



City of Fredericksburg

City Council Regular Meeting Agenda
Tuesday, December 17, 2024 ~ 9:00 AM
New City Hall at East Campus
2818 E. U.S. Hwy. 290
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, December 17, 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 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 - Pastor Tommy LeFan Fredericksburg Church of Christ will deliver the Invocation**
3. **PLEDGES OF ALLEGIANCE - Mayor Jeryl Hoover will lead the Pledges**
4. **CEREMONIAL RECOGNITIONS: Recognition of Inaugural Fredericksburg Citizen University Class of 2024.**
5. **COUNCIL COMMENTS**
6. **CONSENT**

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

 - A. Consider approval of City Council Minutes for the Special Joint Meeting with Gillespie County Commissioners of November 13, 2024 and the Regular City Council Meeting of November 19, 2024. (Leticia Vacek, City Secretary/RMO)
 - B. ETJ Release Request of Mr. Wayne Wildman (Mr. W Fireworks, Inc.) for property being 1.65 acres of land situated in Gillespie County, Texas, part of the Jose Soto Survey No. 34, Abstract No. 621; said 1.65 acre tract of land. (Mick McKamie, City Attorney)
7. **ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS**
 - A. Consider adoption of Ordinance 2024-43 for Annexation of a portion of Right of Way (ROW) of approximately 1.47 acres of land consisting of all of Catholic Cemetery Rd. and a portion of W. Travis Street and a portion of W. Austin Streets currently owned and maintained by Gillespie County. (Anna Hudson, Director of Development Services)
 - B. PUBLIC HEARING REGARDING AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, DESIGNATING A GEOGRAPHIC AREA WITHIN THE CITY AS A TAX INCREMENT REINVESTMENT ZONE PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, TO BE KNOWN AS TAX INCREMENT REINVESTMENT NO. ONE, CITY OF FREDERICKSBURG; DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE AND APPOINTING MEMBERS OF THE BOARD; ESTABLISHING A TAX INCREMENT FUND (TIRZ FUND) FOR THE ZONE; (Anna Hudson, Director of Development Services)
 1. Staff Presentation
 2. Public Hearing

3. Consider the adoption of Ordinance 2024-44 creating TIRZ #1 Downtown

- C. Consider approval of Resolution 2024-16 authorizing the City Manager to execute on the City's behalf any future opioid lawsuit settlements proposed by the State Attorney General that are deemed to be beneficial in assisting the City to offset financial costs incurred from fraudulent and/or reckless marketing, sales, or distribution of opioids. (Mick McKamie, City Attorney)

8. OTHER ACTION ITEMS AND UPDATES

- A. Consider and take action on appeal of the City Manager's denial of Vested Rights Determination for an STR use for Jordan Sale of 510 Mueller #6 (Anna Hudson, Director of Development Services)
- B. Consider and take action on appeal of Director of Development Services' denial of STR permit for Scott Gallup at 502 Eagle Street Unit #102 (Anna Hudson, Director of Development Services)

9. CITY MANAGER'S REPORT

10. ITEMS FOR FUTURE AGENDA

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

11. EXECUTIVE SESSION

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

- A. Consider and discuss the appointment, evaluation, reassignment, and/or duties of a public officer or employee - Municipal Court Judge Shelley Becker - Texas Government Code Section 551.074

12. BUSINESS ITEM

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

13. ADJOURN

CERTIFICATION

This is to certify that I, Leticia Vacek, posted this Agenda at 3:30 p.m. on Friday, December 13, 2024, on the bulletin board of the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.

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

Leticia Vacek, TRMC/CMC/MMC
City Secretary



City of Fredericksburg

City Council Regular Meeting Minutes
Tuesday, November 19, 2024 ~ 9:00 AM
New City Hall at East Campus
2818 E. U.S. Hwy. 290
Fredericksburg, Texas 78624

City Council Members Present:

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

City Staff Present:

Clinton Bailey, City Manager
Garret Bonn, Assistant City Manager
Mick McKamie, City Attorney
Leticia Vacek, City Secretary
Brian Vorauer, Chief of Police
Kris Kneese, Director of Public Works/Utilities
Krista Wareham, Director of Finance
Tammie Loth, Director of Human Resources
Aaron Anderegg, Director of IT
Anna Hudson, Director of Development Services
Lynn Bizzell, Fire Chief
Sean Doerre, Public Information Officer
Evan Williamson, Assistant Director of Public Works/Utilities
Tyler Baethge, Short Term Rental Specialist
Leslie Ball Embrey, Assistant to the City Secretary

1. CALL TO ORDER

Mayor Jeryl Hoover called the meeting to order.

2. INVOCATION

Colleen Haley of Christ in the Hills Church delivered the invocation.

3. PLEDGES OF ALLEGIANCE

Mayor Jeryl Hoover led the Pledges.

4. CEREMONIALS

Mayor Jeryl Hoover announced that there were no Ceremonial Items.

5. COUNCIL COMMENTS

Councilmember Briley reported that he attended the Veterans in Classrooms on November 11th with a total of 18 Veterans speaking to 34 classrooms reaching over 650 kids explaining the value of military service and its impact on their professional careers. He reported that the Chamber would be putting up a webpage in the Q1 timeframe with available rental properties for Chamber Members. He also mentioned that 80 floats were registered for the parade. Lastly, he reported on a vendor's event at the La Cantera Christmas Holiday Event with 15 different vendors showcasing Fredericksburg to drive more tourism our way.

Councilmember Klein reported on the Gillespie County Wild Game Dinner this Saturday evening at the Fairgrounds. He added the funds raised are for the Youth involved in Agriculture. He also attended the County Commissioners Special Meeting yesterday to certify the vote count. He stated that 76.3% of Gillespie County registered voters cast their ballots. He mentioned that the County had a lot of help and volunteers and all went smoothly. He noted 3 County precincts were recounted and the outcome was zero errors. He added that the County Elections Staff did a good job and congratulated them.

Councilmember Watson reported attending a November 14th Lunch with the Mayor, Messrs. Mikula, Closson and a group from Bardstown, KY. The purpose of their visit was to learn how to do it right balancing their Tourism, and Main Street, etc...That evening he also attended the Hill Country Leadership Institute Graduation Ceremony with Mr. Bonn and Judge Jones who have been involved this past year. He added that County Commissioner Don Weinheimer will be involved next year. At the Airport, he reported they still have a waitlist for Hangars; and sold in total thus far 469,000 gallons of fuel this year vs 424,000 last year, up 11%.

Mayor Pro-Tem Kirchner reported that the Fredericksburg Parks Foundation has fully funded their project goal for the number of Trees that will be planted at the Soccer Fields. She added that the Holiday Home Tour is this Saturday from 11am – 5pm. She reported that she would be speaking tomorrow at the Eye Opener Class about ways that youth can be involved in the community.

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:
City Council Regular Meeting of September 17, 2024
City Council Regular Meeting of October 15, 2024
- B. Consider approving the reappointment of two of the City Appointees – Stephen Harris and Julie Kuhlken to the Gillespie County Economic Development Commission (EDC) Board of Directors for another two-year term beginning December 31, 2024. (Tim Lehmborg, EDC Executive Director)
- C. Consider approving the purchase of Decorative Lighting for Marktplatz in the Fiscal Year 2025 Budget for \$166,588. (Andrea Schmidt, Director of Parks & Recreation).

Mayor Pro-Tem Kirchner noted a minor change to the minutes she provided to the City Secretary and moved to approve Consent Agenda Items 6A, 6B, and 6C. Councilmember Watson seconded the motion. The motion carried unanimously.

7. ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS

A. Conduct Public Hearing for Requested Voluntary Annexation of the Right of Way (ROW) of Catholic Cemetery Road and a portion of West Travis Street. This annexation is for right-of-way only. This annexation will not increase or extend the City's Extraterritorial Jurisdiction (ETJ). (Anna Hudson, Director of Development Services)

i Presentation by Staff

li Conduct Public Hearing – no action required

Mrs. Hudson presented the voluntary annexation for the right-of-way pointing out the timeline for the annexation. She added that no action was required.

Mayor Hoover declared the public hearing open and recognized Charles Montgomery who supports the annexation. Tim Dooley addressed his concerns with regards to the annexation. A brief discussion ensued regarding the contiguous parcel should the annexation be approved.

Mayor Hoover declared the public hearing closed and stated that no action was required at this time.

B. Conduct Public Hearing and take action on Voluntary Annexation of 97 Hitchin' Post Trail referred to as approximately 18.7 acres of land described as the Samuel R. Wilson Survey No. 38, Abstract No. 735 of Gillespie County, Texas. (Anna Hudson, Director of Development Services)

i. Presentation by the Applicant

ii. Presentation by Staff

iii. Hold the Public Hearing

iv. Take Action to adopt Annexation Ordinance 2024-37

Mr. Christopher Wilde of Fredericksburg Development, Inc representing Frieden presented their voluntary annexation request of the 18.7 acres. Mrs. Hudson noted that the annexation of the land is contiguous to their existing development.

Mayor Hoover declared the public hearing open and asked if there was anyone present to speak. He noted that no one requested to speak. Mayor Hoover declared the public hearing closed.

Councilmember Klein asked if there was a question about the MUD. Mrs. Hudson responded that there was an one existing. Councilmember Briley asked how the Planning & Zoning (P&Z) Commission voted. Mrs. Hudson responded that P&Z does not oversee annexations.

Mayor Pro-Tem Kirchner moved to adopt Ordinance 2024-37. Councilmember Briley seconded the motion. The motion carried unanimously.

7C. Request #Z-2419 By Casey Zins to consider the following LandUse Change from Rural (R) to Mixed Use Corridor (MUC). (Anna Hudson, Director of Development Services)

- 1. A LandUse Change from Rural (R) to Mixed Use Corridor (MUC) for property located at 97 Hitchin Post Trail, also referred to as approximately 18.7 acres of land described as the Samuel R. Wilson Survey No. 38, Abstract No. 735 of Gillespie County, Texas.**
- 2. Establish a Zoning of Planned Unit Development (PUD) for property located at 97 Hitchin Post Trail, also referred to as approximately 18.7 acres of land described as the Samuel R. Wilson Survey No. 38, Abstract No. 735 of Gillespie County, Texas.**

Casey Zins addressed the Council and presented their requests as denoted above for a LandUse Change and Establishing a Zoning of Planned Unit Development (PUD).

Mrs. Hudson noted that on this item; the Council would vote on each request individually for a total of two motions beginning with the LandUse Change request followed by Establishing the Zoning. She presented both items noting approval by the Planning and Zoning Commission.

Mayor Hoover declared the Public Hearing open. Tom Musselman noted that the PUD approved in 2017 is different than today's PUD. There being no one else to speak, Mayor Hoover declared the Public Hearing closed.

Councilmember Watson moved to adopt Ordinance 2024-35 relative to the LandUse Change. Mayor Pro-Tem Kirchner seconded the motion. The motion carried unanimously.

Mayor Pro-Tem Kirchner moved to adopt Ordinance 2024-36 relative to establishing the Zoning. Councilmember Klein seconded the motion. The motion carried unanimously.

7D. Conduct a Public Hearing and take action on Voluntary Annexation of 1010 N. Cherry also known by legal description, German Emigrant Company Blk II, 3.48. (Anna Hudson, Director of Development Services)

- i Presentation by the Applicant**
- ii Presentation by Staff**
- iii Conduct Public Hearing**
- iv Take action to Adopt Annexation Ordinance 2024-40**

Kevin Spraggins, applicant with VEI Engineering presented the voluntary annexation of 1010 N. Cherry. Mrs. Hudson added that the request is contiguous and noted the 3.48 acres does not extend the ETJ of Fredericksburg.

Mayor Pro-Tem Kirchner asked if this would be a subdivision. Mr. Spraggins responded yes and added that it would mirror the properties to the north with lots sizes of 10,000 to 12,000 sf. He added that the lots would back up to backyard.

Mayor Hoover declared the Public Hearing open. Dr. Eric Hammersen addressed the Council indicating that they will not be a mirror image of the existing lots. He added that there will be 3 intersections within 150 ft. He proposed if they put in that road, they will remove many trees and asked if there is a proposal to replace those trees. He asked where the drainage pond would be. He added that the proposal is for one house but as was stated, it could be 10 lots, thus, it will not mirror the other homes as stated. George Studor also agreed with the concerns of Dr. Hammersen. He added that he and his wife walk the area and if another intersection is added, that will be dangerous. Ms. Samatha Ray of 1205 Jennifer Lane stated she had major concerns with the proposal. She noted there are gaps, and asked of the traffic impact, preservation of trees, wildlife, and light pollution. She stated that a site plan would be needed in order to make the best decision.

Mayor Hoover asked a couple questions and Mrs. Hudson responded that they are required to hold one Public Hearing for annexations. With regards to the trees; she noted that Cherry Street is the defacto trail as it is within our Comprehensive Plan and noted that the Council has the ability to place requirements on the request. It was noted that the applicant was not the owner. Mayor Hoover declared the Public Hearing closed.

Councilmember Klein asked of the number of houses. Mr. Spraggins replied that they are going to follow the R-1 Code but first must go through the annexation, zoning, then platting. He added that once they get to the Planning and Zoning step; they will have a plat. Councilmember Watson asked if they have to extend Jennifer Lane. Mr. Spraggins replied they don't have to do it. It was asked if that residential street is big enough to handle traffic. Mr. Bonn responded that we are proposing the extension of Jennifer Lane for a second point of access.

A discussion ensued with regards to a traffic study, the proposed street, a stop sign, and requirement of stormwater detention. It was noted that there will be public comment on the site plan.

Councilmember Briley moved to adopt Ordinance 2024-40 subject to reviewing for pedestrian safety and providing for public commentary at Planning and Zoning on the site plan. Councilmember Klein seconded the motion. The motion carried unanimously.

7E. REQUEST #Z-2422 By Kevin Spraggins with VEI Engineering, to consider the following:

1. A LandUse Change from Rural to Low Density Residential (LDR) for property located at 1010 North Cherry Street, also referred to as Block II, as laid out by the German Emigration Company in Gillespie County,

Texas.

2. Establish a Zoning of R1, Single Family Residential for the property located at 1010 North Cherry Street, also referred to Block II as laid out by the German Emigration Company in Gillespie County, Texas.

i Presentation by the Applicant

ii Presentation by the Staff

iii Hold Public Meeting

iv Take action to Adopt Ordinance 2024-38 for the LandUse Change from Rural to Low Density Residential, and

v. Take action to Adopt Ordinance 2024-39 Establishing the Zoning of R1.LandUse and Zoning for 1010 North Cherry Street

Mr. Kevin Spraggins with VEI Engineers presented two requested items of a LandUse Change and Establishing the Zoning for 1010 North Cherry Street. Mrs. Hudson presented said items noting two independent votes would be required for the two requests.

Mayor Hoover declared the public hearing open for the LandUse Request and to Establish the Zoning at 1010 North Cherry Street. The following individuals addressed the Council with the same concerns pointed out in the previous item. Dr. Eric Hammersen and Kathy Lope expressed concerns with the idea of having to extend Jennifer Lane to the South. Ms. Lope added that this property has been a quiet neighborhood and the proposed development did not mirror the existing. George Studor made note of the Comprehensive Plan and if this development fits within same. Tim Dooley referenced a map from the Appraisal District that shows the property lines and asked that the same individual owns property to Morris Street; thus, what continued development is planned north and south. He asked that staff look at the map and anticipate what will be going on prior to taking any action today.

Tom Musselman with P&Z addressed the one entrance ingress and egress; he added that with the development that has occurred; the city has made a requirement that there be 2 entrances for safety reasons. He noted that said street will not remain rural; we also work under the state legislature that changes the rules every 2 years.

Mayor Pro-Tem Kirchner noted that the city cannot dictate what people will do with their property, as that is that is their right. Mayor Hoover noted that the action items before the Council today are for LandUse and Zoning; not to place requirements on what may be or anticipated. Mayor Hoover declared the Public Hearing closed.

Mayor Pro-Tem Kirchner moved to adopt Ordinance 2024-38 related to the LandUse for 1010 North Cherry Street. Councilmember Briley seconded the motion. The motion carried unanimously.

Mayor Pro-Tem Kirchner moved to adopt Ordinance 2024-39 related to the Zoning for 1010 North Cherry Street. Councilmember Briley seconded the motion. The motion carried unanimously.

7F. Consider the adoption of Ordinance 2024-33 approving budget amendments to the FY2024 City Budget that began October 1, 2023 and ended September 30, 2024 providing for amended appropriations for each affected departmental account to close out Fiscal Year 2024. (Krista Wareham, Director of Finance)

Mrs. Wareham recommended adoption of Budget Amendment Ordinance 2024-33 that closes out FY 2024. She added that staff has reviewed the financials noted denoted in Exhibit A which was recapped with Council.

Councilmember Watson moved to adopt Ordinance 2024-33 as recommended by staff. Councilmember Briley seconded the motion. The motion carried unanimously.

7G. Consider the adoption of Ordinance 2024-34 vacating and abandoning a Right-of-Way (ROW) recorded in Volume 375, Pages 415-420 of the Real Property Records of Gillespie County and reverting the ROW to the Fredericksburg Independent School District. (Evan Williamson, Assistant Public Works Director)

Mr. Williamson presented said item stating that the ROW was for the FISD Middle School Campus adding that the ROW was from Friendship Lane to Billy Drive to provide safety for students and staff. Mr. Bonn added that it would provide for the extension as part of the school zone.

Mayor Pro-Tem Kirchner moved to adopt Ordinance 2024-34 as recommended by staff. Councilmember Watson seconded the motion. The motion carried unanimously.

Mayor Hoover recessed the regular meeting for 7 minutes. Mayor Hoover reconvened the regular meeting and addressed item 8A at this time.

7H. Consider and provide direction to staff on the creation of an new cooperation agreement under Texas Local Government Code, Section 392.059(b) to the Texas Housing Foundation (THF) to acquire, finance, develop, operate, and manage an affordable housing development zoned as part of the Reserve at Vineyard Oaks; The Lot No. 1, more particularly described as 11.37 acres± in size out of Gillespie Central Appraisal District Parcel 15671; and generally located to the northwest of the intersection of Friendship Lane and S. Eagle Street, Fredericksburg, Gillespie County, Texas. (Anna Hudson, Development Services Director)

Mrs. Hudson introduced Allison Milliorn with the THF and Spencer Rasmussen with Lone Star Development Partners. Mayor Hoover asked for the market study. Mr. Askinson stated that they looked at the affordability level in Fredericksburg.

Tom Musselman addressed the Council and referenced the letter from Jeffrey Morin of 702 S. Eagle which adjoins the proposed property in addition to the McDonald property. He stated that Friendship Lane did not need a tax

abatement to be developed. He stated that he was not against the development but was against the city property tax abatement for this or any other site.

Councilmember Briley noted 242 vacancies; with 80% occupancy. Mayor Hoover stated that we need affordable housing which would have the most positive impact but would this project address the issue; not necessarily. He then asked if we address the affordable housing issue by not approving any type of abatement from the general fund. Councilmember Briley added that with regards to incentives; we needed to continue to pay for our police step plan. I would not support the incentive. He noted that it was an urgent issue but this was not the correct tool to solve the issue. Councilmember Watson stated that if we keep talking about the need for affordable housing and it will affect the general fund, he would favor same. Mayor Pro-Tem Kirchner stated that in her research, in the past, developers applied for tax credits. She stated that there was a benefit to the community for payment in lieu of taxes, although there has to be more that we can discuss. Mr. Rasmussen stated that they are not requesting tax credits and showed their presentation. He stated that they would be reducing the rents by 10 percent. He added that they can do targeted marketing. Ms. Milliorn stated that they would need to follow the FAIR Housing Act. Councilmember Klein added that he was not in favor of incentive. Ms. Milliorn indicated that they would not get to affordable housing without some sort of incentive(s).

The discussion continued as Mayor Pro-Tem Kirchner asked of the dollar amount benefit. It was noted that Lone Star Development Partners currently has a contract on the proposed property.

Councilmember Briley moved to deny the request to move forward. Councilmember Klein seconded the motion. The motion failed as follows:

AYE: Councilmembers Briley and Klein

NAY: Councilmember Watson, Mayor Pro-Tem Kirchner, and Mayor Hoover

Mayor Pro-Tem Kirchner moved to approve moving forward with the request. Councilmember Watson seconded the motion. The motion carried as follows:

AYE: Councilmember Watson, Mayor Pro-Tem Kirchner, and Mayor Hoover.

NAY: Councilmembers Briley and Klein

7I. Consider the Approval of Resolution 2024-14 approving the Gillespie County, Texas Multi-Jurisdiction Hazard Mitigation Plan. (Justin Calhoun, Emergency Management Coordinator).

Mr. Calhoun presented the Gillespie County, Texas Multi-Jurisdiction Hazard Mitigation Plan stating that it required City Council approval for its submission.

Councilmember Watson moved to approve Resolution 2024-14. Mayor Pro-Tem seconded the motion. The motion carried unanimously.

At this time, Mayor Hoover addressed Item 8B.

8. OTHER ACTION ITEMS AND UPDATES

A. Consider and Take Action on the First Amendment to the Friends of the Fredericksburg Nature Center Construction and License Agreement. (Andrea Schmidt, Director of Parks & Recreation).

Mrs. Schmidt presented said item and introduced Lonnie Childs, President of the Friends of the Fredericksburg Nature Center. Mr. Childs addressed the Council with regards to the amendment as it relates to naming rights.

Councilmember Watson moved to approve the First Amendment to the Friends of the Fredericksburg Nature Center Construction and License Agreement. Mayor Pro-Tem Kirchner seconded the motion. The motion carried unanimously.

Mayor Hoover addressed item 7H at this time.

B. Consider and take action on Appeal of City Manager's Denial of Vested Rights Determination for STR Use at 105 W. Creek by David Gottfried for Dan and Jan Chenoweth. (Anna Hudson, Director of Development Services)

David Gottfried, attorney for Dan and Janet Chenoweth presented and requested approval or an extension of time for the STR use of the property at 105 W. Creek. Mayor Hoover noted that Mr. Gottfried claimed that the city was acting arbitrary, and capricious and in disregard of the facts. A discussion ensued and Mayor Pro-Tem Kirchner asked when the property was last occupied as an STR. Mr. Gottfried replied in 2020. Councilmember Watson asked if he could produce any records of the HOT being paid. Mr. Gottfried stated that he received documentation from the management company showing that HOT was paid the last quarter in 2019.

Mayor Pro-Tem Kirchner moved to deny the appeal for 105 W. Creek Street. Councilmember Watson seconded the motion. The motion carried unanimously.

9. CITY MANAGER'S REPORT

City Manager Bailey reported on the TIRZ Feasibility Study that will be presented on December 3, 2024. Mrs. Hudson noted the next steps after the Feasibility Study is presented. Lastly, she noted that staff would be recommending moving forward with the same boundaries as presented. Mayor Pro-Tem Kirchner asked how the County could benefit from the TIRZ. Mrs. Hudson stated that the County could benefit by renovating County-owned buildings.

City Manager Bailey briefly referenced the Chamber Apartment Survey for Multifamily Housing Growth for Q3 of 2024. Mayor Pro-Tem Kirchner referenced the occupancy rates and asked if that number was high or low. City Manager Bailey noted that the data showed an increase in the occupancy of units in a short period of time. He also reminded everyone of the Annual Parks Event - "Night of Lights" on November 26, 2024 at 5:30 pm at Marktplatz.

He mentioned that the Sales Tax Receipts are increasing and referenced the Sales Tax Collections of surrounding Cities.

Mr. Bonn reported on the Hotel Occupancy Tax Funding Timeline noting a Special Meeting will be held January 16, 2025 to review/interview the applications received for funding. He added that at the January 21, 2024 Regular Council Meeting; the Council will award the HOT Funds.

Kris Kneese reviewed the Water and Revenue Consumption report. He noted the Traffic Modifications related to the signal and traffic patterns. He also reported that TxDOT has completed the striping on Main Street and they have now started on the side streets in the evenings. He added that after everything is completed; TxDOT will conduct an evaluation in the Spring.

The Police Department Monthly Update was provided of incidents/calls for service from January, 2024 to October, 2024. A Fire/EMS slide of incidents/calls for service was also reviewed.

10. ITEMS FOR FUTURE AGENDA

A. Review of the Future Agenda List. (Clinton Bailey, City Manager)

City Manager Bailey reviewed the Future Agenda Items and Future Meetings List with the Council.

11. EXECUTIVE SESSION

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Section 551.072:

- A. Consider and discuss Real Estate in the vicinity of US 290E and the Industrial Loop. (Section 551.072)**
- B. Consider and discuss the value and possible disposition of city-owned real properties located throughout the City. (Section 551.072)**

Mayor Hoover recessed the regular meeting at 12:05 pm to go into executive session.

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.

Mayor Hoover reconvened the regular meeting at 12:33 pm and stated that no action would be taken.

13. ADJOURN

Mayor Hoover adjourned the meeting at 12:33 pm.

Jeryl Hoover, Mayor

Attest:

Leticia Vacek, TRMC, CMC, MMC
City Secretary



City of Fredericksburg

City Council Special Joint Meeting with County Commissioners Minutes

Wednesday, November 13, 2024 ~ 10:00 AM
New City Hall at East Campus
2818 E. U.S. Hwy. 290
Fredericksburg, Texas 78624

Members Present:

Mayor Jeryl Hoover
Councilmember Randy Briley
Councilmember Bobby Klein
Councilmember Tony Watson

Members Absent:

Mayor Pro-Tem Kirchner

County Commissioners Present:

Judge Daniel Jones
Commissioner Pct 1 Charles Olfers
Commissioner Pct 2 Keith Kramer
Commissioner Pct 4 Don Weinheimer

City Staff Present:

Clinton Bailey, City Manager
Garret Bonn, Assistant City Manager
Krista Wareham, Director, Finance
Brian Vorauer, Police Chief
Kris Kneese, Director, Public Works and Utilities
Tammie Loth, HR Director
Aaron Anderegg, Director, Information Technology
Anna Hudson, Director, Development Services
Andrea Schmidt, Director, Parks and Recreation
Lynn Bizzell, Fire Chief
Sean Doerre, Public Information Officer
Frank Stead, Fire Department
Amy Burrier, Fire Department
Leslie Embrey, Assistant to the City Secretary

1. CALL TO ORDER

Mayor Jeryl Hoover called the City Council Meeting to order on behalf of the City Council and announced a quorum present. He noted that Mayor Pro-Tem Kirchner was not able to attend. Judge Jones called the County Commissioner's Meeting to order.

City Manager Clinton Bailey started off that this would be an open discussion and learning opportunity where the Fire Department Staff would start with a presentation in how we were approaching the 5 Year Strategic Plan. He added that the second item would be a presentation and discussion on a TIRZ. Lastly, he added that there would be a tour of The Albert Hotel following the meeting.

2. OTHER ACTION ITEMS AND UPDATES

A. Fire EMS Operations Plan for the next 5 Years. (Clinton Bailey, City Manager)

Fire Chief Lynn Bizzell provided an overview of the EMS Operations and the Plan for the next 5 years. He noted challenges that we face in the future and fortunate to have a volunteer department to respond to the rural areas. He added that he will talk about a typical day at the Fire Station. He expressed sincere gratitude for having Volunteer Firefighters in our rural areas and noted acknowledged those that were present. He noted that the Fire Department has full-time employees, part-time employees, and volunteers within the Fire Department that spend a lot of time taking care of our counties throughout Gillespie County. He turned it over to Amy Burrier who captures all the data. He also introduced Frank Stead, her mentor.

Ms. Burrier stated that Fredericksburg Fire/EMS operates as a team with the support of the people in this room from part-time to volunteer assistance. She noted the key topics that would be discussed today that included capital equipment, staffing, areas of coverage, etc.

She reported that there are 30 Fredericksburg Volunteer Personnel with 27 Careered Staff Personnel which are on duty daily. She added they also have 5 Administrative Personnel with 15 Part-Time Personnel.

Mrs. Burrier also reported on their schedules noting the travel in locations for department personnel. She reviewed the Current Organizational Structure Chart and the daily On-Duty Organizational Structure Chart. Various coverage types as well as the Standby and Emergency Calls and how they are covered. She described the apparatus that are available for the various types of calls being the Ambulance, Engine, and Rescue Apparatus. She also mentioned the Brush Truck, Tender, and Ladder Truck and their functions.

The Primary Stations and Equipment was presented at Central and South Stations noting there are also North and South Storage Substations. She added that the Med Unit Reserve at South Storage is not licensed. Councilmember Briley asked if staff felt comfortable with the current coverage. She replied yes. Chief Bizzell reported that 2 ambulances are expected for delivery in January and will sell the chassis to keep 3 responding and 3 in reserve.

Regarding the Response and Area, Ms. Burrier referenced the map indicating the red and purple areas on are primary. Other areas in the outlying area, are responded to via mutual aid noting the blue area is covered by the City of Kerrville through a cooperative agreement. She denoted the portion of Hidden Springs Subdivision on Hwy 87 that is covered for Kerrville.

Regarding the duration time factor, it was reported that their calls average 40-50 minutes each (i.e. Falls, Lift Assist, Medical Trauma, In Town transfers, Motor Vehicles Accidents and Fire Alarms). The longer duration calls average 1 to 5 hours which include Out of Town transfers, MVA with Fatalities, House Fires, Gas Leaks, and Cardiac Arrests. She referenced a slide with Actual Incidents in May 13, 2024 with 13 Incidents Total. She added that this notable block took 2 hours and 17 minutes. She also referenced incidents on August 20, 2024 which includes 16 incidents for a total of 6 hours for a very heavy day with 67 personnel responding. Lastly, she referenced 20 Incidents on October 28, 2024 with 41 Assignments.

A discussion ensued regarding challenges and the percentage of city calls vs county calls. Chief Bizzell stated that they can build up our first responders and provide addition training to send 2 people to an incident until the ambulance arrives. He added that they cannot predict a 911 call so responders. are constantly moving the units around and calling on back-fill to assist to cover calls. Chief Bizzell noted that the percentage was 70/30 although responders spend more time in the county due to travel time of the call locations.

As part of the 5 Year Strategic Plan, a Proposed Org Chart was presented by Chief Bizzell as he explained the roles and responsibilities for Battalion Chief, EMS Captain, and Fire Captain. Questions were asked regarding personnel and insurance and a brief discussion ensued.

Mayor Hoover called for a 10-minute recess.

Frank Stead presented the Fredericksburg Fire/EMS 5-Year Strategic Plan 2025-2029 noting Year to Year Comparisons indicating that there has been an 8.6% Increase in 2024 in calls. Councilmember Briley noted the loss revenue as many patients cannot pay for a transfer. Mr. Stead also referenced the slide showing the Unit Response Times per Station within the City Limits. He covered the Factors Driving the Strategic Initiatives slide stating the Service Area, Population Growth/New Construction, Increase in calls for Service and their Response Times, and Multiple Calls.

Lastly, Mr. Stead reviewed the Strategic Initiatives as follows: 1) Communications System, 2) Center/South Renovations, 3) Response Times, 4) Apparatus Replacement Plan, 5) Plans with County VFD's; 6) Organization Plans, 7) Staffing, Recruitment, and Volunteer Use, and 8) Monitor Growth.

He mentioned looking at patterns and analyzing same as we are seeing an increase in demand. Councilmember Briley asked of the Fire Program at the High School. It was stated that there are 15 students in the program currently and the trend was that it has become more difficult more to find volunteers.

Judge Jones noted the change in the hospital and asked if that has affected the transfers to the surrounding cities. Chief Bizzell replied that the largest number of transfers go to San Antonio which is the shorter route. There have been 566 transfers and are predicting over 600. It was noted that the reimbursement level is about the same at 30%. Councilmember Watson asked of the requirements for a transfer to be made. Chief Bizzell stated that patients are transferred based on

the specific care that the patient requires. He added that if an ambulance is not available; they can obtain a private transfer vehicle.

George Studor spoke on the importance of the integration of the 5-year Fire Department Strategy and noted his personal experience with first responders when they arrived at his home. He added it is vital to have a plan to retain and grow key personnel.

B. Update on Tax Increment Reinvestment Zone (TIRZ) Feasibility Study. (Clinton Bailey, City Manager and Anna Hudson, Director of Development Services)

City Manager Bailey noted that Travis James presented a powerpoint based on the proposed location for a TIRZ and provided examples of Main Street Sales Tax for 2023. He turned the floor over to Travis James to provide a presentation.

Mr. James showed the Main Street Sales Tax Performance for 2020-2024 noting that some data is still missing for the latter portion of this year. He showed Potential TIRZ Projects for Public Works, Parks, and County Sites. He noted that the creating entity would have to approve any changes. He added that the membership varies from 5-15 people, and they must be a resident of the County or property owner of the TIRZ area. He provided the example of the Witte Museum Parking Lot where it was paid for via their TIRZ.

He added that the funds are restricted to be utilized only within the zone. He stated that if the TIRZ would be in place in 2024; the tax would be collected in 2025 which would be the first year of the increment.

Mayor Hoover asked of the next steps. Mr. James showed the Steps to Creating a TIRZ/TIF and showed the Timeline to get to the Creation, Final Project and Plan which would be based on the tax revenue stream.

At this time, Mayor Hoover recognized several developers in the audience that spoke in favor of the TIRZ Program.

Mr. James referenced the slide and pointed out the benefits to the County. A discussion ensued with regards to the function of the TIRZ Board. Judge Jones asked that if all the recommendations of the TIRZ Board would then be considered by the County and City; why then have a TIRZ Board.

Judge Jones noted that all items listed could be paid for out of the general fund. A brief discussion ensued with regards to limiting discretion, reimbursement component and creating a long-term focus with mechanism for reimbursement. Several examples of projects such as sidewalks, trails and having a plan.

3. ADJOURN

There being no further discussion, Mayor Hoover adjourned the City Council Meeting at 1:34 pm.



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary

TO: Mayor & City Council Members

FROM:

MEETING DATE: December 17, 2024

CATEGORY: CONSENT

CAPTION: ETJ Release Request of Mr. Wayne Wildman (Mr. W Fireworks, Inc.) for property being 1.65 acres of land situated in Gillespie County, Texas, part of the Jose Soto Survey No. 34, Abstract No. 621; said 1.65 acre tract of land. (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 Release Request Mr. W Fireworks

APPROVAL/REVIEW:



Leticia Vacek, City Secretary

Date: December 11, 2024



William McKamie, City Attorney

Date: December 12, 2024



Leticia Vacek, City Secretary

Date: December 12, 2024



Clinton Bailey, City Manager

Date: December 13, 2024



Outlook

ETJ Release Petition - Mr. W Fireworks, Inc.

From Olivia Stephens <ostephens@branscomblaw.com>

Date Fri 11/8/2024 9:43 AM

To Garret Bonn <gbonn@fbgtx.org>

Cc Letty Vacek <lvacek@fbgtx.org>; Aaron M. Barton <ABarton@Branscomblaw.com>

1 attachment (2 MB)

FREDERICKSBURG ETJ Removal Petition.pdf;

Garrett,

Attached to this email is the Landowner's Petition for Release from the City of Fredericksburg's Extraterritorial Jurisdiction, which is being submitted in accordance with Texas Local Government Code Sections 42.102(a) and 42.104(d) and other applicable law. Upon review of the materials, please do not hesitate to reach out to us with any questions or requests for additional information.

Would you please reply to this email to confirm receipt of the Petition for our records?

Thanks,

Olivia Stephens

Paralegal

Branscomb Law

Lockhill Crossing Building

4630 N Loop 1604 W, Suite 206

San Antonio, TX 78249

Phone: (210) 598-5366 | Fax: (210) 598-5405

ostephens@branscomblaw.com | www.branscomblaw.com

STATE OF TEXAS §
COUNTY OF GILLESPIE §

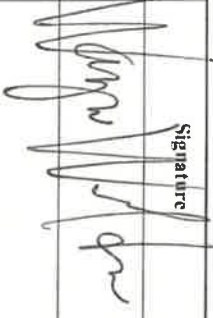
**LANDOWNER PETITION FOR RELEASE
FROM EXTRATERRITORIAL JURISDICTION**

Name of Circulator: Winton Roberson
Page 1 of 1

To the Mayor and City Council of the City of Fredericksburg, Texas ("City"): We, the undersigned, constituting a majority in value of the holders of title of land in the area described by this petition, as indicated by the tax rolls of the Gillespie County Appraisal District, pursuant to Local Government Code §42.102(a) and in accord with Election Code §227, hereby petition the City to be released from the extraterritorial jurisdiction of the City. A map of the land to be released is attached to this petition, along with a description by metes and bounds, or lot and block number, in compliance with Texas Local Government Code §42.104(d).

DESCRIPTION OF LAND TO BE RELEASED: Being 1.65 acres of land, more or less, situated in Gillespie County, Texas, part of the Jose Soto Survey No. 34, Abstract No. 621; said 1.65 acre tract of land is described by metes and bounds on Exhibit "A", attached hereto.

ONLY HOLDERS OF TITLE OF LAND IN THE AREA DESCRIBED BY THIS PETITION, AS INDICATED BY THE TAX ROLLS OF THE GILLESPIE COUNTY APPRAISAL DISTRICT, MAY SIGN THIS PETITION. PLEASE FILL IN ALL BLANKS THAT ARE NOT OPTIONAL.

Date Signed	Signature	Printed Name	Residence Address	City/State/Zip	Voter Registration Number or Date of Birth
10-17-24		Wayne Wildman, authorized representative of Mr. W. Fireworks, Inc.	12221 FM 476	Somerset, TX 78069	1-19-54

AFFIDAVIT OF CIRCULATOR

STATE OF TEXAS §
COUNTY OF ATASCOSA §

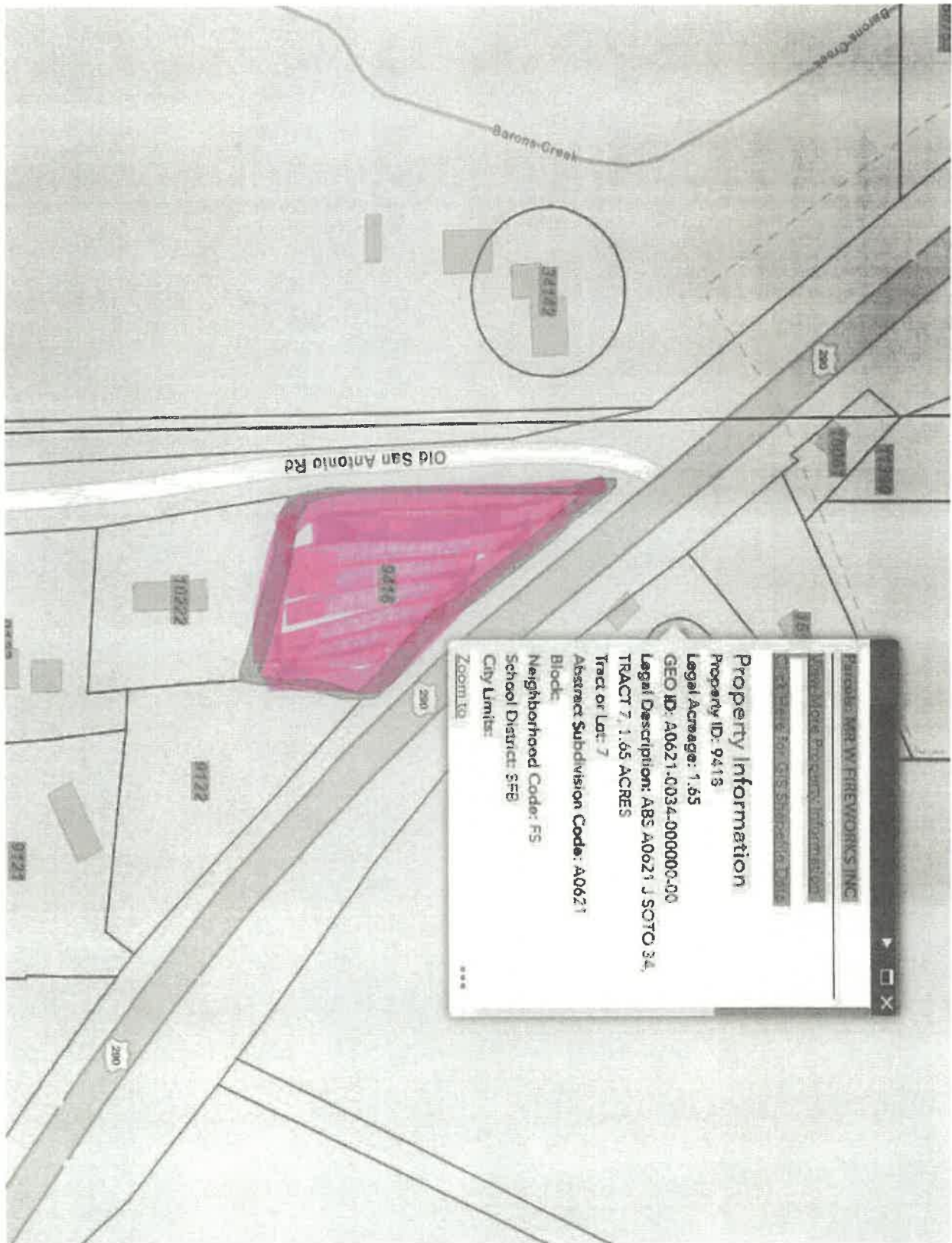
BEFORE ME, the undersigned, on this 17 day of October 2024, personally appeared Winton Roberson, who being duly sworn, deposes and says: "I circulated this petition. I called each signer's attention to the full text of the petition printed on this petition before the signer affixed their signature to the petition. I witnessed the affixing of each signature. Each signer freely provided all information required on this petition. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is true and correct."

SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE

X
Signature of circulator Winton Roberson

X
Notary Public of the State of Texas





Property Identification #: 9418

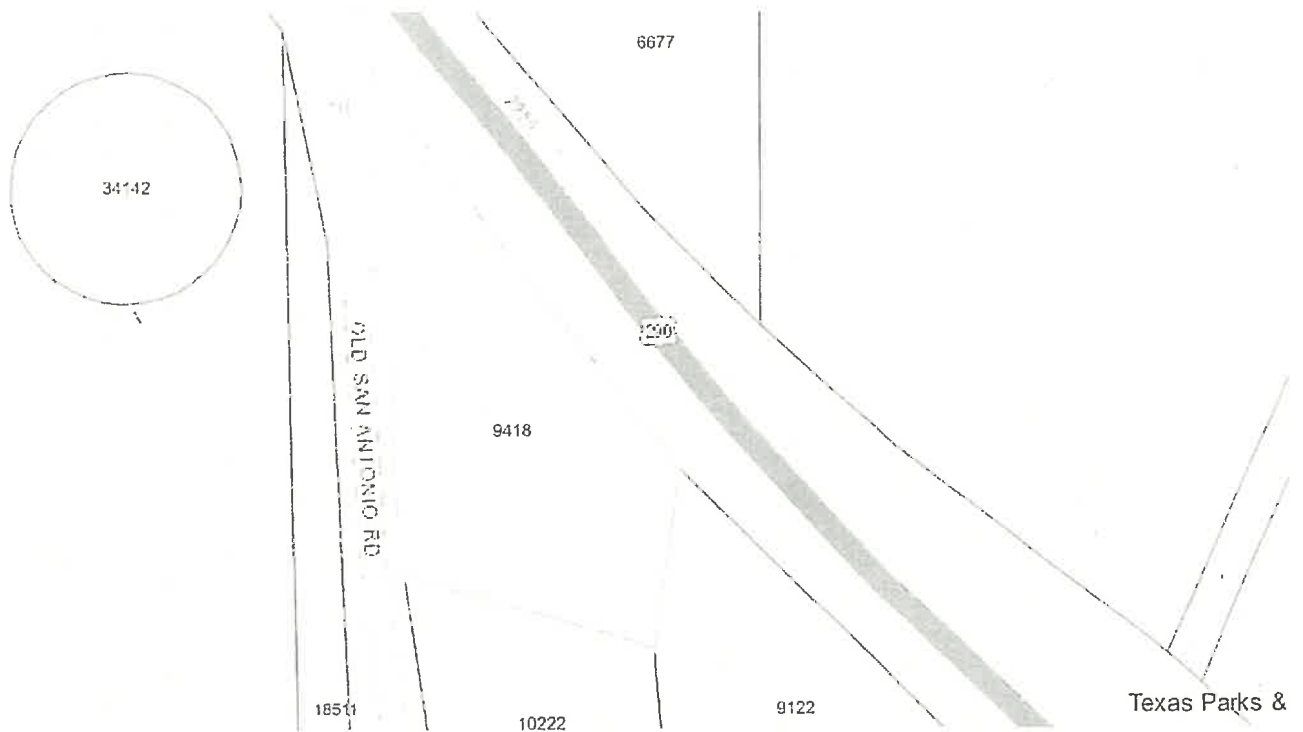
Property Information: 2017

Owner Identification #: 5670

Geo ID: A0621-0034-000000-00
Situation: OLD SAN ANTONIO RD OFF E US
Address: HWY 290
Property Type: Real
State Code: E4

Legal Description: ABS A0621 J SOTO #34, TRACT 7, 1.65 ACRES
Abstract: A0621
Neighborhood: FBG WITHIN 3 MILES OF COURTHOUSE
Appraised Value: N/A
Jurisdictions: G086, HUW, SFB, WCD, CAD

Name: WIEMERS, BILL C
Exemptions:
DBA: Null



Gillespie CAD Map Search

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Gillespie County Appraisal District expressly disclaims any and all liability in connection herewith.

EXHIBIT " A "

BEING 1.65 acre of land situated in Gillespie County, Texas, being part of the Jose Soto Survey No. 34, Abstract No. 621; said 1.65 acre tract of land is described more particularly by metes and bounds as follows, to-wit:

BEGINNING at a steel bar set at a fence corner post set at the intersection point of the Southwest right-of-way line of U.S. Highway No. 290, with the East line of the Old San Antonio Road (county road), for the North corner of that 19.58 acre Tract II of land that was conveyed to Wiemers Farm & Ranch, Inc. by R. J. Sechrist, et ux, et al by Deed dated July 18, 1980, found of record in Volume 137, Pages 65-69, of the Deed Records of Gillespie County, Texas, for the North Northwest corner of this tract of land;

THENCE with the Southwest right-of-way line of U.S. Highway No. 290 as follows:

South 37 deg. 03' East 203.8 feet to a concrete monument; with the arc of a curve to the left having a radius of 2924.8 feet and a central angle of 4 deg. 12' 30", in a Southeasterly direction, a distance of 214.7 feet to a steel bar set for the East Northeast corner of this tract of land;

THENCE South 7 deg. 59' West 164.6 feet to a steel bar set for the Southeast corner of this tract of land;

THENCE North 73 deg. 37' West 232.5 feet to a steel bar set in the East line of aforesaid county road, for the Southwest corner of this tract of land;

THENCE with the East line of said county road as follows:

North 5 deg. 32' West 89.6 feet to a fence post;

North 0 deg. 34' West 337.7 feet to the place of beginning



Franchise Tax Account Status

As of : 10/30/2024 13:40:45

This summary page is designed to satisfy standard business needs. If you need to reinstate or terminate a business with the Texas Secretary of State, you must obtain a certificate specific to that purpose.

MR. W FIREWORKS, INC.

Texas Taxpayer Number 17418267906

Mailing Address PO BOX 114 SOMERSET, TX 78069-0114

? Right to Transact Business in Texas ACTIVE

State of Formation TX

SOS Registration Status
(SOS status updated each business day) ACTIVE

Effective SOS Registration Date 06/02/1975

Texas SOS File Number 0036176000

Registered Agent Name WAYNE A WILDMAN

Registered Office Street Address 22295 FM 476 SOMERSET, TX 78069

In the name and by the authority of



OFFICE OF THE SECRETARY OF STATE

CERTIFICATE OF INCORPORATION
OF

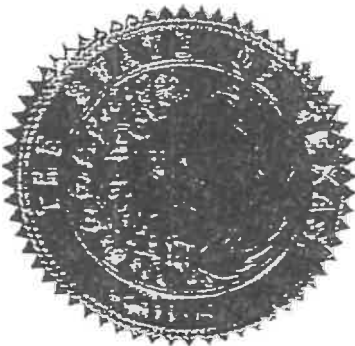
MR. W FIREWORKS, INC.

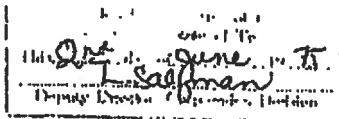
The undersigned, as Secretary of State of the State of Texas, hereby certifies that duplicate originals of Articles of Incorporation for the above corporation duly signed and verified pursuant to the provisions of the Texas Business Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY the undersigned, as such Secretary of State, and by virtue of the authority vested in him by law, hereby issues this Certificate of Incorporation and attaches hereto a duplicate original of the Articles of Incorporation.

Dated June 2, 1975

Mark W. L.
Secretary of State
jer





ARTICLES OF INCORPORATION

OF

MR. W FIREWORKS, INC.

We, the undersigned natural persons of the age of twenty-one (21) years or more, at least two of whom are citizens of the State of Texas, acting as incorporators of a corporation under the Texas Business Corporation Act, do hereby adopt the following Articles of Incorporation for such corporation:

ARTICLE I.

The name of the corporation is MR. W FIREWORKS, INC.

ARTICLE II.

The period of its duration is perpetual.

ARTICLE III.

The purpose or purposes for which the corporation is organized are: To purchase or otherwise acquire and to hold, possess, display, store, own, deal in, sell, distribute, pledge or otherwise dispose of fireworks and pyrotechnics and to conduct all business incidental thereto.

ARTICLE IV.

The aggregate number of shares which the corporation shall have authority to issue is Fifty Thousand (50,000) shares, of the par value of One Dollar (\$1.00) each.

ARTICLE V.

The corporation will not commence business until it has received for the issuance of its shares consideration of the value of One Thousand Dollars (\$1,000.00), consisting of money, labor done or property actually received, which sum is not less than One Thousand Dollars (\$1,000.00).

ARTICLE VI.

The post office address of its initial registered office is 614 Basswood Drive, San Antonio, Texas, 78213, and the name of its initial registered agent at such address is W. A. Wildman.

ARTICLE VII.

The number of directors constituting the initial board of directors is three, and the names and addresses of the persons who are to serve as

directors until the first annual meeting of the shareholders or until their successors are elected are:

<u>Name</u>	<u>Address</u>
W. A. Wildman	614 Basswood San Antonio, Texas 78213
Millie L. Wildman	614 Basswood San Antonio, Texas 78213
Wayne Wildman	614 Basswood San Antonio, Texas 78213

ARTICLE VIII.

The names and addresses of the incorporators are:

<u>Name</u>	<u>Address</u>
W. A. Wildman	614 Basswood San Antonio, Texas 78213
Millie L. Wildman	614 Basswood San Antonio, Texas 78213
Wayne Wildman	614 Basswood San Antonio, Texas 78213

IN WITNESS WHEREOF, we have hereunto set our hands this the 4th day of June, 1975.

W. A. Wildman
W. A. WILDMAN

Millie L. Wildman
MILLIE L. WILDMAN

Wayne Wildman
WAYNE WILDMAN

THE STATE OF TEXAS *

COUNTY OF BEXAR *

I, HENRIETTE SCHMIDT, a Notary Public, do hereby certify that on this 4th day of June, 1975, personally appeared W. A. WILDMAN, MILLIE L. WILDMAN and WAYNE WILDMAN, who each being by me first duly sworn severally declared that they are the persons who signed the foregoing document as incorporators, and that the statements contained therein are true.

Henriette Schmidt
Notary Public in and for
Bexar County, Texas

HENRIETTE SCHMIDT
Notary Public, Bexar County, Texas

BY-LAWS
OF
MR. W FIREWORKS, INC.

ARTICLE I. MEETING OF SHAREHOLDERS

1. Place. All meetings of the shareholders shall be held at a place designated in the notice of said meeting which shall be within the limits of the Continental United States.

2. Time of Annual Meeting. The annual meeting of the shareholders shall be held at 9:00 A.M. on the 1st day of June unless such day be a legal holiday in the State of Texas, in which case such meeting shall be held on the first business day thereafter.

3. Special Meetings. Special meetings of the shareholders may be called by the President, the Board of Directors, or the holders of not less than 1/10th of all shares entitled to vote at the meeting so called.

4. Notice of Meeting. Written or printed notice stating the place, day and hour of the meeting and, in the case of a special meeting, the purpose or purposes for which the meeting is called shall be delivered not less than 10 nor more than 50 days before the date of the meeting, either personally or by mail, by or at the direction of the President, the Secretary or the officer or person or persons calling the meeting, to each shareholder of record entitled to vote at such meeting. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail

addressed to the shareholder at his address as it appears on the stock transfer books of the corporation, with postage thereon prepaid.

5. Fixing Record Date for Determination of Shareholders Entitled to Notice of and to Vote at Shareholders' Meetings.

(a) For the purpose of determining shareholders entitled to notice of any meeting of shareholders or any adjournment thereof, the Board of Directors may by resolution provide that the stock transfer books shall be closed for a period, to be stated in such resolution, not to exceed 50 days.

(b) If the Board of Directors does not provide for the closing of the stock transfer books, relative to a particular meeting, then and in such event, the record time and date for the determination of shareholders entitled to notice of and to vote at such meeting shall be the close of business on the 30th day immediately preceding such meeting.

6. Voting List. The officer or agent having charge of the corporation's stock transfer books shall make, at least 10 days before each meeting of shareholders, a complete list of the shareholders entitled to vote at such meeting or any adjournment thereof. Such list shall be arranged in alphabetical order, with the address of and the number of shares held by each, which list, for a period of 10 days prior to such meeting, shall be kept on file at the registered office of the corporation and shall be subject to inspection by any shareholder at any time during usual business hours. Such list shall also be produced and kept open at

the time and place of the meeting and shall be subject to the inspection of any shareholder during the whole time of the meeting. The original stock transfer books shall be prima facie evidence as to who are the shareholders entitled to examine such list or transfer books and to vote at any meeting of shareholders.

7. Quorum. The holders of a majority of the shares entitled to vote, represented in person or by proxy, shall constitute a quorum at a meeting of shareholders. The vote of the holders of a majority of the shares entitled to vote and thus represented at a meeting at which a quorum is present shall be the act of the shareholders' meeting, unless the vote of a greater number is required by law.

8. Voting of Shares.

(a) Each outstanding share, regardless of class, shall be entitled to one vote on each matter submitted to a vote of a meeting of shareholders, except to the extent that the voting rights of the shares of any class or classes are limited or denied by the Articles of Incorporation as permitted by the Texas Corporation Act.

(b) Treasury shares, shares of stock owned by another corporation, the majority of the voting stock of which is owned or controlled by this corporation, and shares of stock held by this corporation in a fiduciary capacity shall not be voted, directly or indirectly, at any meeting and shall not be counted in determining the total number of outstanding shares at any given time.

(c) A shareholder may vote either in person or by proxy executed in writing by the shareholder or by his duly authorized attorney-in-fact. No proxy shall be valid after 11 months from the date of its execution unless otherwise provided in the proxy. Each proxy shall be revocable unless expressly provided therein to be irrevocable, and unless otherwise made irrevocable by law.

(d) Shares standing in the name of another corporation, domestic or foreign, may be voted by such officer, agent or proxy as the By-Laws of such corporation may authorize or, in the absence of such authorization, as the Board of Directors of such corporation may determine.

(e) Shares held by an administrator, executor, guardian, or conservator may be voted by him so long as such shares forming a part of an estate are in possession and forming a part of the estate being served by him, either in person or by proxy, without a transfer of such shares into his name. Shares standing in the name of a trustee may be voted by him, either in person or by proxy, but no trustee shall be entitled to vote shares held by him without a transfer of such shares into his name as trustee.

(f) Shares standing in the name of a receiver may be voted by such receiver, and shares held by or under the control of a receiver may be voted by such receiver without the transfer thereof into his name if authority so to do be contained in an appropriate order of the court by which such receiver was appointed.

(g) A shareholder whose shares are pledged shall be entitled to vote such shares until the shares have been transferred into the name of the pledgee, and thereafter the pledgee shall be entitled to vote the shares so transferred.

9. Method of Voting. Voting on any question or in any election may be by voice or show of hands unless the presiding officer shall order or any shareholder shall demand that voting be by written ballot.

10. Rules of Procedure. The order of business at all meetings of the shareholders shall be as follows:

- (a) Determination of Quorum;
- (b) Reading of Minutes of preceding meeting and action thereon;
- (c) Reports of Officers;
- (d) Reports of Directors;
- (e) Reports of Committees;
- (f) Unfinished Business;
- (g) Miscellaneous Business;
- (h) New Business; and
- (i) Adjournment.

11. Shareholders' Actions without a Meeting. Any action required to be or which may be taken at a meeting of the shareholders may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all of the shareholders entitled to vote with respect to the subject matter thereof and then delivered to the Secretary of the corporation for inclusion in the Minute Book of the corporation.

ARTICLE II. DIRECTORS

1. Management. The business and affairs of the corporation shall be managed by a Board of Directors.

2. Number. The number of Directors of the corporation shall be three. The number of Directors may be increased or decreased from time to time by amendment of these By-Laws, but no decrease shall have the effect of shortening the term of any incumbent Director.

3. Qualifications. The ownership of stock in this corporation is not to be a prerequisite to election and qualification as a Director of the corporation.

4. Election. At each annual meeting of the shareholders, the shareholders shall elect Directors to hold office until the next succeeding annual meeting.

5. Term of Office. Unless removed in accordance with these By-Laws, each Director shall hold office for the term for which he is elected and until his successor shall have been elected and qualified.

6. Removal. Any Director may be removed from his position as Director, either with or without cause, at any special meeting of shareholders if notice of intention to act upon the question of removing such Director shall have been stated as one of the purposes for the calling of such meeting.

7. Vacancy. A particular directorship shall be considered to be vacant upon the happening of any one of the following events:

(a) Death of the person holding such directorship.

(b) Resignation of the person holding such directorship.

(c) Refusal of a person elected to a directorship to manifest his assent to serve.

(d) Removal of a Director at a special shareholders' meeting as provided in Section 6 of this Article of these By-Laws.

8. Filling of Vacancy. Any vacancy occurring in the Board of Directors shall be filled at the next meeting of the Board of Directors following the occurrence of such vacancy, or if the vacancy occurs while a Director's meeting is in progress, such vacancy may be filled at such meeting. Such vacancy shall be filled by the affirmative vote of a majority of the remaining Directors though less than a quorum. A Director elected to fill a vacancy shall be elected for the unexpired term of his predecessor in such directorship.

9. Election to New Directorship. In the event of the creation of one or more new directorships by amendment of these By-Laws, then any such directorship to be filled by reason of such an increase in the number of Directors shall be filled by election at an annual meeting of the shareholders or a special meeting of the shareholders called for that purpose.

10. Quorum. Any two of the Directors shall constitute a quorum for the transaction of business. The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors unless otherwise specifically required by law or these By-Laws.

11. Executive Committee. The Board of Directors, by resolution adopted by a majority of the Board of Directors, may designate two or more

Directors to constitute an Executive Committee, which Committee, to the extent provided in such resolution, shall have and may exercise all of the authority of the Board of Directors in the business and affairs of the corporation except where action of the Board of Directors is specified by the Texas Business Corporation Act or other applicable law, but the designation of such Committee and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any member thereof, of any responsibility imposed upon it or him by law. The Executive Committee shall keep regular Minutes of its proceedings and report the same to the Board when required by the Board.

12. Regular Meetings. A regular meeting of the Board of Directors shall be held without other notice than this By-Law immediately following and at the same place as the annual meeting of shareholders. The Board of Directors may provide, by resolution, the time and place, either within or without the State of Texas, for the holding of additional regular meetings without other notice than such resolution.

13. Special Meetings. Special meetings of the Board of Directors may be called by or at the request of the President or any two Directors. All special meetings of the Directors shall be held at a place designated in the notice of said meeting, which shall be within the limits of the Continental United States. Notice of the call of a special meeting shall be in writing and delivered for transmission to each of the Directors not later than during the third day immediately preceding the day for which such meeting is called. Notice of any special meeting may be waived in writing

signed by the person or persons entitled to such notice; such waiver may be executed at any time before or after the time herein specified for the giving of such notice, but not later than the time specified in such notice for the holding of such special meeting. Attendance of a Director at a special meeting of the Board of Directors shall constitute a waiver of notice of such special meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business or the meeting is not lawfully called or convened.

14. No Statement of Purpose of Meeting Required. Neither the business proposed to be transacted, nor the purpose of any regular or special meeting of the Board of Directors need be specified in the notice or waiver of notice of such meeting.

15. Directors' Actions Without a Meeting. Any action required or permitted to be taken at a meeting of the Board of Directors or any Executive Committee may be taken without a meeting if a consent in writing setting forth the action so taken is signed by all of the member of the Board of Directors or Executive Committee, as the case may be. Such consent shall have the same force and effect as a unanimous vote at a meeting and may be stated as such in any document.

ARTICLE III. OFFICERS

1. Number. The officers of the corporation shall be a President; one or more Vice-Presidents (the number thereof to be determined by the Board of Directors), a Treasurer, and a Secretary, and such assistant treasurers, assistant secretaries or other officers as may be elected by the

Board of Directors. Any two or more offices may be held by the same person except the President and Secretary shall not be the same person.

2. Election and Term of Office. The officers of the corporation shall be elected annually by the Board of Directors at the meeting held on the same day as the annual meeting of the shareholders or as soon thereafter as convenient, and vacancies may be filled or new offices filled at any meeting of the Board of Directors. Each officer shall hold office until his successor shall have been duly elected and shall have qualified, or until his death or until he shall resign or shall have been removed in the manner herein provided.

3. Removal. Any officer or agent or member of the Executive Committee elected or appointed by the Board of Directors may be removed by the Board of Directors whenever, in its judgment, the best interests of the corporation would be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the person so removed.

4. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the Board of Directors for the unexpired portion of the term.

5. President. The President shall be the chief executive officer of the corporation. He shall preside at all meetings of the Directors. He shall have general and active management of the business of the corporation, shall see that all orders and resolutions of the Board of Directors are carried into effect, shall execute all contracts and agreements authorized by the

Board. He shall have general supervision and direction of all of the other officers of the corporation and shall see that their duties are properly performed. He shall submit a report of the operations of the corporation for the fiscal year to the Directors at their first regular meeting in each year and to the shareholders at their annual meeting and from time to time to report to the Directors all matters within his knowledge which the interests of the corporation may require to be brought to their notice, and in general, he shall perform all of the duties incident to the office of the President and such other duties as may be prescribed by the Board of Directors from time to time.

6. Vice-Presidents. In the absence of the President or in the event of his inability or refusal to act, the Vice-President (or in the event there be more than one Vice-President, the Vice-Presidents in the order designated, or in the absence of any designation, then in the order of their election) shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to all the restrictions upon the President. Any Vice-President shall perform such other duties as from time to time may be assigned to him by the President or by the Board of Directors.

7. Treasurer. If required by the Board of Directors, the Treasurer shall give a bond for the faithful discharge of his duties in such sum and with such surety or sureties as the Board of Directors shall determine. He shall: (a) have charge and custody of and be responsible for all funds and securities of the corporation, receive and give receipts for monies due and payable to the corporation from any source whatsoever and deposit all such

monies in the name of the corporation in such banks, trust companies or other depositories as shall be selected by the Board of Directors' and (b) in general, perform all the duties incident to the office of Treasurer and such other duties as from time to time may be assigned to him by the Board of Directors.

8. Secretary. The Secretary shall: (a) keep the Minutes of the shareholders' and of the Board of Directors' meetings in one or more books provided for that purpose; (b) see that all notices are duly given in accordance with the provisions of these By-Laws or as required by law; (c) be custodian of the corporate records and of the seal of the corporation and see that the seal of the corporation is affixed to all certificates for shares prior to the issue thereof and to all documents to which the seal is required to be affixed, the execution of which on behalf of the corporation under its seal is duly authorized in accordance with provision of these By-Laws and appropriate resolutions of the shareholders and/or Directors as and when required, and to affix his signature by way of attestation to any such document or instrument as may be required; (d) keep a register of the post office address of each shareholder; (e) sign with the President certificates for shares of the corporation, the issue of which shall have been authorized by the resolution of the Board of Directors; (f) have general charge of the stock transfer books of the corporation; and (g) in general, perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to him by the President or by the Board of Directors.

9. Assistant Treasurers and Assistant Secretaries. The assistant treasurers and assistant secretaries of the corporation shall perform such duties as shall be assigned to them by the Treasurer or the Secretary, respectively, or by the President or the Board of Directors.

10. Salaries. The salaries of the officers shall be fixed from time to time by the Board of Directors and no officer shall be prevented from receiving such salary by reason of the fact that he is also a Director of the corporation.

ARTICLE IV. CONTRACTS, LOANS, CHECKS AND DEPOSITS

1. Contracts. The Board of Directors may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation, and such authority may be general or confined to specific instances.

2. Loans. No loans shall be contracted on behalf of the corporation and no evidences of indebtedness shall be issued in its name unless so authorized by a resolution of the Board of Directors. Such authority may be general or confined to specific instances.

3. Checks, Drafts, Etc. All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the corporation, shall be signed by such officer or officers, agent or agents, of the corporation and in such manner as shall from time to time be determined by resolution of the Board of Directors.

4. Deposits. All funds of the corporation not otherwise employed shall be deposited from time to time to the credit of the corporation in

such banks, trust companies or other depositories as the Board of Directors may select.

ARTICLE V. CERTIFICATES FOR SHARES AND THEIR TRANSFER

1. Certificates for Shares. Certificates representing shares of the corporation shall be in such form as may be determined by the Board of Directors. Such certificates shall be signed by the President or a Vice-President, and by the Secretary or an assistant secretary and shall be sealed with the seal of the corporation. All certificates for shares shall be consecutively numbered or otherwise identified. The name of the person to whom the shares represented thereby are issued, with the number of shares and date of issued, shall be entered on the books of the corporation. All certificates surrendered to the corporation for transfer shall be cancelled and no new certificate shall be issued until the former certificate for a like number of shares shall have been surrendered and cancelled, except that, in the case of a lost, destroyed or mutilated certificate, a new one may be issued therefor upon such terms and indemnity to the corporation as the Board of Directors may prescribe.

2. Transfers of Shares. Transfers of shares of the corporation shall be made only on the books of the corporation by the holder of record thereof or by his legal representative, who shall furnish proper evidence of authority to transfer, or by his attorney thereunto authorized by power of attorney duly executed and filed with the Secretary of the corporation, and on surrender for cancellation of the certificate for such shares. The person in whose name the shares stand on the books of the corporation shall be deemed the owner thereof

for all purposes as regards the corporation. No transfer of shares shall be made within one day next preceding the day appointed for the paying of dividend.

ARTICLE VI. FISCAL YEAR

The fiscal year of the corporation shall begin on the first day of of each year and shall end on the 3th day of of each year.

ARTICLE VII. DIVIDENDS

The Board of Directors may from time to time declare, and the corporation may pay, dividends on its outstanding shares in the manner and upon the terms and conditions provided by law and its Articles of Incorporation.

ARTICLE VIII. REPORTS TO SHAREHOLDERS

The Board of Directors shall present at each annual meeting of the shareholders, and when called for by vote of the shareholders at any special meeting thereof, a clear and concise statement of the business and financial condition of the corporation. The Directors of the corporation shall send annual reports of the corporation's financial condition, together with a statement summarizing the year's activities, to each of the shareholders of the corporation after the close of any fiscal year. All financial reports shall be certified by an officer, or officers, of the corporation as ordered by the Board of Directors and verification by a Certified Public Accountant shall not be required except upon express resolution of the shareholder adopted at any regular or special meeting thereof, in which event the accountant or firm of accountants shall be designated by a vote of the shareholders.

ARTICLE IX. AMENDMENT OF BY-LAWS

These By-Laws may be amended by the shareholders at any annual meeting of the shareholders or, if notice of a proposal to amend these By-Laws and the respect in which proposed to be amended is given, at any call of a special meeting of shareholders, at such special meeting.

The foregoing is a true and correct copy of the By-Laws of MR. W FIREWORKS, INC. as adopted by unanimous vote at the Organization Meeting of the Board of Directors held on the 6th day of June, 19 75.

Millie L. Wildman
SECRETARY

MR. W FIREWORKS, INC.

**CONSENT OF BOARD OF DIRECTORS
IN LIEU OF SPECIAL MEETING**

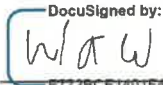
The undersigned, being the entire Board of Directors of Mr. W Fireworks, Inc., a Texas corporation (the "Corporation"), consents to the following:

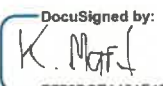
RESOLVED, that the Board of Directors authorizes the filing of a Landowner Petition for Release from Extraterritorial Jurisdiction (the "Petition").

RESOLVED FURTHER, that Wayne Wildman, as the President of the Corporation, is authorized and directed to execute and deliver the Petition to the applicable city representative(s), in the name and on behalf of the Corporation, in order to fully carry out the intent and accomplish the purposes of the resolutions adopted hereby (such determination to be evidenced conclusively by the taking of such actions, and the execution of such Petition), and that all such actions heretofore taken by him be, and hereby are, ratified.

Dated as of October 17, 2024.

BOARD OF DIRECTORS:

DocuSigned by:
By: 
E772BCE1401F466...
Wayne Wildman, President

DocuSigned by:
By: 
E772BCE1401F466...
Kelley Martinez, Vice President

DocuSigned by:
By: 
E772BCE1401F466...
Dianna Wildman, Secretary/Treasurer

 Outlook

Re: ETJ Release Petition - Mr. W Fireworks, Inc.

From Letty Vacek <lvacek@fbgtx.org>
Date Fri 11/8/2024 3:14 PM
To Olivia Stephens <ostephens@branscomblaw.com>; Garret Bonn <gbonn@fbgtx.org>
Cc Aaron M. Barton <ABarton@Branscomblaw.com>

Good afternoon Olivia - We have received the documents outlined in your email but at this time, your request is incomplete. We will also require a picture ID of each individual that signed the documents (ie Driver's License) and the \$1,000.00 fee to process your request. Once everything is received, we can then begin to process your request. Thank-you, Letty

Leticia "Letty" Vacek, TRMC, CMC, MMC
City Secretary/Records Management Officer



126 W. Main Street
Fredericksburg, TX 78624
Office: (830) 997-7521 | Direct: (830) 990-2005 | lvacek@fbgtx.org
City Mission: We're leading with integrity while providing the best customer services to our community.

From: Olivia Stephens <ostephens@branscomblaw.com>
Sent: Friday, November 8, 2024 9:41 AM
To: Garret Bonn <gbonn@fbgtx.org>
Cc: Letty Vacek <lvacek@fbgtx.org>; Aaron M. Barton <ABarton@Branscomblaw.com>
Subject: ETJ Release Petition - Mr. W Fireworks, Inc.

 Outlook

Re: ETJ Release Petition - Mr. W Fireworks, Inc.

From Aaron M. Barton <ABarton@Branscomblaw.com>

Date Fri 11/8/2024 3:47 PM

To Letty Vacek <lvacek@fbgtx.org>; Olivia Stephens <ostephens@branscomblaw.com>; Garret Bonn <gbonn@fbgtx.org>

Good afternoon,

Please provide me with the statutory authority the City is relying upon to demand a \$1,000 "processing fee" for removal of the property from the ETJ. I see nothing in the statute that allows this, but I am happy to review whatever the City thinks allows it to demand money from a landowner petitioning for removal from the ETJ.

As for the driver's license or other I.D., that too is not required by statute. The petition we sent includes a notarized signature in the signer's own handwriting, which is all that is required under the Texas Election Code for a signature on a petition. Again, happy to review anything the City thinks supports this additional request beyond what is called for in the Texas Local Government Code.

These additional demands do not appear to be authorized by statute, at least not any statutory authority I have seen, and as such are arbitrary. All that is technically required under the statute is a petition including the metes and bounds description of the property, which has been provided to the City today, along with proof of ownership of the tract and signatory authority by the signer of the petition. Unless I receive something from the City showing the City has the statutory authority to demand a processing fee and a picture I.D. before the petition is considered "complete," then I am taking the position that the petition is complete, and the 45-day time period for the City to review the petition begins today.

Thanks,

Aaron M. Barton
Attorney



Lockhill Crossing Building
4630 N Loop 1604 W, Suite 206
San Antonio, Texas 78249
Main: (210) 598-5400 | Direct: (210) 598-5411



Outlook

Re: ETJ Release Petition - Mr. W Fireworks, Inc.

From Letty Vacek <lvacek@fbgtx.org>

Date Fri 11/8/2024 5:44 PM

To Aaron M. Barton <ABarton@Branscomblaw.com>; Olivia Stephens <ostephens@branscomblaw.com>; Garret Bonn <gbonn@fbgtx.org>; Mick McKamie <mmckamie@fbgtx.org>

 1 attachment (344 KB)

ORDINANCE 2024-01ETJ Petitions.pdf;

Mr. Barton - I have attached a copy of City Ordinance 2024-01 as requested.

Leticia "Letty" Vacek, TRMC, CMC, MMC

City Secretary/Records Management Officer



126 W. Main Street

Fredericksburg, TX 78624

Office: (830) 997-7521 | Direct: (830) 990-2005 | lvacek@fbgtx.org

City Mission: We're leading with integrity while providing the best customer services to our community.

From: Aaron M. Barton <ABarton@Branscomblaw.com>

Sent: Friday, November 8, 2024 3:46 PM

To: Letty Vacek <lvacek@fbgtx.org>; Olivia Stephens <ostephens@branscomblaw.com>; Garret Bonn <gbonn@fbgtx.org>

Subject: Re: ETJ Release Petition - Mr. W Fireworks, Inc.



Outlook

Re: ETJ Release Petition - Mr. W Fireworks, Inc.

From Aaron M. Barton <ABarton@Branscomblaw.com>

Date Mon 11/11/2024 3:57 PM

To Letty Vacek <lvacek@fbgtx.org>; Olivia Stephens <ostephens@branscomblaw.com>; Garret Bonn <gbonn@fbgtx.org>; Mick McKamie <mmckamie@fbgtx.org>

1 attachment (1 MB)

Wayne Wildman ID.pdf;

Thank you, Letty. While I am not sure I agree that the City has the authority to charge a "processing fee" for this, my client is going to send a check made payable to the City.

Attached is the requested driver's license. Will you please reach out to me and confirm the check is received and the petition accepted once you have it?

Thanks,
Aaron

From: Letty Vacek <lvacek@fbgtx.org>

Sent: Friday, November 8, 2024 5:44 PM

To: Aaron M. Barton <ABarton@Branscomblaw.com>; Olivia Stephens <ostephens@branscomblaw.com>; Garret Bonn <gbonn@fbgtx.org>; Mick McKamie <mmckamie@fbgtx.org>

Subject: Re: ETJ Release Petition - Mr. W Fireworks, Inc.

EXTERNAL

Mr. Barton - I have attached a copy of City Ordinance 2024-01 as requested.

Leticia "Letty" Vacek, TRMC, CMC, MMC
City Secretary/Records Management Officer

 Outlook

Re: ETJ Release Petition - Mr. W Fireworks, Inc.

From Letty Vacek <lvacek@fbgtx.org>
Date Fri 11/15/2024 10:48 AM
To Aaron M. Barton <ABarton@Branscomblaw.com>; Olivia Stephens <ostephens@branscomblaw.com>; Garret Bonn <gbonn@fbgtx.org>; Mick McKamie <mmckamie@fbgtx.org>

We have received check 2352 in the amount of \$1,000 payable to the City of Fredericksburg. Letty

Leticia "Letty" Vacek, TRMC, CMC, MMC
City Secretary/Records Management Officer



126 W. Main Street
Fredericksburg, TX 78624
Office: (830) 997-7521 | Direct: (830) 990-2005 | lvacek@fbgtx.org
City Mission: We're leading with integrity while providing the best customer services to our community.

From: Aaron M. Barton <ABarton@Branscomblaw.com>
Sent: Monday, November 11, 2024 3:55 PM
To: Letty Vacek <lvacek@fbgtx.org>; Olivia Stephens <ostephens@branscomblaw.com>; Garret Bonn <gbonn@fbgtx.org>; Mick McKamie <mmckamie@fbgtx.org>
Subject: Re: ETJ Release Petition - Mr. W Fireworks, Inc.

Thank you, Letty. While I am not sure I agree that the City has the authority to charge a "processing fee" for this, my client is going to send a check made payable to the City.

City of Fredericksburg
126 W. Main St.
Fredericksburg, TX 78624

11/11/2024

To whom it may concern,

Please find enclosed check #2352 in the amount of \$1,000.00 for the payment for the Processing Fee-Petition for Removal from ETJ – Mr. W Fireworks, Inc.

Sincerely,



Julio Martinez

Mr. W Fireworks

Encl: Check #2352

Customer # 121211
type code # 14141

Filed with City Secretary

Date Nov. 15, 2024
Time 11:08 am
Signature [Signature] (Rec'd)

City of Fredericksburg
11/15/2024 11:36 AM
Receipt No. 01227507
Petitions-Release R
eq ETJ 1,000.00
Total 1,000.00
Check 2352 1,000.00
Change 0.00
Remaining Balance:
\$0.00
ETJ PETITIONS
Customer #: 121211
126 W MAIN ST
FREDERICKSBURG, TX 78624
Cashier: Karen



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services

TO: Mayor & City Council Members

FROM: Garret Bonn, Assistant City Manager

MEETING DATE: December 17, 2024

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Consider adoption of Ordinance 2024-43 for Annexation of a portion of Right of Way (ROW) of approximately 1.47 acres of land consisting of all of Catholic Cemetery Rd. and a portion of W. Travis Street and a portion of W. Austin Streets currently owned and maintained by Gillespie County. (Anna Hudson, Director of Development Services)

PRESENTATION:

SUMMARY:

The Area, comprised of approximately 1.47 acres and consisting of a portion of West Travis Street, all of Catholic Cemetery Road, and a portion of Austin Street located in Gillespie County, Texas, will become City Right of Way and will be maintained by the Public Works Department.

BACKGROUND:

Proper notice was provided in accordance with Subchapter C-1 of Chapter 43 of the Texas Local Government Code, and public hearings on the proposed annexation of the Area were held before the Fredericksburg City Council on November 19, 2024, and December 3, 2024. Central Texas Electric Coop acknowledged receipt of the notice.

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

Staff recommends approval of the annexation as presented.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality

Mobility

Small Town Sensitive Growth

Governance

ATTACHMENTS:

1. Current City Limit Boundary Map
2. Annexation Ordinance 2024-43 Catholic Cemetery Rd

APPROVAL/REVIEW:



Anna Hudson, Director of Development Services

Date: December 11, 2024



Garret Bonn, Assistant City Manager

Date: December 11, 2024



William McKamie, City Attorney

Date: December 11, 2024



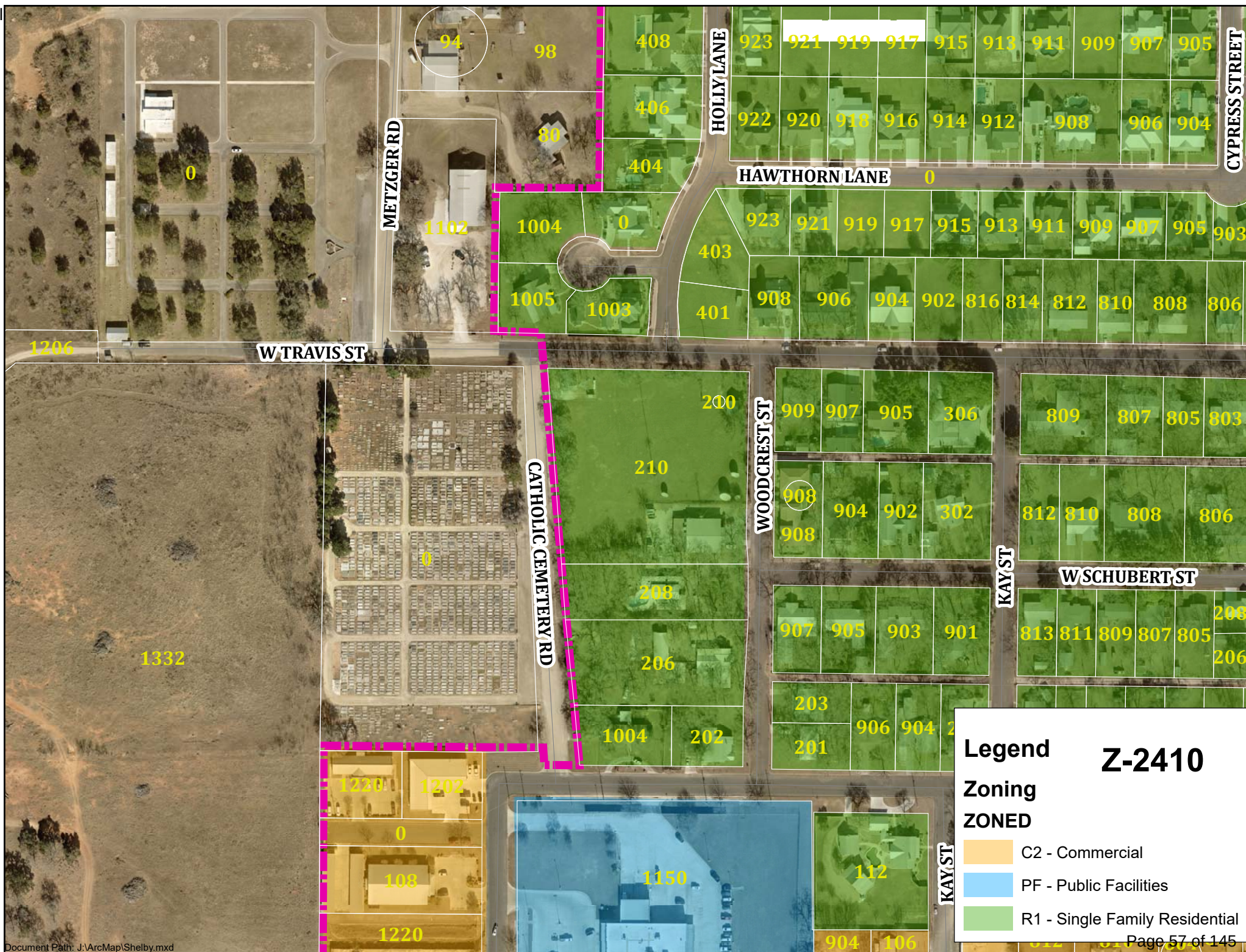
Leticia Vacek, City Secretary

Date: December 11, 2024



Clinton Bailey, City Manager

Date: December 13, 2024



ORDINANCE NO. 2024-43

AN ORDINANCE ANNEXING CATHOLIC CEMETERY ROAD, AND PORTIONS OF AUSTIN STREET AND WEST TRAVIS STREET (“AREA”) INTO THE CITY OF FREDERICKSBURG, TEXAS, FOR ALL MUNICIPAL PURPOSES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the Area is currently owned and maintained by Gillespie County as county roads; and

WHEREAS, the Gillespie County Commissioners Court submitted a request for voluntary annexation of the Area, in accordance with Section 43.1055 of Chapter 43 of the Texas Local Government Code; and

WHEREAS, the City Council desires to annex the Area into the City for all municipal purposes; and

WHEREAS, after proper notice was provided in accordance with Subchapter C-1 of Chapter 43 of the Texas Local Government Code, and public hearings on the proposed annexation of the Area were held before the Fredericksburg City Council on November 19, 2024, and December 3, 2024; and

WHEREAS, the Area is contiguous to the City and within the exclusive extraterritorial jurisdiction of the City; and

WHEREAS, all requirements of law have been met for the annexation of the Area in compliance with Chapter 43 of the Texas Local Government Code.

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

SECTION 1.

The Area, comprised of approximately 1.47 acres and consisting of a portion of West Travis Street, all of Catholic Cemetery Road, and a portion of Austin Street located in Gillespie County, Texas, is hereby annexed to the City as a part of the City for all municipal purposes, and the City limits are extended to include the Area, more particularly depicted on Exhibit “A” and described in Exhibit “B,” attached to and incorporated into this Ordinance for all purposes. In the event of any discrepancy in the written description on Exhibit “B” and the depiction on the Exhibit “A,” the depiction on Exhibit “A” shall control.

SECTION 2.

The official map and boundaries of the City, previously adopted, are amended to include the Area as a part of the City. The City Secretary is directed and authorized to perform or cause to be performed all acts necessary to correct the official map of the City to add the annexed Area as required by law.

SECTION 3.

The City Secretary is directed to file or cause to be filed a certified copy of this Ordinance in the offices of the county clerk of Gillespie County, Texas and with the Gillespie County Appraisal District.

SECTION 4.

The streets hereby annexed shall be city streets and will be operated, controlled and maintained by the City of Fredericksburg.

SECTION 5.

This Ordinance shall be cumulative of all provisions of ordinances of the City of Fredericksburg, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 6.

Should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application thereof, the unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof, but as to such remaining portions, the same shall be and remain in full force and effect.

SECTION 7.

Should this Ordinance for any reason be ineffective as to any part of the area hereby annexed to the City, such ineffectiveness of this Ordinance as to any such part or parts of any such area shall not affect the effectiveness of this Ordinance as to the remainder of such area. The City Council hereby declares it to be its purpose to annex to the City every part of the Area described in Section 1 of this Ordinance, regardless of whether any part of such described area is hereby not effectively annexed to the City. Provided, further, that if there is included within the general description of the Area set out in Section 1 of this Ordinance to be hereby annexed to the City any lands or area which are presently part of and included within the limits of any other city, town, or village, or which are not within the City's jurisdiction to annex, the same is hereby excluded and excepted from the area to be annexed hereby as fully as if such excluded and excepted area were expressly described herein.

SECTION 8.

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

PASSED AND APPROVED ON THIS 17th DAY OF DECEMBER, 2024.

Mayor Jeryl Hoover

ATTEST:

City Secretary, Leticia Vacek

APPROVED AS TO FORM:

City Attorney, Mick McKamie

EXHIBIT A
PROPERTY MAP

EXHIBIT B
PROPERTY DESCRIPTION



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services

TO: Mayor & City Council Members

FROM: Anna Hudson, Director of Development Services

MEETING DATE: December 17, 2024

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: PUBLIC HEARING REGARDING AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, DESIGNATING A GEOGRAPHIC AREA WITHIN THE CITY AS A TAX INCREMENT REINVESTMENT ZONE PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, TO BE KNOWN AS TAX INCREMENT REINVESTMENT NO. ONE, CITY OF FREDERICKSBURG; DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE AND APPOINTING MEMBERS OF THE BOARD; ESTABLISHING A TAX INCREMENT FUND (TIRZ FUND) FOR THE ZONE; (Anna Hudson, Director of Development Services)

1. Staff Presentation
 2. Public Hearing
 3. Consider the adoption of Ordinance 2024-44 creating TIRZ #1 Downtown
-

PRESENTATION:

SUMMARY:

Name: **TIRZ No. One**

Size: **276.5 acres**

Duration of Zone: **25 years**

City Tax Increment: **50% of the total incremental property tax collection from the Zone**

Tax Increment Base: **January 1, 2024**

The "Golden Blocks" of downtown have long been the heart of the City and produce more sales tax and property tax per square foot than any other area of the City. Two distinct areas, West Main Street and The Old Peanut Factory area, are both proximate to the Golden Blocks but lack connectivity and public infrastructure and so they have not been as successful.

By capturing increased tax revenues from new developments, a TIRZ reinvests these funds into public improvements and projects within the zone, driving economic growth and revitalization. The goal of the Downtown Tax Increment Reinvestment (TIRZ) # 1, in Fredericksburg's City Center, is to attract investments they pay into the TIRZ and enhance infrastructure through a well-vetted and common financing mechanism. The TIRZ would expand the success of the Golden Blocks of downtown into two areas previously identified as in need of revitalization. There are significant projects planned for the "Y" on West Main and the Old Peanut Factory, however there is a lack of

connectivity to the Golden Blocks or each other. Without a dedicated funding source for public enhancements the developments may be isolated and the immediate areas around them will not get their own sense of place. A TIRZ represents the best known, most utilized tool for dedicating funds to targeted public improvement projects. It is a forced savings account with project and geographic plan.

BACKGROUND:

TIRZ funds are reinvested by the city into downtown infrastructure and development projects. The increment in the tax collected in the zone must be spent in the zone.

Public Improvements

Infrastructure projects such as street improvements for pedestrians, sidewalk enhancements, street lighting, signage, restrooms, landscaping and public art.

Development Projects

Supporting development including new construction, renovation, or adaptive reuse of buildings.

Community Amenities

Enhancing public spaces, parks, and recreational facilities. Two parks, Marktplatz and Old Fair Park, are included within the boundaries.

Business Incentives

Attracting businesses, encourage investment, and stimulate economic growth within the zone.

Historic Preservation

Supporting efforts to preserve and restore historic buildings and landmarks.

Goals

New hotels in downtown represent a significant increase in tourist activity. Visitors tend to prefer to walk to destinations. The TIRZ can enhance current sidewalks, add new sidewalks and make intersections safer for walkers, pedestrian with mobility limitations, bikes, and vehicles alike. New multifamily housing increases business potential for local businesses that tend to slow down during midweek. Adding full time residents to the downtown creates a vibrant, year-round, downtown and adds available workforce and business patrons.

Office/Commercial/Retail Development:

The West Main and the Old Peanut Factory areas both have a select number of successful businesses but also have a high number of empty lots and buildings. By connecting existing businesses to new retail and food & beverage options, the areas will prosper by becoming more walkable and desirable destinations of their own.

FUNDING SOURCE: 50% of the increment from the 2024 baseline year will be put into the TIRZ instead of the General Fund.

FINANCIAL IMPACT:

If adopted in 2024, the 2026 tax collection will be the first year impacted by dedication of 50% of the increment to the TIRZ.

New developments that cause an increase in the TIRZ increment will also cause an increase in sales tax, and enterprise funds.

City Council retains final authority on projects and financials

STAFF RECOMMENDATION:

Staff recommends the adoption of the Ordinance and Preliminary Finance Plan. TXP proposes a 50% contribution of the increment.

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
Workforce
Tourism
City Center
Mobility
Small Town Sensitive Growth
Governance

ATTACHMENTS:

1. Ordinance 2024-44 TIRZ 1
2. FBG TIRZ #1 Map
3. Fredericksburg TIRZ #1 Prelim Plan
4. Kevin Glasheen public hearing comment
5. Ed Cowsar public hearing comment

APPROVAL/REVIEW:

Leticia Vacek, City Secretary

Date: December 11, 2024



William McKamie, City Attorney

Date: December 12, 2024



Leticia Vacek, City Secretary

Date: December 12, 2024



Clinton Bailey, City Manager

Date: December 13, 2024

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, DESIGNATING A GEOGRAPHIC AREA WITHIN THE CITY AS A TAX INCREMENT REINVESTMENT ZONE PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, TO BE KNOWN AS TAX INCREMENT REINVESTMENT NO. ONE, CITY OF FREDERICKSBURG; DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE AND APPOINTING MEMBERS OF THE BOARD; ESTABLISHING A TAX INCREMENT FUND (TIRZ FUND) FOR THE ZONE; CONTAINING FINDINGS RELATED TO THE CREATION OF THE ZONE; PROVIDING A DATE FOR THE TERMINATION OF THE ZONE; PROVIDING THAT THE ZONE TAKE EFFECT IMMEDIATELY UPON PASSAGE OF THE ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City, pursuant to Chapter 311 of the Texas Tax Code, as amended (the “Act”), may designate a geographic area within the City as a tax increment reinvestment zone if the area satisfies the requirements of the Act; and

WHEREAS, the City Council of the City (the “City Council”) desires for the City to consider the creation of a tax increment reinvestment zone in the City consisting of approximately 276.50 acres depicted on *Exhibit A* attached hereto (the “Property”); and

WHEREAS, pursuant to and as required by the Act, the City Council prepared a *Fredericksburg Tax Increment Reinvestment Zone #1 Preliminary Project & Finance Plan* (the “Preliminary Project and Finance Plan”) attached hereto as *Exhibit B* and incorporated herein for all purposes; and

WHEREAS, notice of the public hearing on the creation of the proposed zone was published in the Fredericksburg Standard, a newspaper of general circulation within the City, on December 4 and 11, 2024, which dates are not later than the seventh (7th) day before the public hearing held on December 17, 2024; and

WHEREAS, at the public hearing on December 17, 2024, interested persons were allowed to speak for or against the creation of the zone, the boundaries of the zone, and the concept of tax increment financing, and owners of property in the proposed zone were given a reasonable opportunity to protest the inclusion of their property in the zone; and

WHEREAS, evidence was received and presented at the public hearing in favor of the creation of the zone; and

WHEREAS, the City has taken all actions required to create the zone including, but not limited to, all actions required by the Act, the Texas Open Meetings Act, and all other laws applicable to the creation of the zone; and

WHEREAS, the City desires to appoint initial members to the board of directors of the zone; and

WHEREAS, terms used in this Ordinance that have their initial letters capitalized shall have the meanings given to them in this Ordinance.

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

SECTION 1. FINDINGS.

(a) The recitals, findings, and determinations contained in the preamble to this Ordinance are incorporated into the body of this Ordinance as if fully set forth in this Section and are hereby found and declared to be true and correct legislative findings and are adopted as part of this Ordinance for all purposes.

(b) The City Council finds that the public improvements set forth in the Preliminary Project and Finance Plan will significantly enhance the value of all the taxable real property in the zone and will be of general benefit to the City.

(c) The City Council finds that the proposed zone meets the requirements of Section 311.005(a) of the Act in that:

- (i) there is a need for essential public infrastructure and economic development programs to attract new business and commercial activity to the proposed zone for the purposes of increasing the real property tax base for all taxing units within the zone, increasing sales and use taxes for the City and the State of Texas, and increasing job opportunities for residents of the City and the region; and
- (ii) the proposed zone, as shown within **Exhibit A**, meets the criteria for the creation of a reinvestment zone set forth in Section 311.005 of the Act in that the area is predominantly open or undeveloped and, because of obsolete platting, deterioration of structures or site improvements, or other factors, substantially impairs and arrests the sound growth of the municipality; and
- (iii) these factors substantially impair and arrest the sound growth of the City.

(d) The City Council finds that the proposed zone is a geographic area 100% within the City's corporate limits or extraterritorial jurisdiction.

(e) The City Council finds that not more than thirty percent (30%) of the property in the proposed zone, excluding property that is publicly owned, is used for residential purposes, and the total appraised value of taxable real property in the proposed zone and in existing reinvestment zones does not exceed fifty percent (50%) of the total appraised value of taxable real property in the City and in the industrial districts created by the City.

(f) The City Council finds that the development or redevelopment of the property in the proposed zone will not occur solely through private investment in the reasonably foreseeable future.

(g) The City Council finds that the Preliminary Project and Finance Plan is feasible.

(h) The City Council finds that the implementation of the Project and Finance Plan (as defined below) will alleviate the conditions described in Section 1(c) above and will serve a public purpose.

SECTION 2. DESIGNATION AND NAME OF THE ZONE. Pursuant to the authority of, and in accordance with the requirements of the Act, the City Council hereby designates the Property as a tax increment reinvestment zone. The name assigned to the zone for identification is Tax Increment Reinvestment No. One, City of Fredericksburg (the “Zone”). The Zone is designated pursuant to Section 311.005(a)(2) of the Act.

SECTION 3. BOARD OF DIRECTORS.

3.1 The City Council hereby creates a board of directors for the Zone (the “Board”) consisting of seven members. Five members shall be appointed by the City Council to Places 1,2,3, 4, and 5 of the Board. Places 6 and 7 shall be appointed by the Commissioners Court of Gillespie County, Texas (the “County”), if the County participates in the Zone. If the County does not participate in the Zone, the Commissioners Court shall be deemed to have waived its right to appoint such members and the Place goes away.

3.2 The City Council hereby appoints the following individuals to serve as the initial members of the Board for the terms indicated:

Place 1	Mayor	(term expires December, 2026)
Place 2	Council Member Place 1	(term expires December, 2026)
Place 3	Council Member Place 2	(term expires December, 2026)
Place 4	Council Member Place 3	(term expires December, 2026)
Place 5	Council Member Place4	(term expires December, 2026)

If applicable, Places 6 and 7 shall be appointed by the County for a term that expires December, 2026.

Upon expiration of the indicated terms or upon City Council action to reconstitute the initial Board by appointing replacement members, subsequent appointments to fill vacancies shall be for terms

of two years. The member appointed to Place 1 shall serve as the chairman of the Board. The Board is authorized to elect a vice-chairman and other officers as determined by the Board.

3.3 The Board shall make recommendations to the City Council concerning the administration, management, and operation of the Zone. The Board shall prepare or cause to be prepared and adopted a final project plan and a reinvestment zone financing plan for the Zone (the “Project and Finance Plan”) as required by the Act, and shall submit the Project and Finance Plan to the City Council for approval. The Board may enter into agreements as the Board considers necessary or convenient to implement the Project and Finance Plan and reimburse project costs from the TIRZ Fund established pursuant to Section 8 of this Ordinance.

3.4 Directors shall not receive any salary or other compensation for their services as directors.

3.5 Pursuant to Section 311.010(h) of the Act and Article III, Section 52-a of the Texas Constitution, the City Council hereby authorizes the Board, as necessary or convenient to implement the Project and Finance Plan and achieve its purposes, to establish and provide for the administration of one or more programs for the public purposes of developing and diversifying the economy of the Zone, eliminating unemployment and underemployment in the Zone, and developing or expanding transportation, business, and commercial activity in the Zone, including programs to make grants of land and buildings and make grants from the TIRZ Fund for activities that benefit the Zone and stimulate business and commercial activity in the Zone. In addition, the City Council hereby authorizes the Board to exercise all of the powers of the City under Chapter 380, Texas Local Government Code, as amended.

SECTION 4. DURATION OF THE ZONE. The duration of the Zone shall be for a period of twenty-five (25) years. The Zone shall take effect immediately upon the passage and approval of this Ordinance. The Zone shall terminate on December 31, 2049 (with final year's tax due by January 31, 2050), unless otherwise terminated in accordance with this Section. The City shall have the right to terminate the Zone prior to the expiration of its stated term if all of the project costs have been paid in full, or as otherwise permitted by the Act. If upon expiration of the stated term of the Zone, project costs have not been paid, the City and County shall have no obligation to pay the shortfall.

SECTION 5. CITY TAX INCREMENT. The City will contribute fifty percent (50%) of the total incremental property tax collection from the Zone (“City TIRZ Increment”).

SECTION 6. TAX INCREMENT BASE. The “tax increment base” for purposes of calculating the City TIRZ Increment, and if the County participates in the Zone the County TIRZ Increment, means the total appraised value of all real property in the Zone that is taxable by the City and the County respectively, as of January 1, 2024.

SECTION 7. CAPTURED APPRAISED VALUE. The “captured appraised value” for purposes of calculating the annual City TIRZ Increment, and if the County participates in the Zone the County TIRZ Increment, means the total real property value taxable (including increase tax values attributable to changes in use) by a taxing unit for a year and located in the Zone for that year less

the tax increment base of the unit.

SECTION 8. TAX INCREMENT FUND. There is hereby created and established a TIRZ Fund for the Zone. Within the TIRZ Fund, there may be maintained subaccounts as necessary and convenient to carry out the purposes of the Act. The City TIRZ Increment and County TIRZ Increment shall be deposited into the TIRZ Fund as of the effective date of the Zone. The TIRZ Fund and all subaccounts shall be maintained at the depository bank of the City and shall be secured in the manner prescribed by law for funds of Texas cities. Prior to termination of the Zone, funds shall be disbursed from the TIRZ Fund only to pay costs approved in the Project and Finance Plan.

The TIRZ Fund shall consist of (i) the percentage of the tax increment, as defined by Section 311.012(a) of the Texas Tax Code, that each taxing unit which levies real property taxes in the Zone, other than the City, has elected to dedicate to the TIRZ Fund under an agreement with the City authorized by Section 311.013(f) of the Texas Tax Code, and (ii) fifty percent (50%) of the City's tax increment as defined by Section 311.012(a) of the Texas Tax Code (City TIRZ Increment), subject to any binding agreement executed at any time by the City that pledges a portion of such tax increment or an amount of other legally available funds whose calculation is based on receipt of any portion of such tax increment.

SECTION 9. SEVERABILITY. If any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be invalid, the validity of the remaining provisions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no provision of this Ordinance shall become inoperative because of the invalidity of another provision; and, therefore, all provisions of this Ordinance are declared severable for that purpose.

SECTION 10. OPEN MEETINGS. It is hereby found, determined, and declared that sufficient written notice of the date, hour, place and subject of the meeting of the City Council at which this Ordinance was adopted was posted at a place convenient and readily accessible at all times to the general public at the City Hall of the City for the time required by law preceding its meeting, as required by the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, as amended, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter hereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves, and confirms such written notice and the contents and posting thereof.

SECTION 11. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage as provided by law.

PASSED AND APPROVED ON THIS 17th DAY OF DECEMBER, 2024.

Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

EXHIBIT A
PROPERTY DEPICTION

EXHIBIT B
PRELIMINARY PROJECT AND FINANCE PLAN

FBG TIRZ #1

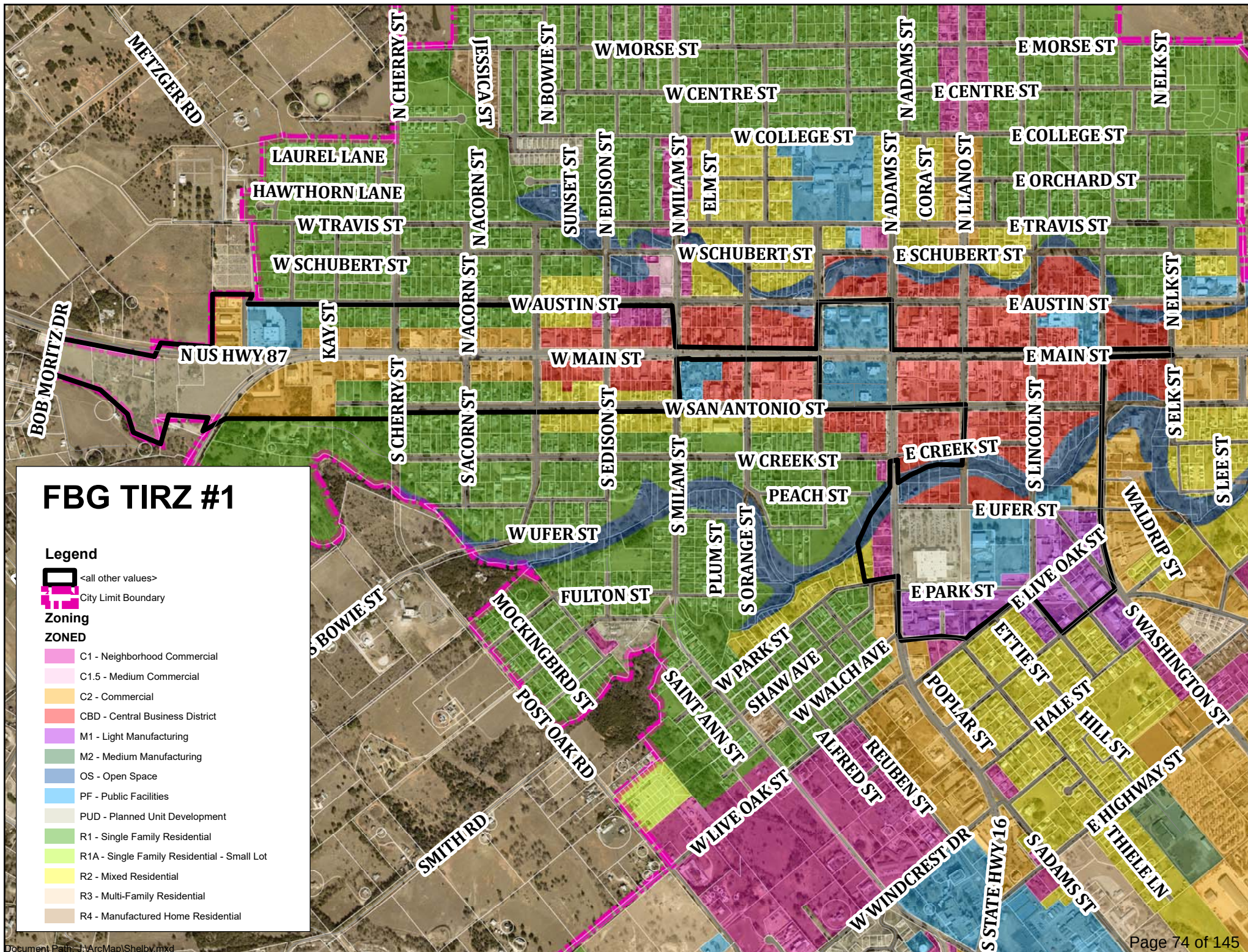
Legend

 <all other values>
 City Limit Boundary

Zoning

ZONED

-  C1 - Neighborhood Commercial
-  C1.5 - Medium Commercial
-  C2 - Commercial
-  CBD - Central Business District
-  M1 - Light Manufacturing
-  M2 - Medium Manufacturing
-  OS - Open Space
-  PF - Public Facilities
-  PUD - Planned Unit Development
-  R1 - Single Family Residential
-  R1A - Single Family Residential - Small Lot
-  R2 - Mixed Residential
-  R3 - Multi-Family Residential
-  R4 - Manufactured Home Residential



Fredericksburg Tax Increment Reinvestment Zone #1 Preliminary Project & Financing Plan

City of Fredericksburg, Texas
December 6, 2024



Prepared by



TXP, Inc.
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Austin, Texas 78704
(512) 328-8300 phone
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Table of Contents

Section 1 – Project Plan	1
Overview	1
Existing Tax Increment Financing Districts in the City of Fredericksburg	1
Description of the Tax Increment Reinvestment Zone #1	1
Properties within the TIRZ	3
Existing Zoning and Land Use Guidelines Applicable to Downtown TIRZ	3
Taxing Jurisdictions Applicable to TIRZ	3
Proposed Changes in Master Plans, Zoning Ordinances, and Building Codes	3
Relocation of Displaced Persons	3
Section 2 – Project Plan Improvements	4
Eligible Project Categories	4
Potential TIRZ Eligible Projects and Costs	5
Section 3 – Financing Plan	6
Compliance & Reporting	6
Public Sector Entities Participating in TIRZ #1	6
Financial Forecast Assumptions	7
Financial Forecast Summary Results	8
Conclusion	10
Appendix: Properties within the Proposed TIRZ #1	11
Legal Disclaimer	20

List of Figures

Figure 1: Proposed TIRZ #1 Geographic Boundary 2

Figure 2: Existing Land Use within the Proposed TIRZ #1 2

List of Tables

Table 1: Existing Land Use within the Proposed Downtown TIRZ (2024) 1

Table 2: Preliminary TIRZ Projects and Costs 5

Table 3: Taxing Jurisdictions within TIRZ #1 6

Table 4: Proposed Downtown TIRZ Property Value Forecast 8

Table 5: Proposed Downtown TIRZ – City of Fredericksburg Tax Revenue Forecast..... 9

Table 6: Properties within the Proposed TIRZ #1 11

Section 1 – Project Plan

Overview

The City of Fredericksburg, Texas is considering implementing a tax increment reinvestment zone (TIRZ) to fund a portion of the infrastructure and development costs associated with the downtown area. The Fredericksburg 2024 Comprehensive Plan and 2024 Master Parks Plan outline some of the needed improvements for this area of the city. The proposed new zone would be named Tax Increment Reinvestment No. One, City of Fredericksburg (TIRZ #1).

This document is designed to meet the legal requirements of designating a TIRZ. The statutes governing tax increment financing are in Chapter 311 of the State of Texas Tax Code. This preliminary feasibility study and project plan is required by state law.

Existing Tax Increment Financing Districts in the City of Fredericksburg

There are no existing TIRZ in Fredericksburg. According to state law, cities with less than 100,000 residents may not create a new TIRZ if the total appraised value of taxable real property in the proposed reinvestment zone and in the existing reinvestment zones would exceed 50.0 percent of the total appraised value of taxable real property within the city and its industrial districts. In addition, a TIRZ may not be created if more than 30.0 percent of the property in the proposed new TIRZ (excluding publicly-owned property) is used for residential purposes at the time of designation.

Description of the Tax Increment Reinvestment Zone #1

The proposed TIRZ would cover approximately 276.5 acres (including all roads and right of way adjacent to parcels). The 2024 baseline taxable property value of the proposed TIRZ is approximately \$285.3 million. See the appendix for the list of properties within the TIRZ.

Table 1: Existing Land Use within the Proposed Downtown TIRZ (2024)

Land Use	Parcel Count	Acreage	City of Fredericksburg Taxable Value
A – Single Family	103	35.30	\$67,060,093
C – Vacant Lot	25	16.00	\$4,977,890
City	11	17.58	\$0
County	2	1.74	\$0
E – Farm and Ranch	4	13.71	\$2,525,340
F – Commercial	198	99.70	\$209,587,983
J – Utilities	1	0.69	\$1,101,350
Post Office	1	5.17	\$0
Religious	10	4.04	\$0
State	1	0.11	\$0
Exempt	5	1.81	\$0
Grand Total	363	196.15	\$285,252,656

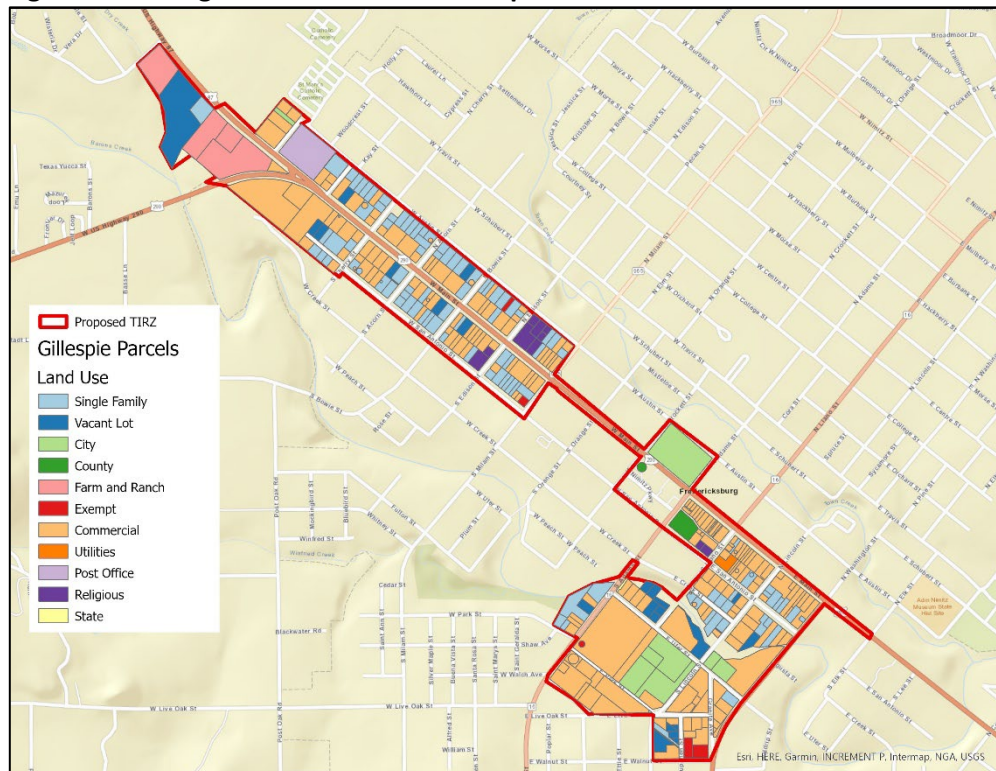
Source: Gillespie County Appraisal District; TXP, Inc.

Figure 1: Proposed TIRZ #1 Geographic Boundary



Source: TXP, Inc.

Figure 2: Existing Land Use within the Proposed TIRZ #1



Source: Gillespie County Appraisal District; TXP, Inc.

Properties within the TIRZ

The parcels identified in the appendix and the boundary map (Figure 1) provide sufficient detail to identify with ordinary and reasonable certainty the territory included in the zone. The boundary includes all roads and public right of way adjacent to parcels.

Existing Zoning and Land Use Guidelines Applicable to Downtown TIRZ

Existing City of Fredericksburg land use, zoning guidelines, and policies would apply to all properties.

Taxing Jurisdictions Applicable to TIRZ

The proposed Downtown is located within the following taxing jurisdictions:

- City of Fredericksburg
- Gillespie County
- Fredericksburg Independent School District

Proposed Changes in Master Plans, Zoning Ordinances, and Building Codes

There are no anticipated changes to the master development and zoning ordinances.

Relocation of Displaced Persons

This plan currently does not call for nor anticipate the displacement and relocation of persons for the proposed projects.

Section 2 – Project Plan Improvements

TIRZ #1 will provide support for catalytic infrastructure and economic development projects that will facilitate the development of properties within the greater downtown area of Fredericksburg. Due to its size, existing sidewalks, available parking, lighting, and other physical characteristics, new private sector development and redevelopment in TIRZ #1 will not likely occur solely through private investment. Proposed public improvements would likely include new and refurbished utilities, sidewalks, streetscapes, open spaces, and parking facilities.

Eligible Project Categories

The following categories generally describe what might be included in the final project and finance plan:

1. Parks & Streetscape Enhancements

This category includes gateway features, linear parks, corridor landscaping, public plazas, etc.

2. Public Infrastructure Improvements

This category includes water, sanitary sewer and storm water improvements, roadway and street intersection enhancements, parking, public transportation, relocation of aboveground utilities, public sidewalks, public buildings, etc.

3. Economic Development Grants

It is anticipated that economic development loans or grants might be made to assist in creating the tax base that facilitates implementing the project plan. The City, with advisement from the TIRZ Board shall have the authority to establish and administer economic development programs, including but not limited to grants and loans, authorized under Chapter 380 of the Texas Local Government Code. Should such loans or grants be made, it will be done with the intent to fulfill the public purposes of developing and diversifying the economy, eliminating unemployment or underemployment, and developing or expanding transportation, business, and commercial activity in the TIRZ.

4. Non-Project Costs

The private sector will develop and redevelop properties within the TIRZ. Non-project costs are those project costs that will be funded by others (ex. private developer) and are necessary for the development of the TIRZ. The TIRZ will not fund non-project costs.

5. Administration & Implementation

Administration costs, including reasonable charges for time spent by City of Fredericksburg employees, will be eligible for reimbursement as project costs.

Potential TIRZ Eligible Projects and Costs

The following table outlines a list of preliminary projects and estimated costs.

Table 2: Preliminary TIRZ Projects and Costs

Project	Category	Cost
Public Restrooms (ex. West Main, Golden Blocks, and Marktplatz)	Public Works	\$300,000 to \$400,000 for each restroom facility
Relocate overhead utilities along West Main	Public Works	\$6,000,000 to \$8,000,000
Utility upgrades at Peanut Factory	Public Works	TBD
Wayfinding signage	Public Works	TBD
ADA accessible sidewalks	Public Works	\$150 per foot
Decorative lighting to match Golden Blocks	Public Works	\$1,000,000
Surface or structured parking (ex. Old Fair Park and Peanut Factory)	Public Works	\$25,000 per spot
Lighting at Old Fair Park	Parks	\$450,000 to \$500,000

Source: City of Fredericksburg

Section 3 – Financing Plan

Tax increment financing is a tool used by local governments to publicly finance needed infrastructure and other improvements within a defined area. These improvements are usually undertaken to promote the viability of existing businesses and to attract new commercial enterprises to the area. The statutes governing tax increment financing are located in Chapter 311 of the State of Texas Tax Code.

The costs of improvements in the defined zone are repaid by the contribution of future property tax revenues by each taxing unit that levies taxes against the property. Specifically, each taxing unit can choose to dedicate all, a portion, or none of the tax revenue that is attributable to the increase in property values due to the improvements within the reinvestment zone. The additional tax revenue that is received from the affected properties is referred to as the tax increment. Each taxing unit determines what percentage of its tax increment, if any, it will commit to repayment of the cost of financing the public improvements.

Compliance & Reporting

The TIRZ Board policies shall comply with all federal, state, and local laws, rules and regulations. The TIRZ Board will submit project status reports and financial reports as required by state law.

Public Sector Entities Participating in TIRZ #1

All project costs will be paid through the contribution of incremental property taxes collections. This preliminary plan assumes that the City of Fredericksburg will contribute a portion of its total tax rate (maintenance and operations (M&O) and interest and sinking (I&S) ad valorem tax rate for 25 years.

Table 3: Taxing Jurisdictions within TIRZ #1

Entity	Property Tax Rate per \$100 (2024)
City of Fredericksburg	\$0.205326

Source: TXP, Inc.

Financial Forecast Assumptions

- **TIRZ Duration** – The TIRZ will have a 25-year lifespan.
- **TIRZ Allocation** – The City of Fredericksburg will contribute 50.0 percent of total incremental property tax collections.
- **Inflation & Appreciation Rate** – The inflation rate used for construction costs and the value of improvements is 3.0 percent per year.
- **Tax Rate** – While tax rates do change over time, the 2024 tax rate was held constant for the duration of the TIRZ.
- **Existing Properties** – The 2024 baseline property value of the TIRZ is approximately \$285.3 million.
- **Real Property** – Only taxable real property values are included in the tax increment calculations. By law, business personal property values are excluded from TIRZ.
- **Sales Tax** – Assumed no City sales tax revenue is contributed to the Downtown TIRZ, but new economic activity within the TIRZ will generate additional revenue for the City (ex. sales tax and Enterprise Funds).
- **Future Development Patterns** – To provide an order of magnitude estimate, TXP has projected the build out of the TIRZ based on the following projects:
 - New apartments (Barons Park) – 202 East Ufer (est. completion 2025)
 - DC Partners project at the Y – 1293 North US Highway 87 (est. completion 2025 to 2027)
 - New hotel on Ufer Street – 108 East Ufer (est. completion 2027)

Financial Forecast Summary Results

The following table depicts the anticipated revenue generated over 25 years. The revenue forecast assumes the TIRZ is established in 2024 (baseline year). The first TIRZ increment will occur in 2025 (2025 value less 2024 baseline value). Note, 2025 taxes are not due until January 2026.

Table 4: Proposed Downtown TIRZ Property Value Forecast

Year	Period	Baseline Appreciation	New Development	TIRZ Total Value	TIRZ Property Value Increment
2024	0	\$285,252,656	\$0	\$285,252,656	\$0
2025	1	\$293,810,236	\$15,500,000	\$309,310,236	\$24,057,580
2026	2	\$302,624,543	\$57,955,000	\$360,579,543	\$75,326,887
2027	3	\$311,703,279	\$172,349,559	\$484,052,838	\$198,800,182
2028	4	\$321,054,377	\$194,348,526	\$515,402,904	\$230,150,248
2029	5	\$330,686,009	\$200,178,982	\$530,864,991	\$245,612,335
2030	6	\$340,606,589	\$206,184,351	\$546,790,940	\$261,538,284
2031	7	\$350,824,787	\$212,369,882	\$563,194,669	\$277,942,013
2032	8	\$361,349,530	\$218,740,978	\$580,090,509	\$294,837,853
2033	9	\$372,190,016	\$225,303,208	\$597,493,224	\$312,240,568
2034	10	\$383,355,717	\$232,062,304	\$615,418,021	\$330,165,365
2035	11	\$394,856,388	\$239,024,173	\$633,880,561	\$348,627,905
2036	12	\$406,702,080	\$246,194,898	\$652,896,978	\$367,644,322
2037	13	\$418,903,142	\$253,580,745	\$672,483,887	\$387,231,231
2038	14	\$431,470,236	\$261,188,168	\$692,658,404	\$407,405,748
2039	15	\$444,414,344	\$269,023,813	\$713,438,156	\$428,185,500
2040	16	\$457,746,774	\$277,094,527	\$734,841,301	\$449,588,645
2041	17	\$471,479,177	\$285,407,363	\$756,886,540	\$471,633,884
2042	18	\$485,623,552	\$293,969,584	\$779,593,136	\$494,340,480
2043	19	\$500,192,259	\$302,788,671	\$802,980,930	\$517,728,274
2044	20	\$515,198,027	\$311,872,331	\$827,070,358	\$541,817,702
2045	21	\$530,653,968	\$321,228,501	\$851,882,469	\$566,629,813
2046	22	\$546,573,587	\$330,865,356	\$877,438,943	\$592,186,287
2047	23	\$562,970,794	\$340,791,317	\$903,762,111	\$618,509,455
2048	24	\$579,859,918	\$351,015,057	\$930,874,975	\$645,622,319
2049	25	\$597,255,716	\$361,545,508	\$958,801,224	\$673,548,568

Source: TXP, Inc.

Table 5: Proposed Downtown TIRZ – City of Fredericksburg Tax Revenue Forecast

Year	Period	TIRZ Property Value Increment	TIRZ Contribution @ 50%	General Fund @ 50%	Total Tax Revenue
2024	0	\$0	\$0	\$0	\$0
2025	1	\$24,057,580	\$24,698	\$24,698	\$49,396
2026	2	\$75,326,887	\$77,333	\$77,333	\$154,666
2027	3	\$198,800,182	\$204,094	\$204,094	\$408,188
2028	4	\$230,150,248	\$236,279	\$236,279	\$472,558
2029	5	\$245,612,335	\$252,153	\$252,153	\$504,306
2030	6	\$261,538,284	\$268,503	\$268,503	\$537,006
2031	7	\$277,942,013	\$285,344	\$285,344	\$570,687
2032	8	\$294,837,853	\$302,689	\$302,689	\$605,379
2033	9	\$312,240,568	\$320,556	\$320,556	\$641,111
2034	10	\$330,165,365	\$338,958	\$338,958	\$677,915
2035	11	\$348,627,905	\$357,912	\$357,912	\$715,824
2036	12	\$367,644,322	\$377,435	\$377,435	\$754,869
2037	13	\$387,231,231	\$397,543	\$397,543	\$795,086
2038	14	\$407,405,748	\$418,255	\$418,255	\$836,510
2039	15	\$428,185,500	\$439,588	\$439,588	\$879,176
2040	16	\$449,588,645	\$461,561	\$461,561	\$923,122
2041	17	\$471,633,884	\$484,193	\$484,193	\$968,387
2042	18	\$494,340,480	\$507,505	\$507,505	\$1,015,010
2043	19	\$517,728,274	\$531,515	\$531,515	\$1,063,031
2044	20	\$541,817,702	\$556,246	\$556,246	\$1,112,493
2045	21	\$566,629,813	\$581,719	\$581,719	\$1,163,438
2046	22	\$592,186,287	\$607,956	\$607,956	\$1,215,912
2047	23	\$618,509,455	\$634,980	\$634,980	\$1,269,961
2048	24	\$645,622,319	\$662,815	\$662,815	\$1,325,630
2049	25	\$673,548,568	\$691,485	\$691,485	\$1,382,970
			\$10,021,317	\$10,021,317	\$20,042,634

Source: TXP, Inc.

Conclusion

Based on anticipated ad valorem tax revenue and long-term market demand projections, a Downtown TIRZ is economically and financially feasible. The TIRZ could generate substantial revenue to pay for infrastructure and other development costs. Over the next 25 years, the TIRZ could generate \$10.0 million in nominal TIRZ revenue. In addition to this ad valorem tax revenue, new economic activity within the TIRZ will generate additional revenue for the City (ex. sales tax, HOT, and Enterprise Funds).

These projections are based on the best available datasets and information related to market conditions in the region. The substantial commitment of a few large developers could have a significantly positive impact on both the level and timing of future growth. Moreover, the financial projections make no allowance for positive spillover to the value of other properties in area as a result of new development (beyond inflation), could occur. At the same time, a slowdown in development as a result of a weaker national economy, negative changes in key drivers of regional economy, or other unforeseen issues could materially reduce the volume of construction put in place, and resulting tax revenue, over the next 25 years.

Appendix: Properties within the Proposed TIRZ #1

Table 6: Properties within the Proposed TIRZ #1

Parcel	Property ID	Owner	Land Use Code
1	1047	PALO ALTO PLACE LLC	F
2	1123	MJTJ INVESTMENTS LP	F
3	1237	JENKINS, JESSICA ANN	A
4	89126	ZION EVANGELICAL	Religious
5	1432	TRAN, DAVID H & HIEP THI PHAM	A
6	1630	CARPENTER, BOW & KARINA VANESSA PONCE	A
7	1766	BEHREND GARAGE INC	F
8	1769	JOYDEES SHOP LLC	F
9	1852	CORTEZ, RICHARD & CINDY LLC	F
10	1882	HORNE, SUSAN	F
11	1894	BENEDICT, C DEL	A
12	1987	JEFFERS, JEFFREY S D/B/A AUSLANDER INC	F
13	2061	MURAGLIA, JORDAN & BEAUPRE, RICHARD J	A
14	2135	BURSON, LARRY E & KATHLEEN M	A
15	2180	BURNT O LLC	F
16	2190	JOHNSON, WARD & JOLYNN	F
17	2276	RICHMOND, PATRICIA LEE	A
18	2288	NEWTON, CARL D III	A
19	2362	PANACECK, PAUL JR & DOROTHY	F
20	2446	STROEHER & OLFERS PROPERTIES	F
21	2612	ZION LUTHERAN CHURCH	Religious
22	2613	ZION LUTHERAN CHURCH	Religious
23	2615	ZION LUTHERAN CHURCH	Religious
24	2619	GREATER LIFE CHRISTIAN CENTER	Religious
25	2640	HOLY GHOST LUTHERAN CHURCH	Religious
26	5060	FBRG HOSPITALITY DEVELOPERS LP	F
27	5368	AMBRIZ, ADOLFO M & VERONICA H	A
28	5433	ST JOSEPHS CREDIT UNION	F
29	5523	CITY OF FREDERICKSBURG	City
30	5761	REBECCAS RENTAL LLC	F
31	6396	MJTJ INVESTMENTS LP	F
32	6485	KARLSVILLE LLC	F
33	6620	FISCHER, CASE D & DEANNA	F
34	13749	MCLAUGHLIN, CARMIN CANCINO	F
35	13767	115 E MAIN LLC	F
36	13858	BARTEL, MILDRED C & CARROLL, MEGAN N BARTEL,	F
37	14224	JOLLY, LLOYD & MARIAN	F
38	14272	GENTRY, ANDREA & ROY	A
39	14340	SCHOPPE FAMILY REVOCABLE TRUST	Exempt
40	14449	MJTJ INVESTMENTS LP	A
41	14452	MJTJ INVESTMENTS LP	A
42	14456	MJTJ INVESTMENTS LP	F
43	14459	MJTJ INVESTMENTS LP	F

Parcel	Property ID	Owner	Land Use Code
44	14461	MJTJ INVESTMENTS LP	A
45	14462	MJTJ INVESTMENTS LP	A
46	14473	CRENWELGE OIL CO	F
47	14479	FISCHER & WIESER SPECIALTY FOODS INC	C
48	14480	FISCHER & WIESER SPECIALTY FOODS INC	C
49	14482	WOELLHOF, RONALD L	F
50	14495	CRENWELGE, ROGER	A
51	14601	DAVIS, MICHAEL B IRREVOCABLE TRUST ETAL	C
52	178550	805 WEST MAIN LLC	F
53	15059	KJK FREDERICKSBURG REALTY LLC	F
54	15159	HALLMAN, MARK R ENTERPRISES LTD	C
55	15184	REBECCAS RENTAL LLC	C
56	15299	131 E MAIN STREET LLC	F
57	15300	131 E MAIN STREET LLC	F
58	15348	A & JD RANCHING LLC	F
59	15529	HERBER, CLINTON C BY-PASS TRUST	F
60	15531	MOLBERG, KENNETH H	F
61	15534	PENICK HOLDINGS LP	F
62	15536	PENICK HOLDINGS LP	F
63	15747	KARLSVILLE LLC	F
64	15991	POARCH, REALTY INVESTMENTS LP	F
65	16073	HELLUMS, JESSE M	F
66	16092	FBG HISTORIC PROPERTIES LLC	A
67	16143	PAWNEEM LLC	C
68	16145	HILL COUNTRY MEMORIAL HOSPITAL	Exempt
69	16238	KELLER, MILTON ETAL	F
70	16432	INN HAUS LLC	F
71	16447	CRENWELGE, IDA MAE FLINT	A
72	16568	COUNTY OF GILLESPIE	County
73	16594	FREDBG LOCKERS INC	F
74	16595	FREDBG LOCKERS INC	F
75	16602	FREDBG LOCKERS INC	F
76	16604	FREDBG LOCKERS INC	F
77	16677	POARCH, REALTY INVESTMENTS LP	F
78	16747	AMBRIZ, ADOLFO M & VERONICA H	F
79	16770	MJTJ INVESTMENTS LP	C
80	17025	GENERAL TELEPHONE SW INC	J
81	17100	PANACECK, PAUL JR & DOROTHY	F
82	17233	HAMUK LLC	C
83	17455	TRAN, DAVID	F
84	17511	KNUTSON, KELLEY & WALSH-KNUTSON, CAROL	A
85	17591	FRIENDLY NEIGHBOR LLC	F
86	17764	RODE, WAYNE E & SHERRY K	A
87	17773	HASCHKE, KAREN ANN	A
88	17845	WARD, ELAINE	A
89	18020	MJTJ INVESTMENTS LP	F

Parcel	Property ID	Owner	Land Use Code
90	18068	BIERSCHWALE, BRYAN & CARRIE	F
91	18070	KAISER PROPERTIES LLC	F
92	18145	TRANHAM, LARRY D & JANIE S	F
93	18185	HERNDON, JASON & NANCY	A
94	18187	DICKIE, J CARSON & ANN F	A
95	18218	NIMITZ BIRTHPLACE LLC	F
96	18285	MJTJ INVESTMENTS LP	F
97	18414	FELLER, CAROL JEAN	F
98	18427	HANNA, JOHN & SHERRY	A
99	18447	MJTJ INVESTMENTS LP	F
100	18464	GODFREY FAMILY TRUST	A
101	18751	HOLY GHOST LUTHERAN CHURCH	Religious
102	18782	RODE, WAYNE E & SHERRY K	F
103	18828	HAMUK LLC	F
104	18840	HOWARD, BETTY	F
105	18872	SAWTELLE, DAVID J	F
106	19151	KING, TAMERA J & CHARLES C	A
107	19169	WINE COUNTRY COTTAGES LLC	F
108	19358	ABSOLUTE CHARM HOLDINGS LLC -SERIES 312 E SAN ANTONIO	F
109	19534	R&R INVESTMENTS	F
110	19545	LUNA, BRIAN K & COOMBES, GEORGE WILLIAMS IV	A
111	19569	REEH, DEBORAH FARQUHAR & NEAL ROBERT	A
112	19573	DIXON, DEVEN NELL	A
113	19676	111 S LINCOLN ST LLC	F
114	19686	BALI FAMILY FARM LLC	F
115	19694	DURST, M COMPANY	F
116	19704	DURST, M COMPANY	F
117	19712	KELLER, KENNETH & JODIE	A
118	19713	BURG, KARLA	F
119	19986	231 KLECK ON MAIN LLC	F
120	19988	TEMPLER, JACQUELINE SUE	F
121	21059	WALKER, PATTY A	A
122	20183	FBRG HOSPITALITY DEVELOPERS LP	C
123	20203	BOPP, FRIEDHELM C	C
124	20205	PECAN BROS LLC	F
125	20222	FBRG HOSPITALITY DEVELOPERS LP	E
126	20223	7 HILLS FREDBG LLC & GEVEN PROPERTIES LLC	F
127	20228	SIDLO, DAVID E	F
128	20233	OEHLER, GREGORY L & DONNA T	A
129	20262	BROWN/GALLAGHER 2010 TRUST	A
130	20349	KNOPP & METZGER INC	F
131	20357	HEB GROCERY COMPANY LP	F
132	20377	REBECCAS RENTAL LLC	F
133	20403	ATWOOD, DONNA	A
134	20420	MJTJ INVESTMENTS LP	F
135	20461	MJTJ INVESTMENTS LP	C

Parcel	Property ID	Owner	Land Use Code
136	20601	ANLAGE LLC	F
137	20855	MONTGOMERY, KEVIN PAUL	F
138	20861	CRENWELGE, TIMOTHY MAC	A
139	20866	ZENNER, KOREY DEAN & ZENNER, GARRETT NEAL	A
140	20878	ABSOLUTE CHARM HOLDINGS LLC - SERIES 711 W MAIN	F
141	107272	THIS IS LIFE LLC	F
142	20887	STROEHER & OLFERS PROPERTIES	F
143	20927	ESPRIT MANOR LLC	F
144	21134	SCHIELACK FAMILY REVOCABLE TRUST	F
145	21349	BURNS, WILLIAM DOUGLAS & ARNECKE, TERI LYNN	A
146	21576	WILCOX, ALAN G & RHONDA G	F
147	21636	HAMUK LLC	F
148	21731	COLLUM, KANEETHA	A
149	22046	107 LINCOLN LLC	A
150	22132	ABSOLUTE CHARM HOLDINGS LLC - SERIES 709 W MAIN	F
151	22147	ROCKING R RIVERBEND RANCH LLC	A
152	22188	DANYSH, PETER F	A
153	22394	RDM PROPERTIES LLC	A
154	22431	HOPKINSON, NIGEL L & JANIE B	A
155	22490	ROCKWOOD, ANDREW P M D & MELISSA DIANE	F
156	22520	HANSON, WANDA ESTATE	A
157	22552	MJTJ INVESTMENTS LP	F
158	22568	STERLING BLESSINGS LLC	F
159	22584	MOELLENDORF PROPERTIES LLC-ACORN SERIES	A
160	22586	MOELLENDORF PROPERTIES LLC-ACORN SERIES	A
161	22791	VWGO LLC	F
162	22828	JORDAN, KAREN LOUISE MONTGOMERY ETAL	A
163	22842	WAHRMUND HOUSE 1916 LLC	A
164	22913	LOEFFLER, MARY STEHLING ETAL	A
165	23023	OTERO-MAZUREK LIVING TRUST	A
166	23027	MURCHISON, GEORGE ANDREW	A
167	23034	FULBRIGHT, ROBERT & AGNES DEE	A
168	23082	STROEHER & SON INC	F
169	23086	FBG HISTORIC PROPERTIES LLC	F
170	178787	NYC APT LLC	F
171	23544	LETITBE INVESTMENTS LLC	F
172	23674	FREDBG BREWING CO INC	F
173	107571	TEXAS WINERY OWNERS GROUP LLC	F
174	23723	LEISSNER, LAYTON L	F
175	23781	GRODECKI, ALAN R & CONCEPCION	Exempt
176	23848	FREDBG PUBLISHING HOLDING COMPANY	F
177	23856	SABINO TREE INVESTMENTS LLC-D/B/A 609 W MAIN ST	F
178	23989	PIXIE DUST INVESTMENTS LLC	F
179	24003	PENICK ESTATE LIMITED PARTNERSHIP ETAL	F
180	24054	RDM PROPERTIES LLC	A
181	24075	PHX15 LLC	A

Parcel	Property ID	Owner	Land Use Code
182	24096	ZOOK, JOHN & HELEN	F
183	24115	ABIGAIL'S COTTAGE LLC	F
184	24137	DOOLEY, KATHY LYNN PETMECKY	F
185	24244	GROVE HOUSE LLP	F
186	24246	DEGENHARDT HOLDINGS LLC	F
187	24289	ZENNER, CYNTHIA SCHMIDT &	F
188	24321	KORDZIK, KERRY & MELANIE	F
189	24570	FREDBG PARK STREET PARTNERS LLC	F
190	24582	FREDBG PARK STREET PARTNERS LLC	F
191	24606	RODRIGUEZ, ALEJANDRO & MARIA T	A
192	24632	PATE, REAL ESTATE LTD	F
193	24634	HOERSTER, RICHARD L & HOERSTER, ZACHARY & ANDREA	F
194	24710	JOHNSON, WARD & JOLYNN	F
195	24751	JOHNSON, BETTY W	A
196	24808	MURAGLIA, JORDAN & BEAUPRE, RICHARD J	C
197	24846	REES FAMILY TRUST, THE	F
198	24907	DANZE, CHRISTOPHER P & SHERI L	A
199	24941	FBRG HOSPITALITY DEVELOPERS LP	A
200	25163	PAWNEEM LLC	F
201	25164	HILL COUNTRY MEMORIAL HOSPITAL	Exempt
202	25230	ZION EVANGELICAL	Religious
203	25364	WRIGHT, SHEILA D	A
204	25551	FY FREDERICKSBURG HOLDINGS LLC	F
205	25607	SCHAETTER, IMOGENE	A
206	25613	MJTJ INVESTMENTS LP	A
207	25615	327 E MAIN LLC	F
208	25618	SCHAETTER, DWAYNE M	A
209	104854	ZEY, EDWARD GUSTAVE	C
210	25625	FISCHER, CASE D & DEANNA	A
211	25629	HAGEMANN, GAIL ETAL	A
212	25640	LAVENDER, ROXANNE G	F
213	25672	SIDLO, DAVID E	F
214	25787	SCHMIDT BUILDING LLC	F
215	25788	SCHMIDT BUILDING LLC	F
216	25791	DHJ HOLDING LP	F
217	25844	MJTJ INVESTMENTS LP	A
218	25916	FMSP SOUTH LLC	F
219	25961	ZENNER, CYNTHIA SCHMIDT &	A
220	25966	WAGLEY, CUTTER & JUDITH	F
221	25975	RSAK ALLEN FAMILY LP	F
222	25986	ABSOLUTE CHARM HOLDINGS LLC-SERES 514 W SAN ANTONIO	F
223	26007	SCHNEIDER, ZWEI INC	F
224	26182	AUSTIN, THOMAS GANE & ANNABELLE	A
225	26184	THOMAS, JAMES E & BARBARA S	A

Parcel	Property ID	Owner	Land Use Code
226	26274	5H LEGACY REVOCALBE LIVING TRUST & HRABOVSKY, JUSTIN ROBERT	A
227	26469	BOPP, FRIEDHELM C	F
228	26643	MOELLENDORF, JOE A	F
229	26790	HEXT, JOHN D & JANET	A
230	26866	DANYSH, PETER F	A
231	26897	MJTJ INVESTMENTS LP	A
232	26899	MJTJ INVESTMENTS LP	A
233	26978	FISCHER & WIESER SPECIALTY FOODS INC	F
234	27015	CITY OF FREDERICKSBURG	City
235	27016	CITY OF FREDERICKSBURG	City
236	27018	FISCHER, CASE D & DEANNA	F
237	27020	ANDERSON, ALBERT L & JEANNE A REVOCABLE LIVING TRUST	F
238	27021	FISCHER & WIESER HOLDINGS LP	F
239	27033	COASTAL TRANSPORT CO INC	F
240	27086	209 EAST SAN ANTONO AVENUE LLC	F
241	27157	STROEHER & SON INC	F
242	27163	MJTJ INVESTMENTS LP	F
243	27165	STROEHER & SON INC	F
244	27337	PERRY-HUGHES, PENNY	F
245	27406	MAR, FRANCISCO JAVIER & ANN HILDRETH	C
246	27452	DAVIS, MICHAEL B IRREVOCABLE TRUST ETAL	F
247	27519	OESTREICH, E DWIGHT & KAREN	F
248	27536	TIETZ, WILLIAM A	A
249	27578	LAUGHLIN, RICHARD C	F
250	27793	JOHNSON-CHILCOTE, JUDY REVOCABLE LIVING TRUST	F
251	27915	BATTEN, JODI	A
252	28126	MUD BOOT TOO LLC	F
253	28171	511 ALMOST HOME INN LLC	F
254	28184	WEBER, ESTHER LOUISE -LIFE ESTATE-	A
255	28243	TRANFAGLIA, TWYLA LYNN	A
256	28276	WEIDENFELLER, RICKY JOE	F
257	28287	FISCHER & WIESER SPECIALTY FOODS INC	C
258	28288	FISCHER & WIESER SPECIALTY FOODS INC	C
259	28335	LEE, RONALD E JR	A
260	28535	HENNING, GAIL ETAL	F
261	28647	WARMBRODT, TOM & JULIE	F
262	28680	JENKINS, DOROTHY C	A
263	28802	REBECCAS RENTAL LLC	F
264	28936	ROBINSON, MARK H & HELENE T	A
265	28994	PROFESSIONAL HEALTH RESOURCES 401K PLAN	F
266	29002	WOERNER, BRUCE E	C
267	29013	GREEN WOERNER LIMITED	C
268	29014	GREEN WOERNER LIMITED	F
269	29016	GREEN WOERNER LIMITED	F
270	29055	VIDRINE, MARCUS E JR & CANDY L	A

Parcel	Property ID	Owner	Land Use Code
271	29067	HAMUK LLC	C
272	29102	HAMUK LLC	C
273	29104	HAMUK LLC	C
274	29116	REBECCAS RENTAL LLC	F
275	29118	BECKYS JUICERIE LLC	F
276	31018	FREDBG LOCKERS INC	F
277	31539	MCLAUGHLIN, CARMIN CANCINO	A
278	34220	FBRG HOSPITALITY DEVELOPERS LP	E
279	8521043		
280	35450	CITY OF FREDERICKSBURG	City
281	35451	CITY OF FREDERICKSBURG	City
282	50372	CITY OF FREDERICKSBURG	City
283	50479	AGNESS FAMILY LIMITED PARTNERSHIP	A
284	50629	STATE OF TEXAS	State
285	50838	CONE FAMILY TRUST	F
286	51944	GREATER LIFE CHRISTIAN CENTER	Religious
287	56128	FBRG HOSPITALITY DEVELOPERS LP	E
288	60185	FISCHER, CASE D & DEANNA	F
289	62642	BENEDICT, C DEL	F
290	63815	ROBINSON, MARK H & HELENE T	A
291	64003	COUNTY OF GILLESPIE	County
292	64633	OESTREICH, E DWIGHT & KAREN	F
293	65447	GUTTERY, HAL D & TERI L	F
294	69317	BACON, SUE JANE SNIDER	A
295	69676	LITTLEPAGE LIVING TRUST	A
296	70807	UNITED STATES POSTAL SERVICE	Post Office
297	72528	FBRG HOSPITALITY DEVELOPERS LP	E
298	72873	PLIEGO, JOSE F	F
299	76104	FRANTZEN BUILDING SERIES, OF B&B FBG LLC	F
300	76105	WEST END SERIES, OF B&B FBG LLC	F
301	76106	SCHMIDT, GERALD W ETAL	F
302	76107	CITY OF FREDERICKSBURG	City
303	83900	CITY OF FREDERICKSBURG	City
304	84022	FREDBG LOCKERS INC	F
305	85756	HERITAGE HOTELS FREDBG LLC	F
306	90486	JONES, JAMES C & LAURIE D	A
307	90956	STROEHER & SON INC	F
308	55627	CITY OF FREDERICKSBURG	City
309	101897	HANNA, JOHN & SHERRY	F
310	91079	TEMPLER, JACQUELINE SUE	F
311	100618	BRYLA, ERIC	F
312	26984	FISCHER & WIESER SPECIALTY FOODS INC	A
313	27019	CITY OF FREDERICKSBURG	City
314	103055	CITY OF FREDERICKSBURG	City
315	27022	FISCHER & WIESER HOLDINGS LP	C
316	26051	MIER, CRYSTAL L	A

Parcel	Property ID	Owner	Land Use Code
317	88438	STROEHER & OLFERS PROPERTIES	F
318	1285	ZION EVANGELICAL	Religious
319	25624	ZEY, EDWARD GUSTAVE	A
320	106300	HAMUK LLC	C
321	106299	HAMUK LLC	C
322	109331	MURAGLIA, JORDAN & BEAUPRE, RICHARD J	F
323	24077	PHX15 LLC	A
324	51977	SABINO TREE INVESTMENTS LLC-D/B/A 609 W MAIN ST	F
325	23127	DURST, RHONDA	F
326	69316	BRIAN, DANIEL	F
327	18839	MARIPOSA VENTURES LLC	F
328	182174	PALMER, LENDON & PAULINE	A
329	14194	EAST CREEK FB LLC	A
330	185290	EAST CREEK FB LLC	F
331	16675	HELLUMS, JESSE M	F
332	17962	WADE, ROGER	F
333	18820	TX4R LLC	F
334	188630	TX4R LLC	A
335	19062	LEGACY INVESTMENT HOLDING LLC	A
336	179514	BUTT, H E GROCERY CO #561	Exempt
337	22128	HARPOLD, STEPHEN & JILL	F
338	22789	GERSCHEFSKI, CHARLIE E & MARY	F
339	178841	STARRY, MELISSA OSBOURN & RONALD	F
340	24382	151 EAST MAIN LLC - K3 ON MAIN LLC SERIES	F
341	25095	RODE, ANTHONY, WILLIAM & EDWARD	F
342	25609	SCHAETTER PROPERTIES LP	F
343	25622	SCHAETTER, BRYON	A
344	25667	REVOLUTION ROW LLC	F
345	26671	DZ AT 153 LLC	F
346	27336	805 W SAN ANTONIO LLC	A
347	27460	LANGERHANS, JIMMIE R & LINDA	F
348	8521000		
349	28251	CREATH, ADAM & KRISTI	A
350	28706	SCHILTHUIS, CAROLYN	A
351	28944	LUCKEYS HOSPITALITY GROUP LLC	F
352	63537	WAHL, SHANNON	F
353	63594	TURRENTINE INVESTMENTS LLC	F
354	70789	SCHAETTER, BRYON	A
355	23599	STARRY, MELISSA OSBOURN & RONALD	A
356	180438	LEGACY INVESTMENT HOLDING LLC	F
357	180912	HARPOLD, STEPHEN & JILL	A
358	183328	CREATH, ADAM & KRISTI	F
359	20356	BUTT, H E GROCERY CO #561	F
360	28947	ALL ABOUT BRUNCH LLC	F
361	18822	TX4R LLC	A
362	189699	CMC BARONS CREEK LTD	F

Parcel	Property ID	Owner	Land Use Code
363	189700	BARONS PARK GP LLC	C

Source: Gillespie County Appraisal District; TXP, Inc

Legal Disclaimer

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From Kevin Glasheen via e-mail
12/5/2024

We support the TIRZ. The TIRZ could help build walkways that would continue south from the pedestrian bridge that would encourage development South and East of Ufer Street. The TIRZ could help extend the creek trail East and West of the pedestrian bridge.

The creek trail could be improved with trees and other landscaping, and lighting. Llano street North and South of Main could be improved by making it more pedestrian friendly and maximizing the potential for parking along the street. Decorative lighting along Llano North and South of the Creek and over the pedestrian bridge would encourage development.

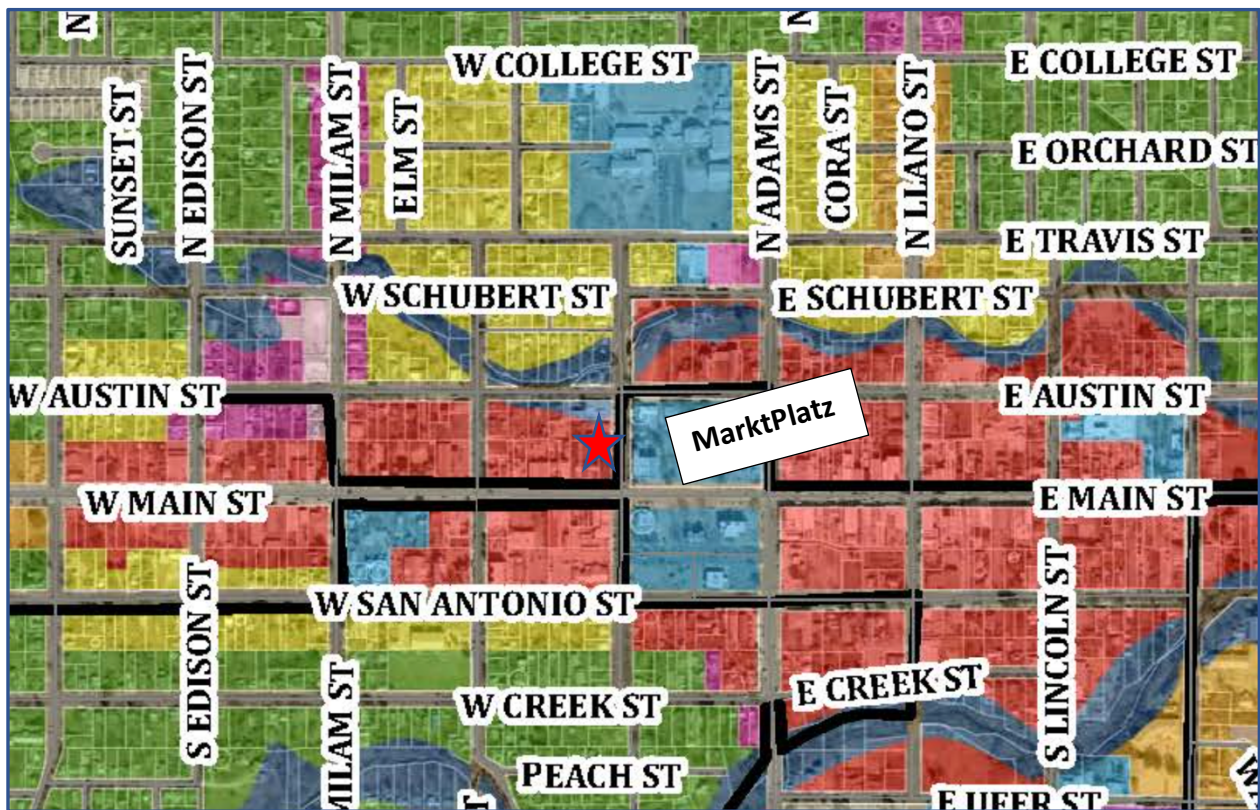
The owner of the tract West of us is willing to dedicate the right of way along the creek to the West of our tract up to Highway 16. Phillip Reagan manages that property for his family.

Kevin Glasheen
Manager Llano Wineries

TIRZ for Fredericksburg

Supporting Summary

by Ed Cowsar,
Owner of 112 & 114 N Crockett and Crockett Haus LLC



Businesses in the 100 Block of N Crockett:



Crockett Haus in 112 & 114 N Crockett

Zuly's Bakery and Coffee Shop 116 N Crockett

Blue Oak Trading Co w/ 17 additional tenants – 18 business. 116 N Crockett

Antique Mall – with 23 tenants – 24 businesses 116 N Crockett

Funds from a TIRZ could be used to create a “real sidewalk” where tourists and pedestrians can access our businesses safely. Currently it is a hazard to navigate between the vehicles in the parking lot on a chip seal surface, and creating a wide sidewalk like is along Main Street will stimulate commerce for these businesses on the West Side of Marktplatz as well as lower

liability for the City of Fredericksburg. Walking along this “pathway” now may be difficult for anyone but especially those with ambulatory issues, aged, disabled or in a wheelchair. Pouring this sidewalk will benefit our businesses, city tax revenue, and create a cleaner visual appeal in our Historic District improving access to our Federal Historic Registry properties, and stimulating the economy here and tax revenues.



Ineffective walkway and liability prone City Parking lot “pathway” shown on the side of Crockett Street. A sidewalk here will lower city liability and stimulate foot traffic and the economy to the businesses on N Crockett.

*Note that the **Alamo Rapid Transit** also picks up and drops passengers in this block of N Crockett St.*

IMPACT

Crockett Haus hosts wedding events, corporate events, and music events and would like to sell more events here. Just one weekend in November we had back to back events with 530 out of towners that come to Fredericksburg and stayed for destination wedding events. This often rents hundreds of B&B’s, per event - increasing the value of STR’s, creates jobs for waitstaff, sells catering jobs for caterers, off duty officers are security guards as required by TABC,

planners, and bands also generate income and pay taxes when they come to town for these events.

At 116 N Crockett in the Trahn's building (original Hermann Son's bldg.) are Blue Oak Trading company with 18 entities there and Zuly's in the front, and then the Antique Mall has 23 tenants plus their own business, so that's over 30 businesses that benefit. Some of these businesses do well enough to go on and lease or buy their own buildings. Their sales tax funds the city's budget and created jobs and stimulates commerce in Fredericksburg and Gillespie County.

A visible, obvious and safe sidewalk from Main Street would benefit our potential clients, help sell more business, and help us further stimulate the economy of the many businesses and individuals that support our business here.

A new wide sidewalk alongside the City Parking Lot from here to Main Street will lower the propensity for trip and fall accidents for pedestrians walking along N. Crockett day and night will lower liability for the City of Fredericksburg.





CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary

TO: Mayor & City Council Members

FROM:

MEETING DATE: December 17, 2024

CATEGORY: ORDINANCES, RESOLUTIONS
AND PUBLIC HEARINGS

CAPTION: Consider approval of Resolution 2024-16 authorizing the City Manager to execute on the City's behalf any future opioid lawsuit settlements proposed by the State Attorney General that are deemed to be beneficial in assisting the City to offset financial costs incurred from fraudulent and/or reckless marketing, sales, or distribution of opioids. (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. Resolution 2024-16 Opioid Lawsuit Settlement (1)

APPROVAL/REVIEW:



Leticia Vacek, City Secretary

Date: December 11, 2024



William McKamie, City Attorney

Date: December 12, 2024



Leticia Vacek, City Secretary

Date: December 12, 2024



Clinton Bailey, City Manager

Date: December 13, 2024

RESOLUTION 2024-16

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE GLOBAL OPIOID SETTLEMENT DOCUMENTS RELATING TO THE KROGER SETTLEMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL FUTURE OPIOID SETTLEMENT DOCUMENTS; AUTHORIZING THE CITY MANAGER TO TRANSMIT THOSE DOCUMENTS TO THE ATTORNEY GENERAL; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the City has obtained information indicating that certain drug companies and their corporate affiliates, parents, subsidiaries, and such other defendants as may be added to the litigation (collectively, “Defendants”) have engaged in fraudulent and/or reckless marketing and/or distribution of opioids that have resulted in addictions and overdoses; and

WHEREAS, the actions, conduct, and misconduct of these Defendants have resulted in significant financial cost to the City; and

WHEREAS, on May 13, 2020, the State of Texas, through the Office of the Attorney General, and a negotiation group for Texas political subdivisions entered into an Agreement entitled Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet (the Texas Term Sheet) approving the allocation of any and all opioid settlement funds within the State of Texas; and

WHEREAS, the State of Texas has negotiated a settlement agreement with Kroger resolving litigation and potential litigation between Kroger and the State and its subdivisions; and

WHEREAS, the City previously resolved to adopt the Texas Term Sheet, and to participate in settlement agreements related thereto.

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

SECTION 1.

The City Council hereby authorizes the City Manager to execute on the City’s behalf the Subdivision Settlement Participation Forms as related to the Kroger settlement, attached hereto as Exhibit A.

SECTION 2.

Upon execution of the Subdivision Settlement Participation Forms, the City Manager is

authorized to send executed copies to the Office of the Attorney General, as required for participation in this settlement.

SECTION 3.

The City Council further authorizes the City Manager to execute on the City's behalf any future opioid lawsuit settlements proposed by the State Attorney General that are deemed to be beneficial in assisting the City offset financial costs incurred from fraudulent and/or reckless marketing, sales, or distribution of opioids.

SECTION 4.

This Resolution shall take effect from and after the date of its passage.

Passed and Approved This 17th Day of December 2024.

Jeryl Hoover, Mayor

ATTEST

Leticia Vacek, TRMC/CMC/MMC
City Secretary

Approved as to Form:

Mick McKamie, City Attorney

Exhibit A
“Resolution 2021-11R – Exhibit A&B”
Settlement Participation Sheets



CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services

TO: Mayor & City Council Members

FROM: Tyler Baethge, STR Specialist

MEETING DATE: December 17, 2024

CATEGORY: OTHER ACTION ITEMS AND
UPDATES

CAPTION: Consider and take action on appeal of the City Manager's denial of Vested Rights Determination for an STR use for Jordan Sale of 510 Mueller #6 (Anna Hudson, Director of Development Services)

PRESENTATION:

SUMMARY:

Address: 510 Mueller #6

Owner: Joshua Aaron Freeman and Talbot Jordn Sale

Management: NONE

Zoning: R3

Vesting Determination: denied

The property owners at 510 Mueller #6 are appealing the denial of the Vested Rights Determination. The property owners acquired the property in May 2023. The property owners spoke with staff in April 2023. At that time, a Conditional Use Permit was required for a STR-Condo. The property owners did not apply for a CUP in a timely manner. The 2024 STR Ordinance removed the STR-Condo use. Therefore, they are not eligible to obtain an STR permit for the subject property.

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality
Tourism

ATTACHMENTS:

1. Vested Rights Determination from City Manager
2. Appeal to city council

APPROVAL/REVIEW:



Anna Hudson, Director of Development Services

Date: December 11, 2024



Garret Bonn, Assistant City Manager

Date: December 11, 2024



William McKamie, City Attorney

Date: December 11, 2024



Leticia Vacek, City Secretary

Date: December 11, 2024



Clinton Bailey, City Manager

Date: December 13, 2024



November 7, 2024

RE: Vested Rights Determination for 510 Mueller Unit #6

Dear Joshua Aaron Freeman and Talbot Jordan Sale,

This letter is in response to your Vested Rights Determination Request for a condominium ("condo") located at 510 Muller Unit #6 (the "property"), which was submitted along with background information and payment on October 3, 2024.

Vested rights are for a project, and not a property. Vested rights claims are generally based on one or more prior applications that provide fair notice of a continuing development project that began before the adoption of current regulations. A vested date is set by the project application date.

Evidence shows that in mid-April of 2023, you considered purchasing the property as an investment to use as a short-term rental ("STR"). At that time, the 2022 Ordinance required a conditional use permit ("CUP") to obtain a permit for an STR unoccupied condo. On April 11, 2023, STR Specialist, Jan Musgrove, emailed you with information about the required CUP. No response from you was provided. The property was then purchased on May 25, 2023. You did not apply for a building permit, CUP, or STR permit, which would have maintained your vested rights in the property under the 2022 Ordinance.

In 2023, the City began a multi-month, public process of amending the STR Ordinance. In August of 2024, you reached out to City staff to start the CUP process and were informed that under the new STR Ordinance, the process for obtaining an STR permit through a CUP was no longer available, and that operating condos as an STR was no longer permitted under the new STR Ordinance. Ultimately, you failed to obtain any permits from the City that would have maintained your vested rights in the property. Therefore, it is my determination that there are no vested rights for an STR at this property.

Clinton Bailey, P.E.
City Manager

Cc: Anna Hudson, Director of Development Services
Tyler Baethge, Short Term Rental Specialist
Rachel Raggio, TOASE
David Gottfried, attorney for owners

The City of Fredericksburg

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



STR Permit Appeal Application Form

Sec. 20-225 (b)

An appeal filed under this section must be filed with the director no later than the 20th day following the date on which the permit was denied. The appeal must be sworn and must identify each alleged point of error, facts and evidence supporting the appeal, and reason why the action of the director should be modified or reversed.

Owner Information:

Full Name:

Joshua Aaron Freeman and Talbot Jordan Sale

Address: **510 Mueller Street Unit #6**

City: **Fredericksburg** State: **TX** Zip: **78624**

Phone Number: **(512) 494-1481**

Email Address: **tisale@hotmail.com**

STR Property Information:

Address of the STR Property: **510 Mueller Street Unit #6** Zoning: _____

STR Permit Number (if previously permitted): _____

STR Permit issue date: _____ STR Permit expiration date: _____

STR 90 Day nonconforming expiration date: _____

Reason for Appeal: **see attached**

If the property has been rented, has H.O.T. been remitted to the City of Fredericksburg? _____

Date of Denial: **November 8, 2024**

Filing Date (within 20 days of denial): **November 25, 2024**

Details of Appeal:

Please provide a detailed explanation of why you are appealing the decision to deny, revoke, or modify your short-term rental (STR) permit:

Please see attached

Supporting Documentation:

Please attach any relevant documentation that supports your appeal (e.g., property records, HOT (Hotel Occupancy Tax) remittances, previous STR permits, correspondence with city officials, etc.):

Declaration:

I hereby declare that the information provided in this appeal application is true and accurate to the best of my knowledge. I understand that providing false information may result in the rejection of my appeal.

Signature: *T. J. [Signature]* Date: 11/25/24

ACKNOWLEDGMENTS

State of Texas

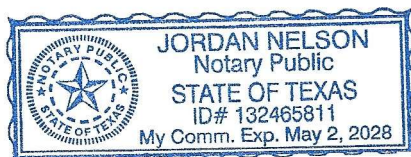
County of Travis

Before me, (Jordan Nelson), on this day personally appeared Joshua Freeman & Talbot Jordan Sale known to me (or proved to me on the oath of or through (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 25th day of November, 2024

(Personalized Seal)

Notary Public's Signature



[Handwritten Signature]

Staff Review

Date accepted as complete: _____ **City Council Date:** _____

Result: _____

Fee : _____ **Check** _____ **Date Received:** _____

Submission:

Please submit this **completed application form along with any supporting documentation** and **the \$300 appeal fee** within the required 20 days (after the permit was denied) to Anna Hudson, Director of Development Services, ahudson@fbgtx.org

The \$300 appeal fee may be mailed to City of Fredericksburg, 126 W Main Street, Fredericksburg, Texas, 78624. The application will not be considered complete without all documentation and fees.

The Director of Development Services has 14 days to review the appeal application, City council will hear the appeal at the next regularly scheduled City Council meeting, and may affirm, modify, or reverse an application denial. The City Council shall give written notice of a decision on an appeal to the appellant.

Note: The submission of an appeal does not guarantee a reversal of the decision regarding the short-term rental permit. Appeals will be reviewed in accordance with the relevant regulations and policies governing short term rental permits in Fredericksburg, Texas.

The City of Fredericksburg, on its:
City Council
City Secretary, lvacek@fbgtx.org
Planning and Zoning Commission
Director of Planning and Building
Board of Adjustment

via- UPS

City Hall
126 W Main Street
Fredericksburg, TX 78624-3708

Subject: Appeal of Short-Term Rental Permit for 510 Mueller Unit #6

To the City of Fredericksburg and all relevant
bodies, officials, commissions, and departments:

We are the owners of the subject property (510 Mueller Unit #6) and are appealing the decision of the City Manager of November 8, 2024, as communicated by letter dated November 7, 2024. Please advise us immediately if there are any additional fees or requirements for the perfection of this appeal.

The basis of the appeal is that the decision is arbitrary and without consideration of the evidence provided of our intent to seek a Conditional Use Permit. As our settled and vested right under the U.S. and Texas Constitutions as purchasers of real property, we were and are entitled to rent out our property for whatever duration we choose. And a failure to exercise your right (to short-term rent, for example) does not mean that you forever lose that right. The City has also violated our right to due process by adopting and enforcing an ordinance that, in substance and as applied, lacks any rational basis. We are entitled to the opportunity to seek a conditional use permit in order to seek a short-term rental permit for the foregoing reasons.

The denial was based on our alleged failure to obtain a conditional use permit in 2023, in order to seek a short-term rental permit from the City that would have vested our rights to rent our property for short terms under the 2022 Ordinance. Even with clear evidence of our intent, the alleged failure resulted in a permanent loss of our property rights. The fact that an owner chooses to rent for short terms at some times but not others does not affect the nature of their rights.

Additional reasons for the denial of our right to seek a CUP was based on our property's character as a property and not a project. The subject of this appeal is part of an on-going project which has not yet been fully built-out. It should also be noted that while the homes are technically condominium interests, only as subject to extremely minimal shared common areas involving streets and signage, the homes are free-standing and function as any other single-family home. The Carriage Park project involves individually platted lots which are for exclusive use to each respective home. The condominium regime was established only in order to maintain consistency involving the character of the homes and to establish base fees for roads and other grounds maintenance. Carriage Park in no way functions as a multifamily property as a result of its designated R-3 zoning, although condominium interests and townhomes are allowed under R-3.

Before we purchased our property and upon our investigation and request for information,

the City confirmed to us that upon purchase we could apply for a conditional use permit to obtain a short-term rental permit. We then purchased the property in reliance on that representation. However, once we had readied the property for short-term rental use and initiated the conditional use permitted application process in person, we were told that our right to do so had been extinguished. All the while, the City issued short-term rental permits under the CUP procedure to properties – including properties that neighbor ours – before, during, and after our purchase of the property. For example, Unit # 20 within the Carriage Park community was granted a CUP in 2023. Furthermore, the suggestion of the city to petition for Vested Rights as a last resort to obtain the CUP and STR contradicts the fact the denial was based on the subject being a property and not a project.

As stated, we acquired our property in May of 2023 on the reliance on that representation by city officials that we could apply for the CUP. Furthermore, there are currently a minimum of five homes within the Carriage Park community that have STR permits, thus reflecting very suitable circumstances for the operation of short-term rentals within our community. Granting CUPs/STR permits to some properties within our community but not ours is arguably arbitrary.

If the City asserts this appeal is misdirected or untimely, we request that the City immediately notify us grant an extension of time so that our appeal rights may be preserved as against any technical requirements that have not been met.

X



T. Jordan Sale

X



Joshua A. Freeman

Re: Mueller

From Jordan Sale <tjsale@hotmail.com>

Date Tue 4/25/2023 9:31 PM

To Shelby Collier <scollier@fbgtx.org>; Jan Musgrove <jmusgrove@fbgtx.org>

Thank you for this, Shelby! It sounds like a quite a process, but possibly not so much for an existing development with no proposed changes of physical use. That would be my hope.

From: Shelby Collier <scollier@fbgtx.org>

Sent: Tuesday, April 25, 2023 8:50 PM

To: Jan Musgrove <jmusgrove@fbgtx.org>; Jordan Sale <tjsale@hotmail.com>

Subject: RE: Mueller

Good afternoon Mr. Sale,

If you decide to pursue a CUP application, please be aware that a [Development Review Committee \(DRC\) Meeting](#) with Staff would be required prior to submission of the application.

A DRC meeting (in person or via zoom) is a service offered by the City of Fredericksburg and allows a forum for citizens to discuss potential projects with a committee assembled from multiple development-related divisions.

Please feel free to contact me if you have any questions.

Have a blessed day!



"We're leading with integrity while providing the best customer services to our community."

Shelby Collier/ Associate Planner/ City of Fredericksburg

O. 830-990-2013/ scollier@fbgtx.org

[Please take our Fredericksburg Parks Survey!](#)

From: Jan Musgrove <jmusgrove@fbgtx.org>

Sent: Tuesday, April 25, 2023 3:12 PM

To: Jordan Sale <tjsale@hotmail.com>

Cc: Shelby Collier <scollier@fbgtx.org>

Subject: RE: Mueller

Good Afternoon, Jordan,

510 Mueller Unit 6, the property is zoned R3 – Multifamily Residential and C2 – Commercial. To operate a STR-Condominium in an R3 or C2 Zoned area the applicant would need to obtain a Conditional Use Permit.

A Conditional Use Permit is a special use permit issued by City Council and requires 2 public hearings. The first public hearing will be held with Planning & Zoning and results in a recommendation to City Council. This process also requires notification of the neighbors that own property within 200 feet of the subject property. This process typically takes 30 – 45 days once the formal application is received.

If you would like to pursue a Conditional Use Permit, your first step will be to submit a Conditional Use Permit (CUP) Application which requires a completed [Project Application](#), Site Plan, [Site Plan & CUP Checklist](#), CUP narrative, condominium documentation and required fees (\$400.00).

A site plan may be drafted by an architect, engineer, draftsman or other individuals that are capable of producing a site plan with the required items listed on the [Site Plan & CUP Checklist](#).

Please mail payment of the required fees, payable to the City of Fredericksburg, to the following address:

City of Fredericksburg
Attn: Shelby Collier
126 W. Main
Fredericksburg, TX 78624

Please note that this is a time sensitive request. The deadline for the July 5thth Planning & Zoning Meeting is **May 29, 2023.**

Regards,



"We're leading with integrity while providing the best customer services to our community."

Jan Musgrove / STR Specialist / City of Fredericksburg

[SHORT TERM RENTAL WEBSITE](#)

str@fbgtx.org

O. 830-997-7521 ext: 2028

From: Jordan Sale <tjsale@hotmail.com>

Sent: Tuesday, April 25, 2023 1:45 PM

To: Short Term Rentals <str@fbgtx.org>

Subject: Mueller

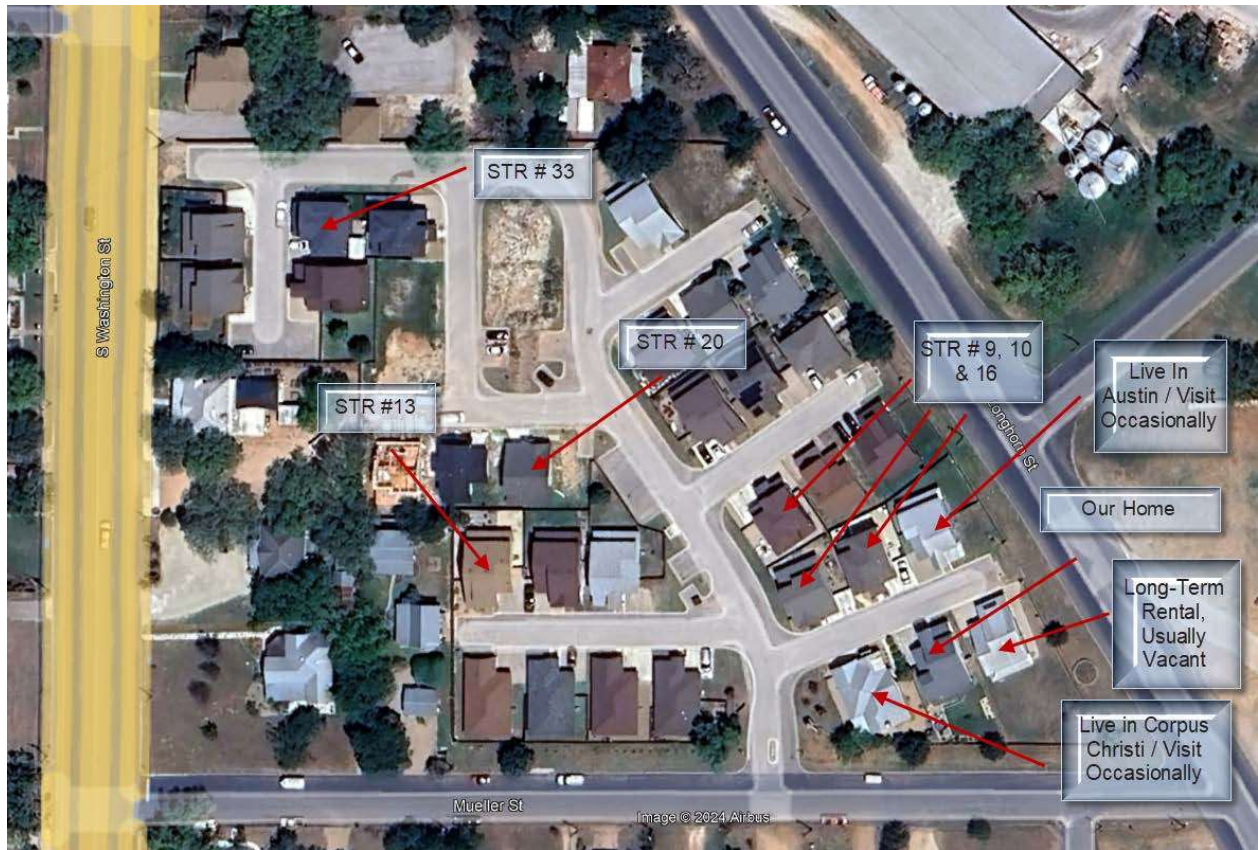
Jan,

Thank you so much for your time! As soon as you are able, please send over the documents or files pertaining to the approval process on an STR.

I really appreciate all of your help!

Jordan Sale
512 297 0968

RE: 510 Mueller Street, # 6

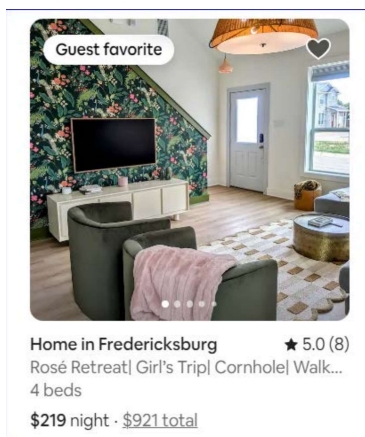


STR # 33 – Purchased April 2021
STR # 20 – Purchased October 2023
STR # 9 – Purchased June 2021
STR # 10 – Purchased August 2020
STR # 13 – Purchased October 2020
STR # 16 – Purchased June 2021

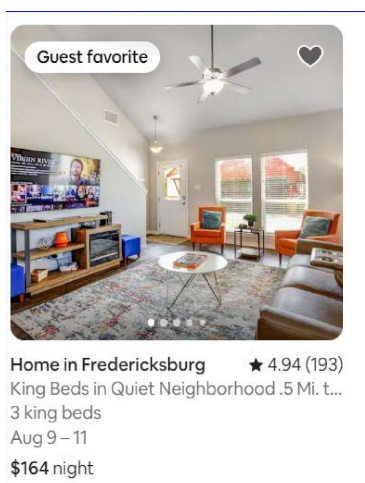
Only STR #'s 9, 10, 13 and 16 have personal property accounts with Gillespie County.

When selecting 'flexible dates / Short-Term' on Airbnb, these are the available homes in the community.

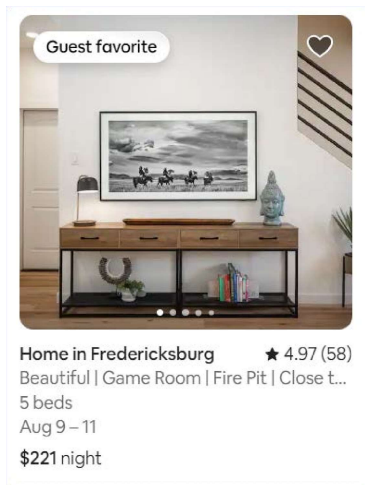
STR # 20



STR # 10



STR



STR # 13

#

9

Superhost

Home in Fredericksburg

★ 4.73 (119)

Hottub-Deck-Firepit-Cornhole!

5 beds

Aug 30 – Sep 1

\$445 night

STR # 16

Guest favorite

Home in Fredericksburg

★ 4.97 (173)

Hill Country Home | Main St. + 5 Beds +...

5 beds

Aug 9 – 11

\$253 night

STR # 33

Guest favorite

Home in Fredericksburg

★ 4.82 (17)

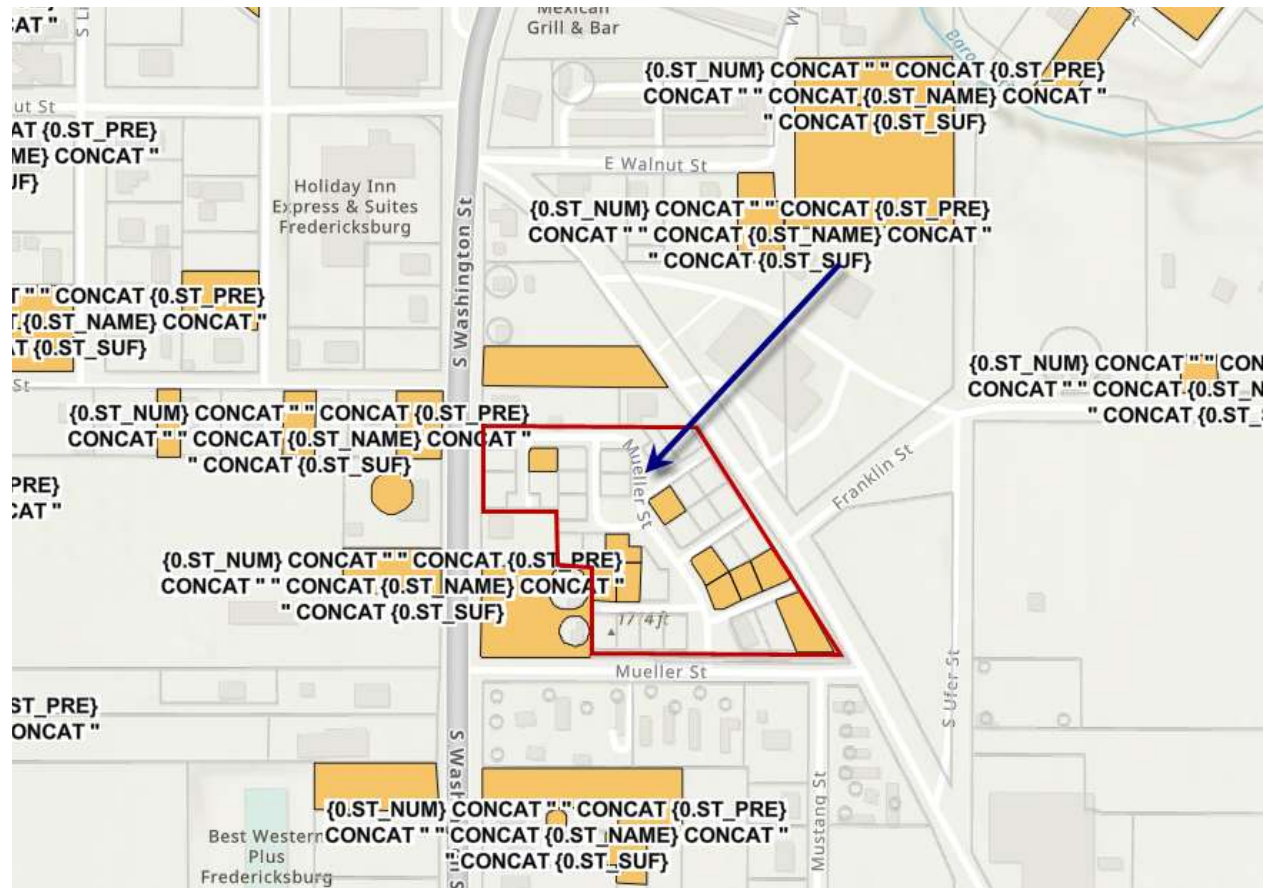
Beautiful home in Fredericksburg with...

3 queen beds

Sep 6 – 8

\$400 night

The below map can be found on the Fredericksburg Short-Term rental site map indicating some of the units without current STR permits must have had one at some point in time.



Our Cul-de-sac street at 7:45 P.M., Sunday, August 4th, 2024



Our Cul-de-sac street at 8:37 P.M., Monday, August 5th, 2024



Our Cul-de-sac street at 1:45 P.M., Tuesday, August 6th, 2024



Our Cul-de-sac street at 9:15 P.M., Tuesday, August 6th, 2024



**Our Cul-de-sac street at 8:00 A.M., Wednesday,
August 7th, 2024**





CITY COUNCIL AGENDA MEMO

DEPARTMENT: Development Services

TO: Mayor & City Council Members

FROM: Tyler Baethge, STR Specialist

MEETING DATE: December 17, 2024

CATEGORY: OTHER ACTION ITEMS AND
UPDATES

CAPTION: Consider and take action on appeal of Director of Development Services' denial of STR permit for Scott Gallup at 502 Eagle Street Unit #102 (Anna Hudson, Director of Development Services)

PRESENTATION:

SUMMARY:

Address: 502 S Eagle St., Unit 102

Owner: Scott Gallup

Management: self

Zoning: R2

STR Permit issue dated: 4/12/2023

STR permit expiration date: 6/30/2024

STR 90 day nonconforming expiration date: 9/30/2024

The property at 502 Eagle St., Unit 102, permit expired 6/30/2024. The property owner called staff and inquired about scheduling an inspection and was informed that he had lost his nonconforming status. STR Condos are no longer allowed. The expiration date is clearly visible on every permit placard and should be posted in every unit. There was no correspondence with staff on record in regard to the renewal application. The property owner is compliant with all HOT. No violations on record.

BACKGROUND:

FUNDING SOURCE:

FINANCIAL IMPACT:

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN GUIDING PRINCIPLE:

Neighborhood Quality

Tourism

ATTACHMENTS:

1. Appeal Application

APPROVAL/REVIEW:



Anna Hudson, Director of Development Services

Date: December 11, 2024



Garret Bonn, Assistant City Manager

Date: December 12, 2024



William McKamie, City Attorney

Date: December 12, 2024



Leticia Vacek, City Secretary

Date: December 12, 2024



Clinton Bailey, City Manager

Date: December 13, 2024

ZACHARY P. HUDLER, P.C.

ATTORNEY AT LAW

ZACHARY P. HUDLER
TELEPHONE: 830.868.7651
FACSIMILE: 830.868.7636
ZACHARY@HUDLERLAW.COM

P.O. Box 1728
209 N. NUGENT AVE.
JOHNSON CITY, TX 78636

November 25, 2024

FIRST CLASS MAIL & E-MAIL

City of Fredericksburg
126 W. Main Street
Fredericksburg, Texas 78624

Re: STR Permit Appeal: Scott Gallup; 502 Eagle St., Unit 102,
Fredericksburg, Texas;

Dear Sir or Madam:

I represent Scott Gallup regarding the above referenced matter and Appeal. Enclosed please find his STR Permit Appeal and a check in the amount of \$300.00 to cover the appeal fee.

Thank you for your attention to this matter.

Very truly yours,



Zachary P. Hudler

Enclosure: as stated



STR Permit Appeal Application Form

Sec. 20-225 (b)

An appeal filed under this section must be filed with the director no later than the 20th day following the date on which the permit was denied. The appeal must be sworn and must identify each alleged point of error, facts and evidence supporting the appeal, and reason why the action of the director should be modified or reversed.

Owner Information:

Full Name:

Scott Gallup

Address: 7805 Cooper Lane

City: Austin State: Texas Zip: 78745

Phone Number: 512.586.3827

Email Address: scottyiren@yahoo.com

STR Property Information:

Address of the STR Property: 502 Eagle St., Unit 102 Zoning: R1

STR Permit Number (if previously permitted): 8056001180 initially; 83099022023 recently indicated

STR Permit issue date: April 2021 original permit; last permit date January 26, 2024 STR Permit expiration date: unknown; never received a copy of it

STR 90 Day nonconforming expiration date: unknown

Reason for Appeal: I have not been notified in writing that the permit expired. I complied with all inspections that I was made of aware of. I discovered the issue when I called the City to inquire.

SEE ATTACHED HANDWRITTEN NOTES

If the property has been rented, has H.O.T. been remitted to the City of Fredericksburg? yes

Date of Denial: unknown Filing Date (within 20 days of denial): unknown; have not received written notice

Details of Appeal:

Please provide a detailed explanation of why you are appealing the decision to deny, revoke, or modify your short-term rental (STR) permit:

I have operated the property as a STR since first obtaining my permit in April 2021. I have paid HOT taxes and have complied with all inspection requirements that I was made aware of. I did not receive any notification of issues with inspections or my permit.

I discovered that there was an issue when I called the City to ask about inspections. I am willing to comply with all inspections and requirements to resolve this matter.

In July 2024 I suddenly lost 95% of my staff which caused financial distress, and I need to clear this up with the City so I may continue to operate as an STR.

Supporting Documentation:

Please attach any relevant documentation that supports your appeal (e.g., property records, HOT (Hotel Occupancy Tax) remittances, previous STR permits, correspondence with city officials, etc.):

Declaration:

I hereby declare that the information provided in this appeal application is true and accurate to the best of my knowledge. I understand that providing false information may result in the rejection of my appeal.

Signature: _____ Date: 11-25-24

ACKNOWLEDGMENTS

State of Texas

County of Blanco

Before me, (Scott Gallup), on this day personally appeared _____, known to me (or proved to me on the oath of or through (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 25 day of 25 November, 20 24

(Personalized Seal)



Yvette Hudler

Notary Public's Signature

Staff Review

Date accepted as complete: _____ **City Council Date:** _____

Result: _____

Fee : _____ **Check** _____ **Date Received:** _____

Submission:

Please submit this **completed application form along with any supporting documentation** and **the \$300 appeal fee** within the required 20 days (after the permit was denied) to Anna Hudson, Director of Development Services, ahudson@fbgtx.org

The \$300 appeal fee may be mailed to City of Fredericksburg, 126 W Main Street, Fredericksburg, Texas, 78624. The application will not be considered complete without all documentation and fees.

The Director of Development Services has 14 days to review the appeal application, City council will hear the appeal at the next regularly scheduled City Council meeting, and may affirm, modify, or reverse an application denial. The City Council shall give written notice of a decision on an appeal to the appellant.

Note: The submission of an appeal does not guarantee a reversal of the decision regarding the short-term rental permit. Appeals will be reviewed in accordance with the relevant regulations and policies governing short term rental permits in Fredericksburg, Texas.

(*)

Howdy

- The Quick story
- I have been renting out my small Condo for 3 years now, I've never missed or been late on HOT Taxes or permits.
- I was forwarded an email by the Cleaning company I use of an inspection List - There were no instructions on getting inspected or due date or even a expiration date on the permit which I renewed in March of 2024.
- The link in the website has been down most of the year and I was instructed to fill out a form and mail in HOT Check (which I did and they were ~~checked~~ ^{cashed})
- I lost 95% of my staff in July and worked 7 days a week for almost 3 months, so my mind was a little elsewhere.
- After I sent in 3rd quarter paperwork I checked I called the city's ~~about~~ STR Dept & was told my permit expired in June and it was my responsibility to set up an appointment.
- I thought they were behind setting up a new STR system.
- Previously the city set up an inspection via Email -

- I was waiting on similar instruction as the first inspection.

- Thanks for your time. The city has always been so helpful all these years.

I hope I can continue with the STR. I'm really enjoying the whole experience

— Scott

From: Scotty Gallup scottyiren@yahoo.com
Subject: Tax remittance
Date: Mar 6, 2024 at 11:38:31AM
To: deckhardt@fbgtx.org

Hello I just saw this. Can you get back to me. I submitted and paid my 4 th taxes.

Receipt



Invoice number 4C62A0B8-0005
Receipt number 2901-3996
Date paid January 26, 2024
Payment method Visa - 0319

City of Fredericksburg
126 W. Main St.
Fredericksburg, Texas 78624
United States
+1 830-990-2023

Bill to
Scott Gallup
7305 Cooper Ln
Austin, Texas 78745
United States
+1 512-586-3827
scottyiren@yahoo.com

Ship to
Scott Gallup
502 S Eagle St Unit 102
Fredericksburg, Texas 78624
United States
+1 512-586-3827

\$321.28 paid on January 26, 2024

4TH QUARTER 2023 HOT

Description	Qty	Unit price (excl. tax)	Amount (excl. tax)
City of Fbg HOT Oct 1 - Dec 31, 2023	1	\$312.23	\$312.23
Credit card fee	1	\$9.05	\$9.05
Subtotal			\$321.28
Customer is tax exempt			
Total			\$321.28
Amount paid			\$321.28

THANK YOU! SHOULD YOU NEED ASSISTANCE, PLEASE EMAIL STR@FBGTX.ORG

From: Scotty Gallup scottyiren@yahoo.com
Subject: Re: Inspection
Date: Oct 8, 2021 at 10:01:04 AM
To: inspections inspections@fbgtx.org

1st Inspection
in 2021

Hello my permit # is [8056001180](#)

I am managing the Property myself

The address is 502 Eagle st. Unit 102

Fredericksburg TX. 78624

I can send an access code when we confirm the inspection date. More than likely I will not be able to be there. The best time slot is 2-4pm.

Dates the work for me are oct. 11, 12, 13 or 17,18,19,

If those do not work let me know. I can send some new ones.

Contact info:

Scotty Gallup

7305 cooper Ln

Austin Tx 78745

512-586-3827 or scottyiren@yahoo.com

Thank you

Sent from my iPhone

On Oct 6, 2021, at 9:13 AM, inspections [<inspections@fbgtx.org>](mailto:inspections@fbgtx.org) wrote:

Good morning Scotty,

My apologies for not answering, yesterday was full of meetings and never-ending walk-in customers. At least it made the day go by quickly.

I am happy to schedule your inspection but will need more information to do so.

Name:

Address of residence:

Permit # (10 digit # from Avenu)

Contact #:

Date that works best for you:

AM (9-11) OR PM (2-4)

Will you be on site or is there a lockbox with an access code (please include code if you will not be on site)

Name of management company you work with OR do you manage the property privately? We use this information to send the inspection reports to the correct people.

Thank and I look forward to hearing back from you.

-----Original Message-----

From: Scotty Gallup <scottyiren@yahoo.com>

Sent: Wednesday, October 6, 2021 8:32 AM

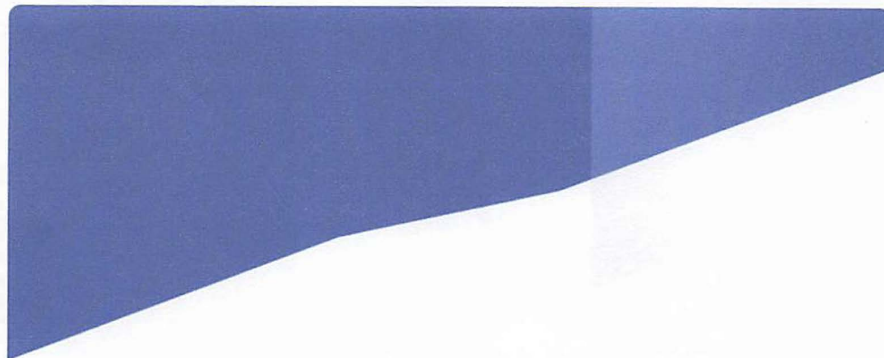
To: inspections <inspections@fbgtx.org>

Subject: Inspection

Hello there.

I tried calling but didn't get an answer so I'm emailing now. I'd like to schedule an inspection for my condo in Fredericksburg. Everything is ready to go.

Thanks Scott.

[Archive](#)Receipt [# [1543-1794](#)]

Receipt from City of Fredericksburg

Receipt #1543-1794

AMOUNT PAID	DATE PAID	PAYMENT METHOD
\$154.79	Mar 12, 2023, 2:16:50 PM	VISA - 6125

SUMMARY

Short-Term Rental Registration - REG-13671879 x 1	\$154.79
--	----------

Amount charged	\$154.79
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If you have any questions, contact us at
jchapman@fbgtx.org or call at +1



New Message

< Archive S.T.R. Report - Sept....



six weeks.

[2024 Inspection Checklist](#)

Be sure to use the 2024 Inspection Checklist and address each item prior to scheduling the STR inspection.

My Government Online (MGO) STR Permitting Software

STR owners and operators should visit [MGO](#) to create a new account. Once a new account is created, existing STR permit data should be linked to the address of the account. For [detailed instructions](#)

FYI - The permit number is the **project number**

[Hotel Occupancy Tax \(HOT\)](#)

At this time, Hotel Occupancy Taxes (HOT) must still be remitted through the City office and cannot be remitted online. The [HOT Remittance Form](#) and instructions on remitting taxes due can be found on the City's website at [Hotel Occupancy Taxes](#)
Next filing date is October 31, 2024

This was
emailed
Sept 17-
2024



New Message



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary

TO: Mayor & City Council Members

FROM:

MEETING DATE: December 17, 2024

CATEGORY: ITEMS FOR FUTURE AGENDA

CAPTION: Review List of Future Agenda Items and Meetings. (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 Listlv10725 (1)

APPROVAL/REVIEW:

Date: December 11, 2024

Leticia Vacek, City Secretary



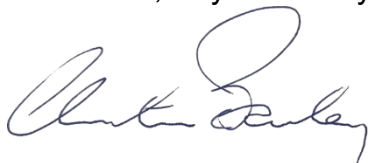
William McKamie, City Attorney

Date: December 12, 2024



Leticia Vacek, City Secretary

Date: December 12, 2024



Clinton Bailey, City Manager

Date: December 13, 2024

City Council Future Agenda Items/Meetings

January 7, 2025

2025

“	Award of Bid for LEC Remodel	Action	Brian Vorauer	Police Chief
“	RES to write-off \$443.03 uncollectable property tax	Action	Krista Wareham	Finance Dir “
“	SKT Architects Invoice Approval	Action	Kris Kneese	Public Works
Dir				
“	ORD Calling the City’s General Election	Action	Leticia Vacek	City Secretary
“	Recognition of TxTech Leadership Class	Ceremonial	Leticia Vacek	City Secretary

Future Agenda Items/Future Council Meetings

1/16	Special Council Mtg – HOT Funding Applicants	No Action	Darren Eckhardt	Accounting Coord
1/21	Award of HOT Funding	Action	Darren Eckhardt	Accounting
Coord				
1/21	MOU w/FISD and City (Municipal Court	Action	Shelley Becker	Municipal
Judge				
1/21	Street Closure- Jaycees Crawfish Festival	Action	Andrea Schmidt	Parks/Rec Dir
1/21	Street Closure – City Hall & Touch-A-Truck	Action	“	“
1/21	Street Closure – FVFD Fish Fry	Action	“	“
1/21	Street Closure -Wildflower Run	Action	“	“
1/21	Update on Sidewalk Plan	Action	Kris Kneese	Public Works Dir
1/21	THF Public Hearing (Housing)	PH/Action	Anna Hudson	Dvlpmt Serv
Dir				
1/21	ORD - restrict drones to protect privacy	Action	Hoover/McKamie	Mayor/City Atty
2/04	Annexation - Post Oak Road	Action	Anna Hudson	Dvlpmt Serv Dir
2/04	Zone Change-PUD @ Oakhaven Ln/Meadow Lark	PH/Action	“	“

Upcoming Meetings/Events

January 2025 - Schedule Council Workshop on Potential Annexations @ New City Hall East Campus

January 15, 2025 – Coffee with CM @ 8am Golf Course

January 16, 2025 – Special City Council Meeting @ 5:30 PM - New City Hall East Campus

January 28, 2025 – 2025 Citizen University Class @ 6pm New City Hall East Campus
February 2025 – Appreciation Dinner for Board & Commission Members



CITY COUNCIL AGENDA MEMO

DEPARTMENT: City Secretary

TO: Mayor & City Council Members

FROM:

MEETING DATE: December 17, 2024

CATEGORY: EXECUTIVE SESSION

CAPTION: Consider and discuss the appointment, evaluation, reassignment, and/or duties of a public officer or employee - Municipal Court Judge Shelley Becker - Texas Government Code Section 551.074

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: December 07, 2024

Leticia Vacek, City Secretary



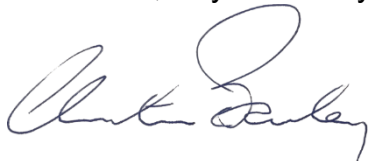
Date: December 08, 2024

William McKamie, City Attorney



Date: December 11, 2024

Leticia Vacek, City Secretary



Date: December 13, 2024

Clinton Bailey, City Manager