



City of Fredericksburg

City Council Regular Meeting Agenda
Tuesday, September 3, 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, September 3, 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 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 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 agenda item per Comment Card;
- ii. Speakers will be limited to three 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 10 copies; if not, the City Council will receive your handouts the following day.

NOTE: The City Council may recess 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 under 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 - Alex Garcia - Pastor at Fredericksburg Bible Church will deliver the Invocation**
3. **PLEDGES OF ALLEGIANCE - Mayor Jeryl Hoover will lead the Pledges**
4. **CEREMONIALS - Proclamation for Constitution Week - Ephraim Andrews Chapter of the Daughters of the American Revolution - Roylene Roberts & Introduction of Development Services Department Employee Jeanette Sanchez**
5. **COUNCIL COMMENTS**
6. **CONSENT**

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

 - A. Consider approval of Minutes for City Council Special Budget Meeting on July 23, 2024. (Leticia Vacek, City Secretary)
7. **ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS**
 - A. Public Hearing on the Proposed City of Fredericksburg Budget for Fiscal Year 2024-2025 for the period of October 1, 2024 through September 30, 2025.
 - i. Presentation by Krista Wareham, Finance Director
 - ii. Conduct Public Hearing (Mayor declares the Public Hearing open and calls upon individuals to speak. Mayor declares the Public Hearing closed)
 - iii. Action Required - Adoption of the budget or a vote to postpone the final budget vote
 - B. Consider and take action on Ordinance 2024-27 for the Release of Right-of-Way for a portion of S. Mesquite Street from E. Main Street to E. San Antonio Street to adjacent property owner, Mod Hotel No 2 LLC. (Anna Hudson, Director of Development Services)
 - C. Consideration and Possible Action on Resolution 2024-11 authorizing and directing the City Manager to negotiate and execute an Agreement for Professional Architectural Services for the Renovation and Remodeling of the Former Hill Country University Center Educational Building located at 2818 US 290 East into a New City Hall for the City of Fredericksburg with SKT Architects, PLLC in an amount not to exceed \$150,000.00. (Garret Bonn, Assistant City Manager)

8. OTHER ACTION ITEMS AND UPDATES

- A. Petition for Release of Property from the City of Fredericksburg Extra-Territorial Jurisdiction of approximately 20.0 acres also known as the Yee Haw Ranch Outfitters. (Mick McKamie, City Attorney)
- B. Consideration and Possible Action Approving the Financing for the Fire Department Rescue Truck. (Krista Wareham, Finance Director)
- C. Consider and Take Action on an Appointment to the Zoning Board of Adjustment. (Garret Bonn, Asst. City Manager)

9. CITY MANAGER'S REPORT

- A. Municipal Court Update. (Judge Shelley Becker)

10. ITEMS FOR FUTURE AGENDA

- A. Review of Future Agenda Items/Meetings List. (Clinton Bailey, City Manager)

11. EXECUTIVE SESSION

Pursuant to the Texas Government Code Sections 551.071, 551.072, and 551.074, the City Council will recess its open meeting and convene in Executive Session.

- A. Consider and discuss the appointment, evaluation, reassignment, duties, or dismissal of a public officer, specifically the appointment of persons to fill vacancies on the City's Boards and Commissions. (Section 551.074)
- B. Consultation with Attorney on a matter for which it is the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct conflict with this Chapter and requires discussion of the item in closed session: Receive and discuss legal advice on civil and criminal enforcement of Short Term Rental Ordinance. (Section 551.071)
- C. Consider and discuss Real Estate in the vicinity of US 290E and Industrial Loop. (Section 551.072)
- D. Consider and discuss Real Estate in the vicinity of US 290E and Old San Antonio Rd. (Section 551.072)
- E. Consider and discuss the value and possible 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 4:15 p.m. on August 29, 2024, on the bulletin board of the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.

A handwritten signature in black ink that reads "Leticia Vacek". The signature is fluid and cursive, with the first name "Leticia" and last name "Vacek" clearly distinguishable.

Leticia Vacek, TRMC/CMC/MMC
City Secretary



City of Fredericksburg
CITY COUNCIL SPECIAL MEETING MINUTES
Tuesday July 23 9:00 a.m.
John Wm. Klein Room
115 N Crockett
FREDERICKSBURG, TEXAS 78624

Mayor Jeryl Hoover
Mayor Pro-Tern Emily Kirchner
Councilmember Bobby Watson
Councilmember Tony Klein

Councilmembers Absent:

Councilmember Randy Briley

City Staff:

Clinton Bailey, City Manager
Garret Bonn, Assistant City Manager
Leticia Vacek, City Secretary
Kris Kneese, Public Works/Utilities Director
Krista Wareham, Finance Director
Lynn Bizzell, Fire Chief
Anna Hudson, Director of Development Services
Andrea Schmidt, Director of Parks and Recreation
Aaron Anderegg, IT Director
Kelli Olfers, Director of Gillespie County Health Division
Tammie Loth, Director of Human Resources
Sean Doerre, Public Information Officer
Justin Calhoun, Emergency Management Coordinator
David Kellam, Finance Manager
Leslie Embrey, Asst. to the City Secretary

Also Present:

Brady Closson, President/CEO CVB

Tim Lehmberg, Gillespie County EDC

CALL TO ORDER

Mayor Hoover called the Special Meeting of the Fredericksburg City Council to order at 9:00am on Tuesday, July 23, 2024.

He announced that a quorum had been met.

OVERVIEW OF THE REQUESTED FISCAL YEAR 2025 BUDGET FOR THE CITY OF FREDERICKSBURG.

(Krista Wareham, Finance Director)

Receive comments from City Manager Clinton Bailey

Mr. Bailey spoke to the reductions by departments where department directors were able to produce \$1.2 million in savings assisting to balance the proposed FY2025 Budget. He mentioned that he sent out a Budget Memo on July 9th with said information adding that the overall reduction is 1%. He spoke to revenue sustainability and noted inflation was down compared to last year. Lastly, he added that he was committed to focusing on every line item of the Budget while still trying to save where possible.

Krista Wareham, Director of Finance stated that the budget strategy was to maintain the same level of services and provided a high-level budget overview. She stated that the city was waiting on additional information from the County Appraisal District relating to property tax. She referred to the Budget Calendar and noted upcoming public hearings. She added currently there was a zero increase in revenues built-in as general fund revenues were down by approximately \$1 million. Mrs. Wareham also noted an increase in the Electric and Water Funds of approximately 1-3%. She also clarified that 2.5% was built-in to the budget for the cost-of-living increase. With regards to the requested personnel, she noted that 14 requests were submitted and 8 were built-in to the budget while noting an increase in the maintenance and operations budget of \$154,000.

Mr. Bailey added that the new City Hall would result in a property tax increase on the General Fund side. He noted that a Ladder Truck, Ambulance and Cardiac Monitors would also be added to the Fire Department Budget. It was noted that the \$700,000 in tourism funds would allow for the replacement of trash cans, and benches. Mr. Bonn added that new street lighting would also be included.

Mrs. Wareham reviewed the new positions included in the budget and provided the Council preliminary tax information. Mr. Bailey explained that staff is always looking at ways to generate new revenue such as a parking lot and noted how it can help offset expenses at an estimated annual revenue of \$5-\$7 million. The Council noted their opinions with no consensus as there are many questions. Mr. Bailey stated that in the future; staff would like to bring forth information on a parking lot. He added that as far as utilities, staff is looking at the utility commercial rates and the rates for City Departments. With regards to new positions, it was mentioned that several staffing requests could be reviewed and handled mid-year.

Mrs. Wareham noted that on August 6th; staff would be able to share taxation rates and that the Chief Appraiser would be available to answer questions. Mr. Bailey added that the Joint City/County Budget Meeting would be held on August 8th while the adoption of the Budget and Tax Rate would be held on September 17, 2024.

Brady Closson stated that Hotel Occupancy Tax was trailing by 3% which is a new trend being seen nationally. He noted more folks were traveling internationally while 85% of travelers to Fredericksburg were from Texas. He added The Albert Hotel will influence those traveling to Fredericksburg since it is a full-service hotel. He stated that their conservative number of visitors to the hotel is 300,000. Mayor Hoover asked what factors we can control. Mr. Closson stated the awareness, marketing campaign and just having the right message. Tim Lehmberg added that the residential market is flat but is slowing moving in the right direction. Mayor Pro-Tem Kirchner asked of the Commercial Market. Mr. Lehmberg replied that he does not see that market slowing down.

Mr. Bailey asked the Council if there were any other questions or items to review.

Councilmember Watson asked of the 4 unfilled vacancies within the Police Department. Mr. Bailey replied that they are still looking to fill the vacancies. He added that it was the same with the Fire Department vacancies. Fire Chief Bizzell added that there is a shortage of paramedics. For now, he added they can hire an EMT and send them to Paramedic Training. Mayor Pro-Tem Kirchner asked of the Lift Stations and the Joint Meeting with the County Commissioners on Budget. Mr. Kneese replied that they are working on a Master Plan Update and that work is needed on the Lift Stations. Mr. Bailey mentioned that the joint meeting was scheduled for August 8th while Mrs. Wareham noted that the County Budget had not been provided. Mr. Bonn mentioned a meeting with County Judge Jones is scheduled today on their budget.

Annette Bennett noted that she saw Fredericksburg as an island and asked how we can generate more revenue noting that the city needed to continue to grow our city limits. Mr. Dooley added that staff would need to consider the cost benefit(s) as it related to growing our city limits.

ADJOURN

There being no other business, Mayor Hoover adjourned the Budget Work Session at 10:21 am.

Jeryl Hoover, Mayor

ATTEST:

Leticia Vacek, TRMC, CMC, MMC
City Secretary



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Finance Department

TO: Mayor & City Council Members

FROM:

MEETING DATE: September 3, 2024

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Public Hearing on the Proposed City of Fredericksburg Budget for Fiscal Year 2024-2025 for the period of October 1, 2024 through September 30, 2025.

- i. Presentation by Krista Wareham, Finance Director
 - ii. Conduct Public Hearing (Mayor declares the Public Hearing open and calls upon individuals to speak. Mayor declares the Public Hearing closed)
 - iii. Action Required - Adoption of the budget or a vote to postpone the final budget vote
-

PRESENTATION:

SUMMARY:

BACKGROUND:

The FY 2025 Proposed Budget was filed with the City Secretary's office on Friday, August 16, 2024. On Tuesday, August 27, 2024, a Special City Council Meeting was held for further review and discussion of the FY 2025 Proposed Budget. The city is required to hold a budget hearing before adopting the tax rate. The public hearing must be held after the 15th day of the Proposed Budget being filed with the City Secretary's office. The city must take some action on the budget after the hearing. TEX.LOC. GOV'T CODE 102.007. The action could be to adopt the budget or a vote to postpone the final budget vote. It is generally accepted not to adopt the budget on the same day as the hearing.

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
Workforce
Tourism
City Center
Mobility

ATTACHMENTS:

None

APPROVAL/REVIEW:



Leticia Vacek, City Secretary

Date: August 29, 2024



William McKamie, City Attorney

Date: August 29, 2024



Clinton Bailey, City Manager

Date: August 29, 2024



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services

TO: Mayor & City Council Members

FROM: Anna Hudson, Director of Development Services

MEETING DATE: September 3, 2024

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Consider and take action on Ordinance 2024-27 for the Release of Right-of-Way for a portion of S. Mesquite Street from E. Main Street to E. San Antonio Street to adjacent property owner, Mod Hotel No 2 LLC. (Anna Hudson, Director of Development Services)

PRESENTATION:

SUMMARY:

New owners have purchased 803 E. Main (formerly Navajo Grill) and 901 E. Main (formerly Azure Hills Motel) and plan to redevelop both properties. The ability to close a small portion of S. Mesquite St. was discussed during a Development Review Committee meeting with staff, as there were no City utilities in the right of way (ROW) nor the need for the small section of street for vehicular access. In fact, the existing parking is not in compliance with City standards. Releasing the ROW will allow a better overall redevelopment project and can enhance pedestrian and vehicular safety. The ROW is unnecessary for use by the public.

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

The new owner will take on maintenance and the land will become taxable as it is incorporated into one lot with adjoining properties.

STAFF RECOMMENDATION:

Staff recommends approval.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Tourism

Mobility

Small Town Sensitive Growth

Governance

ATTACHMENTS:

1. map for mesquite closure
2. Proposed new property line absorbing S. Mesquite Street
3. Ord 2024_27 ROW Abandonment for S. Mesquite

APPROVAL/REVIEW:

Leticia Vacek, City Secretary

Date: August 27, 2024



William McKamie, City Attorney

Date: August 29, 2024



Garret Bonn, Assistant City Manager

Date: August 29, 2024



Clinton Bailey, City Manager

Date: August 29, 2024



Approximate .8 acres of S. Mesquite

VOLUME _____, PAGE _____

VOLUME _____, PAGE _____

VOLUME _____, PAGE _____

VOLUME _____, PAGE _____

VOLUME _____, PAGE _____

VOLUME _____, PAGE _____

VOLUME _____, PAGE _____

VOLUME _____, PAGE _____

VOLUME _____, PAGE _____

VOLUME _____, PAGE _____

VOLUME _____, PAGE _____

VOLUME _____, PAGE _____

VOLUME _____, PAGE _____

VOLUME _____, PAGE _____

VOLUME _____, PAGE _____

VOLUME _____, PAGE _____

VOLUME _____, PAGE _____

VOLUME _____, PAGE _____

VOLUME _____, PAGE _____

VOLUME _____, PAGE _____

VOLUME _____, PAGE _____

VOLUME _____, PAGE _____

VOLUME _____, PAGE _____

- VOLUME _____, PAGE _____

VOLUME _____, PAGE _____

VOLUME _____, PAGE _____

VOLUME _____, PAGE _____

ORDINANCE NO. 2024-27

AN ORDINANCE VACATING AND ABANDONING A CERTAIN DESCRIBED RIGHT-OF-WAY PREVIOUSLY DEDICATED TO THE CITY OF FREDERICKSBURG, TEXAS; DECLARING THAT SUCH RIGHT-OF-WAY IS UNNECESSARY FOR USE BY THE PUBLIC; AUTHORIZING THE MAYOR TO EXECUTE A SPECIAL DEED RELEASING AND ASSIGNING THE REAL PROPERTY TO THE OWNERS OF THE FEE ESTATE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, an area described as a right-of-way, specifically, 0.857 -of-one-acre portion of S. Mesquite Street between E. Main and E. San Antonio described in Exhibit “A,” attached hereto; and

WHEREAS, the City Council of the City, after careful study and consideration, has determined that the right-of-way to be abandoned is not being used by, nor useful or convenient to the public in general, and that the public would be better served and benefited by its vacation and abandonment; and

WHEREAS, in order to remove any question as to the continued interest in the right-of-way to be abandoned, the City executed special warranty deed releasing and assigning all title and control in the right-of-way to be abandoned to the owner of the fee estates on which the right-of-way to be abandoned is located; and

WHEREAS, in order to remove any question as to the continued interest or ownership of the public in said property, the City desires to adopt this Ordinance vacating any interest of the public in said portion of the 0.857-of one-acre tract.

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

SECTION 1

The City Council finds that the 0.857of- one-acre tract described in Exhibit “A,” attached hereto, is not being used by, nor useful or convenient to the public in general and that the public would be better served and benefited by the vacation and abandonment of the right-of-way.

SECTION 2

The Mayor of the City is hereby authorized and empowered to execute special warranty deed to the 0.857 of-one-acre portion of S. Mesquite Street between E. Main and E. San Antonio to be abandoned, which deed is attached hereto as Exhibit “B,” to the current owner of the fee estates on which the easement is located, specifically Mod Hotel No 2 LLC.

SECTION 3

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 4

This Ordinance shall be in full force and effect from and after its date of passage, and it so ordained.

PASSED and APPROVED on this ____ day of _____, 2024.

Jeryl Hoover, Mayor

ATTEST:

Leticia Vacek, City Secretary

Exhibit "A"

LEGAL DESCRIPTION

0.857 ACRE

TRACT I: Fee Estate

BEING a 0.857 of one acre tract of land out of the Manuel Cabazos Survey No. 127, Abstract No. 117, Gillespie County, Texas, being all of Lots 1, 2, 3, 8, 9 and part of Lot 7, Block 19, South Heights, recorded in Volume 18, Page 301, Deed Records of Gillespie County, Texas, and being all of a called 0.857 of one acre tract conveyed to KM Hospitality LLC by Warranty Deed with Vendor's Lien recorded in Clerk's File No. 20061146, Official Public Records of Gillespie County, Texas, said 0.857 of one acre tract being more particularly described by metes and bounds as follows, with all bearings based on the Texas State Plane Coordinate System of 1983, Central Zone (4203);

BEGINNING at a found drill hole in concrete for the west corner of the herein described tract, said point being at the west corner of the called 0.857 of one acre tract and the west corner of Lot 1, Block 19, said point being at the intersection of the southeast right-of-way line of Mesquite Street (50' width, Volume 18, Page 301, Deed Records of Gillespie County, Texas) with the northeast right-of-way line of Franklin Street (50' width, Volume 18, Page 301, Deed Records of Gillespie County, Texas), from which a found 1/2" iron rod at the south corner *qf* Lot 7, Block 20 bears N 51°43'51" W, a distance of 49.97';

THENCE N 38°13'37" E (N 39°04'25" E, Record), with the northwest line of the herein described tract, the northwest line of the called 0.857 of one acre tract, the northwest line of Lot 1 and Lot 9, Block 19 and the southeast right-of-way line of Mesquite Street, passing at 150.00' the north corner of Lot 1, Block 19 and the west corner of Lot 9, Block 19, continuing for a total distance of 299.74' (299.8', Record) to a found 1/2" iron pipe for the north corner of the herein described tract, said point being at the north corner of the called 0.857 of one acre tract and the north corner of Lot 9, Block 19, said point being at the intersection of the southeast right-of-way line of Mesquite Street with the southwest right-of-way line of U.S. Highway No. 290 (Main Street, 80' width, TxDOT CSJ No. 113-1-11);

THENCE S 51°38'20" E (S 50°49'20" E, Record), departing the southeast right-of-way line of Mesquite Street, with the northeast line of the herein described tract, the northeast line of the called 0.857 of one acre tract, the northeast line of Lots 9, 8 and 7, Block 19 and the southwest right-of-way line of U.S. Highway No. 290, passing at 50.00' the east corner of Lot 9, Block 19 and the

north corner of Lot 8, Block 19, passing at 100.00' the east corner of Lot 8, Block 19 and the north corner of Lot 7, Block 19, continuing for a total distance of 130.00' (130.0', Record) to set MAG nail in concrete for the east corner of the herein described tract, said point being at the east corner of the called 0.857 of one acre tract and the north corner of a called 0.605 of one acre tract conveyed to Ronald G. Maddux by Warranty Deed with Vendor's Lien recorded in Volume 425, Page 966, Official Public Records of Gillespie County, Texas, said point being in the northeast line of Lot 7, Block 19 and the southwest right-of-way line of U.S. Highway No. 290, from which a found 1/2" iron rod at the east corner of Lot 4, Block 19 and the east corner of the called 0.605 of one acre tract bears S 51°38'20" E, a distance of 269.53';

THENCE S 38°15'10" W (S 39°04'10" W, Record), departing the northeast line of Lot 7, Block 19 and the southwest right-of-way line of U.S. Highway No. 290, with the southeast line of the herein described tract, the southeast line of the called 0.857 of one acre tract and the northwest line of the called 0.605 of one acre tract, over and across Lot 7, Block 19, for a distance of 150.04' (150.04', Record) to a set 1/2" iron rod capped "MDS" for an easterly interior corner of the herein described tract, said point being at an easterly interior corner of the called 0.857 of one acre tract and the west corner of the called 0.605 of one acre tract, said point being in the southwest line of Lot 7, Block 19 and the northeast line of Lot 3, Block 19;

THENCE S 51°38'33" E (S 50°50'45" E, Record), with a northeasterly line of the herein described tract, a northeasterly line of the called 0.857 of one acre tract, the northeast line of Lot 3, Block 19, the southwest line of Lot 7, Block 19 and the southwest line of the called 0.605 of one acre tract, passing at 20.00' the south corner of Lot 7, Block 19 and the west corner of Lot 6, Block 19, passing at 70.00' the south corner of Lot 6, Block 19 and the west corner of Lot 5, Block 19, continuing for a total distance of 82.60' (82.53', Record) to a set 1/2" iron rod capped "MDS" for the southeast corner of the herein described tract, said point being at the southeast corner of the called 0.857 of one acre tract, the southwest corner of the called 0.605 of one acre tract, the southwest corner of Lot 5, Block 19 and the east corner of Lot 3, Block 19, said point being in the north right-of-way line of Franklin Street, from which a found 1/2" iron rod at the east corner of Lot 4, Block 19 and the east corner of the called 0.605 of one acre tract bears N 89°34'01" E, a distance of 239.47', and a found 1" iron pipe bears N 35°36'48" W, a distance of 1.71';

THENCE with the south and southwesterly lines of the herein described tract, the south and southwesterly lines of the called 0.857 of one acre tract, the south line of Lot 3, Block 19, the south line of Lot 2, Block 19, the south and

southwest lines of Lot 1, Block 19 and the north and northeasterly right-of-way line of Franklin Street, the following courses and distances:

- S 89°34'01" W (N 89°37' W, Record), passing at 146.00' the west corner of Lot 3, Block 19 and the southeast corner of Lot 2, Block 19, passing at 210.70' the southwest corner of Lot 2, Block 19 and the southeast corner of Lot 1, Block 19, continuing for a total distance of 238.88' (238.88', Record) to a found 1/2" iron rod capped "Bonn" for the southwest corner of the herein described tract, from which a found 1 1/2" iron rod at the northwest corner of Lot 10, Block 17 and the northeast corner of Lot 11, Block 17 bears S 08°24'44" W, a distance of 50.55';
- N 51°43'51" W (N 51°05'40" W, Record), for a distance of 26.00' (26.08', Record) to the **POINT OF BEGINNING, CONTAINING** 0.857 of one acre of land, more or less, in Gillespie County, Texas.

TRACT II: Easement Estate

BEING 0.034 acres of land, more or less, situated in the City of Fredericksburg, Gillespie County, Texas, being part of Lot No. 7, Block 19, South Heights Addition, plat found record in Volume 18, Page 301 of the Deed Records of Gillespie County, Texas, and being part of those certain tracts of land described in a conveyance to Edith Freitag, et vir, by Andrew M. Miller, et ux, dated December 30, 1977, found for record in Volume 123, Pages 259-260 of said Deed Records.

Said 0.034 acre tract of land is described by metes and bounds as follows, to wit:

BEGINNING at a drill hole in a concrete curb in the approximate S.W. right-of-way line of U.S. Highway No. 290 (E. Main Street) and the N.E. line of Lot No. 7, Block 19, South Heights Addition, plat found of record in Volume 18, Page 301 of the Deed Records of Gillespie County, Texas, for the North corner of this tract of land, from which the East corner of said Lot No. 7 bears S. 50° 49' E. 20 feet;

THENCE with the approximate S.W. right-of-way line of U.S. Highway No. 290 (E. Main Street), S. 50° 49' E. 10.0 feet to a point, for the East corner of this tract of land;

THENCE S. 39° 04' W. 150.0 feet to a point in the S.W. line of said Lot No. 7, for the South corner of this tract of land, from which the South corner of said Lot No. 7 bears S. 50° 49' E. 10 feet;

THENCE with the S.W. line of said Lot No. 7, N. 50° 49' W. 10.0 feet to a steel bar set, for the West corner of this tract of land;

THENCE N 39° 04' E., at 57 feet the beginning of a concrete curb, continuing with said curb 150.0 feet in all to the PLACE OF BEGINNING.

Tract II being the non-exclusive easement appurtenant to Tract I, as established by the instrument recorded in Volume 230, Page 482, Real Property Records, Gillespie County, Texas, as noted on survey by Jeff Boerner, RPLS No. 4939, dated 2/2/2023, updated 2/9/2023.

Exhibit “B”

Executed Special Warranty Deed



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary

TO: Mayor & City Council Members

FROM: Garret Bonn, Assistant City Manager

MEETING DATE: September 3, 2024

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Consideration and Possible Action on Resolution 2024-11 authorizing and directing the City Manager to negotiate and execute an Agreement for Professional Architectural Services for the Renovation and Remodeling of the Former Hill Country University Center Educational Building located at 2818 US 290 East into a New City Hall for the City of Fredericksburg with SKT Architects, PLLC in an amount not to exceed \$150,000.00. (Garret Bonn, Assistant City Manager)

PRESENTATION:

SUMMARY:

Consideration and possible action relating to a resolution authorizing the City Manager to negotiate and execute a contract with SKT Architects for professional design services relating to the renovation and remodel of the former Hill Country University Center educational facility into the new Fredericksburg City Hall, including community meeting space and new Council Chambers.

BACKGROUND:

The City's acquisition of the former Hill Country University Center facility, which is located on City-owned property, will meet the current and long-term space needs for a new city hall, including a community meeting space and council chambers. In addition, with the relocation of city hall operations to the new facility and out of the current city hall building, it will free up space to house Fire Department/Emergency Services/EMS administrative staff, additional sleeping quarters for fire department personnel, and additional space for the Police Dept. to increase the police presence in the downtown area. At the same time, the relocation of the Council Chambers out of the Law Enforcement Center (LEC) will allow for additional office space to meet the Police Department's space needs for the next 5 to 7 years.

SKT Architects, PLLC completed the original design plans for the University Center building, so throughout the negotiations to purchase the facility, the City has been coordinating with Brandon Weinheimer, Principal, to ensure the space would meet the City's needs. In addition, the City has also been coordinating with Todd Keener (Keener Engineering Services, LLC), who was involved in the original Mechanical, Electrical, and Plumbing (MEP) design for the building, and Cris Ruebush with PGAL Architects, who completed a City Hall space study/needs assessment for the City.

As the City begins the process to transition city hall operations into the new space, SKT Architects, along with Keener Engineering Services, and PGAL have agreed to work together on design and

construction administration for the project. Given the team's extensive experience relating to the building conditions and a clear understanding of the City's needs, they are uniquely qualified to complete the project. As the design moves forward, there may be a number of construction delivery methods available, so a contract based on the actual number of billable hours with a not to exceed amount of \$150,000 is being recommended to begin the project. As design plans are refined, the most cost-effective project delivery methods will be presented to the City Council for further consideration.

FUNDING SOURCE: General and Enterprise Funds

FINANCIAL IMPACT:
Hourly Contract (Not to Exceed \$150,000)

STAFF RECOMMENDATION:

City staff recommends approval of Resolution 2024-11 authorizing the City Manager to negotiate and execute a professional design services contract with SKT Architects, PLLC.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Governance

ATTACHMENTS:

1. Resolution for Architectural Design Services - New City Hall

APPROVAL/REVIEW:



Leticia Vacek, City Secretary

Date: August 26, 2024



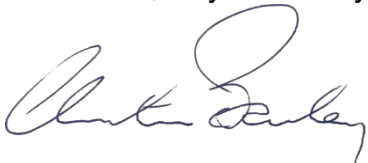
William McKamie, City Attorney

Date: August 29, 2024



Leticia Vacek, City Secretary

Date: August 29, 2024



Clinton Bailey, City Manager

Date: August 29, 2024

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT FOR PROFESSIONAL ARCHITECTURAL SERVICES FOR REMODELING OF AN EDUCATIONAL BUILDING LOCATED AT 2818 US 290 EAST INTO A NEW CITY HALL FOR THE CITY OF FREDERICKSBURG WITH SKT ARCHITECTS, P.L.L.C. IN AN AMOUNT NOT TO EXCEED \$150,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City has acquired the former Hill Country University Center facility which is located on City-owned property for the purposes of converting the building into a new City Hall; and

WHEREAS, the renovation and remodel of the building from an education facility to a city hall will require architectural design development and construction administration services including structural engineering, mechanical, electrical, & plumbing design, and audio/visual design; and

WHEREAS, the City has previously contracted with PGAL to complete a city hall space study and programming for current and future space needs; and

WHEREAS, in addition to PGAL, the project team includes Todd Keener with Keener Engineering Services who was involved in the original design of the University Center building; and

WHEREAS, SKT Architects and the assembled project team are uniquely qualified to complete the project having been involved with the original design of the facility and the ongoing space needs assessment; and

WHEREAS, City staff recommends the City enter into a professional services contract with SKT Architects, P.L.L.C. with a negotiated contract amount not to exceed \$150,000.00.

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

SECTION 1. The City Council hereby authorizes and directs the City Manager to negotiate and execute an agreement for professional architectural services with SKT Architects, P.L.L.C. for renovation and remodel of the new city hall facility in an amount not to exceed \$150,000.00, subject to final review by the City Attorney.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the 3rd day of September 2024.

CITY OF FREDERICKSBURG, TEXAS

ATTEST:

Jeryl Hoover, Mayor

Leticia Vacek, TRMC, CMC, MMC
City Secretary

APPROVED AS TO FORM
AND CONTENT:

Mick McKamie, City Attorney



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary

TO: Mayor & City Council Members

FROM:

MEETING DATE: September 3, 2024

CATEGORY: OTHER ACTION ITEMS AND
UPDATES

CAPTION: Petition for Release of Property from the City of Fredericksburg Extra-Territorial Jurisdiction of approximately 20.0 acres also known as the Yee Haw Ranch Outfitters. (Mick McKamie, City Attorney)

PRESENTATION:

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Governance

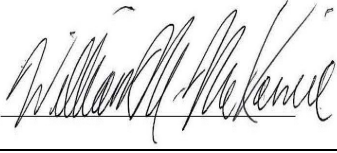
ATTACHMENTS:

1. ETJ Release - Yeehaw Ranch

APPROVAL/REVIEW:

Leticia Vacek, City Secretary

Date: August 27, 2024



William McKamie, City Attorney

Date: August 29, 2024



Leticia Vacek, City Secretary

Date: August 29, 2024



Clinton Bailey, City Manager

Date: August 29, 2024

KENDRA PESEK

Attorney-at-Law

A PROFESSIONAL LIMITED LIABILITY COMPANY

POST OFFICE BOX 836

114 EAST AUSTIN STREET

FREDERICKSBURG, TEXAS 78624

Filed with City Secretary

Date 8/8/2024

Time _____

Signature 

AC (830) 997-4315

FACSIMILE (830) 990-2868

August 8, 2024

Via Hand Delivery

Ms. Leticia Vacek
City Secretary
City of Fredericksburg, Texas
126 W. Main Street
Fredericksburg, TX 78624

RE: Petition for Release of Area from the Extraterritorial Jurisdiction of the City of
Fredericksburg ("Petition")

Dear Ms. Vacek,

Enclosed please find the above-referenced Petition submitted on behalf of Russell Hutton and Donna Mitchell, owners of the subject real property. I have also enclosed a check in the amount of \$1,000.00 to cover fees related to said Petition.

Please let me know if you require anything further. Once this is placed on City Council agenda for review, please let me know so that my client and I may attend.

I look forward to working with you on this matter.

Sincerely,


Kendra Pesek

**PETITION FOR RELEASE OF AREA
FROM THE EXTRATERRITORIAL JURISDICTION**

**THE STATE OF TEXAS §
 §
COUNTY OF GILLESPIE §**

**TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF
FREDERICKSBURG, TEXAS:**

The undersigned (hereinafter called “Petitioners”), pursuant to Section 42.102 of the Texas Local Government Code, as amended, hereby respectfully petition the City of Fredericksburg, Texas (hereinafter called the “City”), for the removal of the area described in Exhibit “A” herein (the “Property”) from the extraterritorial jurisdiction (the “ETJ”) of the City.

In support of this Petition, Petitioners would respectfully show:

I.

Petitioners have authority, pursuant to Section 42.102(b) of the Texas Local Government Code, to file this Petition as the owner(s) of the majority in value of an area of land in a municipality’s ETJ.

II.

This Petition is signed by a majority in value of the holders of title of land in the area as described by the Petition, as indicated by the warranty deed dated December 15, 2015, recorded at Register No. 20155550 of the Official Records of Gillespie County, Texas, attached hereto as Exhibit “B”. The Petitioners constitute all of the owners of the land covered by this Petition.

III.

This Petition has satisfied the signature requirements described by Sections 42.103 and 42.104(a) of the Texas Local Government Code and Chapter 277, Election Code, and is not later than the 180th day after the date the first signature for the Petition is obtained.

IV.

The signatures collected for this Petition is in writing, pursuant to Section 42.104(c) of the Texas Local Government Code.

V.

The Property is located in Gillespie County, Texas, and totals approximately 20.0 acres, as described in Exhibit “A”, which is located within the extraterritorial jurisdiction of the City and, to the best of the Petitioners’ knowledge, is not subject to any of the exceptions from applicability described in Section 42.101, Texas Local Government Code.

VI.

This Petition shall be verified by the City Secretary of the City or other person at the City responsible for verifying signatures.

VII.

The City must notify the residents or landowners of the District of the results of the Petition, which notification requirement may be satisfied by notifying the Petitioners in writing.

VIII.

If Petitioners have obtained the signatures on the Petition required under Section 42.104, Texas Local Government Code to release the District from the City's ETJ, the City shall immediately release the District from its ETJ pursuant to Section 42.105(c), Texas Local Government Code.

WHEREFORE, PREMISES CONSIDERED, Petitioners pray that this Petition be filed with the City Secretary of the City of Fredericksburg, Texas, and that, thereafter, the Property be removed from the extraterritorial jurisdiction of the City, in the manner provided by law, including particularly Sections 42.102-105 of the Texas Local Government Code, as amended, that after this

Petition has been granted, that it and the Petitioners' action thereon be filed of record and be recorded in the Office of the City Secretary of Fredericksburg, Texas; and that Petitioners have such other order and relief to which they may show itself entitled. If the City Council has not released the Property from the ETJ by the later of the 45th day after the date the City receives this Petition or the next meeting of the City Council that occurs after the 30th day after the date the City receives this Petition, the Property shall be released by operation of law pursuant to Chapter 42.105(d), Texas Local Government Code.

PETITIONERS:



Russell Thomas Hutton



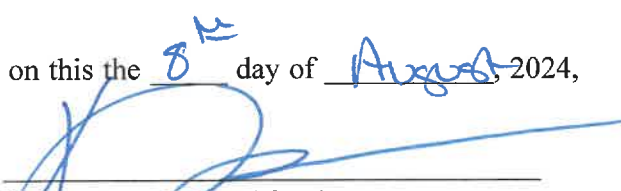
Donna Therese Mitchell

THE STATE OF TEXAS §

COUNTY OF GILLESPIE §

This instrument was acknowledged before me on this the 8th day of August, 2024, by Russell Thomas Hutton.





Notary Public in and for the
State of Texas

THE STATE OF TEXAS §

COUNTY OF GILLESPIE §

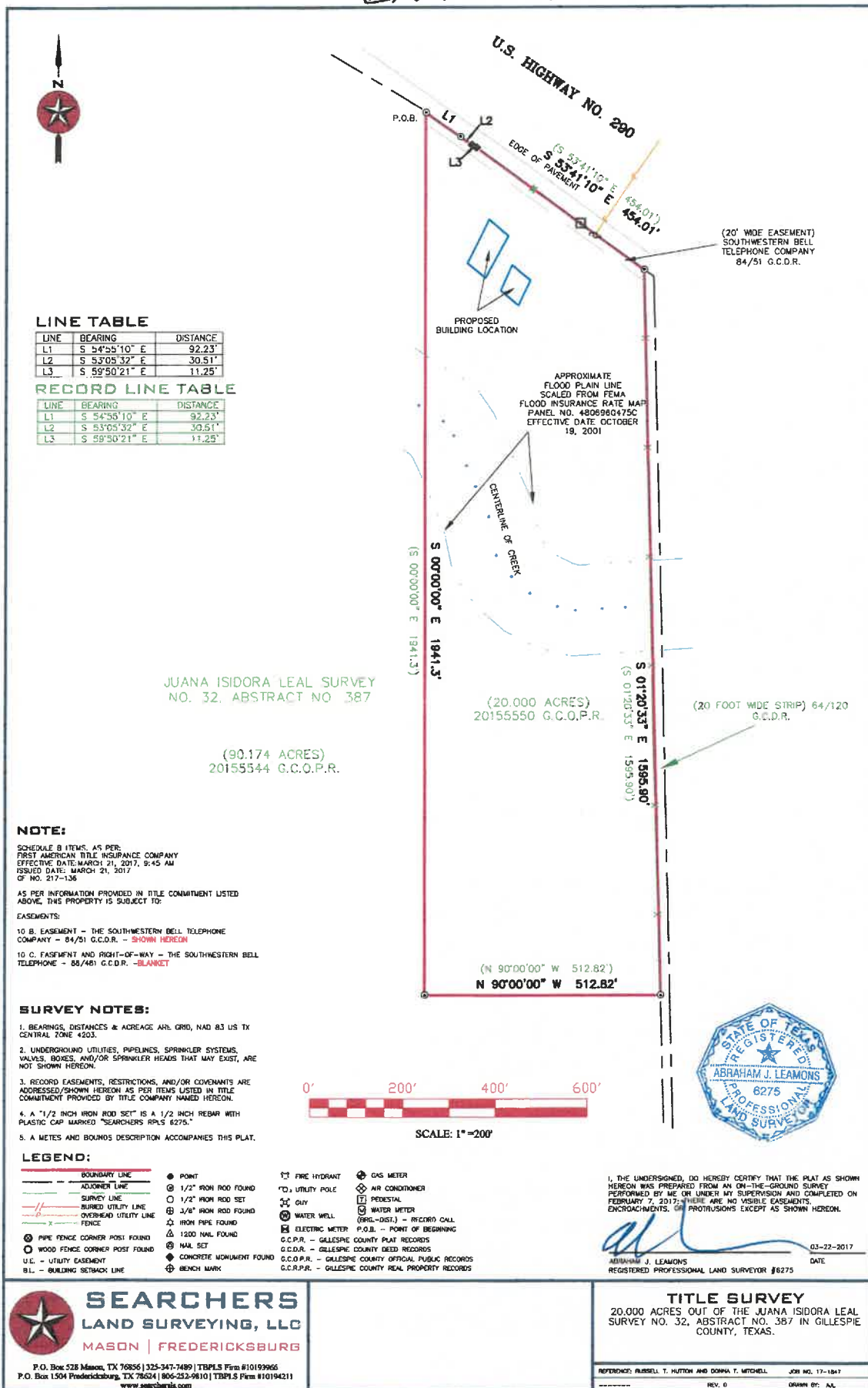
This instrument was acknowledged before me on this the 8th day of August, 2024,
by Donna Therese Mitchell.





Notary Public in and for the
State of Texas

Exhibit "A"





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

TRACT 1

LEGAL DESCRIPTION: Being 20.000 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 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 northernmost northeast corner 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, and the northwest corner hereof;

THENCE along 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, the following 4 courses:

1. South 54°55'10" East a distance of 92.23 feet to a 1/2 inch iron rod found with cap marked "BONN 4447";
2. South 53°05'32" East a distance of 30.51 feet to a concrete monument found;
3. South 59°50'21" East a distance of 11.25 feet to a concrete monument found;
4. South 53°41'10" East a distance of 454.01 feet to a 1/2 inch iron rod found for the northwest corner of that certain 20 foot wide strip described in Volume 64, Page 120 of said Deed Records, the northeast corner of said 163.5 acre tract, the northeast corner of said 173.1 acre tract and the northeast corner hereof;

THENCE South 01°20'33" East a distance of 1595.90 feet along the west line of said 20 foot wide strip, the east line of said 163.5 acre tract and the east line of said 173.1 acre tract to a 1/2 inch iron rod set for the easternmost northeast corner of said 90.174 acre tract and the southeast corner hereof;

THENCE crossing said 163.5 acre tract and said 173.1 acre tract along the north and east lines of said 90.174 acre tract, the following 2 courses:

1. North 90°00'00" West a distance of 512.82 feet to a 1/2 inch iron rod set for a corner of said 90.174 acre tract and the southwest corner hereof;

Page 2 of 2

2. North 00°00'00" West a distance of 1941.31 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 28, 2015
Job# 15-1307





6 PGS
LD

20155550

215-1161

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

WARRANTY DEED WITH VENDOR'S LIEN

STATE OF TEXAS

20

5

20

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF GILLESPIE

Date: December 15, 2015

Grantor: Cecil Crenwelge, as Independent Executor of the Estate of Ewald W. Weinheimer, Deceased

Grantor's Mailing Address: 2701 Crenwelge Road
Fredericksburg, TX 78624

Grantee: Russell Thomas Hutton and Donna Therese Mitchell

Grantee's Mailing Address: 1347 Tivydale Springs
Fredericksburg, TX 78624

Consideration: \$10.00 and a note of even date therewith in the principal sum of \$400,000.00 made by Grantee, payable to the order of TEXAS FARM CREDIT SERVICES, FLCA, as consideration for the amount paid to Grantor, to the extent its proceeds are applied to purchase money, the note is secured by a vendor's lien retained in favor TEXAS FARM CREDIT SERVICES, FLCA, in this deed and by a deed of trust of even date from Grantee to Mark A. Miller, Trustee.

Property:

Being 20.000 acres of land out of the Juana Isidora Leal Survey No. 32, Abstract No. 387, Gillespie County, Texas, and described by metes and bounds on Exhibit A, attached hereto and made a part hereof for description of the property.

Reservations from and Exceptions to Conveyance and Warranty: The following matters are exceptions to the conveyance and warranty contained herein only to the extent that such matters exist and are valid and enforceable against the Property:

- 1) Easement executed by Ernst J. Weinheimer to Southwestern Bell Telephone Company, dated December 9, 1963, recorded in Volume 84, Pages 51-52, Deed Records of Gillespie County, Texas;
- 2) Easement and Right of Way executed by Ernst Weinheimer to The Southwestern States Telephone Company, dated January 24, 1966, recorded in Volume 88, Pages 481-482, Deed Records of Gillespie County, Texas;

Warranty Deed V/L – Weinheimer Estate to Hutton/Mitchell
Page 1

- 3) The following matters as shown on survey prepared by Abraham J. Leamons, Registered Professional Land Surveyor No. 6275, dated October 28, 2015, revised November 16, 2015:
- a. Overhead utility line
 - b. Utility poles
 - c. Guy anchor
 - d. Cable sign
 - e. Telephone easement
 - f. Telephone pedestal
- 4) All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records;
- 5) Subject to the past and future action of Pedernales River by means of accretion, erosion, or avulsion;
- 6) Rights of the public and any governmental agency in and to any portion of the above described premises embraced within the bounds of any navigable stream traversing said premises;
- 7) Rules, regulations and orders governing subdivision, sanitation and waste disposal, and the drilling, construction, and use of water wells as passed by the Commissioners' Court of Gillespie County, Texas, and the Texas Commission on Environmental Quality;

Grantor for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in anywise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, and assigns forever. Grantor hereby binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to warranty.

When the context requires, singular nouns and pronouns include the plural.

The vendor's lien against and superior title to the property are retained for the benefit of TEXAS FARM CREDIT SERVICES, FLCA, and are transferred to that party without recourse on Grantor.

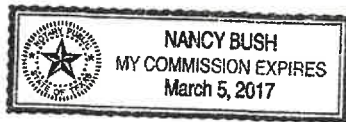
Estate of Ewald W. Weinheimer, Deceased

By: Cecil Crenwelge
Cecil Crenwelge, Independent Executor

THE STATE OF TEXAS
COUNTY OF GILLESPIE

§
§

This instrument was acknowledged before me on December 15, 2015, by Cecil Crenwelge, Independent Executor of the Estate of Ewald W. Weinheimer, Deceased, on behalf of the Estate of Ewald W. Weinheimer, Deceased.



Nancy Bush
Notary Public, State of Texas

AFTER RECORDING RETURN TO:
GF#151106
PECAN CAPITAL TITLE COMPANY
414 E. Wallace
San Saba, TX 76877

PREPARED IN THE LAW OFFICE OF:
LAW OFFICE OF RICHARD T. MILLER
414 E. Wallace
San Saba, TX 76877

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Mary Lynn Rusche

Mary Lynn Rusche, County Clerk
Gillespie County, Texas



December 23, 2015 02:36:58 PM

FEE: \$36.00 CCHEESEMAN 20155550
LD

Page 1 of 2



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

TRACT 1

LEGAL DESCRIPTION: Being 20.000 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 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 northernmost northeast corner 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, and the northwest corner hereof;

THENCE along 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, the following 4 courses:

1. South 54°55'10" East a distance of 92.23 feet to a 1/2 inch iron rod found with cap marked "BONN 4447";
2. South 53°05'32" East a distance of 30.51 feet to a concrete monument found;
3. South 59°50'21" East a distance of 11.25 feet to a concrete monument found;
4. South 53°41'10" East a distance of 454.01 feet to a 1/2 inch iron rod found for the northwest corner of that certain 20 foot wide strip described in Volume 64, Page 120 of said Deed Records, the northeast corner of said 163.5 acre tract, the northeast corner of said 173.1 acre tract and the northeast corner hereof;

THENCE South 01°20'33" East a distance of 1595.90 feet along the west line of said 20 foot wide strip, the east line of said 163.5 acre tract and the east line of said 173.1 acre tract to a 1/2 inch iron rod set for the easternmost northeast corner of said 90.174 acre tract and the southeast corner hereof;

THENCE crossing said 163.5 acre tract and said 173.1 acre tract along the north and east lines of said 90.174 acre tract, the following 2 courses:

1. North 90°00'00" West a distance of 512.82 feet to a 1/2 inch iron rod set for a corner of said 90.174 acre tract and the southwest corner hereof;

Page 2 of 2

2. North 00°00'00" West a distance of 1941.31 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 28, 2015
Job# 15-1307





CITY COUNCIL AGENDA MEMO

DEPARTMENT: Finance Department

TO: Mayor & City Council Members

FROM:

MEETING DATE: September 3, 2024

CATEGORY: OTHER ACTION ITEMS AND
UPDATES

CAPTION: Consideration and Possible Action Approving the Financing for the Fire Department Rescue Truck. (Krista Wareham, Finance Director)

PRESENTATION:

SUMMARY:

The FY 2024 Adopted Budget includes approved funding for the acquisition of a Fire Rescue Truck through lease purchase financing. \$600,000.00 will be financed over five (5) years. The financing was solicited with the low bid received from Cogent Leasing and Financing, Inc.

BACKGROUND:

The City Council approved acquiring a Fire Rescue Truck through Lease Purchasing Financing in the FY 2024 adopted budget. The approved amount for the FY 2024 Fire Rescue Truck is \$600,000.00.

FUNDING SOURCE: Lease purchase financing principal and interest payments will be funded with operating revenues from the General Fund.

FINANCIAL IMPACT:

The first payment will be due on September 15, 2024. Payments will be due on September 15 of each year through FY 2028. The payment, including principal and interest, will be \$129,732.00 annually (total cost of \$648,660.00). Additional information: Interest Rate 4.04%, Total interest \$48,660.00, plus a one-time fee of \$500.00.

STAFF RECOMMENDATION:

Staff recommends approving the 5-year lease purchase financing for the approved capital equipment (Fire Rescue Truck, \$600,000.00).

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Governance

ATTACHMENTS:

1. Exhibit A Cogent-Fire Rescue Truck Amortization Schedule

APPROVAL/REVIEW:



Leticia Vacek, City Secretary

Date: August 29, 2024



William McKamie, City Attorney

Date: August 29, 2024



Clinton Bailey, City Manager

Date: August 29, 2024

Exhibit A
Sample 5 Year Amortization Schedule
Annual Payments

Amortization Report 08/13/2024 4:41 PM

Compounding Period: Annual

Nominal Annual Rate: 4.04%

Cash Flow Data - Loans and Payments

Event	Date	Amount	Number	Period	End Date
1 Loan	9/12/2024	600,000.00	1		
2 Payment	9/15/2024	129,732.00	5 Annual		9/15/2028

TValue Amortization Schedule - Normal, 30E3/360

	Date	Payment	Interest	Principal	Balance
Loan	9/12/2024				600,000.00
1	9/15/2024	129,732.00	202.00	129,530.00	470,470.00
2	9/15/2025	129,732.00	19,006.99	110,725.01	359,744.99
3	9/15/2026	129,732.00	14,533.70	115,198.30	244,546.69
4	9/15/2027	129,732.00	9,879.69	119,852.31	124,694.38
5	9/15/2028	129,732.00	5,037.62	124,694.38	0.00
Grand Totals		648,660.00	48,660.00	600,000.00	

Last interest amount decreased by 0.03 due to rounding.

---This Section Intentionally Left Blank---



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary

TO: Mayor & City Council Members

FROM: Garret Bonn, Assistant City Manager

MEETING DATE: September 3, 2024

CATEGORY: OTHER ACTION ITEMS AND
UPDATES

CAPTION: Consider and Take Action on an Appointment to the Zoning Board of Adjustment. (Garret Bonn, Asst. City Manager)

PRESENTATION:

SUMMARY:

Consider and take action on appointments to fill a vacant position on the City's Zoning Board of Adjustment.

BACKGROUND:

There is currently one alternate position on the Zoning Board of Adjustment that will need to be filled.

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

Staff recommends action be taken to fill a vacancy on the Zoning Board of Adjustment.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Government Vision

ATTACHMENTS:

None

APPROVAL/REVIEW:

Date: August 29, 2024

Anna Hudson, Director of Development Services



Date: August 29, 2024

William McKamie, City Attorney



Date: August 29, 2024

Clinton Bailey, City Manager



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Manager

TO: Mayor & City Council Members

FROM: Shelley Becker, Municipal Judge

MEETING DATE: September 3, 2024

CATEGORY: CITY MANAGER'S REPORT

CAPTION: Municipal Court Update. (Judge Shelley Becker)

PRESENTATION:

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Governance

ATTACHMENTS:

None

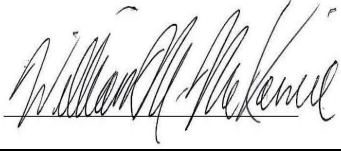
APPROVAL/REVIEW:

Clinton Bailey, City Manager

Date: August 28, 2024

Garret Bonn, Assistant City Manager

Date: August 28, 2024



William McKamie, City Attorney

Date: August 29, 2024



Leticia Vacek, City Secretary

Date: August 29, 2024



Clinton Bailey, City Manager

Date: August 29, 2024



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary

TO: Mayor & City Council Members

FROM:

MEETING DATE: September 3, 2024

CATEGORY: ITEMS FOR FUTURE AGENDA

CAPTION: Review of Future Agenda Items/Meetings List. (Clinton Bailey, City Manager)

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. Future Agenda Items 09032024 Meeting

APPROVAL/REVIEW:

Date: August 27, 2024

Leticia Vacek, City Secretary



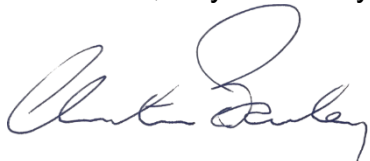
Date: August 29, 2024

William McKamie, City Attorney



Date: August 29, 2024

Leticia Vacek, City Secretary



Date: August 29, 2024

Clinton Bailey, City Manager

City Council Future Agenda Items/Meetings

September 17, 2024

2024	Building Fee Updates	Action	Anna Hudson	P&Z Director
2024	Adoption of FY25 Budget	Action	Krista Wareham	Finance Director
2024	Adoption of Tax Rate for FY25 Director	Action	Krista Wareham	Finance
2024	Construction Contract Award – Live Oak Rd. Utilities	Action	Kris Kneese	PW Director
2024	Consideration of a Lease Agreement with Tx Tech University Manager Relating to New City Hall Campus	Action	Garret Bonn	Asst. City

Future Agenda Items

2024	Approval/Award of Annual Financial Audit Firm (Oct) Director	Action	Krista Wareham	Finance
2024	Quarterly- Legal Matters (Oct 1 st)	For Review	Mick McKamie	City Attorney

Upcoming Meetings

September 11, 2024 - Coffee with the City Manager - 8am @ Golf Course

September 12, 2024 – Public Hearing on Tax Rate – 9am @ Law Enforcement Center

September 24, 2024 – Citizens U Session – 6:30pm @ CVB, EDC, and Chamber of Commerce

October 1, 2024 – City Council Regular Meeting - at 9am @ Law Enforcement Center



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary

TO: Mayor & City Council Members

FROM:

MEETING DATE: September 3, 2024

CATEGORY: EXECUTIVE SESSION

CAPTION: Consultation with Attorney on a matter for which it is the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct conflict with this Chapter and requires discussion of the item in closed session: Receive and discuss legal advice on civil and criminal enforcement of Short Term Rental Ordinance. (Section 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:



Leticia Vacek, City Secretary

Date: August 29, 2024



William McKamie, City Attorney

Date: August 29, 2024



Clinton Bailey, City Manager

Date: August 29, 2024



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Manager

TO: Mayor & City Council Members

FROM:

MEETING DATE: September 3, 2024

CATEGORY: EXECUTIVE SESSION

CAPTION: Consider and discuss Real Estate in the vicinity of US 290E and Industrial Loop. (Section 551.072)

PRESENTATION:

SUMMARY:

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Business Visioning

Government Vision

Family Life Vision

Quality of Life Vision

ATTACHMENTS:

None

APPROVAL/REVIEW:

Clinton Bailey, City Manager

Date: August 29, 2024



Garret Bonn, Assistant City Manager

Date: August 29, 2024



William McKamie, City Attorney

Date: August 29, 2024



Clinton Bailey, City Manager

Date: August 29, 2024



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Manager

TO: Mayor & City Council Members

FROM: Garret Bonn, Assistant City Manager

MEETING DATE: September 3, 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: August 29, 2024

Garret Bonn, Assistant City Manager

Date: August 29, 2024



William McKamie, City Attorney

Date: August 29, 2024



Clinton Bailey, City Manager

Date: August 29, 2024



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary

TO: Mayor & City Council Members

FROM: Garret Bonn, Assistant City Manager

MEETING DATE: September 3, 2024

CATEGORY: EXECUTIVE SESSION

CAPTION: Consider and discuss the value and possible 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:

Business Visioning

Government Vision

Family Life Vision

Quality of Life Vision

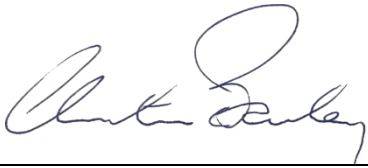
ATTACHMENTS:

None

APPROVAL/REVIEW:

William McKamie, City Attorney

Date: August 29, 2024



Clinton Bailey, City Manager

Date: August 29, 2024