be secured in the manner and to the fullest extent required by the laws of the State of Texas for the security of public funds, and money on deposit in such funds shall be used only for the purposes permitted by this Ordinance.

SECTION 16. Maintenance of System - Insurance. The City covenants and agrees that while the Certificates remain Outstanding it will maintain and operate the System with all possible efficiency and maintain casualty and other insurance (including a system of self-insurance) on the properties of the System and its operations of a kind and in such amounts customarily carried by municipal corporations in the State of Texas engaged in a similar type of business and that it will faithfully and punctually perform all duties with reference to the System required by the laws of the State of Texas. All money received from losses under such insurance policies, other than public liability policies, are held for the benefit of the holders of the Certificates until and unless the proceeds are paid out in making good the loss or damage in respect of which such proceeds are received, either by replacing the property destroyed or repairing the property damaged, and adequate provision for making good such loss or damage must be made within ninety (90) days after the date of loss. The payment of premiums for all insurance policies required under the provisions hereof shall be considered Maintenance and Operating Expenses. Nothing in this Ordinance shall be construed as requiring the City to expend any funds which are derived from sources other than the operation of the System but nothing herein shall be construed as preventing the City from doing so.

SECTION 17. Rates and Charges. The City hereby covenants and agrees with the Holders of the Certificates that rates and charges for facilities and services afforded by the System will be established and maintained to provide Gross Revenues sufficient at all times:

A. to pay, together with any other lawfully available funds, all operating, maintenance, depreciation, replacement, betterment, and other costs incurred in the maintenance and operation of the System, including, but not limited to, Maintenance and Operating Expenses; provided, however, that the City expressly reserves the right to utilize other lawfully available funds to pay the Maintenance and Operating Expenses;

B. to produce Net Revenues sufficient, together with any other lawfully available funds, to pay (i) the interest on and principal of the currently outstanding Prior Lien Obligations and any Additional Prior Lien Obligations hereafter issued by the City as the same becomes due and payable and the amounts required to be deposited in any special fund created and established for the payment, security, and benefit thereof; (ii) the interest on and principal of any Junior Lien Obligations hereafter issued by the City as the same becomes due and payable and the amounts required to be deposited in any special fund created and established for the payment, security, and benefit thereof, (iii) the interest on and principal of any Subordinate Lien Obligations hereafter issued by the City as the same becomes due and payable and the amounts required to be deposited in any special fund created and established for the payment, security, and benefit thereof, and (iv) the amounts that may be deposited in the special funds established for the payment of the currently outstanding Limited Pledge Obligations, the Certificates or any Additional Limited Pledge Obligations hereafter issued by the City; and

C. to pay other legally incurred indebtedness payable from the Net Revenues of the System and/or secured by a lien on the System or the Net Revenues thereof.

SECTION 18. Records and Accounts - Annual Audit. The City further covenants and agrees that so long as any of the Certificates remain Outstanding it will keep and maintain separate and complete records and accounts pertaining to the operations of the System in which complete and correct entries shall be made of all transactions relating thereto, as provided by Chapter 1502, as amended, Texas Government Code, or other applicable law. The Holders of the Certificates or any duly authorized agent or agents of the Holders shall have the right to inspect the System and all properties comprising the same. The City further agrees that, following the close of each Fiscal Year, it will cause an audit of such books and accounts to be made by an independent firm of Certified Public Accountants. Expenses incurred in making the annual audit of the operations of the System are to be regarded as Maintenance and Operating Expenses.

SECTION 19. Remedies in Event of Default. In addition to all the rights and remedies provided by the laws of the State of Texas, the City covenants and agrees particularly that in the event the City (a) defaults in the payments to be made to the Certificate Fund, or (b) defaults in the observance or performance of any other of the covenants, conditions, or obligations set forth in this Ordinance, the Holders of any of the Certificates shall be entitled to seek a writ of mandamus issued by a court of proper jurisdiction compelling and requiring the governing body of the City and other officers of the City to observe and perform any covenant, condition, or obligation prescribed in this Ordinance.

No delay or omission to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein, and every such right and power may be exercised from time to time and as often as may be deemed expedient. The specific remedies herein provided shall be cumulative of all other existing remedies and the specification of such remedies shall not be deemed to be exclusive.

SECTION 20. Issuance of Additional Prior Lien Obligations, Junior Lien Obligations, Subordinate Lien Obligations, and Additional Limited Pledge Obligations. The City hereby expressly reserves the right to hereafter issue bonds, notes, warrants, certificates of obligation, or similar obligations, payable, in whole or in part, as appropriate, from and secured by a pledge of and lien on the Net Revenues of the System with the following priorities, without limitation as to principal amount, but subject to any terms, conditions, or restrictions applicable thereto under existing ordinances, laws, or otherwise:

A. Additional Prior Lien Obligations payable from and equally and ratably secured by a first and prior lien on and pledge of the Net Revenues of the System;

B. Junior Lien Obligations payable from and equally and ratably secured by a lien on and pledge of the Net Revenues that is junior and inferior to the lien on and pledge thereof securing the payment of the currently outstanding Prior Lien Obligations and any Additional Prior Lien Obligations hereafter issued by the City, but prior and superior to the lien on and pledge of the Net Revenues securing, in whole or in part, the payment of the currently outstanding Limited Pledge

Obligations, the Certificates, and any Subordinate Lien Obligations or Additional Limited Pledge Obligations hereafter issued by the City;

C. Subordinate Lien Obligations payable from and equally and ratably secured by a lien on and pledge of the Net Revenues that is subordinate and inferior to the lien on and pledge thereof securing the payment of the currently outstanding Prior Lien Obligations and any Additional Prior Lien Obligations or Junior Lien Obligations hereafter issued by the City, but prior and superior to the lien on and pledge of the Net Revenues securing, in part, the payment of the currently outstanding Limited Pledge Obligations, the Certificates, and any Additional Limited Pledge Obligations hereafter issued by the City; and

D. Additional Limited Pledge Obligations secured by a lien on and pledge of a limited amount of the Net Revenues in accordance with the provisions of the following paragraph.

Additional Prior Lien Obligations, Junior Lien Obligations, or Subordinate Lien Obligations, if issued, may be payable, in whole or in part, from Net Revenues (without impairment of the obligation of contract with the holders of the currently outstanding Limited Pledge Obligations and the Certificates) upon such terms and conditions as the City Council may determine. Additional Limited Pledge Obligations, if issued and payable, in whole or in part, from Pledged Revenues (defined in the same or similar terms as provided in Section 9 of this Ordinance or in the ordinances authorizing the issuance of the currently outstanding Limited Pledge Obligations), shall not in any event be construed to be payable from the Pledged Revenues authorized by this Ordinance, or in the respective ordinances authorizing the issuance of the currently outstanding Limited Pledge Obligations to be budgeted and appropriated for the payment of the Certificates or in the respective ordinances authorizing the issuance of the currently outstanding Limited Pledge Obligations. However, the lien on and pledge of the limited amount of Net Revenues securing, in part, the payment of the Certificates, the Limited Pledge Obligations, and any Additional Limited Pledge Obligations shall be subordinate and inferior to the pledge of and lien on the Net Revenues securing the payment of any Prior Lien Obligations, Junior Lien Obligations, or Subordinate Lien Obligations hereafter issued by the City.

SECTION 21. Special Covenants. The City hereby further covenants that:

A. it has the lawful power to pledge the Pledged Revenues supporting the Certificates and has lawfully exercised said powers under the laws of the State of Texas, including power existing under Chapter 1502, as amended, Texas Government Code, the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code, Section 271.041 through Section 271.064, and the City's Home Rule Charter;

B. other than for the payment of the Certificates, the Net Revenues of the System have not in any manner been pledged to the payment of any debt or obligation of the City or of the System;

C. as long as any Certificates or any interest thereon remain Outstanding, the City will not sell, lease or encumber (except in the manner provided in Section 20 of this Ordinance) the System or any substantial part thereof, provided that this covenant shall not be construed to prohibit the sale of such machinery, or other properties or equipment which has become obsolete or otherwise unsuited to the efficient operation of the System;

D. to the extent that it legally may, the City further covenants and agrees that, so long as any of the Certificates, or any interest thereon, are Outstanding, no franchise shall be granted for the installation or operation of any competing utility systems other than those owned by the City, and the operation of any such systems by anyone other than the City is hereby prohibited; and

E. no free service of the System shall be allowed, and should the City or any of its agents or instrumentalities make use of the services and facilities of the System, payment of the reasonable value thereof shall be made by the City out of funds from sources other than the revenues and income of the System.

SECTION 22. Application of the Covenants and Agreements of any Additional Prior Lien Obligations, Junior Lien Obligations, Subordinate Lien Obligations or Additional Limited Pledge Obligations. It is the intention of the City Council and accordingly hereby recognized and stipulated that the provisions, agreements, and covenants contained herein bearing upon the management and operations of the System, and the administration and application of Gross Revenues derived from the operation thereof, shall to the extent possible be harmonized with like provisions, agreements, and covenants contained in the ordinances authorizing the issuance of the currently outstanding Prior Lien Obligations, any Additional Prior Lien Obligations, Junior Lien Obligations, or Subordinate Lien Obligations hereafter issued by the City, and to the extent of any irreconcilable conflict between the provisions contained herein and in the ordinances authorizing the issuance of the currently outstanding Prior Lien Obligations, any Prior Lien Obligations, Junior Lien Obligations, or Subordinate Lien Obligations, the provisions, agreements and covenants contained therein shall prevail to the extent of such conflict and be applicable to this Ordinance, especially the priority of rights and benefits conferred thereby to the holders of any Prior Lien Obligations, Junior Lien Obligations, or Subordinate Lien Obligations hereafter issued by the City. It is expressly recognized that prior to the issuance of the currently outstanding Prior Lien Obligations, any Additional Prior Lien Obligations, Junior Lien Obligations, Subordinate Lien Obligations, or Additional Limited Pledge Obligations, the City must comply with each of the conditions precedent contained in the respective ordinances authorizing the issuance of the currently outstanding Prior Lien Obligations and Limited Pledge Obligations, and the Certificates, as appropriate.

SECTION 23. Notices to Holders – Waiver. Wherever this Ordinance provides for notice to Holders of any event, such notice shall be sufficiently given (unless otherwise herein expressly provided) if in writing and sent by United States mail, first-class postage prepaid, to the address of each Holder as it appears in the Security Register at the close of business on the business day next preceding the mailing of such notice.

In any case where notice to Holders is given by mail, neither the failure to mail such notice to any particular Holders, nor any defect in any notice so mailed, shall affect the sufficiency of such notice with respect to all other Holders. Where this Ordinance provides for notice in any manner, such notice may be waived in writing by the Holder entitled to receive such notice, either before or after the event with respect to which such notice is given, and such waiver shall be the equivalent of such notice. Waivers of notice by Holders shall be filed with the Paying Agent/Registrar, but such filing shall not be a condition precedent to the validity of any action taken in reliance upon such waiver.

SECTION 24. Cancellation. All Certificates surrendered for payment, redemption, transfer, exchange, or replacement, if surrendered to the Paying Agent/Registrar, shall be promptly cancelled by it and, if surrendered to the City, shall be delivered to the Paying Agent/Registrar and, if not already cancelled, shall be promptly cancelled by the Paying Agent/Registrar. The City may at any time deliver to the Paying Agent/Registrar for cancellation any Certificates previously certified or registered and delivered which the City may have acquired in any manner whatsoever, and all Certificates so delivered shall be promptly cancelled by the Paying Agent/Registrar. All cancelled Certificates held by the Paying Agent/Registrar shall be destroyed as directed by the City.

SECTION 25. Mutilated, Destroyed, Lost, and Stolen Certificates. If (1) any mutilated Certificate is surrendered to the Paying Agent/Registrar, or the City and the Paying Agent/Registrar receive evidence to their satisfaction of the destruction, loss, or theft of any Certificate, and (2) there is delivered to the City and the Paying Agent/Registrar such security or indemnity as may be required to save each of them harmless, then, in the absence of notice to the City or the Paying Agent/Registrar that such Certificate has been acquired by a bona fide purchaser, the City shall execute and, upon its request, the Paying Agent/Registrar shall register and deliver, in exchange for or in lieu of any such mutilated, destroyed, lost, or stolen Certificate, a new Certificate of the same Stated Maturity and interest rate and of like tenor and principal amount, bearing a number not contemporaneously Outstanding.

In case any such mutilated, destroyed, lost, or stolen Certificate has become or is about to become due and payable, the City in its discretion may, instead of issuing a new Certificate, pay such Certificate.

Upon the issuance of any new Certificate or payment in lieu thereof, under this Section, the City may require payment by the Holder of a sum sufficient to cover any tax or other governmental charge imposed in relation thereto and any other expenses and charges (including attorney's fees and the fees and expenses of the Paying Agent/Registrar) connected therewith.

Every new Certificate issued pursuant to this Section in lieu of any mutilated, destroyed, lost, or stolen Certificate shall constitute a replacement of the prior obligation of the City, whether or not the mutilated, destroyed, lost, or stolen Certificate shall be at any time enforceable by anyone, and shall be entitled to all the benefits of this Ordinance equally and ratably with all other Outstanding Certificates.

The provisions of this Section are exclusive and shall preclude (to the extent lawful) all other rights and remedies with respect to the replacement and payment of mutilated, destroyed, lost, or stolen Certificates.

SECTION 26. Sale of Certificates at Competitive Sale: Approval of Official Statement: Proceeds of Sale. The Certificates authorized by this Ordinance are hereby sold by the City to _____, _____, _____, as the authorized representative of a group of underwriters at a competitive sale (the *Purchasers,* having all the rights, benefits, and obligations of a Holder), in accordance with the provisions of an Official Bid Form (the *Official Bid Form*), dated August 6, 2024, attached hereto as Exhibit B and incorporated herein by reference as a part of this Ordinance for all purposes, at the price of par, plus a [net] reoffering premium of $_____ (including the Purchasers' compensation of $_____), and no accrued interest and is hereby approved and confirmed. The

Initial Certificate shall be registered in the name of _____. It is hereby officially found, determined, and declared that the Purchasers are the highest bidder for the Certificates whose bid, received as a result of invitations for competitive bids in compliance with applicable law, produced the lowest true interest cost to the City. The pricing and terms of the sale of the Certificates are hereby found and determined to be the most advantageous reasonably obtainable by the City. Any Authorized Official is hereby authorized and directed to execute the Official Bid Form for and on behalf of the City and as the act and deed of this City Council, and in regard to the approval and execution of the Official Bid Form, the City Council hereby finds, determines and declares that the representations, warranties, and agreements of the City contained in the Official Bid Form are true and correct in all material respects and shall be honored and performed by the City. Delivery of the Certificates to the Purchasers shall occur as soon as practicable after the adoption of this Ordinance, upon payment therefor in accordance with the terms of the Official Bid Form.

Proceeds from the sale of the Certificates shall be applied as follows:

(1) Accrued interest, if any, shall be deposited into the Certificate Fund.

(2) The City received an original issue reoffering premium from the sale of the Certificates of $_____, which is hereby allocated by the City in the following manner: (1) $_____ to pay the Purchasers' compensation, (2) $_____ shall be deposited into the Certificate Fund as the contingency amount, (3) $_____ shall be deposited into the Construction Fund, and (4) $_____ to pay the remaining costs of issuance.

(3) The balance of the proceeds derived from the sale of the Certificates (after paying costs of issuance) shall be deposited into the special construction account or accounts created for the projects to be constructed with the proceeds of the Certificates and used to pay costs of such projects. This special construction account shall be established and maintained at the Depository and shall be invested in accordance with the provisions of Section 10 of this Ordinance. Interest earned on the proceeds of the Certificates pending completion of construction of the projects financed with such proceeds shall be accounted for, maintained, deposited, and expended as permitted by the provisions of Chapter 1201, as amended, Texas Government Code, or as required by any other applicable law. Thereafter, such amounts shall be expended in accordance with Section 14 of this Ordinance.

Furthermore, the City hereby ratifies, confirms, and approves in all respects (i) the City's prior determination that the Preliminary Official Statement was, as of its date, "deemed final" in accordance with SEC Rule 15c12-12, as amended (the *Rule*) and (ii) the use and distribution of the Official Notice of Sale, Official Bid Form, and Preliminary Official Statement by the Purchasers in connection with the public offering and sale of the Certificates. The final Official Statement, being a modification and amendment of the Preliminary Official Statement to reflect the terms of sale referenced in the Official Bid Form (together with such changes approved by any Authorized Official, any one or more of said officials), shall be and is hereby in all respects approved and the Purchasers are hereby authorized to use and distribute the final Official Statement, dated August 6, 2024, in the reoffering, sale and delivery of the Certificates to the public. The Mayor and City Secretary are further authorized and directed to manually execute and deliver for and on behalf of the City copies of the Official Statement in final form as may be required by the Purchasers, and such final Official Statement in the form and content manually executed by said officials shall be deemed to be approved by the City Council and constitute the Official Statement authorized for distribution and use by the Purchasers. The proper officials of the City are hereby authorized to execute and deliver a certificate pertaining to such Official Statement as prescribed therein, dated as of the date of payment for and delivery of the Certificates.

SECTION 27. Covenants to Maintain Tax-Exempt Status.

A. Definitions. When used in this Section, the following terms have the following meanings:

"Closing Date" means the date on which the Certificates are first authenticated and delivered to the initial purchasers against payment therefor.

"Code" means the Internal Revenue Code of 1986, as amended by all legislation, if any, effective on or before the Closing Date.

"Computation Date" has the meaning set forth in Section 1.148-1(b) of the Regulations.

"Gross Proceeds" means any proceeds as defined in Section 1.148-1(b) of the Regulations, and any replacement proceeds as defined in Section 1.148-1(c) of the Regulations, of the Certificates.

"Investment" has the meaning set forth in Section 1.148-1(b) of the Regulations.

"Nonpurpose Investment" means any investment property, as defined in section 148(b) of the Code, in which Gross Proceeds of the Certificates are invested and which is not acquired to carry out the governmental purposes of the Certificates.

"Rebate Amount" has the meaning set forth in Section 1.148-1(b) of the Regulations.

"Regulations" means any proposed, temporary, or final Income Tax Regulations issued pursuant to sections 103 and 141 through 150 of the Code, and 103 of the Internal Revenue Code of 1954, which are applicable to the Certificates. Any reference to any specific Regulation shall also mean, as appropriate, any proposed, temporary or final Income Tax Regulation designed to supplement, amend or replace the specific Regulation referenced.

"Yield" of

(1) any Investment has the meaning set forth in Section 1.148-5 of the Regulations; and

(2) the Certificates means the combined yield of the Certificates and Bonds, treated as a single issue within the meaning set forth in Section 1.148-4 of the Regulations.

B. Not to Cause Interest to Become Taxable. The City shall not use, permit the use of, or omit to use Gross Proceeds or any other amounts (or any property the acquisition, construction or improvement of which is to be financed or refinanced directly or indirectly with Gross Proceeds) in a manner which if made or omitted, respectively, would cause the interest on any Certificate to become includable in the gross income, as defined in section 61 of the Code, of the owner thereof for federal income tax purposes. Without limiting the generality of the foregoing, unless and until the City receives a written opinion of counsel nationally recognized in the field of municipal bond law to the effect that failure to comply with such covenant will not adversely affect the exemption from federal income tax of the interest on any Certificate, the City shall comply with each of the specific covenants in this Section.

C. No Private Use or Private Payments. Except to the extent it will not cause the Certificates to become "private activity bonds" within the meaning of section 141 of the Code and the Regulations and rulings thereunder, the City shall at all times prior to the last Stated Maturity of Certificates:

(1) exclusively own, operate and possess all property the acquisition, construction or improvement of which is to be financed or refinanced directly or indirectly with Gross Proceeds of the Certificates, and not use or permit the use of such Gross Proceeds (including all contractual arrangements with terms different than those applicable to the general public) or any property acquired, constructed or improved with such Gross Proceeds in any activity carried on by any person or entity (including the United States or any agency, department and instrumentality thereof) other than a state or local government, unless such use is solely as a member of the general public; and

(2) not directly or indirectly impose or accept any charge or other payment by any person or entity who is treated as using Gross Proceeds of the Certificates or any property the acquisition, construction or improvement of which is to be financed or refinanced directly or indirectly with such Gross Proceeds, other than taxes of general application within the City or interest earned on investments acquired with such Gross Proceeds pending application for their intended purposes.

D. No Private Loan. Except to the extent it will not cause the Certificates to become "private activity bonds" within the meaning of section 141 of the Code and the Regulations and rulings thereunder, the City shall not use Gross Proceeds of the Certificates to make or finance loans to any person or entity other than a state or local government. For purposes of the foregoing covenant, such Gross Proceeds are considered to be "loaned" to a person or entity if- (1) property acquired, constructed or improved with such Gross Proceeds is sold or leased to such person or entity in a transaction which creates a debt for federal income tax purposes; (2) capacity in or service from such property is committed to such person or entity under a take-or-pay, output or similar contract or arrangement; or (3) indirect benefits, or burdens and benefits of ownership, of such Gross Proceeds or any property acquired, constructed or improved with such Gross Proceeds are otherwise transferred in a transaction which is the economic equivalent of a loan.

E. Not to Invest at Higher Yield. Except to the extent it will not cause the Certificates to become "arbitrage bonds" within the meaning of section 148 of the Code and the Regulations and rulings thereunder, the City shall not at any time prior to the final Stated Maturity of the Certificates directly or indirectly invest Gross Proceeds in any Investment, if as a result of such investment the Yield of any Investment acquired with Gross Proceeds, whether then held or previously disposed of, materially exceeds the Yield of the Certificates.

F. Not Federally Guaranteed. Except to the extent permitted by section 149(b) of the Code and the Regulations and rulings thereunder, the City shall not take or omit to take any action which would cause the Certificates to be federally guaranteed within the meaning of section 149(b) of the Code and the Regulations and rulings thereunder.

G. Information Report. The City shall timely file the information required by section 149(e) of the Code with the Secretary of the Treasury on Form 8038-G or such other form and in such place as the Secretary may prescribe.

H. Rebate of Arbitrage Profits. Except to the extent otherwise provided in section 148(f) of the Code and the Regulations and rulings thereunder:

(1) The City shall account for all Gross Proceeds (including all receipts, expenditures and investments thereof) on its books of account separately and apart from all other funds (and receipts, expenditures and investments thereof) and shall retain all records of accounting for at least six years after the day on which the last Outstanding Certificate is discharged. However, to the extent permitted by law, the City may commingle Gross Proceeds of the Certificates with other money of the City, provided that the City separately accounts for each receipt and expenditure of Gross Proceeds and the obligations acquired therewith.

(2) Not less frequently than each Computation Date, the City shall calculate the Rebate Amount in accordance with rules set forth in section 148(f) of the Code and the Regulations and rulings thereunder. The City shall maintain such calculations with its official transcript of proceedings relating to the issuance of the Certificates until six years after the final Computation Date.

(3) As additional consideration for the purchase of the Certificates by the Purchasers and the loan of the money represented thereby and in order to induce such purchase by measures designed to insure the excludability of the interest thereon from the gross income of the owners thereof for federal income tax purposes, the City shall pay to the United States out of the Certificate Fund or its general fund, as permitted by applicable Texas statute, regulation or opinion of the Attorney General of the State of Texas, the amount that when added to the future value of previous rebate payments made for the Certificates equals (i) in the case of a Final Computation Date as defined in Section 1.148-3(e)(2) of the Regulations, one hundred percent (100%) of the Rebate Amount on such date; and (ii) in the case of any other Computation Date, ninety percent (90%) of the Rebate Amount on such date. In all cases, the rebate payments shall be made at the times, in the installments, to the place and in the manner as is or may be required by section 148(f) of the Code and the Regulations and rulings thereunder, and shall be accompanied by Form 8038-T or such other forms and information as is or may be required by section 148(f) of the Code and the Regulations and rulings thereunder.

(4) The City shall exercise reasonable diligence to assure that no errors are made in the calculations and payments required by paragraphs (2) and (3), and if an error

is made, to discover and promptly correct such error within a reasonable amount of time thereafter (and in all events within one hundred eighty (180) days after discovery of the error), including payment to the United States of any additional Rebate Amount owed to it, interest thereon, and any penalty imposed under Section 1.148-3(h) of the Regulations.

I. Not to Divert Arbitrage Profits. Except to the extent permitted by section 148 of the Code and the Regulations and rulings thereunder, the City shall not, at any time prior to the earlier of the Stated Maturity or final payment of the Certificates, enter into any transaction that reduces the amount required to be paid to the United States pursuant to Subsection H of this Section because such transaction results in a smaller profit or a larger loss than would have resulted if the transaction had been at arm's length and had the Yield of the Certificates not been relevant to either party.

J. Certificates Not Hedge Bonds.

(1) The City reasonably expects to spend at least 85% of the spendable proceeds of the Certificates within three years after such Certificates are issued.

(2) Not more than 50% of the proceeds of the Certificates will be invested in Nonpurpose Investments having a substantially guaranteed Yield for a period of 4 years or more.

K. Elections. The City hereby directs and authorizes any Authorized Official and Bond Counsel, either individually or any combination of them, to make elections permitted or required pursuant to the provisions of the Code or the Regulations, as they deem necessary or appropriate in connection with the Certificates, in the Certificate as to Tax Exemption or similar or other appropriate certificate, form or document. Such elections shall be deemed to be made on the Closing Date.

SECTION 28. Control and Custody of Certificates. The Mayor of the City shall be and is hereby authorized to take and have charge of all necessary orders and records pending investigation by the Attorney General of the State of Texas and shall take and have charge and control of the Certificates pending their approval by the Attorney General of the State of Texas, the registration thereof by the Comptroller of Public Accounts of the State of Texas and the delivery of the Certificates to the Purchasers.

Furthermore, any Authorized Official, either individually or any combination of them, is hereby authorized and directed to furnish and execute such documents relating to the City and its financial affairs as may be necessary for the issuance of the Certificates, the approval of the Attorney General of the State of Texas and their registration by the Comptroller of Public Accounts of the State of Texas and, together with the City's financial advisors, Bond Counsel, and the Paying Agent/Registrar, make the necessary arrangements for the delivery of the Initial Certificate to the Purchasers and, when requested in writing by the Purchasers, the initial exchange thereof for definitive Certificates.

SECTION 29. Satisfaction of Obligation of City. If the City shall pay or cause to be paid, or there shall otherwise be paid to the Holders, the principal of, premium, if any, and interest on the Certificates, at the times and in the manner stipulated in this Ordinance, then the pledge of taxes levied and the lien on and pledge of the Pledged Revenues under this Ordinance and all covenants, agreements, and other obligations of the City to the Holders shall thereupon cease, terminate, and be discharged and satisfied.

Certificates, or any principal amount(s) thereof, shall be deemed to have been paid within the meaning and with the effect expressed above in this Section when (i) money sufficient to pay in full such Certificates or the principal amount(s) thereof at Stated Maturity or to the redemption date therefor, together with all interest due thereon, shall have been irrevocably deposited with and held in trust by the Paying Agent/Registrar, or an authorized escrow agent, and/or (ii) Government Securities shall have been irrevocably deposited in trust with the Paying Agent/Registrar, or an authorized escrow agent, which Government Securities will mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money, together with any money deposited therewith, if any, to pay when due the principal of and interest on such Certificates, or the principal amount(s) thereof, on and prior to the Stated Maturity thereof or (if notice of redemption has been duly given or waived or if irrevocable arrangements therefor acceptable to the Paying Agent/Registrar have been made) the redemption date thereof for the Certificates. In the event of a defeasance of the Certificates, the City shall deliver a certificate from its financial advisor, the Paying Agent/Registrar, an independent accounting firm, or another qualified third party concerning the deposit of cash and/or Government Securities to pay, when due, the principal of, redemption premium (if any), and interest due on any defeased Certificate. To the extent applicable, if at all, the City covenants that no deposit of money or Government Securities will be made under this Section and no use made of any such deposit which would cause the Certificates to be treated as arbitrage bonds within the meaning of section 148 of the Code (as defined in Section 27 hereof).

Any money so deposited with the Paying Agent/Registrar, and all income from Government Securities held in trust by the Paying Agent/Registrar, or an authorized escrow agent, pursuant to this Section which is not required for the payment of the Certificates, or any principal amount(s) thereof, or interest thereon with respect to which such money has been so deposited shall be remitted to the City or deposited as directed by the City. Furthermore, any money held by the Paying Agent/Registrar for the payment of the principal of and interest on the Certificates and remaining unclaimed for a period of three (3) years after the Stated Maturity of the Certificates, or applicable redemption date of the Certificates, such money was deposited and is held in trust to pay shall upon the request of the City be remitted to the City against a written receipt therefor, subject to the unclaimed property laws of the State of Texas.

Notwithstanding any other provision of this Ordinance to the contrary, it is hereby provided that any determination not to redeem defeased Certificates that is made in conjunction with the payment arrangements specified in subsection (i) or (ii) above shall not be irrevocable, provided that: (1) in the proceedings providing for such defeasance, the City expressly reserves the right to call the defeased Certificates for redemption; (2) gives notice of the reservation of that right to the owners of the defeased Certificates immediately following the defeasance; (3) directs that notice of the reservation be included in any redemption notices that it authorizes; and (4) at the time of the redemption, satisfies the conditions of (i) or (ii) above with respect to such defeased debt as though it was being defeased at the time of the exercise of the option to redeem the defeased Certificates, after taking the redemption into account in determining the sufficiency of the provisions made for the payment of the defeased Certificates.

SECTION 30. Printed Opinion. The Purchasers' obligation to accept delivery of the Certificates is subject to their being furnished a final opinion of Norton Rose Fulbright US LLP, Austin, Texas, as Bond Counsel, approving certain legal matters as to the Certificates, this opinion to be dated and delivered as of the date of initial delivery and payment for such Certificates. Printing of a true and correct copy of this opinion on the reverse side of each of the Certificates, with appropriate certificate pertaining thereto executed by facsimile signature of the City Secretary of the City is hereby approved and authorized.

SECTION 31. CUSIP Numbers. CUSIP numbers may be printed or typed on the definitive Certificates. It is expressly provided, however, that the presence or absence of CUSIP numbers on the definitive Certificates shall be of no significance or effect as regards the legality thereof, and neither the City nor Bond Counsel are to be held responsible for CUSIP numbers incorrectly printed or typed on the definitive Certificates.

SECTION 32. Effect of Headings. The Section headings herein are for convenience only and shall not affect the construction hereof.

SECTION 33. Ordinance a Contract, Amendments - Outstanding Certificates. The City acknowledges that the covenants and obligations of the City herein contained are a material inducement to the purchase of the Certificates. This Ordinance shall constitute a contract with the Holders from time to time, binding on the City and its successors and assigns, and it shall not be amended or repealed by the City so long as any Certificate remains Outstanding except as permitted in this Section. The City may, without the consent of or notice to any Holders, from time to time and at any time, amend this Ordinance in any manner not detrimental to the interests of the Holders, including the curing of any ambiguity, inconsistency, or formal defect or omission herein. In addition, the City may, with the written consent of Holders holding a majority in aggregate principal amount of the Certificates then Outstanding affected thereby, amend, add to, or rescind any of the provisions of this Ordinance; provided, however, that, without the consent of all Holders of Outstanding Certificates, no such amendment, addition, or rescission shall (1) extend the time or times of payment of the principal of and interest on the Certificates, reduce the principal amount thereof, the redemption price therefor, or the rate of interest thereon, or in any other way modify the terms of payment of the principal of, premium, if any, or interest on the Certificates, (2) give any preference to any Certificate over any other Certificate, or (3) reduce the aggregate principal amount of Certificates required for consent to any such amendment, addition, or rescission.

SECTION 34. Benefits of Ordinance. Nothing in this Ordinance, expressed or implied, is intended or shall be construed to confer upon any person other than the City, Bond Counsel, Paying Agent/Registrar, and the Holders, any right, remedy, or claim, legal or equitable, under or by reason of this Ordinance or any provision hereof, this Ordinance and all its provisions being intended to be and being for the sole and exclusive benefit of the City, Bond Counsel, Paying Agent/Registrar, and the Holders.

SECTION 35. Inconsistent Provisions. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordained herein.

SECTION 36. Governing Law. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 37. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 38. Construction of Terms. If appropriate in the context of this Ordinance, words of the singular number shall be considered to include the plural, words of the plural number shall be considered to include the singular, and words of the masculine, feminine or neuter gender shall be considered to include the other genders.

SECTION 39. Incorporation of Preamble Recitals. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council of the City.

SECTION 40. Authorization of Paying Agent/Registrar Agreement. The City Council of the City hereby finds and determines that it is in the best interest of the City to authorize the execution of a Paying Agent/Registrar Agreement concerning the payment, exchange, registration, and transferability of the Certificates. A copy of the Paying Agent/Registrar Agreement is attached hereto, in substantially final form, as Exhibit A and is incorporated by reference to the provisions of this Ordinance.

SECTION 41. Public Meeting. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 42. Unavailability of Authorized Publication. If, because of the temporary or permanent suspension of any newspaper, journal, or other publication, or, for any reason, publication of notice cannot be made meeting any requirements herein established, any notice required to be published by the provisions of this Ordinance shall be given in such other manner and at such time or times as in the judgment of the City or of the Paying Agent/Registrar shall most effectively approximate such required publication and the giving of such notice in such manner shall for all purposes of this Ordinance be deemed to be in compliance with the requirements for publication thereof.

SECTION 43. No Recourse Against City Officials. No recourse shall be had for the payment of principal of, premium, if any, or interest on any Certificate or for any claim based thereon or on this Ordinance against any official of the City or any person executing any Certificate.

SECTION 44. Continuing Disclosure Undertaking.

A. Definitions.

As used in this Section, the following terms have the meanings ascribed to such terms below:

EMMA means the MSRB's Electronic Municipal Market Access system, accessible by the general public, without charge, on the internet through the uniform resource locator (URL) http://www.emma.msrb.org.

Financial Obligation means a (a) debt obligation; (b) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (c) guarantee of a debt obligation or any such derivative instrument; provided that "financial obligation" shall not include municipal securities (as defined in the Securities Exchange Act of 1934, as amended) as to which a final official statement (as defined in the Rule) has been provided to the MSRB consistent with the Rule

MSRB means the Municipal Securities Rulemaking Board.

Rule means SEC Rule 15c2-12, as amended from time to time.

SEC means the United States Securities and Exchange Commission.

Undertaking means the City's continuing disclosure undertaking, described in Paragraphs B through F below, hereunder accepted and entered into by the City for the purpose of compliance with the Rule.

B. Annual Reports.

The City shall file annually with the MSRB, (1) within six months after the end of each fiscal year of the City ending in or after 2024, financial information and operating data with respect to the City of the general type included in the final Official Statement authorized by Section 26 of this Ordinance, being the information described in Exhibit C hereto, and (2) if not provided as part of such financial information and operating data, audited financial statements of the City, when and if available. Any financial statements so to be provided shall be (i) prepared in accordance with the accounting principles described in Exhibit C hereto, or such other accounting principles as the City may be required to employ from time to time pursuant to state law or regulation, and (ii) audited, if the City commissions an audit of such financial statements and the audit is completed within the period during which they must be provided. If the audit of such financial statements is not complete within such period, then the City shall file unaudited financial statements within such period and audited financial statements for the applicable fiscal year to the MSRB, when and if the audit report on such financial statements becomes available. Under current Texas law, including, but not limited to, Chapter 103, as amended, Texas Local Government Code, the City must have its records and accounts audited annually and shall have an annual financial statement prepared based on the audit. The annual financial statement, including the auditor's opinion on the statement, shall be filed in the office of the City Secretary within 180 days after the last day of the City's fiscal year. Additionally, upon the filing of this financial statement and the annual audit, these documents are subject to the Texas Open Records Act, as amended, Texas Government Code, Chapter 552.

If the City changes its fiscal year, it will file notice of such change (and of the date of the new fiscal year end) with the MSRB prior to the next date by which the City otherwise would be required to provide financial information and operating data pursuant to this Section.

C. Notice of Certain Events.

The City shall file notice of any of the following events with respect to the Certificates to the MSRB in a timely manner and not more than 10 business days after occurrence of the event:

(1) Principal and interest payment delinquencies;

(2) Non-payment related defaults, if material;

(3) Unscheduled draws on debt service reserves reflecting financial difficulties;

(4) Unscheduled draws on credit enhancements reflecting financial difficulties;

(5) Substitution of credit or liquidity providers, or their failure to perform;

(6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB), or other material notices or determinations with respect to the tax status of the Certificates, or other material events affecting the tax status of the Certificates;

(7) Modifications to rights of holders of the Certificates, if material;

(8) Certificate calls, if material, and tender offers;

(9) Defeasances;

(10) Release, substitution, or sale of property securing repayment of the Certificates, if material;

(11) Rating changes;

(12) Bankruptcy, insolvency, receivership, or similar event of the City, which shall occur as described below;

(13) The consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of its assets, other than in the ordinary course of business, the entry into of a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and

(14) Appointment of a successor or additional paying agent/registrar or the change of name of a paying agent/registrar, if material.

(15) Incurrence of a Financial Obligation of the City, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the City, any of which affect security holders, if material; and

(16) Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the City, any of which reflect financial difficulties.

For these purposes, (a) any event described in the immediately preceding paragraph (12) is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent, or similar officer for the City in a proceeding under the United States Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the City, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement, or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the City, and (b) the City intends the words used in the immediately preceding paragraphs (15) and (16) and the definition of Financial Obligation in this Section to have the same meanings as when they are used in the Rule, as evidenced by SEC Release No. 34-83885, dated August 20, 2018.

The City shall file notice with the MSRB, in a timely manner, of any failure by the City to provide financial information or operating data in accordance with this Section by the time required by this Section.

D. Limitations, Disclaimers, and Amendments.

The City shall be obligated to observe and perform the covenants specified in this Section for so long as, but only for so long as, the City remains an "obligated person" with respect to the

Certificates within the meaning of the Rule, except that the City in any event will give notice of any deposit that causes the Certificates to be no longer Outstanding.

The provisions of this Section are for the sole benefit of the holders and beneficial owners of the Certificates, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The City undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the City's financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly provided herein. The City does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Certificates at any future date.

UNDER NO CIRCUMSTANCES SHALL THE CITY BE LIABLE TO THE HOLDER OR BENEFICIAL OWNER OF ANY CERTIFICATE OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE CITY, WHETHER NEGLIGENT OR WITH OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR *MANDAMUS* OR SPECIFIC PERFORMANCE.

No default by the City in observing or performing its obligations under this Section shall constitute a breach of or default under this Ordinance for purposes of any other provision of this Ordinance.

Nothing in this Section is intended or shall act to disclaim, waive, or otherwise limit the duties of the City under federal and state securities laws.

The provisions of this Section may be amended by the City from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the City, but only if (1) the provisions of this Section, as so amended, would have permitted an underwriter to purchase or sell Certificates in the primary offering of the Certificates in compliance with the Rule, taking into account any amendments or interpretations of the Rule to the date of such amendment, as well as such changed circumstances, and (2) either (a) the holders of a majority in aggregate principal amount (or any greater amount required by any other provision of this Ordinance that authorizes such an amendment) of the Outstanding Certificates consent to such amendment or (b) a person that is unaffiliated with the City (such as nationally recognized bond counsel) determines that such amendment will not materially impair the interests of the holders and beneficial owners of the Certificates. The City may also repeal or amend the provisions of this Section if the SEC amends or repeals the applicable provisions of the Rule or any court of final jurisdiction enters judgment that such provisions of the Rule are invalid, and the City also may amend the provisions of this Section in its discretion in any other manner or circumstance, but in either case only if and to the extent that the provisions of this sentence would not have prevented an underwriter from lawfully purchasing or selling Certificates in the primary offering of the Certificates, giving effect to (a) such provisions as so amended and (b) any amendments or interpretations of the Rule. If the City so amends the provisions of this Section, the City shall include with any amended financial information or operating data next provided in accordance with this Section an explanation, in narrative form, of the reasons for the amendment and of the impact of any change in the type of financial information or operating data so provided.

E. Information Format – Incorporation by Reference.

The City information required under this Section shall be filed with the MSRB through EMMA in such format and accompanied by such identifying information as may be specified from time to time thereby. Under the current rules of the MSRB, continuing disclosure documents submitted to EMMA must be in word-searchable portable document format (PDF) files that permit the document to be saved, viewed, printed, and retransmitted by electronic means and the series of obligations to which such continuing disclosure documents relate must be identified by CUSIP number or numbers.

Financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document (including an official statement or other offering document) available to the public through EMMA or filed with the SEC.

F. General Policies and Procedures Concerning Compliance with the Rule.

Because the issuance of the Certificates is subject to the provisions of the Rule and because the potential "underwriters" in a negotiated sale of the Certificates or the initial purchasers in a competitive sale of the Certificates may be subject to MSRB rules and regulations with respect to such sale (including certain due diligence and suitability requirements, among others), the City hereby adopts the General Policies and Procedures Concerning Compliance with the Rule (the "Policies and Procedures"), attached hereto as Exhibit E, with which the City shall follow to assure compliance with the Undertaking. The City has developed these Policies and Procedures for the purpose of meeting its requirements of the Undertaking and, in connection therewith, has sought the guidance from its internal staff charged with administering the City's financial affairs, its municipal or financial advisors, its legal counsel (including its Bond Counsel), and its independent accountants (to the extent determined to be necessary or advisable). The Policies and Procedures can be amended at the sole discretion of the City and any such amendment will not be deemed to be an amendment to the Undertaking. Each Authorized Official is hereby authorized to amend the Policies and Procedures as a result of a change in law, a future issuance of indebtedness subject to the Rule, or another purpose determined by the Authorized Official to be necessary or desirable for or with respect to future compliance with the Undertaking.

SECTION 45. Book-Entry Only System.

The Certificates shall initially be registered so as to participate in a securities depository system (the *DTC System*) with the Depository Trust Company, New York, New York, or any successor entity thereto (*DTC*), as set forth herein. Each Stated Maturity of the Certificates shall be issued (following cancellation of the Initial Certificates described in Section 7) in the form of a single definitive Certificate. Upon issuance, the ownership of each such Certificate shall be registered in the name of Cede & Co., as the nominee of DTC, and all of the Outstanding Certificates shall be registered in the name of Cede & Co., as the nominee of DTC. The City and the Paying Agent/Registrar are authorized to execute, deliver, and take the actions set forth in such letters to or agreements with DTC as shall be necessary to effectuate the DTC System, including the Letter of Representations attached hereto as Exhibit D (the *Representation Letter*).

With respect to the Certificates registered in the name of Cede & Co., as nominee of DTC, the City and the Paying Agent/Registrar shall have no responsibility or obligation to any broker-dealer, bank, or other financial institution for which DTC holds the Certificates from time to time as securities depository (a *Depository Participant*) or to any person on behalf of whom such a Depository Participant holds an interest in the Certificates (an *Indirect Participant*). Without limiting the immediately preceding sentence, the City and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co., or any Depository Participant with respect to any ownership interest in the Certificates, (ii) the delivery to any Depository Participant or any other person, other than a registered owner of the Certificates, as shown on the Security Register, of any notice with respect to the Certificates, including any notice of redemption, or (iii) the delivery to any Depository Participant or any Indirect Participant or any other Person, other than a Holder of a Certificate, of any amount with respect to principal of, premium, if any, or interest on the Certificates. While in the DTC System, no person other than Cede & Co., or any successor thereto, as nominee for DTC, shall receive a bond certificate evidencing the obligation of the City to make payments of principal, premium, if any, and interest pursuant to this Ordinance. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Ordinance with respect to interest checks or drafts being mailed to the Holder, the word "Cede & Co." in this Ordinance shall refer to such new nominee of DTC.

In the event that (a) the City determines that DTC is incapable of discharging its responsibilities described herein and in the Representation Letter, (b) the Representation Letter shall be terminated for any reason, or (c) DTC or the City determines that it is in the best interest of the beneficial owners of the Certificates that they be able to obtain certificated Certificates, the City shall notify the Paying Agent/Registrar, DTC, and the Depository Participants of the availability within a reasonable period of time through DTC of bond certificates, and the Certificates shall no longer be restricted to being registered in the name of Cede & Co., as nominee of DTC. At that time, the City may determine that the Certificates shall be registered in the name of and deposited with a successor depository operating a securities depository system, as may be acceptable to the City, or such depository's agent or designee, and if the City and the Paying Agent/Registrar do not select such alternate securities depository system then the Certificates may be registered in whatever name or names the Holders of Certificates transferring or exchanging the Certificates shall designate, in accordance with the provisions hereof.

Notwithstanding any other provision of this Ordinance to the contrary, so long as any Certificate is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of, premium, if any, and interest on such Certificate and all notices with respect to such Certificate shall be made and given, respectively, in the manner provided in the Representation Letter.

SECTION 46. Further Procedures. The officers and employees of the City are hereby authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and under the corporate seal and on behalf of the City all such instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the initial sale and delivery of the Certificates, the Official Bid Form, the Paying Agent/Registrar Agreement, and the Official Statement. In addition, prior to the initial delivery of the Certificates, any Authorized Official and Bond Counsel are hereby authorized and directed to approve any technical changes or corrections to this Ordinance or to any of the instruments authorized and approved by this Ordinance and as described in the Official Statement necessary in order to (i) correct any ambiguity or mistake or properly or more completely document the transactions contemplated and approved by this Ordinance, (ii) obtain a rating from any of the national bond rating agencies, or (iii) obtain the approval of the Certificates by the Texas Attorney General's office. In case any officer of the City whose signature shall appear on any certificate shall cease to be such officer before the delivery of such certificate, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

SECTION 47. Contracts with Financial Advisor. The City Council authorizes any Authorized Official, or their designees, to take all actions necessary to execute any necessary financial advisory contracts with Specialized Public Finance Inc., as the financial advisor to the City (the *Financial Advisor*). The City understands that under applicable federal securities laws and regulations that the City must have a contractual arrangement with its Financial Advisor relating to the sale, issuance, and delivery of the Certificates.

SECTION 48. City's Consent to Provide Information and Documentation to the Texas MAC. The Municipal Advisory Council of Texas (the *Texas MAC*), a non-profit membership corporation organized exclusively for non-profit purposes described in section 501(c)(6) of the Internal Revenue Code and which serves as a comprehensive financial information repository regarding municipal debt issuers in Texas, requires provision of written documentation regarding the issuance of municipal debt by the issuers thereof. In support of the purpose of the Texas MAC and in compliance with applicable law, the City hereby consents to and authorizes any Authorized Official, Bond Counsel to the City, and/or Financial Advisor to the City to provide to the Texas MAC information and documentation requested by the Texas MAC relating to the Certificates; provided, however, that no such information and documentation shall be provided prior to the Closing Date. This consent and authorization relates only to information and documentation that is a part of the public record concerning the issuance of the Certificates.

SECTION 49. Effective Date. Pursuant to the provisions of Section 1201.028, as amended, Texas Government Code, this Ordinance shall be effective immediately upon adoption, notwithstanding any provision in the City's Home Rule Charter to the contrary concerning a multiple reading requirement for the adoption of ordinances.

[The remainder of this page intentionally left blank.]

PASSED, APPROVED, AND ADOPTED on the 6th day of August, 2024.

CITY OF FREDERICKSBURG, TEXAS

____
Mayor

ATTEST:

____
City Secretary

(CITY SEAL)

APPROVED AS TO FORM:

____
City Attorney

INDEX TO EXHIBITS

EXHIBIT A

PAYING AGENT/REGISTRAR AGREEMENT

See Tab No. __

EXHIBIT B

OFFICIAL BID FORM

See Tab No. __

EXHIBIT C

DESCRIPTION OF ANNUAL FINANCIAL INFORMATION

The following information is referred to in Section 44 of this Ordinance.

Annual Financial Statements and Operating Data

The financial information and operating data with respect to the City to be provided annually in accordance with such Section are as specified (and included in the Appendix or under the headings of the Official Statement referred to) below:

(1) The City's audited financial statements for the most recently concluded fiscal year or to the extent these audited financial statements are not available, the portions of the unaudited financial statements of the City attached to the Official Statement as Appendix B, but for the most recently concluded fiscal year.

(2) The quantitative financial information and operating data of the City of the general type in the Official Statement under Tables 1 through 5 and 7 through 9.

Accounting Principles

The accounting principles referred to in such Section are generally accepted accounting principles for governmental units as prescribed by the Government Accounting Standards Board from time to time.

EXHIBIT D

DTC LETTER OF REPRESENTATIONS

SEE TAB NO. __

EXHIBIT E

GENERAL POLICIES AND PROCEDURES
CONCERNING COMPLIANCE WITH THE RULE

I. Capitalized terms used in this Exhibit have the meanings ascribed thereto in Section 44 of the Ordinance. "Certificates" refer to the Certificates that are the subject of the Ordinance to which this Exhibit is attached.

II. As a capital markets participant, the City is aware of its continuing disclosure requirements and obligations existing under the Rule prior to February 27, 2019, the effective date of the most recent amendment to the Rule (the "Effective Date"), and has implemented and maintained internal policies, processes, and procedures to ensure compliance therewith. Adherence to these internal policies, processes, and procedures has enabled underwriters in non-exempt negotiated sales and initial purchasers in non-exempt competitive sales to comply with their obligations arising under various MSRB rules and regulations concerning due diligence and findings of suitability, among other matters, regarding the City's compliance with the Rule.

III. The City is aware that the Rule was amended as of the Effective Date (the *Rule Amendment*) and has accommodated this amendment by adding subparagraphs (15) and (16) to Section 44C of the Ordinance, which provisions are a part of the Undertaking.

IV. The City is aware that "participating underwriters" (as such term is defined in the Rule) of the Certificates must make inquiry and reasonably believe that the City is likely to comply with the Undertaking and that the standards for determining compliance have increased over time as a result of, among others, the United States Securities and Exchange Commission's Municipalities Continuing Disclosure Cooperation Initiative and regulatory commentary relating to the effectiveness of the Rule Amendment.

V. The City now establishes the following general policies and procedures (the "Policies and Procedures") for satisfying its obligations pursuant to the Undertaking, which policies and procedures have been developed based on the City's informal policies, procedures, and processes utilized prior to the Effective Date for compliance with the City's obligations under the Rule, the advice from and discussions with the City's internal senior staff (including staff charged with administering the City's financial affairs), its municipal or financial advisors, its legal counsel (including Bond Counsel), and its independent accountants, to the extent determined to be necessary or advisable (collectively, the "Compliance Team"):

1. the City Manager of the City (the "Compliance Officer") shall be responsible for satisfying the City's obligations pursuant to the Undertaking through adherence to these Policies and Procedures;

2. the Compliance Officer shall establish reminder or "tickler" systems to identify and timely report to the MSRB, in the format thereby prescribed from time to time, the City's information of the type described in Section 44B of the Ordinance;

3. the Compliance Officer shall promptly determine the occurrence of any of the events described in Section 44C of the Ordinance;

4. the Compliance Officer shall work with external consultants of the City, as and to the extent necessary, to timely prepare and file with the MSRB the annual information of the City and notice of the occurrence of any of the events referenced in Clauses 2 and 3 above, respectively, the foregoing being required to satisfy the terms of the Undertaking;

5. the Compliance Officer shall establish a system for identifying and monitoring any Financial Obligations, whether now existing or hereafter entered into by the City, and (upon identification) determining if such Financial Obligation has the potential to materially impact the security or source of repayment of the Certificates;

6. upon identification of any Financial Obligation meeting the materiality standard identified in Clause 5 above, the Compliance Officer shall establish a process for identifying and monitoring any City agreement to covenants, events of default, remedies, priority rights, or other similar terms under such Financial Obligation;

7. the Compliance Officer shall establish a process for identifying the occurrence of any default, event of acceleration, termination event, modification of terms, or other similar events under the terms of any Financial Obligation, the occurrence of any of which reflect financial difficulties of the City; and

8. the Compliance Officer shall annually review these Policies and Procedures with the remainder of the Compliance Team, make any modifications on an internal document retained by the Compliance Officer and available to any "participating underwriter" (as defined in the Rule), if requested, and on the basis of this annual review (to the extent determined to be necessary or desirable), seek additional training for herself or himself, as well as other members of the City's internal staff identified by the Compliance Officer to assist with the City's satisfaction of the terms and provisions of the Undertaking.

CITY COUNCIL AGENDA MEMO

DEPARTMENT: Parks and Recreation
TO: Mayor & City Council Members
FROM: Andrea Schmidt, Parks and Recreation Director
MEETING DATE: August 6, 2024

CATEGORY: OTHER ACTION ITEMS AND UPDATES

CAPTION: Discussion and possible action on the Glockenspiel Conceptual Plan at Marktplatz. (Mike Zenner, Pedernales Creative Arts Alliance and Andrea Schmidt, Director of Parks & Recreation)

PRESENTATION:

SUMMARY:
The Pedernales Creative Arts Alliance (PCAA) has been working over the last several months on a plan to bring a Glockenspiel to Marktplatz. A glockenspiel is a large mechanical clock with moving figurines and bells. The Market Square Redevelopment Commission (MSRC) met with the PCAA on Monday, July 8th, and unanimously made a recommendation to support the addition of a Glockenspiel to Marktplatz. In addition, the MSRC will assist with the fundraising for this project.

BACKGROUND:
Representatives from the PCAA will be at the meeting to make a presentation on the Glockenspiel. Discussions will include location, design and height, materials and landscaping. If the conceptual plan is approved, the next step will be to present the concept to the Historic Review Board, then return to City Council for final agreement and approval of the plan.

FUNDING SOURCE: Fundraising will be done by the PCAA and MSRC. Annual maintenance will be covered by the city from the Tourism Fund.

FINANCIAL IMPACT:
To be determined.

STAFF RECOMMENDATION:
Consider approving a conceptual plan to add a Glockenspiel to Marktplatz.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:
Neighborhood Quality
Workforce
Tourism
City Center
Mobility

ATTACHMENTS:

1. Glock Tower Mission PDF
2. Glockenspiel Presentation

APPROVAL/REVIEW:

Andrea Schmidt

Date: July 10, 2024

Andrea Schmidt, Parks and Recreation Director

Krista Wareham

Date: July 12, 2024

Krista Wareham, Director of Finance

Date: July 12, 2024

William McKamie, City Attorney

Date: July 19, 2024

Leticia Vacek, City Secretary

Date: August 02, 2024

Clinton Bailey, City Manager

“The bells of a bell tower resonate with the heart of the community”.

Author Unknown

Mission and Vision for the Glockenspiel Bell Tower

Mission Statement

Pedernales Creative Arts Alliance (PCAA) is dedicated to creating, preserving, and celebrating a Glockenspiel bell tower that enriches our community’s German cultural heritage, fosters unity, and provides a gathering space for generations to come. PCAA’s mission is to honor tradition while embracing progress, ensuring that the Glockenspiel tower becomes an enduring symbol of pride and connection for the community of Fredericksburg.

Vision Statement

PCAA's vision is to build a Glockenspiel bell tower that stands as a testament to our shared history and our aspirations for the future… We envision:

1. **Cultural Legacy**: It will serve as a living testament to our past, echoing the stories of those who came before us. It will be a place where traditions are upheld, and new memories are made.
2. **Community Hub**: The Glockenspiel bell tower will be a central gathering point for residents and visitors alike. It will host concerts, ceremonies, and community events, fostering a sense of belonging and togetherness.
3. **Architectural Beauty**: PCAA envisions a structure that harmonizes with the local landscape, blending timeless design with modern functionality. It will be a beacon of elegance and grace.
4. **Educational Outreach**: We aspire to educate the community about the significance of bells, their historical context, and the art of bell ringing. The Glockenspiel bell tower will be a place of learning and appreciation.
5. **Sustainability**: Our commitment extends beyond construction. We envision a beautiful structure that stands the test of time, maintained with care and love by future generations.

Guiding Principles

1. **Inclusivity**: The Glockenspiel bell tower will be accessible to all, regardless of age, background, or ability. It will be a space where everyone feels welcome.
2. **Stewardship**: In partnership with the city, PCAA will be responsible stewards of this cultural space, ensuring its preservation and relevance for years to come.
3. **Collaboration**: We will work closely with the city, local artists, architects, historians, and community members to create a Glockenspiel bell tower that reflects our collective spirit.
4. **Inspiration**: The bell tower will inspire awe, curiosity, and a sense of wonder. It will be a source of inspiration for generations.

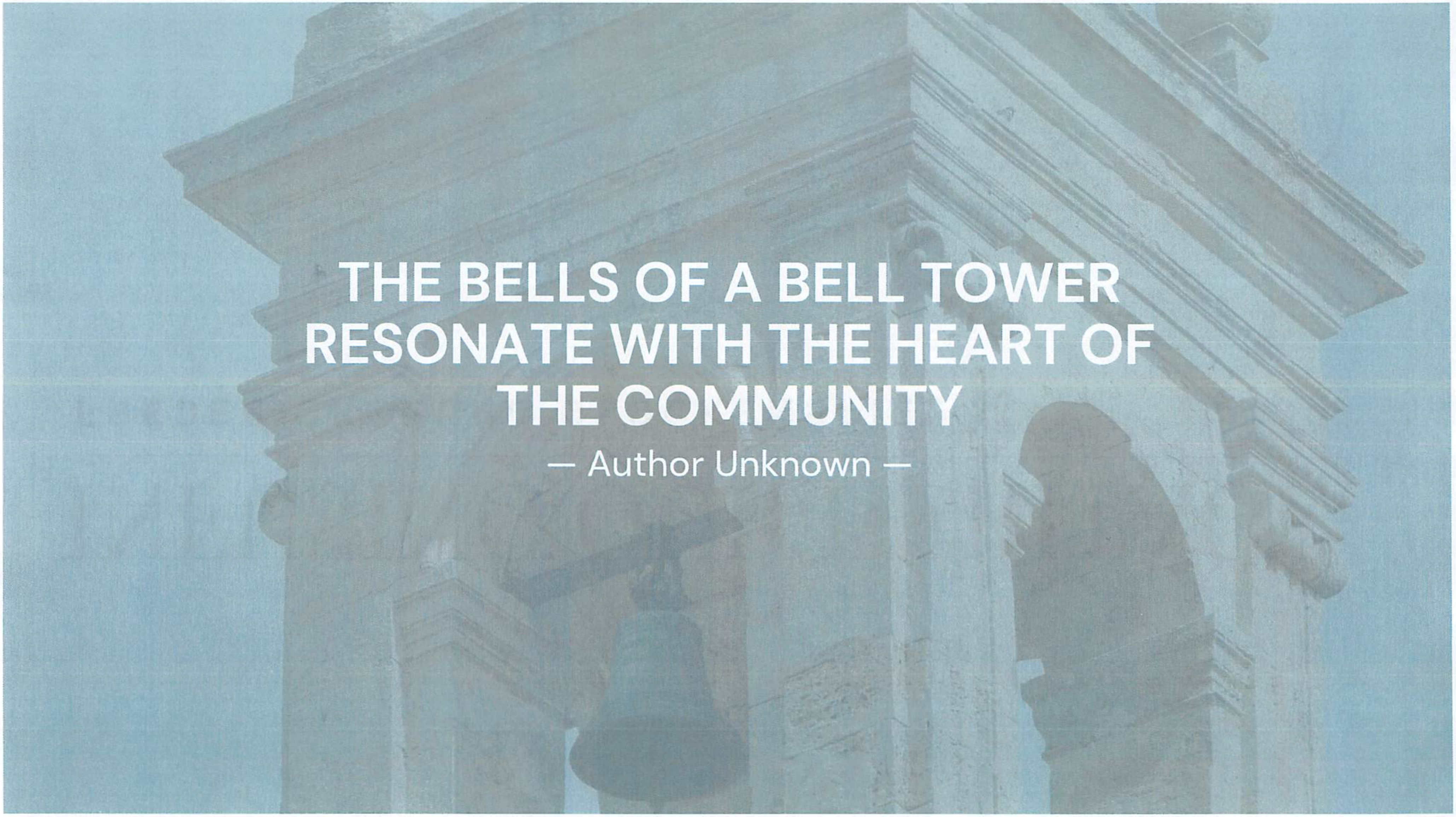
Project Details

- **Location**: We propose partnering with the City and Marktplatz Redevelopment Committee to find a suitable location for the Glockenspiel bell tower that is in a prominent location, yet not diminishing the deserved prominence of Vereins Kirche.
- **Design**: The tower will be designed to harmonize with the local architecture. It may incorporate elements like Gothic arches, decorative stonework, a clock, moving figurines, and a prominent bell chamber.
- **Materials**: High-quality materials, such as local limestone, will ensure durability and create the authenticity the community deserves.
- **Bells**: Cast bronze bells will be the centerpiece for the tower. These bells will be complimented by a digital carillon allowing for greater musical flexibility, including the ability for concerts with the keyboard. Main bell possibly inscribed with a meaningful message.
- **Landscaping**: Surrounding stone walkways to be expanded, with greenery and seating areas to enhance the overall experience.

INFUSING OUR HERITAGE

FREDERICKSBURG GLOCKENSPIEL

PCAA
GLOCKENSPIEL


THE BELLS OF A BELL TOWER RESONATE WITH THE HEART OF THE COMMUNITY
— Author Unknown —

AGENDA

01. MISSION & VISION

02. PROJECT DETAILS

03. NEXT STEPS

01. MISSION

Pedernales Creative Arts Alliance (PCAA) is dedicated to creating, preserving, and celebrating a Glockenspiel bell tower that enriches our community's German cultural heritage, fosters unity, and provides a gathering space for generations to come.

PCAA's mission is to honor tradition while embracing progress, ensuring that the Glockenspiel tower becomes an enduring symbol of pride and connection for the community of Fredericksburg.

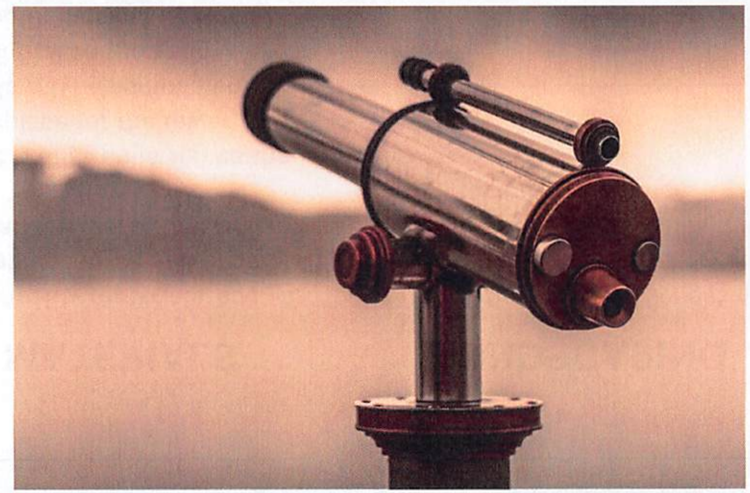
PCAA GLOCKENSPIEL

01.VISION

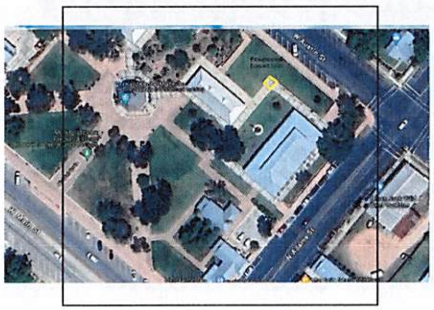
Build a Glockenspiel bell tower that stands as a testament to our shared history and our aspirations for the future...

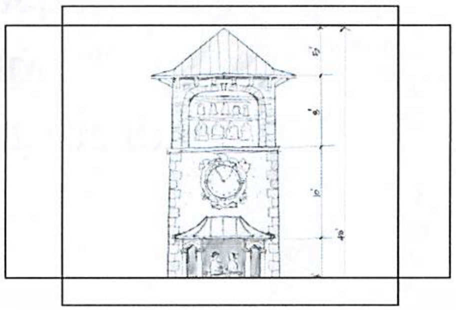
We envision creating:

- A cultural legacy
- Community hub for the town
- Architectural beauty
- Educational outreach
- Sustainability



02. PROJECT DETAILS





LOCATION

We propose partnering with the City and Marktplatz Redevelopment Committee to find a location for the Glockenspiel bell tower.

The ideal location would be in a prominent location, yet doesn't diminish the deserved prominence of Vereins Kirche.

DESIGN

The tower will be designed to harmonize with the local architecture.

It may incorporate elements like gothic arches, decorative stonework, a clock, moving figurines, and a prominent bell chamber.

MATERIALS

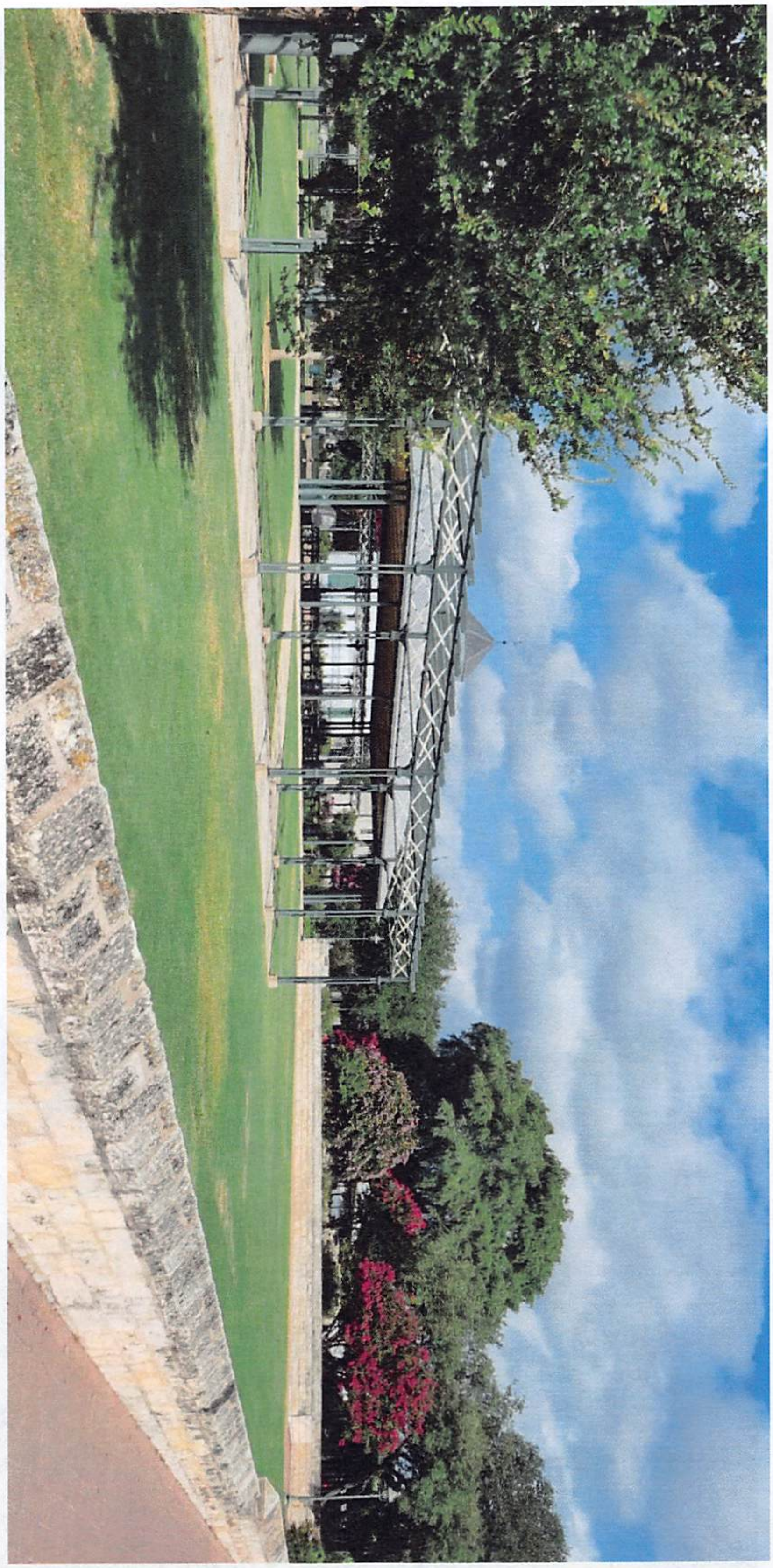
High-quality materials, such as local limestone, will ensure durability and authenticity.

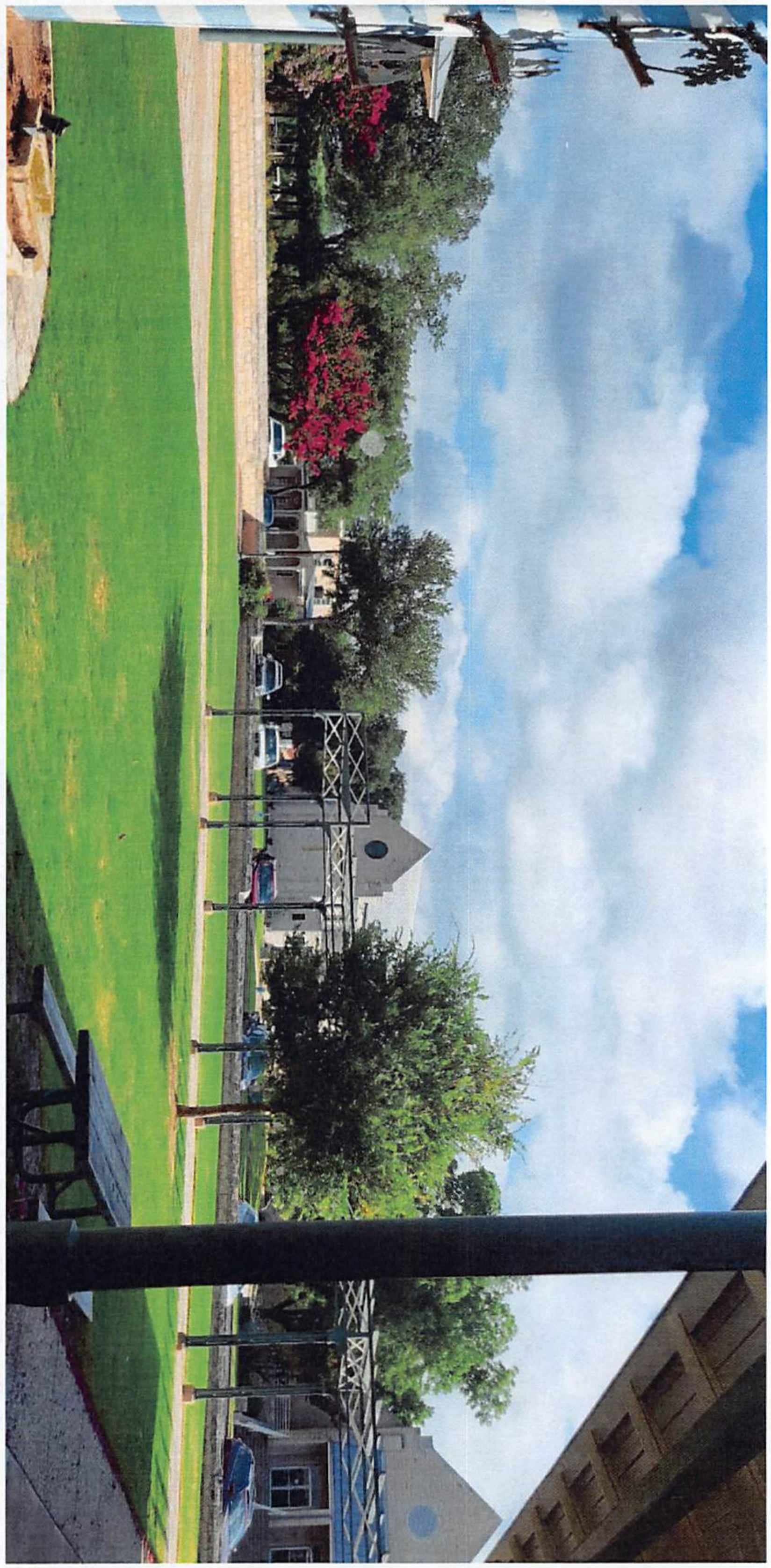
Cast bronze bells will be the centerpiece for the tower. These bells will be complimented by a digital carillon allowing for greater musical flexibility, including the ability for concerts with the keyboard.

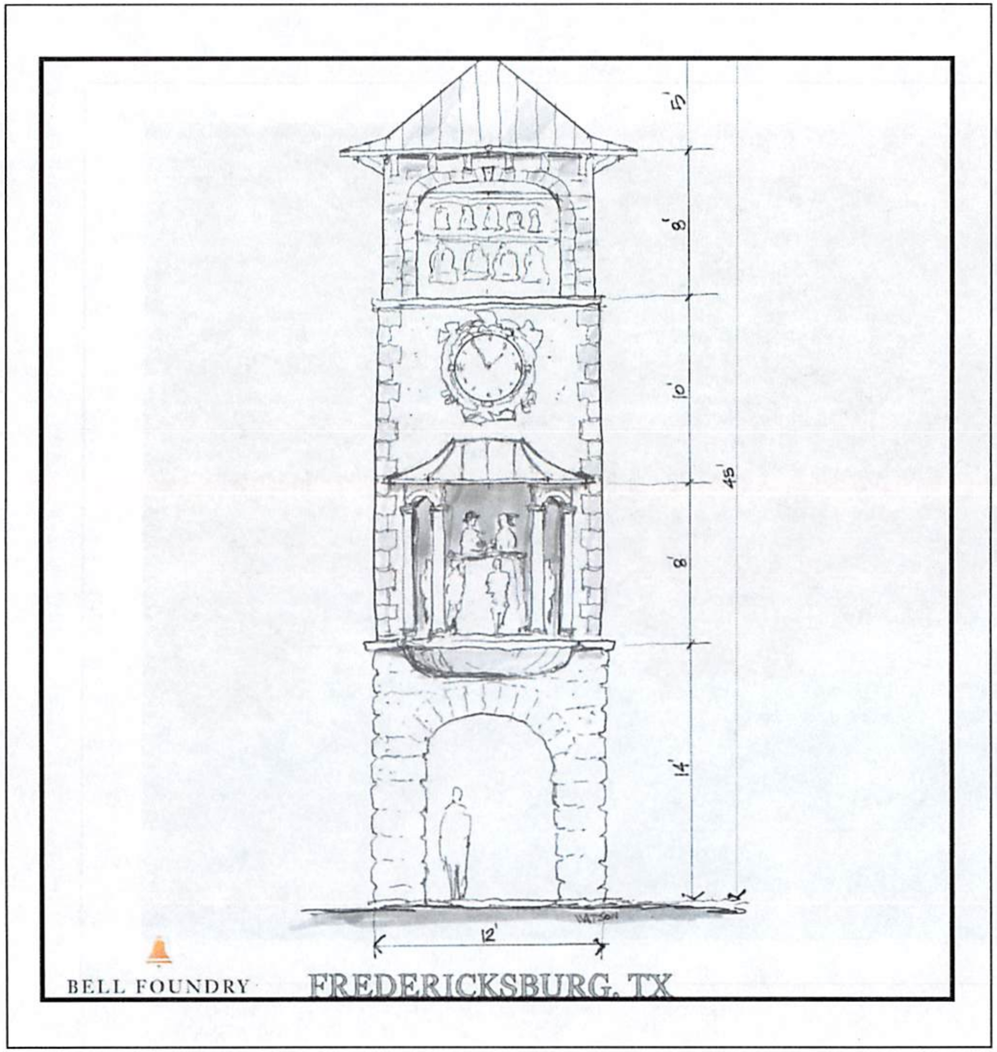
LANDSCAPING

Surrounding stone walkways will be expanded, with greenery and seating areas to enhance the overall experience.


Proposed Location
Museum
City Park
Wild West Outfitters
W Main St
N Adams St
104

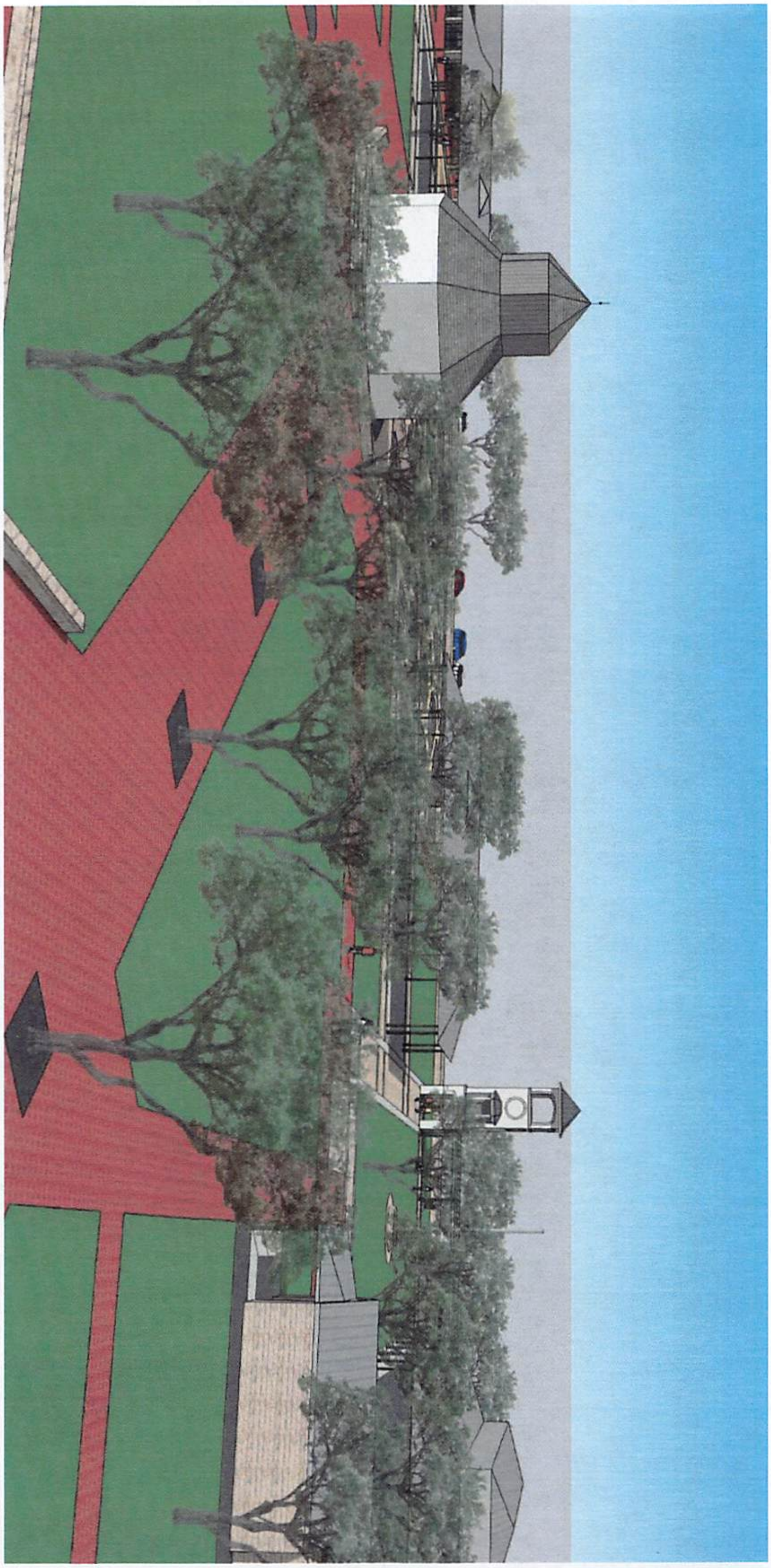






02. PROJECT DETAILS

Rough concept put together by Christoph Foundry in South Carolina.



03.NEXT STEPS

PCCA is seeking approval so we can take this project to the City Council, the historical review board.

Once approved PCAA will develop a detailed project plan for bringing this project to life.

PCAA
CLOCKENSPIEL

Thank You!

PCAA
GLOCKENSPIEL

CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM:
MEETING DATE: August 6, 2024

CATEGORY: OTHER ACTION ITEMS AND UPDATES

CAPTION: Review and Discussion of the Truth in Taxation Rates provided by the Chief Appraiser of Gillespie Central County Appraisal District. (Krista Wareham - Director of Finance)

PRESENTATION:

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:
Neighborhood Quality
Workforce
Tourism
City Center
Mobility
Small Town Sensitive Growth
Governance

ATTACHMENTS:
1. Truth in Taxation powerpoint August 6 2024

APPROVAL/REVIEW:

Krista Wareham

Krista Wareham, Director of Finance

Date: August 02, 2024

William M. McKamie

William McKamie, City Attorney

Date: August 02, 2024

Leticia Vacek, City Secretary

Date: August 02, 2024

Clinton Bailey

Clinton Bailey, City Manager

Date: August 02, 2024

August 6, 2024-Regular City Council Meeting

Truth in Taxation

Truth in Taxation

- Truth-in-taxation is a concept embodied in the Texas Constitution that requires local taxing units to make taxpayers aware of tax rate proposals and to allow taxpayers to limit tax increases. Property owners have the right to know about increases in their properties' appraised value and to be notified of the estimated taxes that could result from the new value.
- Creating a budget and adopting a property tax rate to support that budget are major functions of a taxing unit's governing body. This is accomplished by following truth-in-taxation requirements to ensure the public is informed of any increases. The type of taxing unit determines its applicable truth-in-taxation requirements.

- Truth-in-Taxation: Tax Rate Adoption (texas.gov)

Truth in Taxation – Tax Rate Calculation

Truth-in-taxation requires most taxing units to calculate two rates after receiving a certified appraisal roll from the chief appraiser — the no-new-revenue tax rate and the voter-approval tax rate.

No-New Revenue Tax Rate

- No-New Revenue Tax Rate
  - A calculated rate that would provide the taxing unit with approximately the same amount of revenue it received in the prior year on property taxed in both years. If the property values rise, the no-new-revenue tax rate will go down and vice versa.

Voter-Approval Tax Rate

- Voter-Approval Tax Rate
  - The voter-approval tax rate is the highest tax rate that a taxing unit may adopt without holding an election to seek voter approval of the rate. The voter-approval tax rate is split into two separate rates:
    - Maintenance and Operations (M&O) Tax Rate: The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus the applicable 3 ½ percent allowed by law. This rate accounts for such things as salaries, utilities and day-to-day operations.

Property Taxes

The process of setting and adopting the Property Tax Rate

Property taxes serve as a major source of revenue in supporting General Fund operations and Debt Service

- General Fund includes the following departments:
- Administration
- Police
- Fire
- Streets
- Park
- Development Services
- Health
- Municipal Court
- Engineering

CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services
TO: Mayor & City Council Members
FROM: Anna Hudson, Director of Development Services
MEETING DATE: August 6, 2024
CATEGORY: OTHER ACTION ITEMS AND UPDATES

CAPTION: Overview of a Tax Increment Reinvestment Zone (TIRZ) Program. (Anna Hudson, AICP - Director of Development Services)

PRESENTATION:

SUMMARY:
A Tax Increment Reinvestment Zone is an economic (re)development tool authorized by Chapter 311 of the Texas Tax Code and administered by the Texas Comptroller's office.

BACKGROUND:
The year a TIRZ is created is the base year. The appraised value of property within the zone during the base year is the base value.

As development or redevelopment occurs, the appraised value of the property in the zone should increase. The difference between the increased appraised value of property in the zone and the base value is the captured appraised value.

Current Appraised Value — Base Value = Captured Appraised Value

Taxes levied and collected on the base value remain with the participating taxing units.

The portion of the taxes collected on the captured appraised value, or tax increment, is deposited in a Tax Increment Fund (TIF). Revenues in the TIF can only be used for improvement projects in the TIRZ.

The duration of the TIRZ is set when it is created. When the TIRZ ends, all taxes from the zone go to the taxing units in the zone.

FUNDING SOURCE:

FINANCIAL IMPACT:
Financial impact depends on the size of the district and the amount the taxing entities decide to set aside. As more properties are redeveloped,

more money will go into the TIRZ fund. As more projects are funded, property values should continue to increase.

STAFF RECOMMENDATION:
Proceed with next steps to create a TIRZ.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:
Neighborhood Quality
Workforce
Tourism
City Center
Mobility
Small Town Sensitive Growth
Governance

ATTACHMENTS:
1. What is a Tirz_

APPROVAL/REVIEW:

Krista Wareham
Krista Wareham, Director of Finance — Date: August 01, 2024

William M. McKamie
William McKamie, City Attorney — Date: August 02, 2024

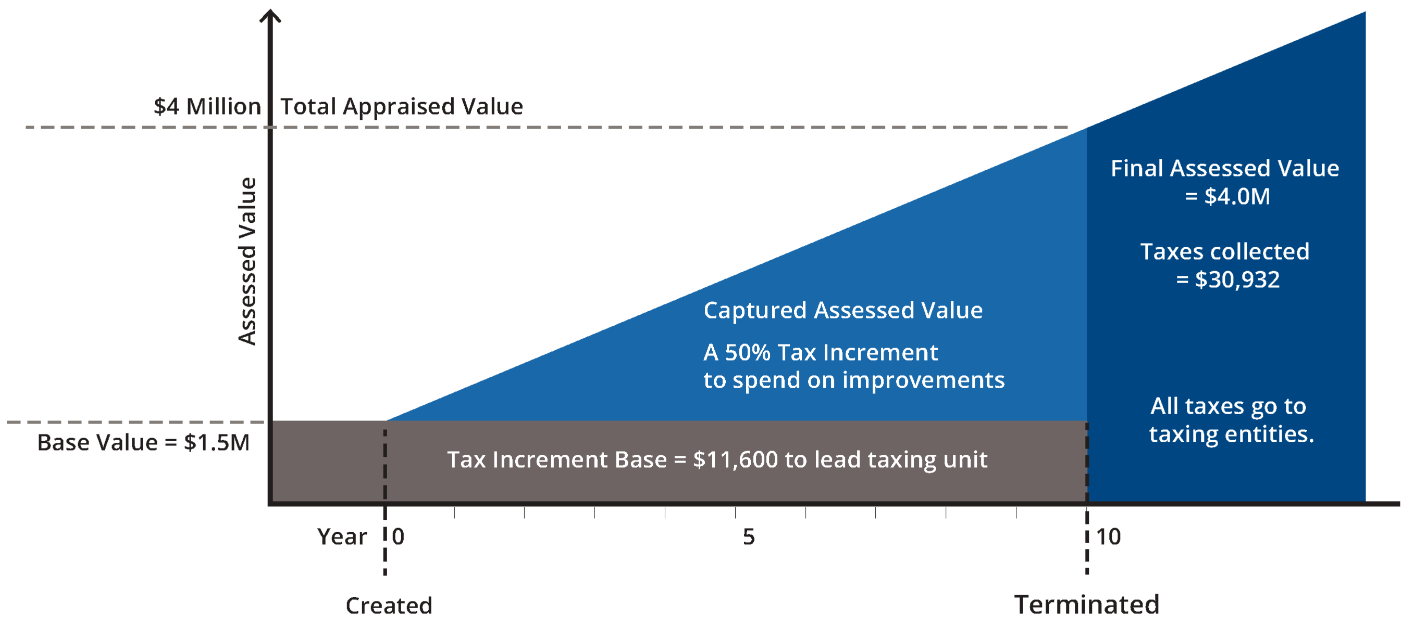
Leticia Vacek, City Secretary — Date: August 02, 2024

Clinton Bailey
Clinton Bailey, City Manager — Date: August 02, 2024

Economy

Economic Development

What is a Tirz?Chapter 311



When a municipality or county creates a Tax Increment Reinvestment Zone (TIRZ), it records all taxable value of property within the zone.

The year a TIRZ is created is the base year. The appraised value of property within the zone during the base year is the base value.

As development or redevelopment occurs, the appraised value of the property in the zone should increase. The difference between the increased appraised value of property in the zone and the base value is the captured appraised value.

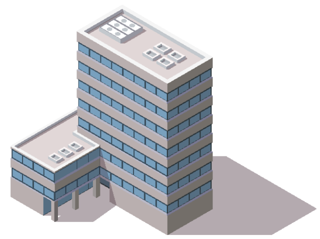
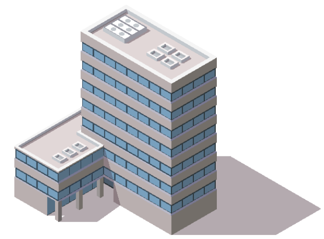
Current Appraised Value - Base Value = Captured Appraised Value

Taxes levied and collected on the base value remain with the participating taxing units.

The portion of the taxes collected on the captured appraised value, or tax increment, is deposited in a Tax Increment Fund (TIF). Revenues in the TIF can only be used for improvement projects in the TIRZ.

The duration of the TIRZ is set when it is created. When the TIRZ ends, all taxes from the zone go to the taxing units in the zone.

TIRZ Math Examples

TIRZ Math	2012 TIRZ Creation	2022 TIRZ Status
		
Assessed Value:	$1,500,000	$4,000,000
Tax Rate:	$0.7733/$100 Valuation	$0.7733/$100 Valuation
Percent Dedicated to TIF:	50%	50%
Taxes Owed (Base Value):	$11,600.00	$11,600.00
Taxes (Base Value) → General Fund:	$11,600.00	$11,600.00
Taxes Owed (Captured Value) →	$0	$19,333.00
Taxes (Captured Value) → General Fund:	$0	$9,666.50
Taxes (Captured Value) → TIF Fund:	$0	$9,666.50

A city creates a TIRZ with the tax increment base of $1.5 million and approves an ordinance to dedicate 50 percent of the taxes above the tax increment base into the TIF for 10 years. The city's tax rate is 0.7733 percent.

With a tax rate of 0.7733 percent, and an appraised value of $1.5 million, the base value, or taxes owed, is $11,600. This is captured by the city and moved into its general fund.

After 10 years, the appraised value of the TIRZ is $4 million.

The base value is still $1.5 million. The tax increment base is $11,600, and that money goes to the general fund.

The remaining $2.5 million is the captured appraised value. The incremental taxes owed, or captured appraised dollars, on the zone is $19,333.

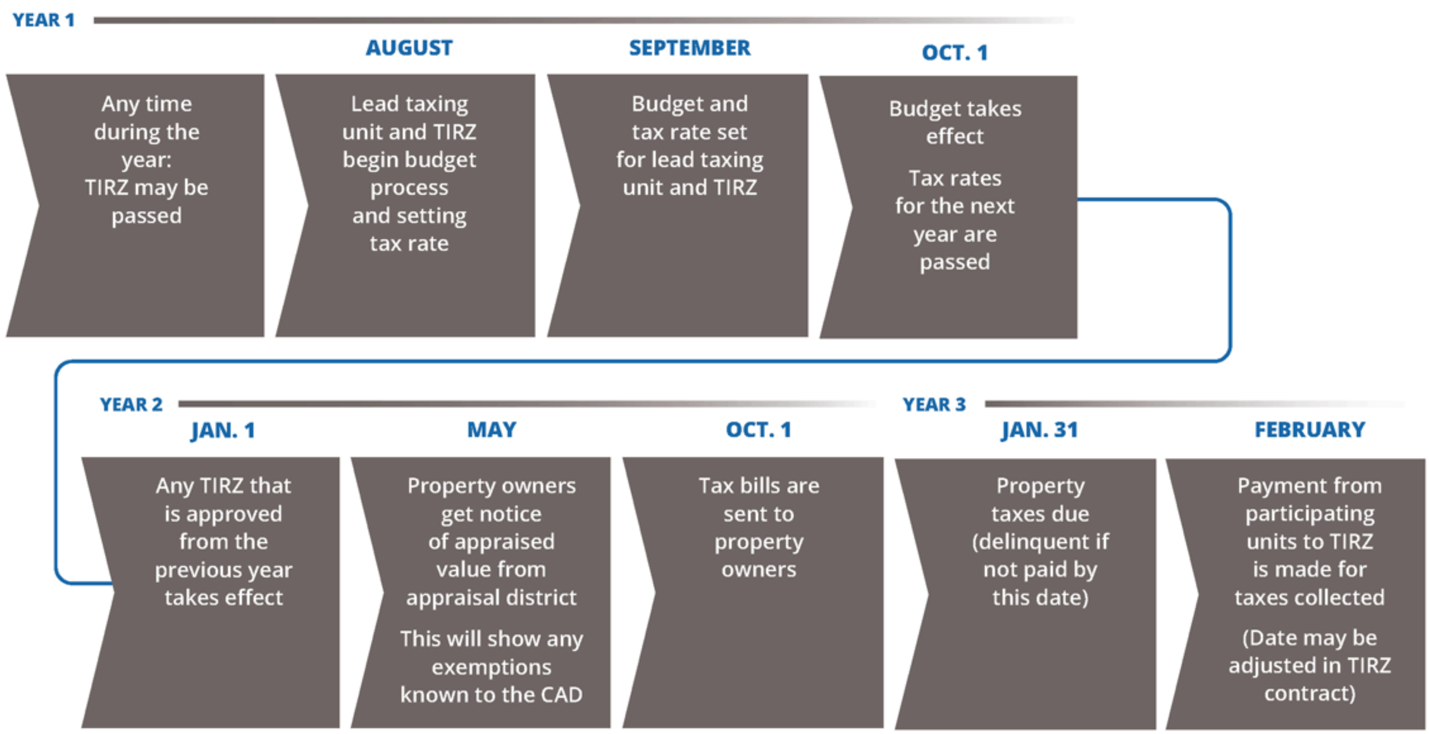
Because the city dedicated 50 percent of its captured appraised dollars for the TIF, $9,666.50 will go into that fund. The other half of the captured appraised dollars will go to the city's general revenue account.

In subsequent years, all taxes collected from the zone will go to the city's general fund.

TIRZ Process and Implementation

To establish and implement a Tax Increment Reinvestment Zone (TIRZ), a local taxing unit needs to follow these steps.

TIRZs and Tax Collections, Remitting & Processing Timeline



A Tax Increment Reinvestment Zone (TIRZ) is created after the governing body approves the zone boundaries and the portion of the tax increment earmarked for a Tax Increment Fund (TIF).

The next step is when the TIRZ board and the local government begin their budget processes and hold hearings to set the tax rate for the next fiscal year. The TIRZ board must get the local taxing unit's approval for its budget. After the local government approves the budget, and the approved tax rates take effect.

The approved TIRZ will take effect Jan. 1 of the following year.

In May property owners should get a notice from the appraisal district of their property's appraised value. This notice will show any exemptions on the property reported to the appraisal district from the local taxing unit. Failure to report this information to the CAD in a timely manner can impact the abatement agreement's implementation.

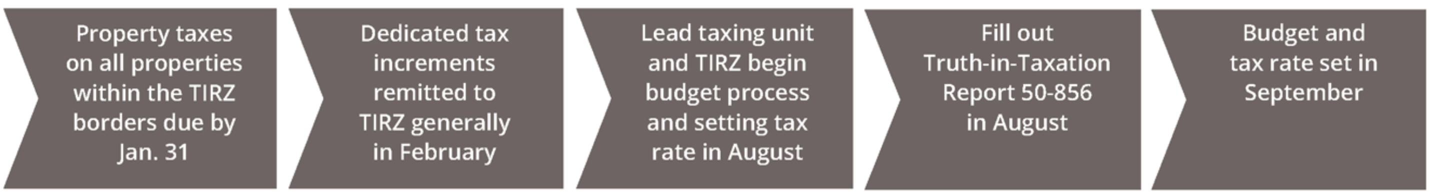
Tax bills are sent to all property owners in October, including those within the TIRZ.

Taxes within the boundaries of a TIRZ may increase or decrease based on the tax rate set and property valuations determined by the appraisal district. Property taxes on the business will be due Jan. 31.

Being within a TIRZ has no effect on the tax rate, regardless of the approved tax increment. But because public project improvements are made within the zone, property values may increase, potentially increasing a property owner’s tax bill. The tax increment captured and remitted to the TIF goes for zone improvements, rather than the lead taxing unit’s general revenue budget.

In February, the taxes that are collected are remitted to the local taxing units, including the TIRZ.

TIRZ Fund Remittances Timeline



First, a taxing unit creates a TIRZ at some point before Jan. 31. All property taxes on properties with the boundaries of a TIRZ are due by Jan. 31.

Taxes are collected, and the dedicated tax increments are remitted to the TIRZ in February.

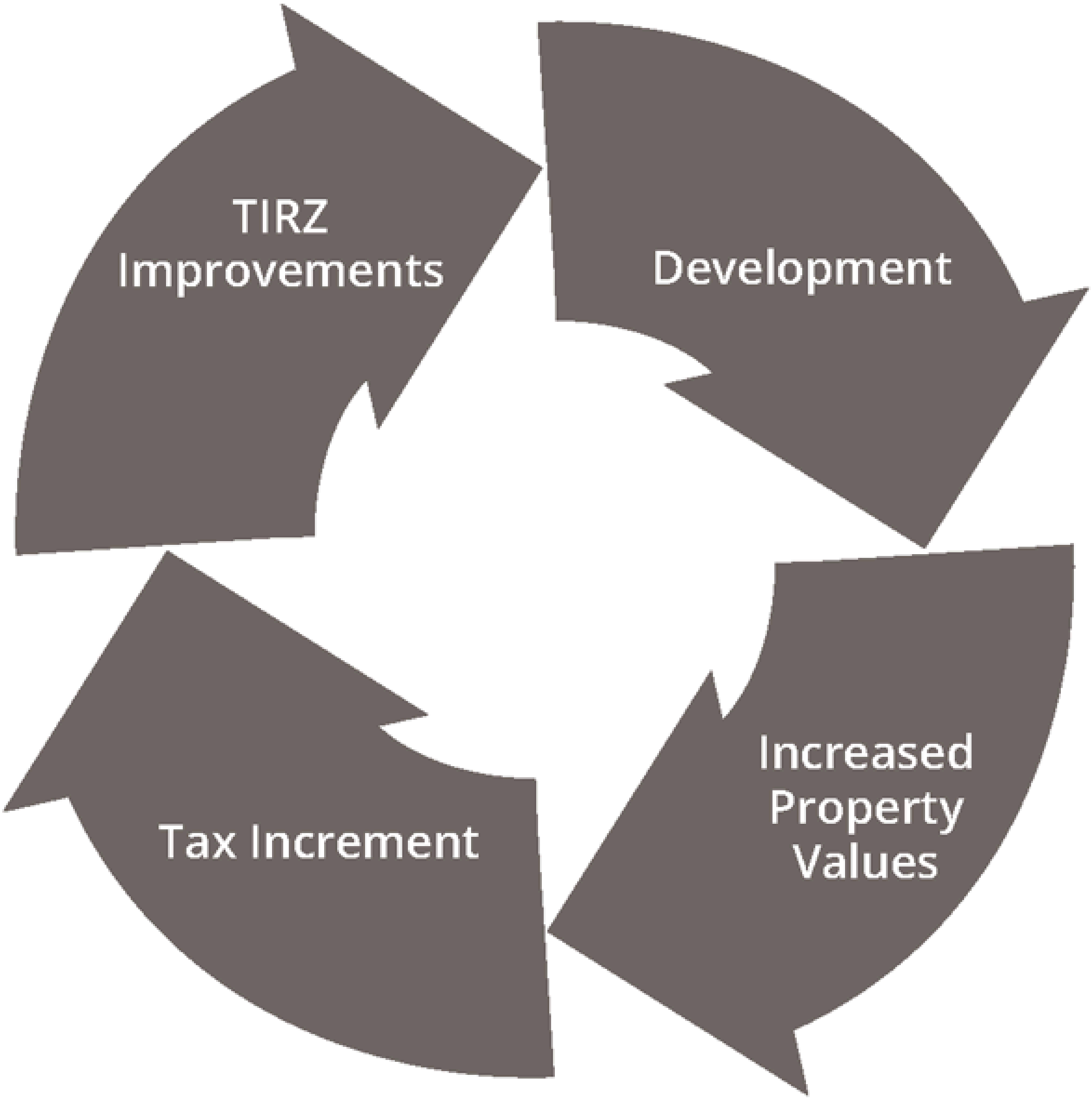
Taxes are collected, and the dedicated tax increments are remitted to the TIRZ in February.

The lead taxing unit creates their budget and sets their tax rate in August.

In August, the local taxing unit must fill out Truth-in-Taxation form 50-856. Use Form 50-856, Tax Rate Calculation Worksheet for Taxing Units Other Than School Districts or Water Districts (PDF)

Approval of the budget and local tax rate are completed in September to prepare for a fiscal year beginning Oct. 1.

TIRZ Financing and Funding Process



A TIRZ board enters into an agreement with a private developer for projects within the zone. The developer agrees pay the cost of construction of a particular improvement. The board agrees to reimburse the developer for the project costs when funds become available. Thus, the financial risk shifts from the TIRZ to the developer.

These early improvements encourage the development of the zone by increasing the appraised value of property. This generates increased tax increments from each property within the boundaries, which are forwarded to the TIF. In some cases, this money can be used to reimburse the developer. Consult legal counsel for details.

This increased revenue may be sufficient to pay for improvements within the TIRZ in subsequent years, without incurring any additional debt.

Need Help?

For additional information, contact the Data Analysis and Transparency Division [comptroller.texas.gov/economy/contact.php] via email [mailto:econ.dev@cpa.texas.gov] or at 844-519-5672.

CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM:
MEETING DATE: August 6, 2024

CATEGORY: OTHER ACTION ITEMS AND UPDATES

CAPTION: Petition for Release of Approximately 140.914 acres of Property, Generally located at 3567 US Highway 290 East from the City of Fredericksburg's Extraterritorial Jurisdiction, Gillespie County. (Mick McKamie, City Attorney)

PRESENTATION:

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:
Neighborhood Quality
Workforce
Tourism
City Center
Mobility
Small Town Sensitive Growth
Governance

ATTACHMENTS:
1. ETJ- Mickey Poole-8-2-24v2

APPROVAL/REVIEW:

______________________________ Date: August 02, 2024
Leticia Vacek, City Secretary

William McKamie, City Attorney

Date: August 02, 2024

Leticia Vacek, City Secretary

Date: August 02, 2024

Clinton Bailey, City Manager

Date: August 02, 2024

Fredericksburg Pedernales Ranch, LP
3567 US Highway 290 East
Fredericksburg, TX 78624

July 12, 2024

City of Fredericksburg
101 East Main Street
Fredericksburg, TX 78624

Re: Petition requesting removal from ETJ

To Whom It May Concern,

Fredericksburg Pedernales Ranch, LP requests the City of Fredericksburg to release all properties specified in attached documents to be removed from the city ETJ per Texas Law, Senate Bill 2038, enacted September 2023.

Attached maps consisting of:
Property ID 109329 consisting of 20.00 acres
Property ID 28390 consisting of 30.174 acres
Property ID 109328 consisting of 90.74 acres
Total acreage of 140.914 acres

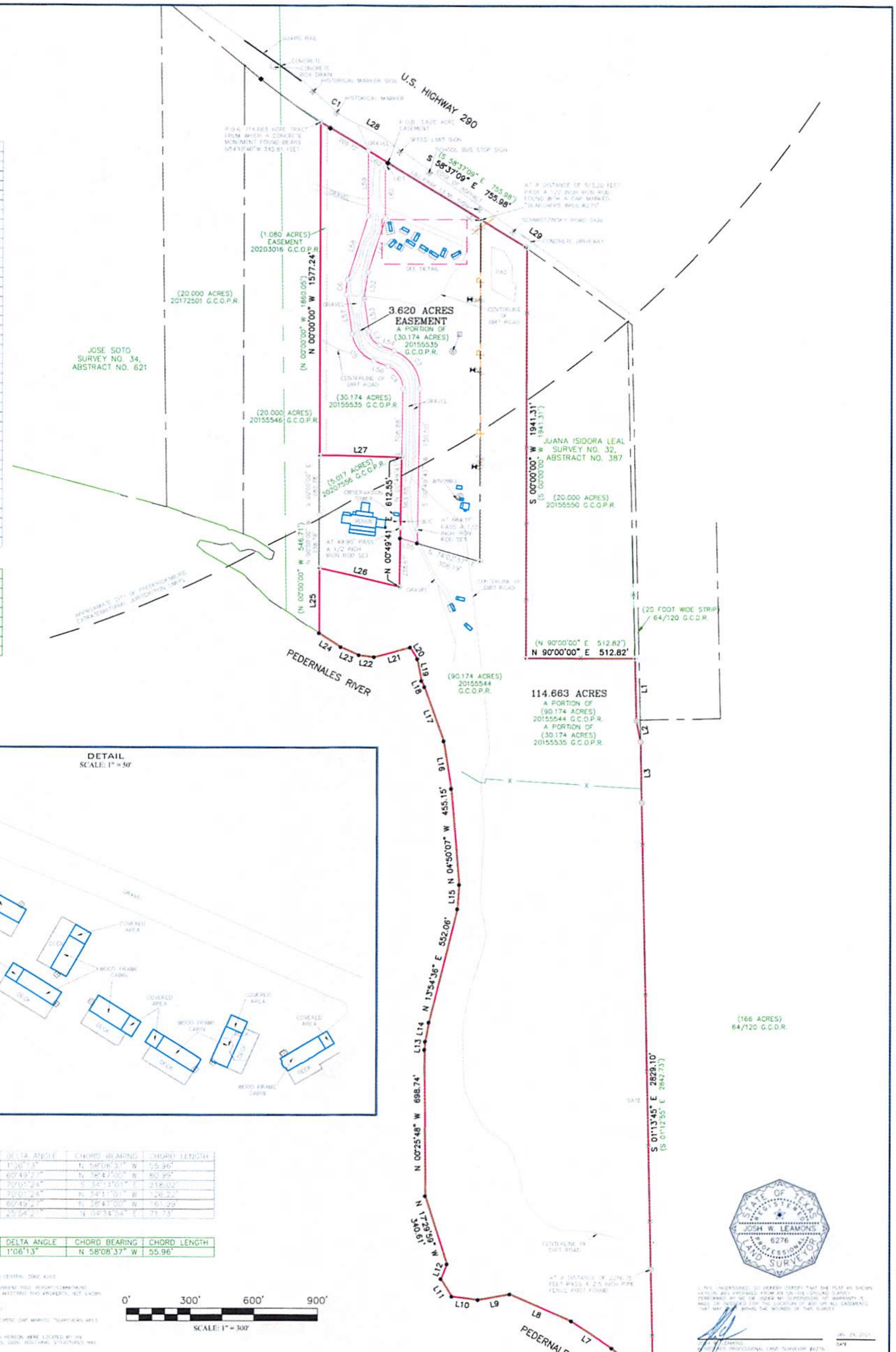
Sincerely,

Micheal Poole

Micheal Poole
Managing Partner

Attachments: maps showing property and meets & bounds list from Searchers Surveying & Engineering, LLC.

3567 U.S. Highway 290 East, Fredericksburg, TX 78624
Phone: 713-829-0020
Email: mpooleaustin@gmail.com



LINE TABLE

LINE	BEARING	DISTANCE
L1	S 01°20'33" E	296.70'
L2	S 11°43'14" E	101.54'
L3	S 01°03'36" E	287.93'
L4	N 09°44'29" W	40.79'
L5	N 39°53'34" W	128.38'
L6	N 48°05'59" W	142.00'
L7	N 55°40'28" W	231.31'
L8	N 65°56'59" W	316.21'
L9	S 79°52'52" W	152.55'
L10	N 82°50'47" W	124.27'
L11	N 31°09'36" W	86.58'
L12	N 21°54'13" E	75.57'
L13	N 05°32'48" E	39.53'
L14	N 10°27'39" E	91.52'
L15	N 04°12'34" E	115.67'
L16	N 09°07'28" W	227.35'
L17	N 19°32'53" W	272.33'
L18	N 25°02'19" W	33.66'
L19	N 10°44'42" W	105.01'
L20	N 31°48'09" W	64.66'
L21	S 74°29'22" W	176.60'
L22	N 83°13'51" W	72.51'
L23	N 65°56'07" W	93.42'
L24	N 56°33'35" W	122.06'
L25	N 00°00'00" W	307.67'
L26	S 76°57'36" E	386.78'
L27	N 88°51'59" W	385.74'
L28	S 58°53'32" E	315.84'
L29	S 54°55'10" E	11.82'
L52	S 08°04'10" W	126.89'
L53	S 08°22'16" E	158.33'
L54	S 69°11'43" E	72.62'
L55	N 74°02'37" W	82.87'
L56	N 69°11'43" W	72.62'
L57	N 08°22'16" W	187.49'
L58	N 17°32'05" E	312.57'
L59	N 00°05'39" W	307.59'
L60	S 58°53'32" E	110.12'
L61	S 34°23'18" W	25.07'
L62	S 00°05'39" E	242.28'
L63	S 17°32'05" W	266.17'

RECORD LINE TABLE

LINE	BEARING	DISTANCE
L1	S 01°20'33" E	296.70'
L2	S 11°43'14" E	101.54'
L3	S 01°03'36" E	287.93'
L26	N 00°00'00" W	296.68'
L27	S 76°57'36" E	386.78'
L28	N 88°51'59" W	385.74'
L29	S 58°53'32" E	315.84'
L30	S 54°55'10" E	11.82'

CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	55.96'	2904.80'	1°06'13"	N 58°08'37" W	55.96'
C2	84.93'	80.00'	60°49'27"	N 38°47'00" W	80.99'
C3	232.21'	190.00'	70°01'24"	S 34°11'01" E	218.02'
C4	134.44'	110.00'	70°01'24"	N 34°11'01" W	126.22'
C5	169.85'	160.00'	60°49'27"	N 38°47'00" W	161.99'
C6	72.34'	160.00'	25°54'21"	N 04°34'54" E	71.73'

RECORD CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	55.96'	2904.80'	1°06'13"	N 58°08'37" W	55.96'

SURVEY NOTES:

1. BEARINGS, DISTANCES & ACREAGE ARE GRID: NAD 83 US TX CENTRAL ZONE 4203.
2. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT/COMMITMENT. THERE MAY BE EASEMENTS, RESTRICTIONS, AND/OR COVENANTS AFFECTING THIS PROPERTY, NOT SHOWN HEREON.
3. A METES AND BOUNDS DESCRIPTION ACCOMPANIES THIS PLAT.
4. A "1/2 INCH IRON ROD SET" IS A 1/2 INCH REBAR WITH PLASTIC CAP MARKED "SEARCHERS RPLS 6276."
5. ALL BUILDINGS, STRUCTURES, AND/OR IMPROVEMENTS SHOWN HEREON WERE LOCATED BY AN ON-THE-GROUND SURVEY PERFORMED ON OR BEFORE APRIL 25, 2020. ADDITIONAL STRUCTURES MAY BE LOCATED ON THE PROPERTY AND NOT SHOWN HEREON.

SEARCHERS
SURVEYING & ENGINEERING LLC
MASON | FREDERICKSBURG
P.O. Box 529 Mason, TX 76856 | 325-347-7489
P.O. Box 1504 Fredericksburg, TX 78624 | 830-383-1211
Firm #10193966 | www.searcherstx.com

LEGEND:

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE PLAT AS SHOWN HEREON WAS PREPARED FROM AN ON-THE-GROUND SURVEY PERFORMED BY ME OR UNDER MY SUPERVISION. NO WARRANTY IS MADE OR INTENDED FOR THE LOCATION OF ANY OR ALL EASEMENTS THAT MAY EXIST WITHIN THE BOUNDS OF THIS SURVEY.

JOSH W. LEAMONS
REGISTERED PROFESSIONAL LAND SURVEYOR #6276

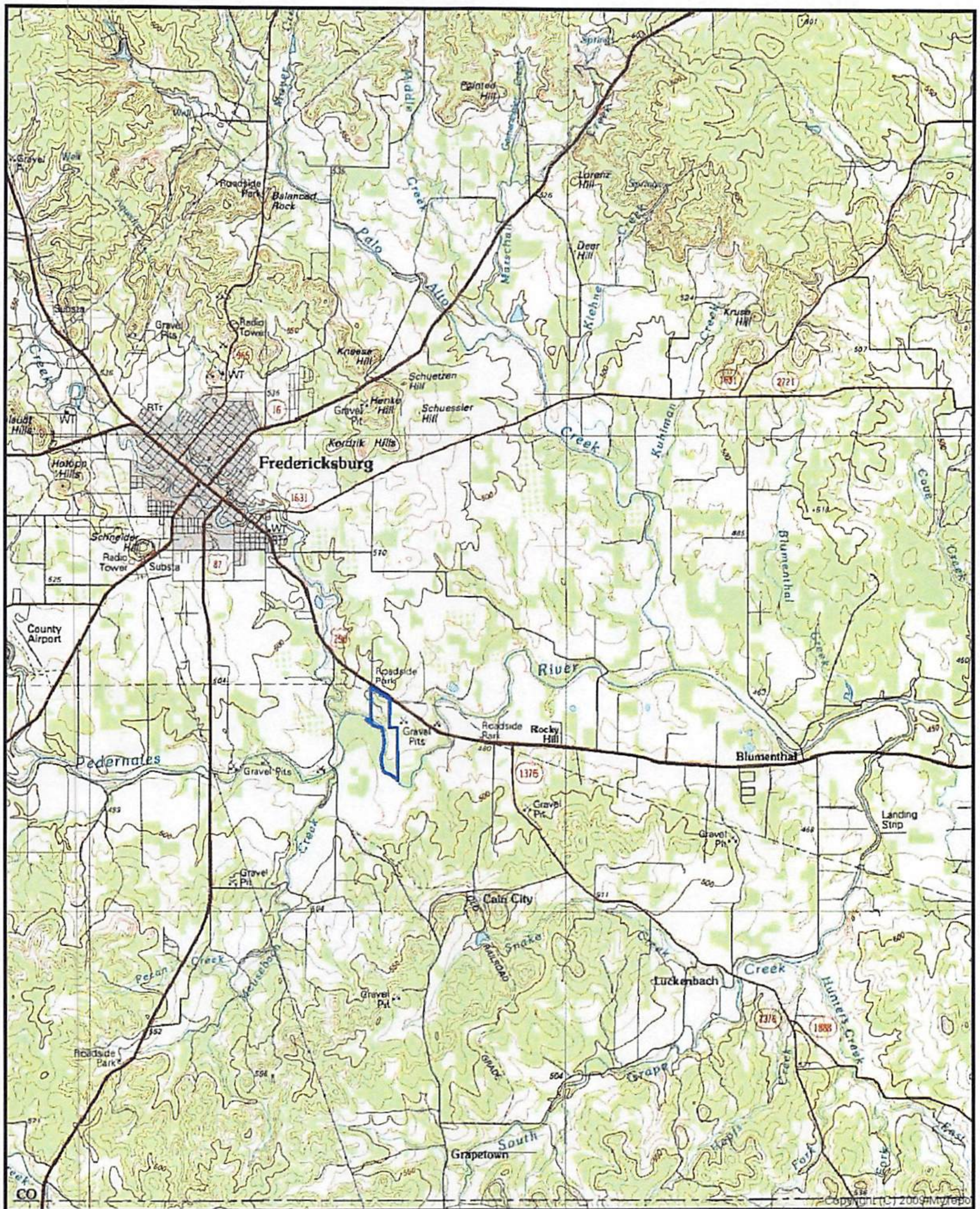
DATE

STATE OF TEXAS
REGISTERED
JOSH W. LEAMONS
6276
PROFESSIONAL
LAND SURVEYOR

BOUNDARY SURVEY

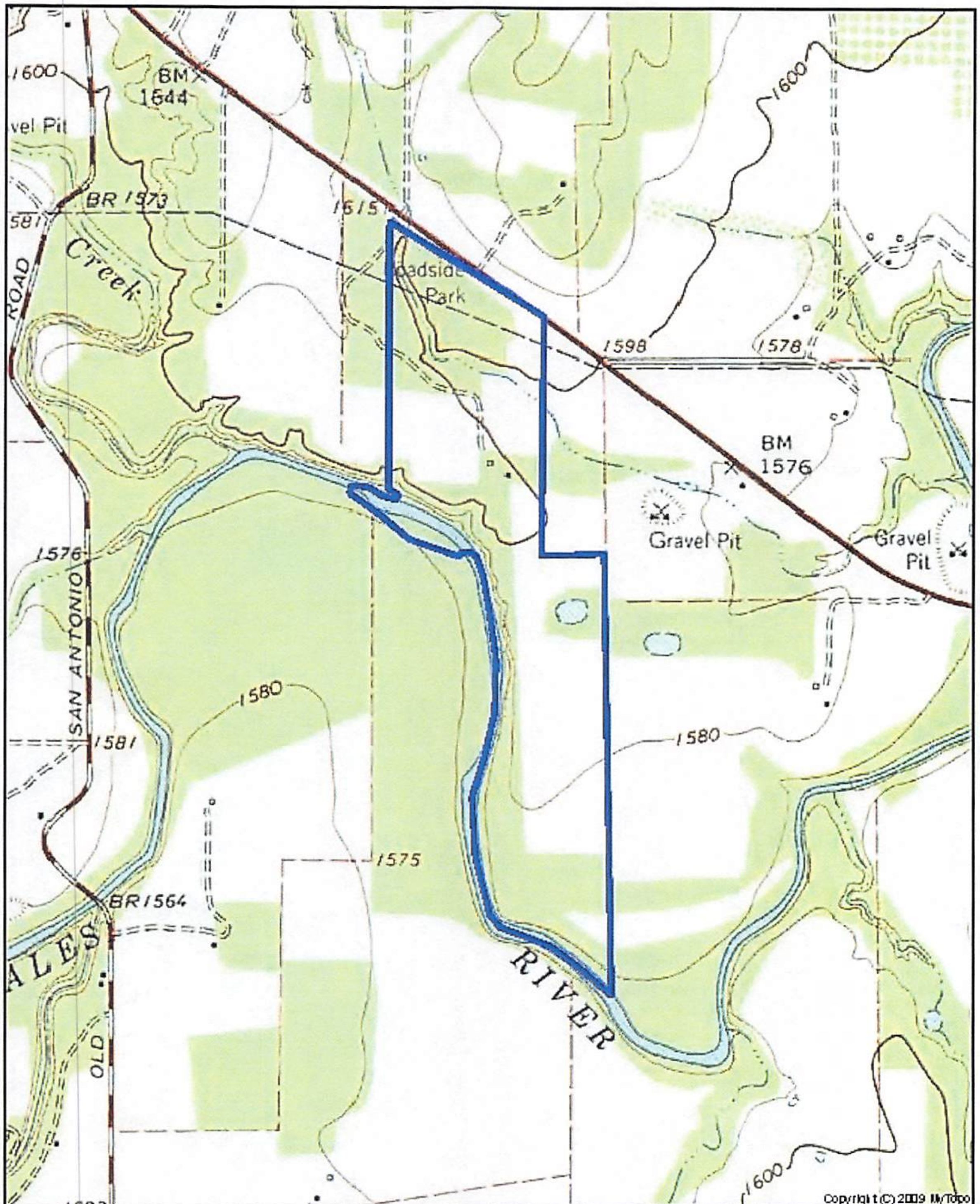
114.663 ACRES AND A 3.620 ACRE EASEMENT OUT OF THE JUANA ISIDORA LEAL SURVEY NO. 32, ABSTRACT NO. 387 IN GILLESPIE COUNTY, TEXAS.

REV. 0



Scale: 1 inch = 8,333 ft.
Map Center: 030° 15' 02.07" N 098° 48' 33.49" W

Gillespie County
140.348 Acres



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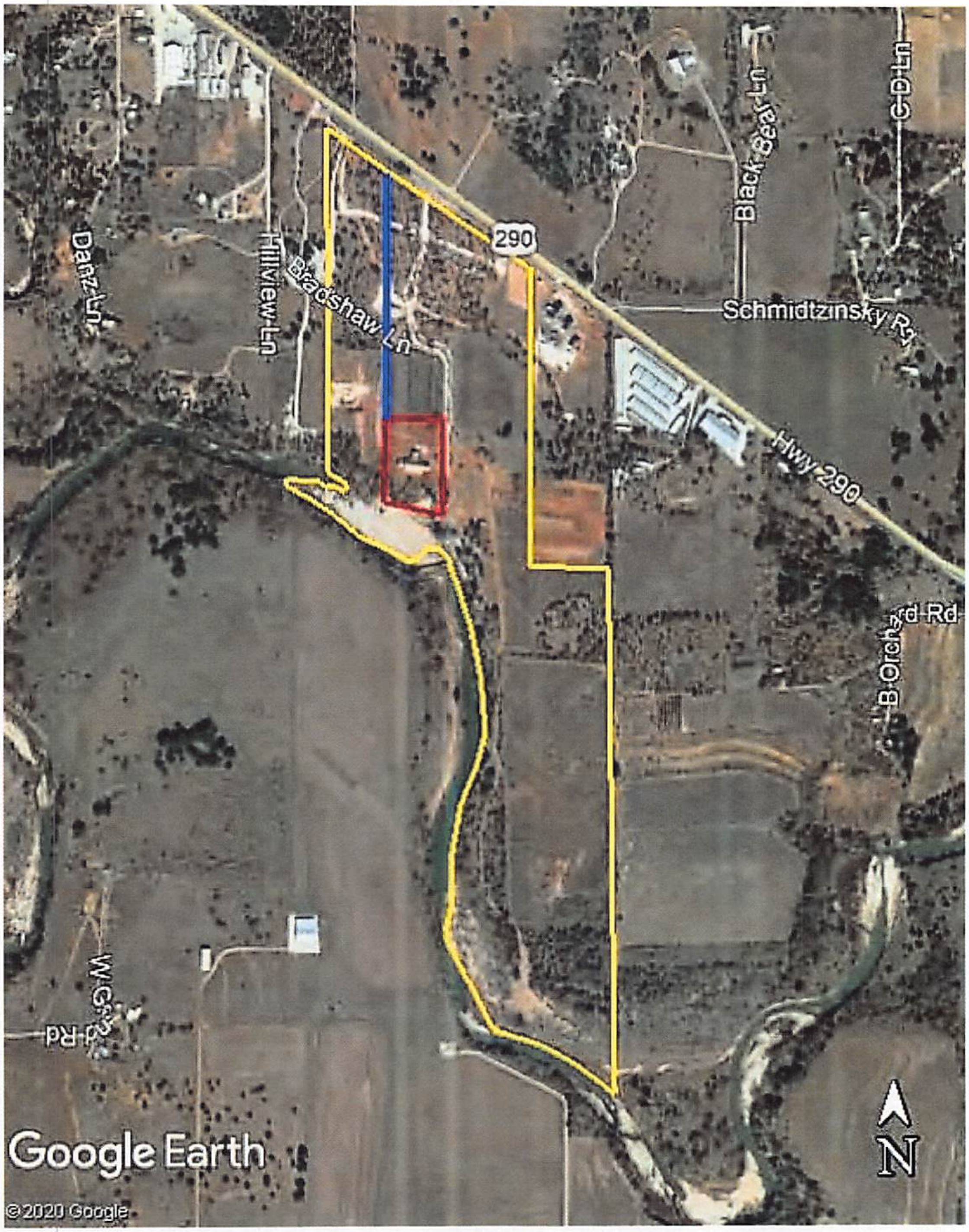
Gillespie County
140.348 Acres


290
Black Bear Ln
C-D Ln
Danz Ln
Hillview Ln
Bradshaw Ln
Schmidtzinsky Rd
Hwy 290
B Orchard Rd
Google Earth
©2020 Google
N

SEARCHERS
LAND SURVEYING, LLC

P.O. Box 528, Mason, TX 76856
325-347-7489 • searchersls.com
Firm # 10193966

TRACT 4
LEGAL DESCRIPTION: Being 20.000 acres of land, approximately 10.368 acres out of the Jose Soto Survey No. 34, Abstract No. 621 and approximately 9.632 acres out of the Juana Isidora Leal Survey No. 32, Abstract No. 387 in Gillespie County, Texas and being a portion of that certain 163.5 acre tract described in Volume 47, Page 162 of the Deed Records of Gillespie County, Texas and a portion of that certain 173.1 acre tract surveyed by Carey Bonn and shown on plat dated August 7, 2007; Said 20.000 acre tract being more particularly described as follows and as surveyed under the supervision of Searchers Land Surveying, LLC in October, 2015:

BEGINNING at a 1/2 inch iron rod set in the south line of U.S. Highway No. 290, the north line of said 163.5 acre tract and the north line of said 173.1 acre tract for the northwest corner of that 30.174 acre tract (Tract 3) surveyed this same day by Searchers Land Surveying, LLC, being a portion of said 163.5 acre tract and a portion of said 173.1 acre tract, and the northeast corner hereof;

THENCE South 00°00'00" East crossing said 163.5 acre tract and said 173.1 acre tract along the west line of said 30.174 acre tract and the west line of that 90.174 acre tract (Tract 2) surveyed this same day by Searchers Land Surveying, LLC, being a portion of said 163.5 acre tract and a portion of said 173.1 acre tract, at a distance of 1860.05 feet pass a 1/2 inch iron rod set for the southwest corner of said 30.174 acre tract and the westernmost northwest corner of said 90.174 acre tract, at a distance of 2098.81 feet pass another 1/2 inch iron rod set, continuing a total distance of 2406.76 feet to a calculated point in the north bank of the Pedernales River, the south line of said 163.5 acre tract and the south line of said 173.1 acre tract for the southwest corner of said 90.174 acre tract and the southeast corner hereof;

THENCE along the north bank of said Pedernales River, the south line of said 163.5 acre tract and the south line of said 173.1 acre tract, the following 20 courses:

1. North 57°55'38" West a distance of 184.51 feet to a point;
2. North 52°42'23" West a distance of 119.26 feet to a point;
3. North 45°34'01" West a distance of 114.29 feet to a point;
4. North 58°37'28" West a distance of 34.38 feet to a point;
5. North 60°54'21" West a distance of 101.28 feet to a point;
6. North 59°41'49" West a distance of 101.85 feet to a point;
7. North 49°47'08" West a distance of 51.81 feet to a point;
8. North 34°11'52" East a distance of 29.33 feet to a point;
9. South 77°32'04" East a distance of 102.08 feet to a point;

10. North 80°37'43" East a distance of 49.24 feet to a point;
11. South 44°22'33" East a distance of 55.11 feet to a point;
12. North 75°17'16" East a distance of 41.75 feet to a point;
13. South 83°40'50" East a distance of 20.39 feet to a point;
14. South 63°57'22" East a distance of 32.41 feet to a point;
15. South 49°24'08" East a distance of 37.96 feet to a point;
16. South 68°57'15" East a distance of 18.40 feet to a point;
17. North 81°36'24" East a distance of 18.19 feet to a point;
18. North 16°15'04" East a distance of 34.56 feet to a point;
19. North 57°40'10" West a distance of 124.30 feet to a point;
20. North 68°44'30" West a distance of 44.06 feet to a calculated point for the southeast corner of that 20.000 acre tract (Tract 5) surveyed this same day by Searchers Land Surveying, LLC, being a portion of said 163.5 acre tract and a portion of said 173.1 acre tract, and the southwest corner hereof;

THENCE North 00°00'00" West crossing said 163.5 acre tract and said 173.1 acre tract along the east line of said 20.000 acre tract, at a distance of 259.97 feet pass a 1/2 inch iron rod set, continuing a total distance of 2217.89 feet to a 1/2 inch iron rod set in the south line of said U.S. Highway No. 290, the north line of said 163.5 acre tract and the north line of said 173.1 acre tract for the northeast corner of said 20.000 acre tract and the northwest corner hereof;

THENCE along the south line of said U.S. Highway No. 290, the north line of said 163.5 acre tract and the north line of said 173.1 acre tract, the following 2 courses:

1. South 50°48'02" East a distance of 99.60 feet to a concrete monument found;
2. Along a curve turning to the left, with an arc length of 346.00 feet, with a radius of 2904.80 feet and with a chord bearing of South 54°10'45" East a distance of 345.79 feet to the POINT OF BEGINNING containing 20.000 acres of land, more or less, and as shown on certified plat herewith.

Note: Bearings, distances and acreage shown hereon are NAD 83, Texas Central Zone 4203 and are derived from GPS techniques. A "1/2 inch iron rod set" is a 1/2 inch rebar with plastic cap marked "Searchers RPLS 6275".

Surveyed by;

Abraham J. Leamons
Registered Professional Land Surveyor #6275
Date: October 23, 2015
Job# 15-1307

STATE OF TEXAS
REGISTERED
ABRAHAM J. LEAMONS
6275
PROFESSIONAL
LAND SURVEYOR

SEARCHERS
SURVEYING & ENGINEERING LLC
MASON | FREDERICKSBURG
P.O. Box 528 Mason, TX 76856 | 325-347-7489
P.O. Box 1504 Fredericksburg, TX 78624 | 830-383-1211
Firm #10193966 | www.searchersls.com

3.620 ACRE EASEMENT

LEGAL DESCRIPTION: Being a 3.620 acre easement out of the Juana Isidora Leal Survey No. 32, Abstract No. 387 in Gillespie County, Texas and being a portion of that certain 30.174 acre tract described in Instrument No. 20155535 of the Official Public Records of Gillespie County, Texas; Said 3.620 acre easement being more particularly described as follows and as surveyed under the supervision of Searchers Surveying & Engineering LLC in January 2021:

BEGINNING at a concrete monument found in the southwest line of U.S. Highway 290 for a corner of said 30.174 acre tract, a corner of that certain 114.663 acre tract surveyed this same day by Searchers Surveying & Engineering LLC, being a portion of said 30.174 acre tract and a portion of that certain 90.174 acre tract described in Instrument No. 20155544 of said Official Public Records, and the northeast corner hereof;

THENCE crossing said 30.174 acre tract and said 114.663 acre tract, the following 9 courses:

1. South 34°23'18" West a distance of 25.07 feet to a 1/2 inch iron rod set;
2. South 00°05'39" East a distance of 242.28 feet to a 1/2 inch iron rod set;
3. South 17°32'05" West a distance of 266.17 feet to a 1/2 inch iron rod set;
4. South 08°04'10" West a distance of 126.89 feet to a mag nail set in concrete with a washer marked "Searchers RPLS 6275";
5. South 08°22'16" East a distance of 158.33 feet to a 1/2 inch iron rod set;
6. Along a non-tangent curve to the left having an arc length of 84.93 feet, a radius of 80.00 feet, and a chord that bears South 38°47'00" East a distance of 80.99 feet to a 1/2 inch iron rod set;
7. South 69°11'43" East a distance of 72.62 feet to a 1/2 inch iron rod set;
8. Along a non-tangent curve to the right having an arc length of 232.21 feet, a radius of 190.00 feet, and a chord that bears South 34°11'01" East a distance of 218.02 feet to a 1/2 inch iron rod set;
9. South 00°49'41" West, at a distance of 664.11 feet pass a 1/2 inch iron rod set, continuing in all for a total distance of 730.50 feet to a calculated point in the

north line of said 90.174 acre tract and the south line of said 30.174 acre tract, for the southeast corner hereof, and from which a 1/2 inch iron rod found with a cap marked "Searchers RPLS 6275" for a corner of said 90.174 acre tract and the southeast corner of said 30.174 acre tract bears South 74°02'37" East a distance of 308.19 feet;

THENCE North 74°02'37" West a distance of 82.87 feet crossing said 114.663 acre tract along the north line of said 90.174 acre tract and the south line of said 30.174 acre tract to a calculated point in the east line of that certain 5.017 acre tract described in Instrument No. 20207556 of said Official Public Records and the west line of said 114.663 acre tract, for the southwest corner hereof, and from which a 1/2 inch iron rod found with a cap marked "Searchers RPLS 6275" for the southeast corner of said 5.017 acre tract and a corner of said 114.663 acre tract bears South 00°49'41" West a distance of 228.67 feet;

THENCE crossing said 30.174 acre tract, the following 8 courses:

1. North 00°49'41" East, along the east line of said 5.017 acre tract and the west line of said 114.663 acre tract, at a distance of 49.95 feet pass a 1/2 inch iron rod set, continuing along the east line of said 5.017 acre tract and the west line of said 114.663 acre tract, at a distance of 383.88 feet pass a 1/2 inch iron rod found with a cap marked "Searchers RPLS 6275" for the northeast corner of said 5.017 acre tract and a corner of said 114.663 acre tract, continuing crossing said 114.663 acre tract in all for a total distance of 708.88 feet to a 1/2 inch iron rod set;
2. Along a non-tangent curve to the left having an arc length of 134.44 feet, a radius of 110.00 feet, and a chord that bears North 34°11'01" West a distance of 126.22 feet crossing said 114.663 acre tract to a 1/2 inch iron rod set;
3. North 69°11'43" West a distance of 72.62 feet crossing said 114.663 acre tract to a 1/2 inch iron rod set;
4. Along a non-tangent curve to the right having an arc length of 169.85 feet, a radius of 160.00 feet, and a chord that bears North 38°47'00" West a distance of 161.99 feet crossing said 114.663 acre tract to a 1/2 inch iron rod set;
5. North 08°22'16" West a distance of 187.69 feet crossing said 114.663 acre tract to a 1/2 inch iron rod set;
6. Along a non-tangent curve to the right having an arc length of 72.34 feet, a radius of 160.00 feet, and a chord that bears North 04°34'54" East a distance of 71.73 feet crossing said 114.663 acre tract to a 1/2 inch iron rod set;

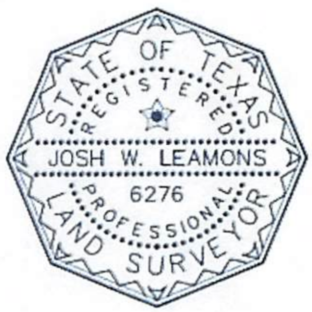
7. North 17°32'05" East a distance of 317.57 feet crossing said 114.663 acre tract to a 1/2 inch iron rod set;
8. North 00°05'39" West a distance of 307.59 feet crossing said 114.663 acre tract to a 1/2 inch iron rod set in the southwest line of said U.S. Highway 290, the north line of said 30.174 acre tract, and the north line of said 114.663 acre tract, for the northwest corner hereof, and from which a concrete monument found in the southwest line of said U.S. Highway 290 for a corner of said 30.174 acre tract and a corner of said 114.663 acre tract bears North 58°53'32" West a distance of 205.72 feet;

THENCE South 58°53'32" East a distance of 110.12 feet along the southwest line of said U.S. Highway 290, the north line of said 30.174 acre tract, and the north line of said 114.663 acre tract to the POINT OF BEGINNING containing 3.620 acres, more or less, and as shown on certified plat herewith.

Note: Bearings, distances and acreage shown hereon are Grid, NAD 83, Texas Central Zone 4203 and are derived from GPS techniques. A "1/2 inch iron rod set" is a 1/2 inch rebar with plastic cap marked "Searchers RPLS 6275".

Surveyed by:

Josh W. Leamons
Registered Professional Land Surveyor #6276
Date: January 29, 2021
Job# 21-4742



SEARCHERS
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Firm #10193966 | www.searchersls.com

LEGAL DESCRIPTION: Being 114.663 acres of land out of the Juana Isidora Leal Survey No. 32, Abstract No. 387 in Gillespie County, Texas and being a portion of that certain 90.174 acre tract described in Instrument No. 20155544 of the Official Public Records of Gillespie County, Texas and a portion of that certain 30.174 acre tract described in Instrument No. 20155535 of said Official Public Record; Said 114.663 acre tract being more particularly described as follows and as surveyed under the supervision of Searchers Surveying & Engineering LLC in January 2021:

BEGINNING at a 1/2 inch iron rod found with a cap marked "Searchers RPLS 6275" in the southwest line of U.S. Highway 290 for the northeast corner of that certain 20.000 acre tract described in Instrument No. 20155546 of said Official Public Records, the northwest corner of said 30.174 acre tract, and the northwest corner hereof, and from which a concrete monument found in the southwest line of said U.S. Highway 290 for a corner of said 20.000 acre tract described in Instrument No. 20155546 bears North 54°10′46″ West a distance of 345.81 feet;

THENCE along the southwest line of said U.S. Highway 290 the north line of said 30.174 acre tract, and the north line of said 90.174 acre tract, the following 4 courses:

1. Along a non-tangent curve to the left having an arc length of 55.96 feet, a radius of 2904.80 feet, and a chord that bears South 58°08'37" East a distance of 55.96 feet to a concrete monument found;
2. South 58°53'32" East a distance of 315.84 feet to a concrete monument found;
3. South 58°37'09" East, at a distance of 513.20 feet pass a 1/2 inch iron rod found with a cap marked "Searchers RPLS 6275" for the northeast corner of said 30.174 acre tract and the northwest corner of said 90.174 acre tract, continuing in all for a total distance of 755.98 feet to a bent 1/2 inch iron rod found;
4. South 54°55'10" East a distance of 11.82 feet to a 1/2 inch iron rod found with a cap marked "Searchers RPLS 6275" for the northwest corner of that certain 20.000 acre tract described in Instrument No. 20155550 of said Official Public Records, the northeast corner of said 90.174 acre tract, and the northeast corner hereof;

THENCE South 00°00'00" West a distance of 1941.31 feet along the east line of said 90.174 acre tract and the west line of said 20.000 acre tract described in Instrument No. 20155550 to a 1/2 inch iron rod found with a cap marked "Searchers RPLS 6275" for the southwest corner of said 20.000 acre tract described in Instrument No. 20155550 and a corner of said 90.174 acre tract;

THENCE North 90°00'00" East a distance of 512.82 feet along the south line of said 20.000 acre tract described in Instrument No. 20155550 and the north line of said 90.174 acre tract to a 1/2 inch iron rod found with a cap marked "Searchers RPLS 6275" in the west line of that certain 20 foot wide strip described in Volume 64, Page 120 of the Deed Records of Gillespie County, Texas for the southeast corner of said 20.000 acre tract described in Instrument No. 20155550 and a corner of said 90.174 acre tract;

THENCE along the east line of said 90.174 acre tract, the following 4 courses:

1. South 01°20'33" East a distance of 296.70 feet along the west line of said 20 foot wide strip to a 4 inch pipe fence corner post found;
2. South 11°43'14" East a distance of 101.54 feet along the west line of said 20 foot wide strip to a 2.5 inch pipe fence corner post found in the west line of that certain 166 acre tract described in Volume 64, Page 120 of said Deed Records for the south corner of said 20 wide strip;
3. South 01°03'36" East a distance of 287.93 feet to a 4 inch pipe fence corner post found;
4. South 01°13'45" East, along the west line of said 166 acre tract at a distance of 2216.75 feet pass a 2.5 inch pipe fence post found, continuing in all for a total distance of 2829.10 feet to a calculated point in the south line of said Abstract No. 387 and the north line of the Pedernales River, for the southwest corner of said 166 acre tract, the southeast corner of said 90.174 acre tract, and the southeast corner hereof, and from which a 3 inch pipe fence post found bears South 01°28'10" East a distance of 8.93 feet

THENCE along the south line of said Abstract No. 387, the north line of said Pedernales River, and the south line of said 90.174 acre tract, the following 25 courses:

1. North 09°44'29" West a distance of 40.79 feet to a point;
2. North 39°53'34" West a distance of 128.38 feet to a point;
3. North 48°05'59" West a distance of 142.00 feet to a point;
4. North 55°40'28" West a distance of 231.31 feet to a point;

5. North 65°56'59" West a distance of 316.21 feet to a point;
6. South 79°52'52" West a distance of 152.55 feet to a point;
7. North 82°50'47" West a distance of 124.27 feet to a point;
8. North 31°09'36" West a distance of 98.58 feet to a point;
9. North 21°54'13" East a distance of 75.57 feet to a point;
10. North 17°29'59" West a distance of 340.61 feet to a point;
11. North 00°25'48" West a distance of 698.74 feet to a point;
12. North 05°32'48" East a distance of 39.53 feet to a point;
13. North 10°27'39" East a distance of 91.52 feet to a point;
14. North 13°54'36" East a distance of 552.06 feet to a point;
15. North 04°12'34" East a distance of 115.62 feet to a point;
16. North 04°50'07" West a distance of 455.15 feet to a point;
17. North 09°07'28" West a distance of 227.35 feet to a point;
18. North 19°32'53" West a distance of 272.13 feet to a point;
19. North 25°02'19" West a distance of 33.66 feet to a point;
20. North 10°44'42" West a distance of 105.01 feet to a point;
21. North 31°48'09" West a distance of 64.66 feet to a point;
22. South 74°29'22" West a distance of 176.80 feet to a point;
23. North 83°13'51" West a distance of 72.01 feet to a point;
24. North 65°56'07" West a distance of 93.42 feet to a point;
25. North 56°33'35" West a distance of 122.06 feet to a calculated point for the southeast corner of said 20.000 acre tract described in Instrument No. 20155546, the southwest corner of said 90.174 acre tract, and the southwest corner hereof;

THENCE North 00°00'00" West a distance of 307.07 feet along the east line of said 20.000 acre tract described in Instrument No. 20155546 and the west line of said 90.174 acre tract to a 1/2 inch iron rod found with a cap marked "Searchers RPLS 6275" for the southwest corner of that certain 5.017 acre tract described in Instrument No. 20207556 of said Official Public Records, and from which a 1/2 inch iron rod found with a cap marked "Searchers RPLS 6275" in the east line of said 20.000 acre tract described in Instrument No. 20155546, the west line of said 90.174 acre tract, and the west line of said 5.017 acre tract bears North 00°00'00" West a distance of 11.28 feet;

THENCE crossing said 90.174 acre tract and said 30.174 acre tract along the south, east and north lines of said 5.017 acre tract, the following 3 courses:

1. South 76°57'36" East a distance of 386.78 feet to a 1/2 inch iron rod found with a cap marked "Searchers RPLS 6275" for the southeast corner of said 5.017 acre tract;
2. North 00°49'41" East a distance of 612.55 feet to a 1/2 inch iron rod found with a cap marked "Searchers RPLS 6275" for the northeast corner of said 5.017 acre tract;
3. North 88°51'59" West a distance of 385.74 feet crossing to a 1/2 inch iron rod found with a cap marked "Searchers RPLS 6275" in the east line of said 20.000 acre tract described in Instrument No. 20155546 and the west line of said 30.174 acre tract, for the northwest corner of said 5.017 acre tract, and from which a 1/2 inch iron rod found with a cap marked "Searchers RPLS 6275" in the east line of said 20.000 acre tract described in Instrument No. 20155546 and the west line of said 5.017 acre tract, for a corner of said 90.174 acre tract and the southwest corner of said 30.174 acre tract bears South 00°00'00" East a distance of 282.78 feet;

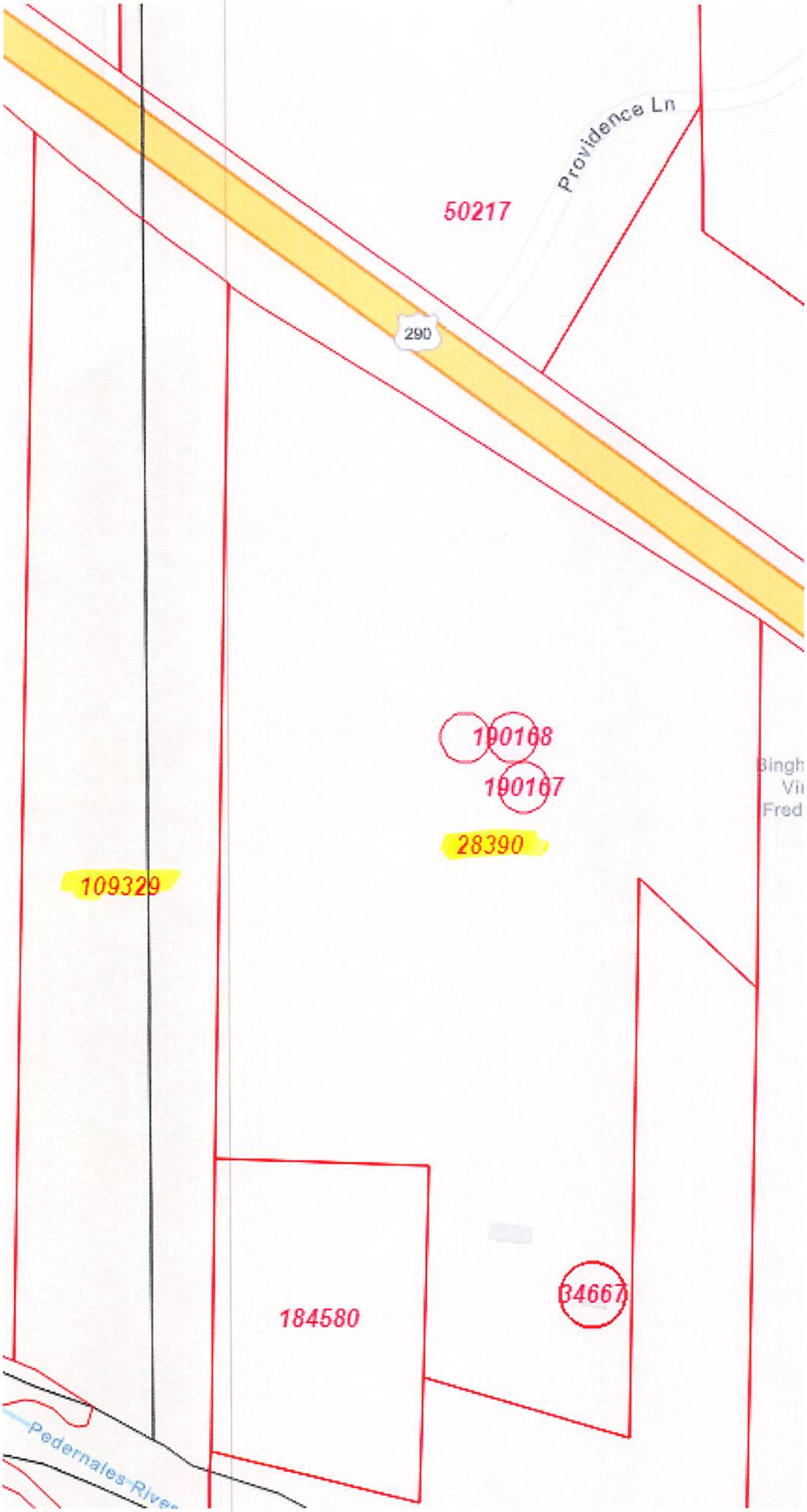
THENCE North 00°00'00" West a distance of 1577.24 feet along the east line of said 20.000 acre tract described in Instrument No. 20155546 and the west line of said 30.174 acre tract to the POINT OF BEGINNING containing 114.663 acres of land, more or less, and as shown on certified plat herewith.

Note: Bearings, distances and acreage shown hereon are Grid, NAD 83, Texas Central Zone 4203 and are derived from GPS techniques. A "1/2 inch iron rod set" is a 1/2 inch rebar with plastic cap marked "Searchers RPLS 6275".

Surveyed by;

Josh W. Leamons
Registered Professional Land Surveyor #6276
Date: January 29, 2021
Job# 21-4742

STATE OF TEXAS
REGISTERED
JOSH W. LEAMONS
6276
PROFESSIONAL
LAND SURVEYOR


Providence Ln
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290
190168
190167
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109329
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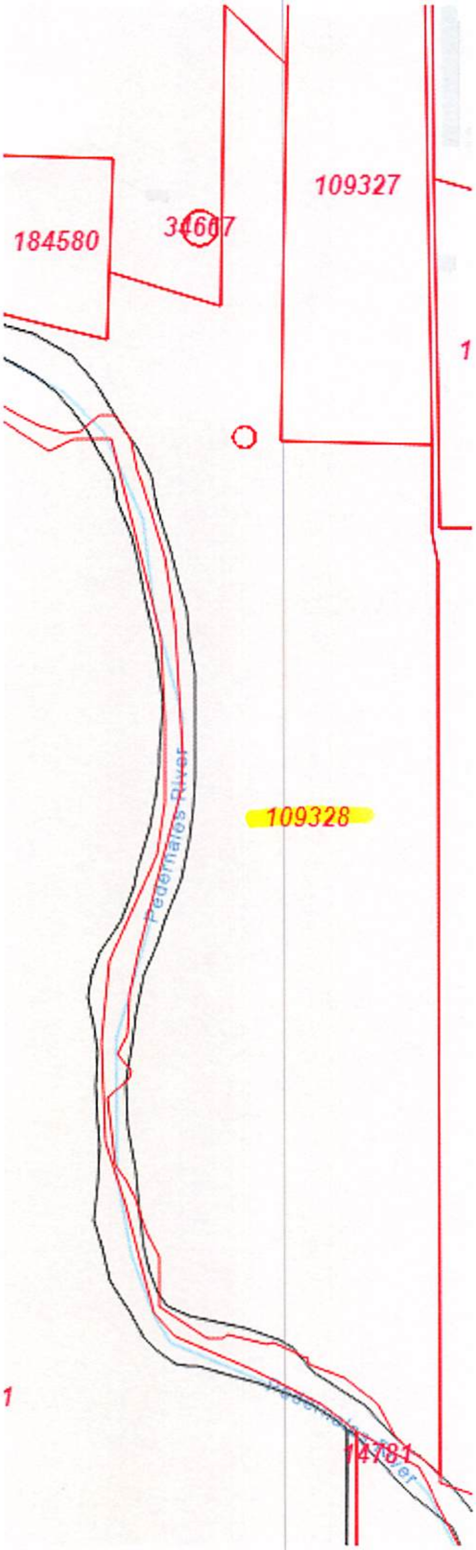
Pedernales River



109327
184580
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Pedernales River
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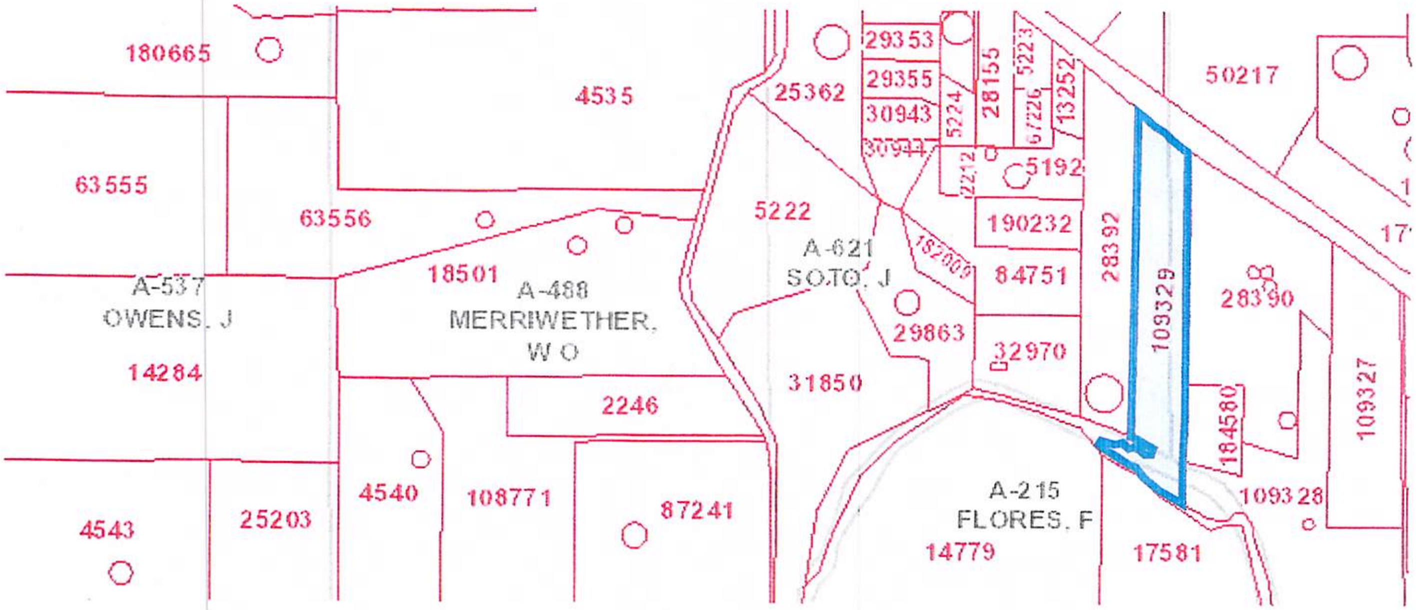
1
Pedernales River
14781

Gillespie CAD Property Search

Property ID: 109329 For Year 2024

Map



Property Details

Account

Property ID:	109329	**Geographic ID:**	A0387-0032-000000-00
Type:	R	**Zoning:**	
Property Use:		**Condo:**	

Location

Situs Address:	E US HWY 290,		
Map ID:	9-O	**Mapsco:**	
Legal Description:	ABS A-MULTIPLE MULTIPLE ABST, 20. ACRES		
Abstract/Subdivision:	A-MULTIPLE		
Neighborhood:	(FS) SOUTH OF CITY, NEAR CITY		

Owner

Owner ID:	223124
Name:	FREDBG PEDERNALES RANCH LP
Agent:	

Privacy - Terms

Mailing Address:	%POOLE, MICHAEL A 13100 TRAUTWEIN RD AUSTIN, TX 78737
% Ownership:	100.0%
Exemptions:	For privacy reasons not all exemptions are shown online.

Property Values

Improvement Homesite Value:	$0 (+)
Improvement Non-Homesite Value:	$0 (+)
Land Homesite Value:	$0 (+)
Land Non-Homesite Value:	$0 (+)
Agricultural Market Valuation:	$1,338,610 (+)
Market Value:	$1,338,610 (=)
Agricultural Value Loss:	$1,336,510 (-)
Appraised Value:	$2,100 (=)
HS Cap Loss/Circuit Breaker:	$0 (-)
Assessed Value:	$2,100
Ag Use Value:	$2,100

PLEASE SEARCH USING THE PROPERTY ID OR OWNER'S NAME

VALUES SHOWN ARE 2024 PRELIMINARY VALUES AND ARE SUBJECT TO CHANGE PRIOR TO CERTIFICATION.

Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

Property Taxing Jurisdiction

Owner: FREDBG PEDERNALES RANCH LP

Entity	Description	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling

G086	GILLESPIE COUNTY	$1,338,610	$2,100	$5.87
HUW	HILL CNTRY UWCD	$1,338,610	$2,100	$0.10
SFB	FREDBG ISD	$1,338,610	$2,100	$16.28
WCD	GILLESPIE WCID	$1,338,610	$2,100	$0.00
CAD	GILLESPIE CENTRAL APPRAISAL DISTRICT	$1,338,610	$2,100	$0.00

Total Tax Rate: 1.059876

Estimated Taxes With Exemptions: $22.25

Estimated Taxes Without Exemptions: $14,187.60

Property Improvement - Building

Property Land

Type	Description	Acreage	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
RN1W	NATIVE PASTURE 1 - WILDLIFE	5.33	232,261.92	0.00	0.00	$356,870	$580
RN2W	NATIVE PASTURE 2 - WILDLIFE	14.67	638,938.08	0.00	0.00	$981,740	$1,520

Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2024	$0	$1,338,610	$2,100	$2,100	$0	$2,100
2023	$0	$1,338,610	$2,100	$2,100	$0	$2,100
2022	$0	$1,700,000	$1,960	$1,960	$0	$1,960
2021	$0	$970,000	$1,940	$1,940	$0	$1,940
2020	$0	$572,140	$780	$780	$0	$780
2019	$0	$572,140	$780	$780	$0	$780
2018	$0	$520,130	$740	$740	$0	$740
2017	$0	$421,300	$730	$730	$0	$730
2016	$0	$270,900	$730	$730	$0	$730

Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
1/21/2006	PD	PARTITION DEED	WEINHEIMER, EWALD	CRENWELGE, CECIL ETAL	P-8340		
12/15/2015	WDVL	WARRANTY DEED VENDORS LIEN	CRENWELGE, CECIL ETAL	HARRIS, DAVID WILLIAM & KAREN KATHERINE	20155546		
3/17/2021	WDVL	WARRANTY DEED VENDORS LIEN	HARRIS, DAVID WILLIAM & KAREN KATHERINE	FREDBG PEDERNALES RANCH LP	20212018		

ARB Data

Data will be available in October 2024.

Estimated Tax Due

ATTENTION

Indicated amount may not reflect delinquent tax due beyond a 5-year history. Partial payments or contract payments may not be reflected. Quarter payments that are made according to Section 31.031 of the Texas Property Tax Code are not considered delinquent.

If Paid:

* Property taxes in question have been legally deferred or abated

Year	Taxing Jurisdiction	Taxable Value	Base Tax	Base Taxes Paid	Base Tax Due	Discount/Penalty & Interest	Attorney Fees	Amount Due
2023	GILLESPIE COUNTY	$2100.00	$5.87	$5.87	$0.00	$0.00	$0.00	$0.00
2023	HILL CNTRY UWCD	$2100.00	$0.10	$0.10	$0.00	$0.00	$0.00	$0.00
2023	FREDBG ISD	$2100.00	$16.28	$16.28	$0.00	$0.00	$0.00	$0.00
2023	GILLESPIE WCID	$2100.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
	2023 Total:		$22.25	$22.25	$0.00	$0.00	$0.00	$0.00

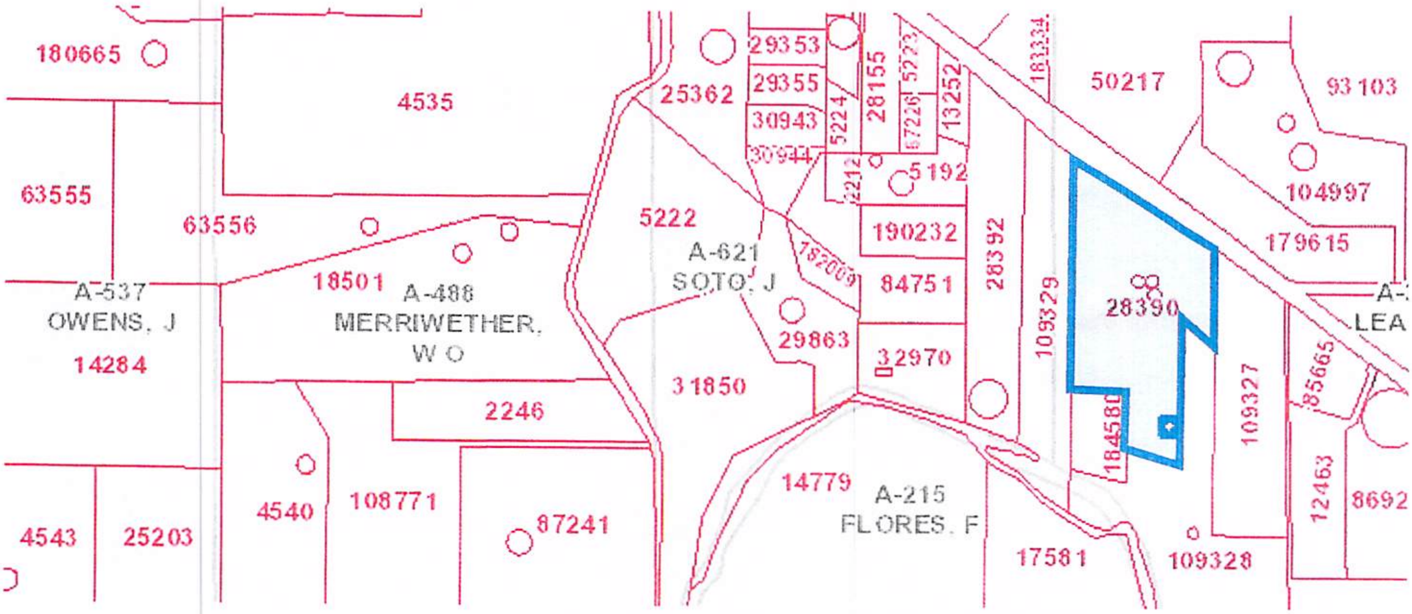
2022	GILLESPIE COUNTY	$1960.00	$6.52	$6.52	$0.00	$0.00	$0.00	$0.00
2022	HILL CNTRY UWCD	$1960.00	$0.10	$0.10	$0.00	$0.00	$0.00	$0.00
2022	FREDBG ISD	$1960.00	$18.83	$18.83	$0.00	$0.00	$0.00	$0.00
2022	GILLESPIE WCID	$1960.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
	2022 Total:		$25.45	$25.45	$0.00	$0.00	$0.00	$0.00
2021	GILLESPIE COUNTY	$1940.00	$6.94	$6.94	$0.00	$0.00	$0.00	$0.00
2021	HILL CNTRY UWCD	$1940.00	$0.11	$0.11	$0.00	$0.00	$0.00	$0.00
2021	FREDBG ISD	$1940.00	$18.98	$18.98	$0.00	$0.00	$0.00	$0.00
2021	GILLESPIE WCID	$1940.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
	2021 Total:		$26.03	$26.03	$0.00	$0.00	$0.00	$0.00
2020	GILLESPIE COUNTY	$780.00	$3.15	$3.15	$0.00	$0.00	$0.00	$0.00
2020	HILL CNTRY UWCD	$780.00	$0.05	$0.05	$0.00	$0.00	$0.00	$0.00
2020	FREDBG ISD	$780.00	$8.23	$8.23	$0.00	$0.00	$0.00	$0.00
2020	GILLESPIE WCID	$780.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
	2020 Total:		$11.43	$11.43	$0.00	$0.00	$0.00	$0.00
2019	GILLESPIE COUNTY	$780.00	$3.22	$3.22	$0.00	$0.00	$0.00	$0.00
2019	HILL CNTRY UWCD	$780.00	$0.05	$0.05	$0.00	$0.00	$0.00	$0.00
2019	FREDBG ISD	$780.00	$8.40	$8.40	$0.00	$0.00	$0.00	$0.00
2019	GILLESPIE WCID	$780.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
	2019 Total:		$11.67	$11.67	$0.00	$0.00	$0.00	$0.00
2018	GILLESPIE COUNTY	$740.00	$3.02	$3.02	$0.00	$0.00	$0.00	$0.00
2018	HILL CNTRY UWCD	$740.00	$0.05	$0.05	$0.00	$0.00	$0.00	$0.00

2018	FREDBG ISD	$740.00	$8.49	$8.49	$0.00	$0.00	$0.00	$0.00
2018	GILLESPIE WCID	$740.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
	2018 Total:		$11.56	$11.56	$0.00	$0.00	$0.00	$0.00
2017	GILLESPIE COUNTY	$730.00	$2.92	$2.92	$0.00	$0.00	$0.00	$0.00
2017	HILL CNTRY UWCD	$730.00	$0.05	$0.05	$0.00	$0.00	$0.00	$0.00
2017	FREDBG ISD	$730.00	$8.37	$8.37	$0.00	$0.00	$0.00	$0.00
2017	GILLESPIE WCID	$730.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
	2017 Total:		$11.34	$11.34	$0.00	$0.00	$0.00	$0.00
2016	GILLESPIE COUNTY	$730.00	$3.17	$3.17	$0.00	$0.00	$0.00	$0.00
2016	HILL CNTRY UWCD	$730.00	$0.06	$0.06	$0.00	$0.00	$0.00	$0.00
2016	FREDBG ISD	$730.00	$8.37	$8.37	$0.00	$0.00	$0.00	$0.00
2016	GILLESPIE WCID	$730.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
	2016 Total:		$11.60	$11.60	$0.00	$0.00	$0.00	$0.00

Gillespie CAD Property Search

Property ID: 28390 For Year 2024

Map



Property Details

Account

Property ID:	28390	**Geographic ID:**	A0387-0032-000000-00
Type:	R	**Zoning:**	
Property Use:		**Condo:**	

Location

Situs Address:	3567 E US HWY 290, TX		
Map ID:	9-O	**Mapsco:**	
Legal Description:	ABS A0387 J I LEAL #32, 30.136 ACRES, -EDGEWATER SPRINGS LLC HAS 3 M/H'S LOCATED ON THIS PROP-		
Abstract/Subdivision:	A0387		
Neighborhood:	(FS) SOUTH OF CITY, NEAR CITY		

Owner

Owner ID:	223124
Name:	FREDBG PEDERNALES RANCH LP
Agent:	

Mailing Address: %POOLE, MICHAEL A
13100 TRAUTWEIN RD
AUSTIN, TX 78737

% Ownership: 100.0%

Exemptions: For privacy reasons not all exemptions are shown online.

Property Values

Improvement Homesite Value:	$0 (+)
Improvement Non-Homesite Value:	$2,870,030 (+)
Land Homesite Value:	$0 (+)
Land Non-Homesite Value:	$334,660 (+)
Agricultural Market Valuation:	$1,682,360 (+)
Market Value:	$4,887,050 (=)
Agricultural Value Loss:	$1,679,730 (-)
Appraised Value:	$3,207,320 (=)
HS Cap Loss/Circuit Breaker:	$0 (-)
Assessed Value:	$3,207,320
Ag Use Value:	$2,630

PLEASE SEARCH USING THE PROPERTY ID OR OWNER'S NAME

VALUES SHOWN ARE 2024 PRELIMINARY VALUES AND ARE SUBJECT TO CHANGE PRIOR TO CERTIFICATION.

Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

Property Taxing Jurisdiction

Owner: FREDBG PEDERNALES RANCH LP

Entity	Description	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling

G086	GILLESPIE COUNTY	$4,887,050	$3,207,320	$8,967.67
HUW	HILL CNTRY UWCD	$4,887,050	$3,207,320	$150.74
SFB	FREDBG ISD	$4,887,050	$3,207,320	$24,869.56
WCD	GILLESPIE WCID	$4,887,050	$3,207,320	$5.64
CAD	GILLESPIE CENTRAL APPRAISAL DISTRICT	$4,887,050	$3,207,320	$0.00

Total Tax Rate: 1.059876

Estimated Taxes With Exemptions: $33,993.61

Estimated Taxes Without Exemptions: $51,796.67

Property Improvement - Building

Type: COMMERCIAL **Living Area:** 378.0 sqft **Value:** $0

Type	Description	Class CD	Year Built	SQFT
MA	MAIN AREA	OFF4	2019	378
OP		*	2019	88
WD		*	2019	432
PKLT		PLA	0	122000

Living Area: 406.0 sqft **Value:** $0

Type	Description	Class CD	Year Built	SQFT
MA	MAIN AREA	CT2P	2019	406
OP		*	2019	140
WD		*	2019	408

Living Area: 408.0 sqft **Value:** $0

Type	Description	Class CD	Year Built	SQFT
MA	MAIN AREA	CT2P	2019	408
OP		*	2019	120
WD		*	2019	468

Living Area: 406.0 sqft **Value:** $0

Type	Description	Class CD	Year Built	SQFT
MA	MAIN AREA	CT2P	2019	406
OP		*	2019	140

WD		*	2019	408

Living Area: 406.0 sqft **Value:** $0

Type	Description	Class CD	Year Built	SQFT
MA	MAIN AREA	CT2P	2019	406
OP		*	2019	140
WD		*	2019	468

Living Area: 408.0 sqft **Value:** $0

Type	Description	Class CD	Year Built	SQFT
MA	MAIN AREA	CT2P	2019	408
WD		*	2019	468

Living Area: 408.0 sqft **Value:** $0

Type	Description	Class CD	Year Built	SQFT
MA	MAIN AREA	CT2P	2019	408
OP		*	2019	120
WD		*	2019	528

Living Area: 280.0 sqft **Value:** $0

Type	Description	Class CD	Year Built	SQFT
MA	MAIN AREA	CT2P	2019	280
OP		*	2019	84
WD		*	2019	204
WD		*	2019	192
STGG		*	2019	120
STGG		*	2019	96

Living Area: 406.0 sqft **Value:** $0

Type	Description	Class CD	Year Built	SQFT
MA	MAIN AREA	CT2P	2019	406
OP		*	2019	140
WD		*	2019	408

Living Area: 408.0 sqft **Value:** $0

Type	Description	Class CD	Year Built	SQFT

MA	MAIN AREA	CT2P	2019	408
OP		*	2019	120
WD		*	2019	1428

Living Area: 406.0 sqft **Value:** $0

Type	Description	Class CD	Year Built	SQFT
MA	MAIN AREA	CT2P	2022	406
OP		*	2022	140

Description: SHORT TERM RENTAL **Living Area:** 748.0 sqft **Value:** $0

Type	Description	Class CD	Year Built	SQFT
MA	MAIN AREA	CT2P	0	748
OP		*	2022	170

Living Area: 772.0 sqft **Value:** $0

Type	Description	Class CD	Year Built	SQFT
MA	MAIN AREA	CT2P	2022	386
MA	MAIN AREA	CT2P	2022	386
OP		*	2022	1252

Living Area: 748.0 sqft **Value:** $0

Type	Description	Class CD	Year Built	SQFT
MA	MAIN AREA	CT2P	0	748
OP		*	2022	170

Living Area: 386.0 sqft **Value:** $0

Type	Description	Class CD	Year Built	SQFT
MA	MAIN AREA	CT2P	2022	386
OP		*	2022	274

Living Area: 386.0 sqft **Value:** $0

Type	Description	Class CD	Year Built	SQFT
MA	MAIN AREA	CT2P	2022	386
OP		*	2022	274

Description: SHORT TERM RENTAL **Living Area:** 748.0 sqft **Value:** $0

Type	Description	Class CD	Year Built	SQFT

MA	MAIN AREA	CT2P	0	748
OP		*	2022	170

Living Area: 748.0 sqft **Value:** $0

Type	Description	Class CD	Year Built	SQFT
MA	MAIN AREA	CT2P	0	748
OP		*	2022	170

Living Area: 386.0 sqft **Value:** $0

Type	Description	Class CD	Year Built	SQFT
MA	MAIN AREA	CT2P	2022	386
OP		*	2022	274

Living Area: 772.0 sqft **Value:** $0

Type	Description	Class CD	Year Built	SQFT
MA	MAIN AREA	CT2P	2022	386
MA	MAIN AREA	CT2P	2022	386
OP		*	2022	1252

Living Area: 772.0 sqft **Value:** $0

Type	Description	Class CD	Year Built	SQFT
MA	MAIN AREA	CT2P	2022	386
MA	MAIN AREA	CT2P	2022	386
OP		*	2022	1252

Living Area: 385.0 sqft **Value:** $0

Type	Description	Class CD	Year Built	SQFT
MA	MAIN AREA	CT2P	2022	385
OP		*	2022	66

Living Area: 640.0 sqft **Value:** $0

Type	Description	Class CD	Year Built	SQFT
MA	MAIN AREA	CT2P	0	640
OP		*	2022	128

Living Area: 386.0 sqft **Value:** $0

Type	Description	Class CD	Year Built	SQFT

MA	MAIN AREA	CT2P	2022	386
OP		*	2022	274

Property Land

Type	Description	Acreage	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
RN1	NATIVE PASTURE 1	4.50	196,020.00	0.00	0.00	$301,190	$0
RN1	NATIVE PASTURE 1	0.50	21,780.00	0.00	0.00	$33,470	$0
RN2W	NATIVE PASTURE 2 - WILDLIFE	19.91	867,148.92	0.00	0.00	$1,332,380	$2,060
RN1W	NATIVE PASTURE 1 - WILDLIFE	5.23	227,775.24	0.00	0.00	$349,980	$570

Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2024	$2,870,030	$2,017,020	$2,630	$3,207,320	$0	$3,207,320
2023	$2,870,030	$2,017,020	$2,640	$3,207,330	$0	$3,207,330
2022	$958,360	$871,750	$1,920	$1,135,280	$0	$1,135,280
2021	$0	$744,210	$1,990	$121,990	$0	$121,990
2020	$368,080	$905,210	$2,070	$491,560	$0	$491,560
2019	$0	$905,210	$2,380	$2,380	$0	$2,380
2018	$0	$905,210	$2,260	$2,260	$0	$2,260
2017	$0	$732,220	$2,220	$2,220	$0	$2,220
2016	$260	$841,610	$2,240	$2,500	$0	$2,500

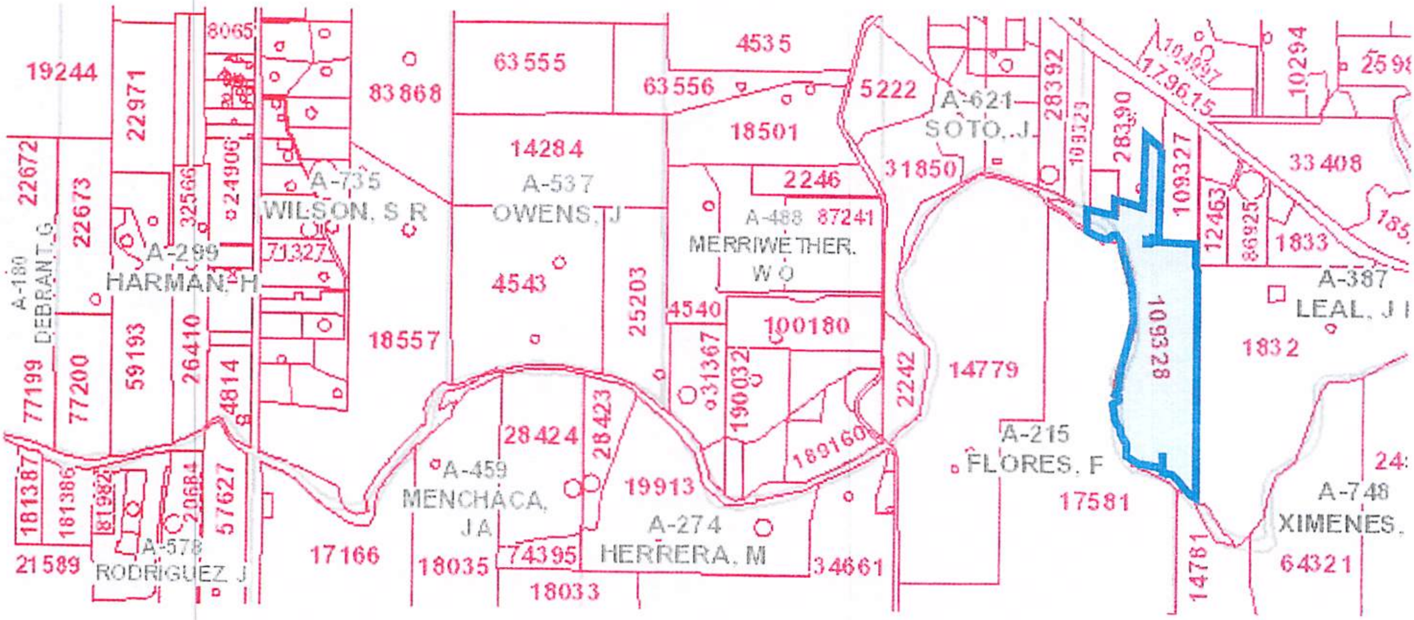
Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
1/21/2006	PD	PARTITION DEED	WEINHEIMER, EWALD	CRENWELGE, CECIL ETAL	P-8340		
12/15/2015	WDVL	WARRANTY DEED VENDORS LIEN	CRENWELGE, CECIL ETAL	FREDBG PEDERNALES RANCH LP	20155535		

Gillespie CAD Property Search

Property ID: 109328 For Year 2024

Map



Property Details

Account

Property ID: 109328

Geographic ID: A0387-0032-000000-00

Type: R

Zoning:

Property Use:

Condo:

Location

Situs Address: 3567 E US HWY 290, TX

Map ID: 9-O

Mapsco:

Legal Description: ABS A0387 J I LEAL #32, 84.845 ACRES

Abstract/Subdivision: A0387

Neighborhood: (FS) SOUTH OF CITY, NEAR CITY

Owner

Owner ID: 223124

Name: FREDBG PEDERNALES RANCH LP

Agent:

Mailing Address:	%POOLE, MICHAEL A 13100 TRAUTWEIN RD AUSTIN, TX 78737
% Ownership:	100.0%
Exemptions:	For privacy reasons not all exemptions are shown online.

Property Values

Improvement Homesite Value:	$0 (+)
Improvement Non-Homesite Value:	$0 (+)
Land Homesite Value:	$0 (+)
Land Non-Homesite Value:	$0 (+)
Agricultural Market Valuation:	$5,678,710 (+)
Market Value:	$5,678,710 (=)
Agricultural Value Loss:	$5,669,410 (-)
Appraised Value:	$9,300 (=)
HS Cap Loss/Circuit Breaker:	$0 (-)
Assessed Value:	$9,300
Ag Use Value:	$9,300

PLEASE SEARCH USING THE PROPERTY ID OR OWNER'S NAME

VALUES SHOWN ARE 2024 PRELIMINARY VALUES AND ARE SUBJECT TO CHANGE PRIOR TO CERTIFICATION.

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Property Taxing Jurisdiction

Owner: FREDBG PEDERNALES RANCH LP

Entity	Description	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling

G086	GILLESPIE COUNTY	$5,678,710	$9,300	$26.00
HUW	HILL CNTRY UWCD	$5,678,710	$9,300	$0.44
SFB	FREDBG ISD	$5,678,710	$9,300	$72.11
WCD	GILLESPIE WCID	$5,678,710	$9,300	$0.02
CAD	GILLESPIE CENTRAL APPRAISAL DISTRICT	$5,678,710	$9,300	$0.00

Total Tax Rate: 1.059876

Estimated Taxes With Exemptions: $98.57

Estimated Taxes Without Exemptions: $60,187.28

Property Improvement - Building

Property Land

Type	Description	Acreage	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
TD2W	TILLABLE DRY 2 - WILDLIFE	2.80	121,968.00	0.00	0.00	$187,410	$350
RN1W	NATIVE PASTURE 1 - WILDLIFE	75.45	3,286,384.20	0.00	0.00	$5,049,560	$8,220
RN2W	NATIVE PASTURE 2 - WILDLIFE	4.40	191,664.00	0.00	0.00	$294,490	$460
TD2W	TILLABLE DRY 2 - WILDLIFE	2.20	95,832.00	0.00	0.00	$147,250	$270

Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2024	$0	$5,678,710	$9,300	$9,300	$0	$9,300
2023	$0	$5,678,710	$9,310	$9,310	$0	$9,310
2022	$0	$3,152,590	$9,240	$9,240	$0	$9,240
2021	$0	$2,702,220	$9,170	$9,170	$0	$9,170
2020	$0	$2,733,890	$7,700	$7,700	$0	$7,700
2019	$0	$2,733,890	$7,700	$7,700	$0	$7,700
2018	$0	$2,733,890	$7,320	$7,320	$0	$7,320

2017	$0	$2,211,420	$7,210	$7,210	$0	$7,210
2016	$0	$1,855,420	$7,080	$7,080	$0	$7,080

Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
1/21/2006	PD	PARTITION DEED	WEINHEIMER, EWALD	CRENWELGE, CECIL ETAL	P-8340		
12/15/2015	WDVL	WARRANTY DEED VENDORS LIEN	CRENWELGE, CECIL ETAL	FREDBG PEDERNALES RANCH LP	20155536-	20155544	

ARB Data

Data will be available in October 2024.

Estimated Tax Due

****ATTENTION****

Indicated amount may not reflect delinquent tax due beyond a 5-year history. Partial payments or contract payments may not be reflected. Quarter payments that are made according to Section 31.031 of the Texas Property Tax Code are not considered delinquent.

If Paid:

* Property taxes in question have been legally deferred or abated

Year	Taxing Jurisdiction	Taxable Value	Base Tax	Base Taxes Paid	Base Tax Due	Discount/Penalty & Interest	Attorney Fees	Amount Due
2023	GILLESPIE COUNTY	$9310.00	$26.03	$26.03	$0.00	$0.00	$0.00	$0.00
2023	HILL CNTRY UWCD	$9310.00	$0.44	$0.44	$0.00	$0.00	$0.00	$0.00
2023	FREDBG ISD	$9310.00	$72.19	$72.19	$0.00	$0.00	$0.00	$0.00
2023	GILLESPIE WCID	$9310.00	$0.02	$0.02	$0.00	$0.00	$0.00	$0.00
	2023 Total:		$98.68	$98.68	$0.00	$0.00	$0.00	$0.00

2022	GILLESPIE COUNTY	$9240.00	$30.74	$30.74	$0.00		$0.00	$0.00	$0.00
2022	HILL CNTRY UWCD	$9240.00	$0.47	$0.47	$0.00		$0.00	$0.00	$0.00
2022	FREDBG ISD	$9240.00	$88.78	$88.78	$0.00		$0.00	$0.00	$0.00
2022	GILLESPIE WCID	$9240.00	$0.02	$0.02	$0.00		$0.00	$0.00	$0.00
	2022 Total:		$120.01	$120.01	$0.00		$0.00	$0.00	$0.00
2021	GILLESPIE COUNTY	$9170.00	$32.80	$32.80	$0.00		$0.00	$0.00	$0.00
2021	HILL CNTRY UWCD	$9170.00	$0.52	$0.52	$0.00		$0.00	$0.00	$0.00
2021	FREDBG ISD	$9170.00	$89.70	$89.70	$0.00		$0.00	$0.00	$0.00
2021	GILLESPIE WCID	$9170.00	$0.02	$0.02	$0.00		$0.00	$0.00	$0.00
	2021 Total:		$123.04	$123.04	$0.00		$0.00	$0.00	$0.00
2020	GILLESPIE COUNTY	$7700.00	$31.14	$31.14	$0.00		$0.00	$0.00	$0.00
2020	HILL CNTRY UWCD	$7700.00	$0.48	$0.48	$0.00		$0.00	$0.00	$0.00
2020	FREDBG ISD	$7700.00	$81.26	$81.26	$0.00		$0.00	$0.00	$0.00
2020	GILLESPIE WCID	$7700.00	$0.02	$0.02	$0.00		$0.00	$0.00	$0.00
	2020 Total:		$112.90	$112.90	$0.00		$0.00	$0.00	$0.00
2019	GILLESPIE COUNTY	$7700.00	$31.76	$31.76	$0.00		$0.00	$0.00	$0.00
2019	HILL CNTRY UWCD	$7700.00	$0.48	$0.48	$0.00		$0.00	$0.00	$0.00
2019	FREDBG ISD	$7700.00	$82.87	$82.87	$0.00		$0.00	$0.00	$0.00
2019	GILLESPIE WCID	$7700.00	$0.02	$0.02	$0.00		$0.00	$0.00	$0.00
	2019 Total:		$115.13	$115.13	$0.00		$0.00	$0.00	$0.00
2018	GILLESPIE COUNTY	$7320.00	$29.87	$29.87	$0.00		$0.00	$0.00	$0.00
2018	HILL CNTRY UWCD	$7320.00	$0.49	$0.49	$0.00		$0.00	$0.00	$0.00

2018	FREDBG ISD	$7320.00	$83.90	$83.90	$0.00	$0.00	$0.00	$0.00
2018	GILLESPIE WCID	$7320.00	$0.01	$0.01	$0.00	$0.00	$0.00	$0.00
	2018 Total:		$114.27	$114.27	$0.00	$0.00	$0.00	$0.00
2017	GILLESPIE COUNTY	$7210.00	$28.83	$28.83	$0.00	$0.00	$0.00	$0.00
2017	HILL CNTRY UWCD	$7210.00	$0.51	$0.51	$0.00	$0.00	$0.00	$0.00
2017	FREDBG ISD	$7210.00	$82.64	$82.64	$0.00	$0.00	$0.00	$0.00
2017	GILLESPIE WCID	$7210.00	$0.01	$0.01	$0.00	$0.00	$0.00	$0.00
	2017 Total:		$111.99	$111.99	$0.00	$0.00	$0.00	$0.00
2016	GILLESPIE COUNTY	$7080.00	$30.74	$30.74	$0.00	$0.00	$0.00	$0.00
2016	HILL CNTRY UWCD	$7080.00	$0.55	$0.55	$0.00	$0.00	$0.00	$0.00
2016	FREDBG ISD	$7080.00	$81.15	$81.15	$0.00	$0.00	$0.00	$0.00
2016	GILLESPIE WCID	$7080.00	$0.01	$0.01	$0.00	$0.00	$0.00	$0.00
	2016 Total:		$112.45	$112.45	$0.00	$0.00	$0.00	$0.00

Franchise Tax Details

×

Franchise Search Results **Public Information Report**

As of : 08/02/2024 10:57:11

This page is valid for most business transactions but is not sufficient for filings with the Secretary of State

Obtain a certification for filings with the Secretary of State.

EDGEWATER SPRINGS, LLC	
Texas Taxpayer Number	32071928439
Mailing Address	13100 TRAUTWEIN RD AUSTIN, TX 78737-8516
Right to Transact Business in Texas	ACTIVE
State of Formation	DE
Effective SOS Registration Date	09/12/2019
Texas SOS File Number	0803418538
Registered Agent Name	GEORGE BURL OUTLAW
Registered Office Street Address	103 INDUSTRIAL LOOP, SUITE 900 FREDERICKSBURG, TX 78624

Close

Franchise Tax Details

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Franchise Search Results **Public Information Report**

As of : 08/02/2024 10:58:05

This page is valid for most business transactions but is not sufficient for filings with the Secretary of State

Obtain a certification for filings with the Secretary of State.

OPEN EDGE LLC	
Texas Taxpayer Number	32077169848
Mailing Address	13100 TRAUTWEIN RD AUSTIN, TX 78737-8516
Right to Transact Business in Texas	ACTIVE
State of Formation	TX
Effective SOS Registration Date	12/29/2020
Texas SOS File Number	0803874770
Registered Agent Name	MICHAEL A. POOLE
Registered Office Street Address	13100 TRAUTWEIN ROAD AUSTIN, TX 78737

Close

Franchise Tax Details

Franchise Search Results | **Public Information Report**

As of : 08/02/2024 10:56:06

This page is valid for most business transactions but is not sufficient for filings with the Secretary of State

Obtain a certification for filings with the Secretary of State.

FREDERICKSBURG, PEDERNALES RANCH GP LLC	
Texas Taxpayer Number	32058951214
Mailing Address	13100 TRAUTWEIN RD AUSTIN, TX 78737-8516
Right to Transact Business in Texas	ACTIVE
State of Formation	TX
Effective SOS Registration Date	12/02/2015
Texas SOS File Number	0802342062
Registered Agent Name	MICHAEL A POOLE
Registered Office Street Address	13100 TRAUTWEIN RD AUSTIN, TX 78737

Close

CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM:
MEETING DATE: August 6, 2024 **CATEGORY:** CITY MANAGER'S REPORT

CAPTION: Pedernales Creative Arts Alliance donation to repaint the Maibaum at Marktplatz
Nimintz Rotary Club's donation for Improvements to Cross Mountain Park Entrance

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PRESENTATION:

SUMMARY:

BACKGROUND:

FUNDING SOURCE: **FINANCIAL IMPACT:**

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:
Neighborhood Quality
Workforce
Tourism
City Center
Mobility
Small Town Sensitive Growth
Governance

ATTACHMENTS:
None

APPROVAL/REVIEW:

______________________________ Date: August 02, 2024
Leticia Vacek, City Secretary

William McKamie, City Attorney

Date: August 02, 2024

Leticia Vacek, City Secretary

Date: August 02, 2024

Clinton Bailey, City Manager

Date: August 02, 2024

CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM:
MEETING DATE: August 6, 2024 **CATEGORY:** CITY MANAGER'S REPORT

CAPTION: Food and Wine Festival Update - Jim Makula, CEO Chamber of Commerce

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PRESENTATION:

SUMMARY:

BACKGROUND:

FUNDING SOURCE: **FINANCIAL IMPACT:**

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:
Neighborhood Quality
Workforce
Tourism
City Center
Mobility
Small Town Sensitive Growth
Governance

ATTACHMENTS:
None

APPROVAL/REVIEW:

Date: August 02, 2024

____
Leticia Vacek, City Secretary

William McKamie, City Attorney

Date: August 02, 2024

Leticia Vacek, City Secretary

Date: August 02, 2024

Clinton Bailey, City Manager

Date: August 02, 2024

CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM:
MEETING DATE: August 6, 2024 **CATEGORY:** CITY MANAGER'S REPORT

CAPTION: Fredericksburg Police Department Community Outreach Update

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PRESENTATION:

SUMMARY:

BACKGROUND:

FUNDING SOURCE: **FINANCIAL IMPACT:**

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:
Neighborhood Quality
Workforce
Tourism
City Center
Mobility
Small Town Sensitive Growth
Governance

ATTACHMENTS:
None

APPROVAL/REVIEW:

Date: August 02, 2024

Leticia Vacek, City Secretary

William McKamie, City Attorney

Date: August 02, 2024

Leticia Vacek, City Secretary

Date: August 02, 2024

Clinton Bailey, City Manager

Date: August 02, 2024

CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Manager
TO: Mayor & City Council Members
FROM:
MEETING DATE: August 6, 2024 **CATEGORY:** EXECUTIVE SESSION

CAPTION: Consider and discuss the Civil Action No. 1:24-CV-00701-D11 Joseph Brillhart, Laura Brillhart, and Sally Clark, Plaintiffs, v. City of Fredericksburg, Texas, pending United States District Court for the Western District of Texas, Austin Division (551.071).

PRESENTATION:

SUMMARY:

BACKGROUND:

FUNDING SOURCE: **FINANCIAL IMPACT:**

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:
Neighborhood Quality
Workforce
Tourism
City Center
Mobility
Small Town Sensitive Growth
Governance

ATTACHMENTS:
None

APPROVAL/REVIEW:

Date: July 30, 2024

Clinton Bailey, City Manager

Date: July 30, 2024

Garret Bonn, Assistant City Manager

Date: July 30, 2024

Krista Wareham, Director of Finance

Date: August 02, 2024

William McKamie, City Attorney

Date: August 02, 2024

Leticia Vacek, City Secretary

Date: August 02, 2024

Clinton Bailey, City Manager

CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM:
MEETING DATE: August 6, 2024 **CATEGORY:** EXECUTIVE SESSION

CAPTION: Consultation with City Attorney regarding legal requirements for municipal regulation of signs under current state and federal law (Texas Government Code 551.071). There will be no action after this Executive Session Item.

PRESENTATION:

SUMMARY:

BACKGROUND:

FUNDING SOURCE: **FINANCIAL IMPACT:**

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:
Neighborhood Quality
Workforce
Tourism
City Center
Mobility
Small Town Sensitive Growth
Governance

ATTACHMENTS:
None

APPROVAL/REVIEW:

Krista Wareham

Date: July 30, 2024

Krista Wareham, Director of Finance

William McKamie, City Attorney

Date: August 02, 2024

Leticia Vacek, City Secretary

Date: August 02, 2024

Clinton Bailey, City Manager

Date: August 02, 2024

CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Manager
TO: Mayor & City Council Members
FROM: Garret Bonn, Assistant City Manager
MEETING DATE: August 6, 2024 **CATEGORY:** EXECUTIVE SESSION

CAPTION: Consultation with City Attorney regarding legal requirements for determining eligibility for use of, reporting of, and audit of expenditures of HOT funds. (Texas Government Code 551.071)

PRESENTATION:

SUMMARY:

BACKGROUND:

FUNDING SOURCE: **FINANCIAL IMPACT:**

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:
Governance

ATTACHMENTS:
None

APPROVAL/REVIEW:

Clinton Bailey, City Manager — Date: July 30, 2024

Garret Bonn, Assistant City Manager — Date: July 30, 2024

William McKamie, City Attorney

Date: August 02, 2024

Leticia Vacek, City Secretary

Date: August 02, 2024

Clinton Bailey, City Manager

Date: August 02, 2024

CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Manager
TO: Mayor & City Council Members
FROM: Garret Bonn, Assistant City Manager
MEETING DATE: August 6, 2024 **CATEGORY:** EXECUTIVE SESSION

CAPTION: Consider and discuss Real Estate in the vicinity of US 290E and Old San Antonio Rd. (Section 551.072)

PRESENTATION:

SUMMARY:

BACKGROUND:

FUNDING SOURCE: **FINANCIAL IMPACT:**

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:
Government Vision

ATTACHMENTS:
None

APPROVAL/REVIEW:

Clinton Bailey, City Manager Date: July 30, 2024

Garret Bonn, Assistant City Manager Date: July 30, 2024

William McKamie, City Attorney

Date: August 02, 2024

Clinton Bailey, City Manager

Date: August 02, 2024

CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary
TO: Mayor & City Council Members
FROM: Garret Bonn, Assistant City Manager
MEETING DATE: August 6, 2024 **CATEGORY:** EXECUTIVE SESSION

CAPTION: Discussion and possible action on the value and disposition of city-owned real properties located throughout the City (Section 551.072)

PRESENTATION:

SUMMARY:

BACKGROUND:

FUNDING SOURCE: **FINANCIAL IMPACT:**

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:
Government Vision

ATTACHMENTS:
None

APPROVAL/REVIEW:

William McKamie, City Attorney Date: August 02, 2024

Clinton Bailey, City Manager Date: August 02, 2024