

**CITY OF FREDERICKSBURG
CITY COUNCIL MEETING**

MONDAY, JULY 7, 2014 ~ 7:00 p.m.

Law Enforcement Center ~ 1601 East Main Street

Linda Langerhans, Mayor
Graham Pearson, Council Member
Jerry Luckenbach, Council Member

Gary Neffendorf, Council Member
Bobby Watson, Council Member
Kent Myers, City Manager

(REQUEST ALL PAGERS AND PHONES BE TURNED OFF, EXCEPT EMERGENCY ON-CALL PERSONNEL.)

A G E N D A

CALL TO ORDER.

Page Ref

PLEDGE OF ALLEGIANCE.

1. **MINUTES** - Consider approval minutes of June 2014 City Council meetings. 1-8

2. **CONSENT AGENDA-** *All items listed below are considered to be routine and non-controversial by the Council and will be approved by one motion. There will be no separate discussion of these items unless a council member or citizen so requests, in which case the item will be removed from the consent agenda and considered as part of the normal order of business.*
 - A. Consider Contract Renewal for Sidewalk Improvements. 9-10

3. **ORDINANCES - RESOLUTIONS - ACTION ITEMS**
 - A. Consider Lighting Standards Ordinance. (1st Reading) 11-22
 - B. Consider Parking Regulations Ordinance. (1st Reading) 23-28
 - C. Consider School Zone Speed Limits Ordinance. (1st Reading) 29-33
 - D. Consider Ordinance re Speed Limit Changes - RM 1631 (1st Reading) 34-38
 - E. Consider Amending Fee Ordinance for Reclaimed Water. (1st Reading) 39-42

4. **INDIVIDUAL ITEMS FOR CONSIDERATION AND POSSIBLE ACTION**
 - A. Consider Advisory Board Appointments. 43-62
 - B. Consider Setting Annexation Hearings - 290 East Area. 63-65
 - C. Consider Architectural Services - New Animal Shelter. 66-72
 - D. Consider Early Retirement Incentive Program 73-79
 - E. Consider Escrow Agreement with Chamber for Property at 306 E. Austin. Hand Out

5. **CITY MANAGER'S REPORT**
 - A. Workforce Housing Update.
 - B. City Budget Update.
 - C. Employee Recognitions.

6. **ITEMS FOR FUTURE AGENDA**

7. **PUBLIC COMMENTS** - This time is for citizens to address the City Council on issues and items of concern not on this agenda. There will be no City Council action at this time.

8. **COUNCIL COMMENTS** - No discussion or action may take place.
9. **EXECUTIVE SESSION** - Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.086 (Economic Development).

A. Executive Session - Real Estate - Escrow Agreement with Chamber for Property at 306 E. Austin.

11. **ADJOURN**

STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

REGULAR CITY COUNCIL MEETING
JUNE 2, 2014
7:00 PM

On this the 2ND day of June, 2014, City Council of the CITY OF FREDERICKSBURG convened in regular session at the City Hall, with the following members present to constitute a quorum:

PRESENT: LINDA LANGERHANS - MAYOR
JERRY LUCKENBACH - COUNCIL MEMBER
GRAHAM PEARSON - COUNCIL MEMBER
BOBBY WATSON - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
SHELLEY BRITTON - CITY SECRETARY
PAT MCGOWAN - CITY ATTORNEY
BRIAN JORDAN - DIR OF DEVELOPMENT SERVICES
BRAD KOTT - DIRECTOR OF FINANCE
CLINTON BAILEY - D.P.W.U.
STEVE WETZ - CHIEF OF POLICE
RUSSELL IMMEL - IT

The meeting was called to order at 7:00 PM, following the Pledge of Allegiance.

GROUND TRANSPORTATION ORDINANCE - Council held another 1st reading of the Ground Transportation Ordinance. No action taken.

RESOLUTION FOR TRAFFIC SIGNAL AT INTERSECTION OF HERITAGE HILLS AND HIGHWAY 290 - It was moved by Council Member Pearson, seconded by Council Member Neffendorf, to approve the Resolution for a TxDOT Traffic Signal Agreement at Heritage Hills Dr. and US Hwy 290, without a stipulation regarding funding. All voted in favor and the motion carried.

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG APPROVING THE ADVANCE FUNDING AGREEMENT FOR THE CONSTRUCTION OF A TRAFFIC SIGNAL AT US 290 AND HERITAGE HILLS DRIVE IN THE CITY OF FREDERICKSBURG

WHEREAS, the City Council of the City of Fredericksburg has determined that it is in the best interests of the citizens of the City of Fredericksburg that a traffic signal be constructed at the intersection of US Highway 290 and Heritage Hills Drive within the City of Fredericksburg ("City"), and

WHEREAS, the State of Texas by and through the Texas Department of Transportation will construct said traffic signal with participation in the cost by the City and has provided an Advance Funding Agreement for such project, and

WHEREAS, the City Council has determined that the City should execute such agreement, and that this resolution should be enacted to permit and approve such agreement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG that the Advance Funding Agreement attached to this resolution with the State of Texas, by and through the Texas Department of Transportation for the construction of a traffic signal at US Highway 290 and Heritage Hills Drive be and is hereby approved, and that the City Manager of the City of Fredericksburg be and is hereby authorized to execute the same on behalf of the City.

This resolution is PASSED, APPROVED and is EFFECTIVE this the 2nd day of June, 2014.

/s/ Linda Langerhans, Mayor
City of Fredericksburg

Attest:

/s/ Shelley Britton, City Secretary
City of Fredericksburg

JULY 4TH PARADE – It was moved by Council Member Pearson, seconded by Council Member Watson, to approve the City sponsorship of the July 4th Parade and to include the parade as part of the City's liability insurance coverage, with the cost reimbursed by the committee. The vote was as follows: AYE: Langerhans, Neffendorf, Pearson, Watson, and Luckenbach. Motion carried.

PUBLIC WORKS PRESENTATION – Dir. of Public Works & Utilities, Clinton Bailey, gave the Public Works Department presentation.

CITY MANAGER'S REPORT – City Manager Kent Myers reported on (1) City Council Retreat, (2) Presentation of Ammonium Nitrate Best Practices, (3) Animal Shelter Architectural Services, (4) Downtown Parking Issues, and (5) Employee Recognitions (Catherine Kuhlmann for her article in the paper, Brad Kott for the mid-year budget report, Eric Whiting for the cell phone switch over, and Brian Jordan for his work with the visioning meeting).

PUBLIC COMMENT – Russ Rose commented on water. Curt Regester commented on the resolution for a traffic signal.

COUNCIL COMMENT - No comments.

EXECUTIVE SESSION – At 8:18 PM, Council Member Pearson made a motion to recess the regular session and go into Executive Session. Council Member Neffendorf seconded the motion, and the motion carried. At 9:05 PM, Council Member Luckenbach made a motion to adjourn the

Executive Session and reconvene the regular session. Council Member Neffendorf seconded, the motion carried.

Following Executive Session, the following action was taken:

LCRA ELECTRIC RATE INCREASE – No action was taken.

With no further business, Council Member Luckenbach made a motion to adjourn the meeting at 9:10 PM. Council Member Neffendorf seconded the motion. Motion carried.

PASSED AND APPROVED this the 7th day of July, 2014.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

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STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

SPECIAL CITY COUNCIL MEETING
JUNE 13, 2014
9:00 AM

On this the 13TH day of June, 2014, the City Council of the CITY OF FREDERICKSBURG convened in special session at the Cardinal Room, Lady Bird Johnson Golf Course, with the following members present to constitute a quorum:

LINDA LANGERHANS - MAYOR
GARY NEFFENDORF - COUNCIL MEMBER
JERRY LUCKENBACH - COUNCIL MEMBER
GRAHAM PEARSON - COUNCIL MEMBER

ABSENT: BOBBY WATSON – COUNCIL MEMBER

ALSO PRESENT: KENT MYERS - CITY MANAGER
PAT McGOWAN - CITY ATTORNEY
JULI BAHLINGER – COMMUNICATIONS MANGER
BRAD KOTT - DIRECTOR OF FINANCE
STEVE WETZ - CHIEF OF POLICE
BRIAN JORDAN – DIR OF DEVELOPMENT SERVICES
JOHN CULPEPPER – DIR OF EMERGENCY SERVICES
ALAN WOOLEY – GOLF PRO

CITY COUNCIL RETREAT – Council held a quarterly retreat to discuss a variety of issues, including: (1) City Council Rules of Procedure, (2) Update on Affordable Housing, (3) Water Conservation Education Program, (4) Lighting Standards (Dark Sky) Ordinance, (5) Parking Regulations; and (6) FY 2015 City Budget: Schedule, Major Issues, and Priorities.

No action was taken.

With no further discussion, Council Member Neffendorf made a motion to adjourn the meeting at 2:40 PM. Council Member Pearson seconded the motion. Motion carried.

PASSED AND APPROVED this the 7th day of July, 2014

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

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**STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG**

**REGULAR CITY COUNCIL MEETING
JUNE 16, 2014
7:00 PM**

On this the 16th day of June, 2014, the City Council of the CITY OF FREDERICKSBURG convened in regular session at the Law Enforcement Center, with the following members present to constitute a quorum:

LINDA LANGERHANS – MAYOR
GARY NEFFENDORF – COUNCIL MEMBER
GRAHAM PEARSON - COUNCIL MEMBER
JERRY LUCKENBACH - COUNCIL MEMBER
BOBBY WATSON - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
SHELLEY BRITTON – CITY SECRETARY
PAT McGOWAN - CITY ATTORNEY
STEVE WETZ - CHIEF OF POLICE
CLINTON BAILEY – D.P.W.U.
BRAD KOTT – DIR OF FINANCE
JOHN CULPEPPER – DIR EMERGENCY SERVICES
RUSSELL IMMEL – INFORMATION TECH

The meeting was called to order at 7:00 PM following the Pledge of Allegiance.

MINUTES – It was moved by Council Member Pearson, seconded by Council Member Neffendorf, to approve the minutes of the May 2014 meetings as presented. All voted in favor and the motion carried.

PUBLIC HEARING Z-1405 BY PAGE SOUTHERLAND PAGE, INC ON BEHALF OF GABLE S CORPORATION FOR A CONDITIONAL USE PERMIT TO ALLOW A HOTEL/MOTEL IN THE CENTRAL BUSINESS DISTRICT ON PROPERTY LOCATED AT 406 AND 412 E. MAIN ST - It was moved by Council Member Pearson, seconded by Council Member Watson, to recess the regular session and open a Public Hearing on Z-1405 by Page Southerland Page, Inc., on behalf of Gable S Corporation for a Conditional Use

Permit to allow a hotel/motel in the CBD at 406 and 412 E. Main St. All voted in favor and the motion carried.

Shaesby Scott (owner) and Phillip Kyle (applicant) were on hand to present the application to develop a multi-use project, with a 63 room full-service hotel, retail space, and a restaurant. The building will be 3 stories in height and parking would be beneath and to the rear of the proposed building.

Comments were heard in favor of the project from Ernie Loeffler (CVB) and against the project by Timothy Kooock and Janie Atwell, siting concerns with "form, not function."

There were no other comments from the public. It was moved by Council Member Luckenbach, seconded by Council Member Neffendorf, to adjourn the public and reconvene the regular session. All voted in favor and the motion carried.

REQUEST Z-1405 – Following a lengthy discussion, and based on the recommendation of the Planning & Zoning Commission, the Historic Review Board, and staff, it was moved by Council Member Watson, seconded by Council Member Neffendorf, to approve Z-1405 with the following conditions:

1. Approval of a Landscape Plan prior to issuance of a Building Permit.
2. All external lighting being shielded.
3. Approval of construction Plans prior to issuance of a Building Permit.
4. Approval of Building Plans by the Historic Review Board prior to issuance of a building permit.
5. The property being replatted into a single tract prior to issuance of a building permit.

The vote was as follows: AYE: Langerhans, Watson, Neffendorf, Pearson, and Luckenbach. NAY: None. Motion carried.

PUBLIC HEARING Z-1406 BY CARROLL BRYLA, REPRESENTING SEVERAL PROPERTY OWNERS, TO CONSIDER A CHANGE IN THE LAND USE PLAN FROM MEDIUM DENSITY RESIDENTIAL TO COMMERCIAL, AND A CHANGE IN ZONING FROM R-2 MIXED RESIDENTIAL TO C-2 COMMERCIAL, ON APPROX 19.40 ACRES OF LAND BORDERED BY FRANKLIN ST ON THE NORTH, S. CREEK ON THE EAST, HIGHWAY ST. ON THE SOUTH, AND S. UFER ST. ON THE WEST- It was moved by Council Member Pearson, seconded by Council Member Neffendorf, to recess the regular session and open a Public Hearing on Z-1406 to change the Land Use Plan from Medium Density Residential to Commercial and change the zoning from R-2 Mixed Residential to C-2 Commercial, on approx. 19.40 acres of land. All voted in favor and the motion carried.

Carroll Bryla was on hand representing the property owners. He proposed changing the request to zone 100ft. of the border of the block to C-1 and the interior of the block to C-2, to allow expansion of a veterinary practice currently located on 6 acres of the subject property. Comments were heard from Charles Ramsay, Linda Nevels, and Bobby Sagebiel, all in opposition to C-2 zoning and in favor of C-1 zoning.

There were no other comments from the public. It was moved by Council Member Luckenbach, seconded by Council Member Watson, to adjourn the Public Hearing and reconvene the regular session. All voted in favor and the motion carried.

REQUEST Z-1406 – Following a lengthy discussion, it was moved by Council Member Neffendorf, seconded by Council Member Pearson, to approve Z-1406 and to adopt an ordinance to change the Land Use Plan from Medium Density Residential to Commercial and to adopt an ordinance changing the zoning from R-2 Mixed Residential to C-1 Commercial, on approx. 19.40 acres of land bordered by Franklin St on the North, S. Creek on the East, Highway St. on the South, and S. Ufer St. on the West as presented. The vote was as follows: AYE: Langerhans, Watson, Neffendorf, Pearson, and Luckenbach. NAY: None. Motion carried.

ORDINANCE NO. 24-005a

AN ORDINANCE ADOPTING A CHANGE IN THE COMPREHENSIVE PLAN OF THE CITY OF FREDERICKSBURG; SPECIFICALLY IN THE LAND USE MAP AND COMPREHENSIVE PLAN AS TO: TRACT 1: SIX ACRES OF LAND MORE OR LESS, PART OF OUTLOT NO. 564 AND OUTLOT NO. 563, SITUATED IN THE CITY OF FREDERICKSBURG, TEXAS; TRACT II: SIX ACRES OF LAND MORE OR LESS PART OF OUTLOT 564 AND 563, SITUATED IN THE CITY OF FREDERICKSBURG, TEXAS; AND TRACT III: ALL THAT CERTAIN TRACT, A PART OF OUTLOT 561, OUTLOT 562M AND OUTLOT 563 AND CONTAINING 7.4 ACRES OF LAND MORE OR LESS, SITUATED IN THE CITY OF FREDERICKSBURG, TEXAS; PROVIDING THAT THE CHANGE TO COMMERCIAL BECOME A PART OF THE COMPREHENSIVE PLAN AND PROVIDING FOR AN EFFECTIVE DATE. (Recorded in Ordinance Book)

ORDINANCE NO. 24-006

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FREDERICKSBURG AND CHANGING THE ZONING CLASSIFICATION OF TRACT 1: SIX ACRES OF LAND MORE OR LESS, PART OF OUTLOT NO 564 AND OUTLOT 563, SITUATED IN THE CITY OF FREDERICKSBURG TEXAS; TRACT II: SIX ACRES OF LAND MORE OR LESS PART OF OUTLOT NO 564 AND OUTLOT NO 563, SITUATED IN THE CITY OF FREDERICKSBURG, TEXAS; TRACT III: ALL THAT CERTAIN TRACT CONTAINING 7.4 ACRES OF LAND MORE OF LESS, A PART OF OUTLOT 561, OUTLOT 562, AND OUTLOT 563, SITUATED IN THE CITY OF FREDERICKSBURG, TEXAS, FROM R-2 MIXED RESIDENTIAL TO C-1 COMMERCIAL. (Recorded in Ordinance Book)

GROUND TRANSPORTATION ORDINANCE – It was moved by Council Member Luckenbach, seconded by Council Member Pearson, to approve the 2nd reading and adopt the Ground Transportation Ordinance as presented. The vote was as follows: AYE: Langerhans, Watson, Neffendorf, Pearson, and Luckenbach. NAY: None. Motion carried.

ORDINANCE NO. 24-007

AN ORDINANCE AMENDING CHAPTER 50, VEHICLES FOR HIRE, OF THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG AMENDING THE ENTIRETY OF ARTICLE II, TAXICABS, PROVIDING FOR DEFINITIONS, INSURANCE AND SIGNAGE REQUIREMENTS FOR TAXI AND PEDICAB SERVICE, PROVIDING FOR PARTIAL INVALIDITY, REPEAL OF INCONSISTENT PROVISIONS AND AN EFFECTIVE DATE.

(Recorded in Ordinance Book)

SPECIAL EVENTS ORDINANCE – It was moved by Council Member Watson, seconded by Council Member Luckenbach, to approve the 1st reading of the Special Events Ordinance, to forgo the 2nd reading, and to adopt the Special Events Ordinance as presented. The vote was as follows: AYE: Langerhans, Watson, Pearson, and Luckenbach. NAY: Neffendorf. Motion carried.

ORDINANCE 24-008

AN ORDINANCE ADDING CHAPTER 36 SPECIAL EVENTS TO THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG PROVIDING DEFINITIONS, CHECKLIST AND PERMIT REQUIREMENTS, TIMEFRAMES, REQUIREMENTS FOR ISSUANCE OF PERMIT, APPEAL; PROVIDING FOR PARTIAL INVALIDITY, PENALTIES AND AN EFFECTIVE DATE. (Recorded in Ordinance Book)

GOLF DEPARTMENT PRESENTATION - This item was cancelled.

CITY MANAGER'S REPORT – City Manager Kent Myers reported on (1) New City Telephone System, (2) Local Labor Task Force, (3) Employee Recognitions (to be given at the City Picnic, Friday June 20).

FUTURE AGENDA ITEMS – The Night Sky Ordinance, Parking Ordinance, Animal Shelter Plans, and Board Appointments are slated for the next agenda.

PUBLIC COMMENT – No comments were received.

COUNCIL COMMENT – Council Member Watson apologized for missing the Council Retreat June 13.

EXECUTIVE SESSION – At 8:55 PM, Council Member Pearson made a motion to recess the regular session and go into Executive Session. Council Member Neffendorf seconded, and the motion carried. At 9:42 PM, Council Member Luckenbach made a motion to adjourn the Executive Session and reconvene the regular session. Council Member Watson seconded, the motion carried.

Following Executive Session, the following action was taken:

EXECUTIVE SESSION – CONSULTATION WITH ATTORNEYS REGARDING POTENTIAL LITIGATION AND ATTORNEY CLIENT PRIVILEGE REGARDING CHARTER AMENDMENT AND BOND COVENANTS - It was moved by Council Member

Pearson, seconded by Council Member Neffendorf, to file a statutory lawsuit in Travis County District Court seeking a judgment that the Charter Amendment is unenforceable for as long as the City's current debt instruments remain outstanding. The vote was as follows: AYE: Langerhans, Watson, Neffendorf, Pearson, and Luckenbach. NAY: None. Motion carried.

EXECUTIVE SESSION – It was then moved at 9:45 PM by Council Member Neffendorf to recess the regular session and go into Executive Session. Council Member Watson seconded, and the motion carried. At 9:56 PM, Council Member Luckenbach made a motion to adjourn the Executive Session and reconvene the regular session. Council Member Neffendorf seconded, the motion carried.

Following Executive Session, the following action was taken:

EXECUTIVE SESSION – REAL ESTATE – EXCHANGE OF PROPERTY AT 306 E. AUSTIN TO THE CHAMBER OF COMMERCE - It was moved by Council Member Watson seconded by Council Member Neffendorf, to exchange City owned property at 306 E Austin to the Chamber of Commerce in exchange for the outstanding lease obligation in the amount of \$160,000, with the City paying all closing costs and plat amendment fees, and to authorize the City Manager to proceed according to these terms and conditions. The vote was as follows: AYE: Langerhans, Neffendorf, Luckenbach, Pearson, and Watson. Motion carried.

With no further business, Council Member Watson made a motion to adjourn the meeting at 9:58 PM. Council Member Luckenbach seconded the motion. Motion carried.

PASSED AND APPROVED this the 7th day of July, 2014.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

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CITY COUNCIL MEMO

DATE: July 7, 2014

TO: Mayor and City Council

FROM: Kris Kneese, P.E., Assistant City Engineer

SUBJECT: Annual Sidewalk Program 2014

Summary:

Bids for the City's Annual Sidewalk Program were opened last June 2013. City Engineering Staff evaluated the bids from three contractors, made a recommendation to City Council in June of last year, of which Council awarded the Annual Sidewalk contract to Hazelett Concrete Construction. Before Council is a contract extension with Hazelett Concrete Construction for the Annual Sidewalk Project.

Recommendation:

City Engineering Staff recommends extending the Annual Sidewalk contract to Hazelett Concrete Contractors of Fredericksburg, TX in the amount not to exceed \$125,000. A breakdown of the proposed contract amount is as follows:

1. \$100,000 – City Council Approved budget for the Annual Sidewalk Program
2. \$15,000 - Contribution to City's sidewalk escrow account for construction of a sidewalk
3. \$10,000 – Allowance for future contributions to the City's sidewalk escrow account for work to be completed within the second year of this contract

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The City of Fredericksburg

Background / Analysis:

Three bids were received on June 18, 2013 for the Annual Sidewalk Project. The bidders included:

1. Hazelett Concrete Contractors, Fredericksburg, TX
2. M&C Fonseca, Granite Shoals, TX
3. Allen Keller Company, Fredericksburg, TX

Bids were evaluated based on the Total Base Bid from each Contractor's unit price bid submittal for approximate quantities of work included in the Bid Form. Actual quantities of work to be constructed will be determined by field measurements taken by City Engineering Staff for each item of work after award of the contract.

Since awarding the contract to Hazelett Concrete Construction last year, the contractor has constructed sidewalks, sidewalk ramps, driveway approaches, curbs and necessary retaining walls along South Washington Street, East Austin Street, in front of the new Gillespie County Jail project. With Council's approval, City Engineering Staff will direct the Contractor to continue constructing sidewalks at the locations listed in order of priority below until project funds have been exhausted:

- 1) Continue on South Washington Street – Selected Spots from Main to San Antonio Street (West Side of Highway)
- 2) Orange Street – Selected spots from Main to Austin Street (As part of the Orange Street Reconstruction project)
- 3) East Austin Street – Selected Spots from Llano Street to Adams (North Side)
- 4) North Adams Street – Austin Street to Travis Street (West Side)

Current and future contributions to the City's escrow account will also be utilized for construction of sidewalks under this contract.

Hazelett Concrete Construction has agreed to keep the same unit prices they bid in last year's bid/agreement for this contract extension.



CITY COUNCIL MEMO

DATE: July 7, 2014

TO: Mayor and City Council

FROM: Kent Myers, City Manager

SUBJECT: Lighting Standards Ordinance

Summary:

The attached ordinance has been revised based upon comments made at the recent City Council Retreat.

Recommendation:

It is recommended that the Council approve the first reading of the lighting standards ordinance and direct staff to make any changes needed to the ordinance prior to the second reading.

Background / Analysis:

A new lighting standards ordinance was originally proposed by a local group of citizens known as the Dark Sky Committee. This ordinance has been revised several times over the past 4-6 months. At the recent City Council Retreat, the Council directed staff to prepare a revised ordinance with the following major changes:



The City of Fredericksburg

1. Standards would apply to non-residentially zoned properties only including properties that have nine or more units on one lot.
2. Non-conforming uses would be allowed to continue unless the owner or tenant applied for a permit for a new building, site plan plat permit, subdivision or other permits as defined in Section 5-504 of the proposed ordinance. A permit for remodeling or renovations to an existing structure would be exempt from the ordinance.
3. All maintenance or repairs to existing lights will be exempt from the provisions of the ordinance.
4. Streetlights and other lighting installed by the City, School District and other agencies will be required to meet the new standards in the future but will not be required to retroactively meet these standards.
5. New standards added that establish a curfew for outdoor recreational lighting.

7/1/14

AN ORDINANCE ESTABLISHING LIGHTING STANDARDS FOR NON-RESIDENTIALLY ZONED PROPERTIES, AMENDING CHAPTER 5 BUILDINGS AND BUILDING REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG TO ADD ARTICLE XIV OUTDOOR LIGHTING, SECTIONS 5-500 THROUGH 5-519, SETTING FORTH PURPOSE, JURISDICTION AND SCOPE, DEFINITIONS, USE OF EXISTING LIGHTING, STANDARDS FOR OUTDOOR LIGHTS AND SIGNS, UNDER CANOPIES, NEON LIGHTING, FLAG POLES, LIGHTING CURFEWS, PROHIBITED LIGHTS, SUBMISSION OF LIGHTING PLANS, EXEMPTIONS, MATERIALS, REMEDIES, AUTHORITY OF DIRECTOR OF DEVELOPMENT SERVICES, ILLUSTRATIONS, REPEAL OF INCONSISTENT PROVISIONS, PARTIAL INVALIDITY PENALTIES AND AN EFFECTIVE DATE.

WHEREAS, the City of Fredericksburg is a destination for residents and visitors to move to and visit which promotes its smaller town atmosphere which provides an escape from the larger cities of this nation, and

WHEREAS, an attribute of such atmosphere is the Night Skies which adds to the scenic natural resources that are attractive to this area, and

WHEREAS, it is important to preserve the ability to see the night skies, and reduce the increase in nighttime outdoor lighting, and

WHEREAS, additionally, lighting fixtures that reduce or eliminate light pollution are less costly to operate and should be legislatively mandated in the manner hereinafter set forth,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS THAT THE FOLLOWING ORDINANCE BE AND IS HEREBY ENACTED AND THAT SECTION CHAPTER 5 BUILDINGS AND BUILDING REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG BE AMENDED TO ADD ARTICLE XIV OUTDOOR LIGHTING, SECTIONS 5-500 THROUGH 5-519 AS FOLLOWS:

CITY OF FREDERICKSBURG

CODE OF ORDINANCES

CHAPTER 5 BUILDINGS AND BUILDING REGULATIONS

Article XIV OUTDOOR LIGHTING

Sec. 5-500. Purpose

The purpose of these rules and regulations are to provide uniform outdoor lighting standards and regulations to assure public safety, promote efficient and more cost effective lighting, enhance the ability to view the night sky and promote a positive City image reflecting order, harmony and pride.

Sec. 5-501. Jurisdiction and Scope

This chapter applies to all non-residentially zoned properties, as defined, within the City limits, to signs within the extraterritorial jurisdiction on non-residentially used property (that is, property that would be non- residentially zoned if located within the City limits) of the City and to all street lighting regardless of where located within the City. This Chapter also applies to all properties having NINE (9) or more dwelling units located thereon within one tract, lot or multiple tracts or lots which are contained in one site plan within the City limits regardless of the zoning area in which they are located. Nothing contained in this chapter shall be construed to prevent or limit the City from applying this chapter to other properties through agreements with property owners, or as a term affixed to a developmental/regulatory approval (such as a variance). All properties and property owners not required to adhere to these requirements are strongly encouraged to do so.

Sec. 5-502. Definitions

Words and phrases used in this chapter shall have the meanings set forth in this section. Terms that are not defined below, but are defined elsewhere in the Code of Ordinances, shall be given the meanings set forth therein. Words and phrases not defined

in the Code of Ordinances shall be given their common, ordinary meaning unless the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense; words in the plural number shall include the singular number (and vice versa); and words in the masculine gender shall include the feminine gender (and vice versa). The word "shall" is always mandatory, while the word "may" is merely directory. Headings and captions are for reference purposes only.

Applicant means a person or entity who submits to the City an application for an approval for building or development, including those for signs, required by the Code of Ordinances. Any person or entity must have sufficiently documented legal authority or proprietary interests in the land to commence and maintain proceedings under the Code of Ordinances. Tenants and property owners are both liable for violations of this chapter.

City means the City of Fredericksburg.

City limits means the incorporated municipal boundary of the City, as may be expanded from time to time by annexation.

ETJ means the extraterritorial jurisdiction of the City.

Full cut-off fixtures means fixtures, as installed, that are designed or shielded in such a manner that all light rays emitted by the fixture, either directly from the luminaires or indirectly from the fixture, are not permitted to project above a horizontal plane running through the lowest point on the fixture where light is emitted.

Holiday lighting means temporary lighting used for a specific celebration.

Lighting means any source of light that does not include natural light emitted from celestial objects or fire. The term includes, without limitation, any type of lighting, fixed or movable, designed or used for illumination of buildings or homes within non-residentially zoned areas, including lighting for billboards, streetlights, canopies, gasoline station islands, searchlights used for advertising purposes, externally or internally lit advertising signs, area-type lighting

and luminous elements or fixtures attached to structures, poles, the earth or any other location.

Light trespass means lighting emitted from fixtures designed or installed that causes light to fall on a property other than the one where the fixture is installed, drivers' eyes of passing motor vehicles, or upwards toward the sky.

Luminaire, or Luminous elements (of a light fixture) means individually or collectively: the lamp (light bulb), any diffusing elements and surfaces intended to reflect or refract light emitted from the lamp.

Non-residentially zoned means property which is located in any area of the City which is not located in any residential zone (R-1 through R-5.) The term non-residential properties also includes enhancements or amenities to property such as to subdivisions, and multi-family properties wherever located in the City without regard to zoning.

Outdoor lighting means permanent lighting that is installed or located outside or on the exterior of any building or exterior part of a building to which this ordinance applies.

Person means a human individual, corporation, agency, unincorporated association, partnership, sole sale proprietorship, or any other entity.

Temporary lighting means lighting intended for uses which by their nature are of limited duration; for example holiday decorations, festivals, civic events, construction areas, theatrical, television, or performance areas, provided the lights are positioned so they do not shine in the eyes of passing drivers.

Up lighting means lighting that causes light rays to project above a horizontal plane running through the lowest point on the fixture where light is emitted.

Sec. 5-503. Lighting

(1) All outdoor lighting or properties subject to this chapter shall be installed to comply with the standards, rules and regulations established by this chapter.

(2) It is an offense to install outdoor lighting that does not comply with the standards, rules and regulations established by this chapter.

Sec. 5-504. Nonconforming Existing Lighting

All existing outdoor lighting that was legally installed before the effective date of this chapter, and that does not comply with the standards, rules and regulations established by this chapter shall be deemed nonconforming. Nonconforming existing outdoor lighting shall be brought into compliance with this chapter as follows:

(1) All existing outdoor lighting located on a property subject to this chapter for which an application for a conditional use permit, subdivision approval, a building permit for other than construction of a new building, site plan permit, is made shall be brought into compliance with this chapter before final inspection, issuance of a certificate of occupancy, or final plat recordation, whichever applicable.

(2) All maintenance to nonconforming existing outdoor lighting, such as repairs that do not include replacement of the fixture part of the light, changing bulbs and the like is exempt from the provisions of this ordinance.

(2) All nonconforming existing lighting that becomes inoperable shall be repaired, replaced or improved in a manner to comply with this Chapter if not removed.

Sec. 5-505. Full Cut-off, Shielding and Total Outdoor Light Output Standards

(1) Streetlights installed, repaired, or replaced after the effective date shall be full cut-off fixtures in order to limit light trespass. (See Figure A).

(2) All outdoor lighting, except streetlights, shall be shielded so that the luminous elements of the fixture are not visible from any other property. (See Figures B, D and E for examples of acceptable light fixtures, and Figures C and F for examples of those not acceptable).

(3) Outdoor up lighting is prohibited, except in cases where the fixture is shielded by a roof overhang or similar structural shield and a licensed architect or engineer has certified and stamped a prepared lighting plan that ensures that the light fixtures will not cause light to extend beyond the structural shield, except as otherwise specifically permitted by this chapter.

(4) All outdoor lighting fixtures shall be full cut-off fixtures, except as otherwise specifically permitted by this chapter.

(5) All Outdoor recreation facilities, lighting installed or replaced after the effective date of this chapter shall be shielded so that the luminous elements of the fixtures are not visible from any other property. Where fully shielded fixtures are not available, lighting fixtures using external louvers or shields that, in the final installed configuration, extend to within 3 inches on the lowest portion of the light fixture opening are required. Lighting for outdoor recreational facility is allowed between one hour prior to sunset and 11:00 p.m., unless it is needed to complete a specific organized activity or event already in progress at 11:00 p.m.

Sec. 5-506. Lighting for Outdoor Signs and Panels

(1) Outdoor internally-illuminated signs (whether free standing or building mounted) shall conform to the City's sign regulations.

(2) Outdoor externally-illuminated signs shall conform to all provisions of this chapter and the Sign Ordinance of the City of Fredericksburg Code of Ordinances.

Sec. 5-507. Lighting under Canopies, Building Overhangs, or Roof Eaves

All outdoor lighting fixtures located under canopies, under building overhangs, or under roof eaves shall conform to all provisions of this chapter.

Sec. 5-508. Neon Lighting

Neon lighting is subject to the shielding requirements of this chapter.

Sec. 5-509. Flag Poles

It is preferred that Governmental flag poles not be illuminated and that the traditional patriotic raising of the flag after dawn and lowering of the flag before sunset be utilized. Lighting of up to two (2) governmental flags per property is permitted with the following restrictions:

Flag poles heights shall conform to the requirements of the zone and shall be illuminated with no more than a single spot type fixture utilizing diffusers or hex louvers to reduce glare. The fixture is to be mounted so that the lens is perpendicular to the flag pole.

Sec. 5-510. Lighting Curfews

(1) Lighting for outdoor recreational facilities is allowed between one hour prior to sunset and 11:00 p.m., unless it is needed to complete a specific organized activity or event already in progress at 11:00 p.m.

(2) All outdoor lighting is encouraged to be turned off when no one is present to use the light.

Sec. 5-511. Prohibitions

(1) The installation of any mercury vapor fixture or lamp for use as outdoor lighting is prohibited.

(2) The installation of any wall pack style fixture for use as outdoor lighting is prohibited unless the fixture is rated by the manufacturer as full cut-off and otherwise complies with the shielding requirements of this chapter. Examples of acceptable wall packs, when mounted with light directed downward only are shown in Figure (D).

(3) The installation of any barn-light style fixture for use as outdoor lighting is prohibited unless the fixture includes a full opaque reflector instead of the standard translucent lens and otherwise complies with the shielding requirements of this chapter. An

example of barn-light style with and without the required opaque reflector is shown in Figure (D).

- (4) The operation of searchlights for advertising purposes is prohibited.

Sec. 5-512. Submission of Plans and Evidence of Compliance

- (1) All building permit applications for property covered by this chapter must include an outdoor lighting plan which includes the following information:

- (A) The location of all existing and proposed light fixtures (may be included on site plan,) and

- (B) Specification sheets for all existing and proposed light fixtures.

- (2) Verification that a construction project requiring a building permit application has complied with the provisions of this chapter shall occur during the final electrical inspection by the City building inspector.

Sec. 5-513. Exemptions

The following lighting is exempt from this chapter:

- (1) Outdoor lighting fixtures with a maximum output of 300 lumens per fixture, regardless of the number of bulbs, (equals approximately one 25 watt incandescent light), may be left unshielded provided the fixture has an opaque top to prevent light from shining directly up, and the source of the light is not visible from any other property.

- (2) Outdoor lighting fixtures with a maximum output of 600 lumens per fixture, regardless of the number of bulbs, (equals approximately one 45 watt incandescent light), that are shielded with a colored lens provided such lens reduces the lumen output approximately in half, the fixture has an opaque top to prevent light from shining directly up and the source of the light is not visible from any other property.

- (3) Outdoor lighting for which light is produced directly by the combustion of fossil fuels.

- (4) Holiday lighting.
- (5) Lighting required by law to be installed on motor vehicles.
- (6) Lighting needed during activities of law enforcement, fire and other emergency services.
- (7) Lighting employed during repairs of roads and utilities and such lighting may be unshielded provided the lights are positioned so they do not shine in the eyes of passing drivers.
- (8) Lighting required for the safe operation of aircraft.
- (9) Temporary lighting, provided that the exemption applies only during the hours of the event or work.
- (10) Temporary lighting required to save life, limb or property from imminent peril.

Sec. 5-514. Materials and Methods of Installation

This chapter is not intended to prohibit the use of any design, material or method of prescribed installation not specifically prescribed by this chapter, provided such alternative produces the result which would be produced by use of the fixtures and requirements described herein.

Sec. 5-515. Compliance with Building Code

All lighting installations commenced in accordance with this chapter must otherwise be in compliance the City's Building Codes.

Sec. 5.516. Civil Remedies

Nothing in this chapter shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this chapter and to seek remedies as allowed by law, including, but not limited to the following:

- (1) Injunctive relief,
- (2) Monetary damages, and

- (3) Other relief as directed by a court with jurisdiction over the matter.

Sec. 5.517. Alternative Relief

To prevent specific conduct that violates this chapter or to require specific conduct that is necessary for compliance with this chapter; and

(1) In lieu of criminal prosecution, a civil penalty up to five hundred dollars (\$500.00) a day, when it is shown that the defendant was actually notified of the provisions of this chapter and committed acts in violation of this chapter or failed to take action necessary for compliance with this chapter; and other available relief.

(2) In the event work is not being performed in accordance with this chapter, the City may issue a stop work order and all work shall immediately cease on the entire project for which a permit is issued. No further work shall be undertaken on the project as long as a stop work order is in effect.

Sec. 5-518. Public Nuisance

Any violation of this chapter is hereby declared to be a prohibited public nuisance.

Sec. 5-519. Administrative Guidance

The City's Director of Development Services is authorized to promulgate one or more interpretive documents to aid in the administration of, and compliance with, this chapter.

FIGURES AND ILLUSTRATIONS

Figure A: examples of Full cut-off

Figures B, D, E: (also re-label) Examples of acceptable fixtures

Figure C and F: Examples of unacceptable fixtures

REPEALER

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed

SEVERABILITY OR INVALIDITY

If any provision of this ordinance or the application hereof to any person or circumstance is held invalid, or in any exception to or limitation upon any provision contained herein be held to be unconstitutional, invalid or ineffective, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect, and to this end, the provisions of this ordinance are declared to be severable.

PENALTIES

Penalties provided for in the Code Ordinances of the city of Fredericksburg shall apply to violations hereof.

EFFECTIVE FOLLOWING PUBLICATION

This ordinance shall be effective from and after the date of its passage and publication in accordance with the law. The City Secretary of the City of Fredericksburg is hereby directed to publish notice of this Ordinance as required by law to become effective.

PASSED AND APPROVED this the ____ day of _____, 2014.

Linda Langerhans, Mayor
City of Fredericksburg, Texas

ATTEST:

Shelley Britton, City Secretary

APPROVED:

Pat McGowan, City Attorney



CITY COUNCIL MEMO

DATE: July 7, 2014

TO: Mayor and City Council

FROM: Kent Myers, City Manager

SUBJECT: Parking Ordinance

Summary:

The proposed parking ordinance has been revised based upon comments made at the recent City Council Retreat.

Recommendation:

It is recommended that the City Council approve the first reading of this ordinance and direct staff to make any changes that are necessary prior to the second reading of the ordinance.

Background / Analysis:

The need for additional parking regulations has been discussed by the Council over the past 4-5 months. At the recent City Council Retreat, the Council indicated support for parking regulations on public property such as City streets but not on private property. The attached ordinance has been prepared by the City Attorney, with input from our Police Chief, based upon comments made at the Council Retreat. This ordinance declares certain parking as a public nuisance as indicated in Sections 44-226 and 44.227 of the ordinance.

(23)

The City of Fredericksburg

7/2/14

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 44, TRAFFIC AND MOTOR VEHICLES, ARTICLE VI, STOPPING, STANDING AND PARKING, SECTION 44-224, DEFINITIONS, ADDING SECTION 44-225 NUISANCE DECLARED, SECTION 44-226 OF THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG PARKING IN APPROVED SPACES, SECTION 44-227 PARKING ON PUBLIC PROPERTY IN RESIDENTIALLY ZONED AREAS, AND AMENDING CHAPTER 14, ENVIRONMENT, ARTICLE II, UNSIGHTLY OR INSANITARY ACCUMULATIONS- PUBLIC NUISANCE ADDING SECTION 14- 19 (b) TO PROVIDE THAT IT IS A NUISANCE TO USE A VEHICLE FOR THE STORAGE OF TRASH; PROVIDING FOR PENALTIES, AND SETTING AN EFFECTIVE DATE.

WHEREAS, The City Council has determined that the parking of vehicles such as large commercial vehicles, tractors, trailers and the like over sidewalks and in the streets can cause a safety hazard in certain areas, and that the same need to be regulated; and

WHEREAS, the City Council of the City of Fredericksburg has determined that the following regulations should be adopted to further the health, safety and welfare of the citizens of the City of Fredericksburg; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS THAT THE FOLLOWING ORDINANCE BE AND IS HEREBY ENACTED AND THAT SECTION 44-224 BE AMENDED, THAT SECTIONS 44-225, 44-226 AND 44-227 BE ADDED AND THAT SECTION 14-19 (b) BE ADDED AND EXISTING 14-19 (b) BE RE-NUMBERED TO BE SECTION 14-19 (c) ALL OF THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG AS FOLLOWS:

Chapter 44

TRAFFIC AND MOTOR VEHICLES

Article VI Stopping, Standing and Parking

Sec. 44-224. Definitions

The following definitions shall apply to the provisions of Sections 44-224 through 44-227 and to Section 14-19 below:

Daylight hours: are 7 am on one day and 8 pm on the same day.

Defense to Prosecution: Except as otherwise set forth in specific sections, it is a defense to prosecution under any provision of the sections to which these definitions apply that a prohibited vehicle is parked

- (a) during daylight hours, or
- (b) for the purpose of construction on the property in question if in front of the property where work is occurring and only for the duration of the work for which it is needed.
- (c) for an emergency.
- (d) because it is actively being utilized in the loading or unloading of material, goods or passengers, or
- (e) because the vehicle is disabled and is awaiting tow or repair for no more than 72 hours.

No Defense to Prosecution shall excuse compliance with any traffic or safety law or regulation.

Emergency: any occurrence or set of circumstances involving actual or imminent physical trauma or property damage or loss that demands immediate action.

Publicly Owned Property: property owned by any governmental entity, including but not limited to streets, rights of way, alleys or public easements.

Residentially Zoned Areas: any area which is located in any residential zoning district of the City as described in the Zoning Ordinance of the City of Fredericksburg, and shall include all publicly owned property which borders any residentially zoned property.

Vehicle: any vehicle as defined in the Transportation Code of the State of Texas, or any equipment, boat, trailer, recreational vehicle or camper whether operative or not, or whether containing all of its parts or not, and any parts thereof. Specific types of vehicles or equipment described in Sec 44-227 below shall mean the commonly understood definition of the same.

Sec. 44-225. Nuisance declared

It is declared to be a nuisance and is unlawful for any person or entity to park, store, allow to remain, or permit another to park, store or allow to remain (referred to herein as Park or Parking) any vehicle, not an emergency vehicle authorized by the City of Fredericksburg, State of Texas or United States, which is not in compliance with Sections 44-226 through 44-227 of this Code of Ordinances.

Sec. 44-226. Parking in approved spaces

No vehicle shall be Parked in any area of the City so as to extend into any sidewalk, public right of way or easement or unless properly parked in approved parking spaces or areas. The only defense to prosecution applicable to this provision is that of emergency.

Sec. 44-227 Parking on public property in residentially zoned areas

The following are prohibited from Parking on Public Property within Residentially Zoned Areas:

- (a) tractor (farm or other),
- (b) equipment,
- (c) semi-tractor/trailer,
- (d) bus with over twelve person capacity,
- (e) truck over 30,000 Gross Vehicle Weight,
- (f) construction or work type trailer. It is an additional defense to prosecution that a construction or work trailer is parked on the street in front of the property owned or controlled by the owner or user of the trailer and does not have a utility connection crossing or obstructing a sidewalk or other public easement.
- (g) farm trailer. It is an additional defense to prosecution that a farm trailer is parked on the street in front of the property owned or controlled by the owner or user of the trailer and does not have a utility connection crossing or obstructing a sidewalk or other public easement.
- (h) boat, jet ski or trailer for either or the like, or
- (i) recreational vehicle. It is an additional defense to prosecution that a recreational vehicle is parked on the street in front of the property owned, controlled or visited by the occupant of the recreational vehicle, and does not have a utility connection crossing or obstructing a sidewalk or other public easement.

Chapter 14

ENVIRONMENT

ARTICLE I. IN GENERAL

Sec. 14-19 Public nuisance declared.

(b) It shall be unlawful for any person or entity who shall own or occupy any property in the City to use or allow the use of a vehicle, boat, trailer, recreational vehicle, container, part of a vehicle or trailer or other vehicle attachment for the storage of junk, trash and/or debris or for housekeeping, living or sleeping quarters not normally associated with the intended use of the said item. It is a defense to prosecution under this section that the same was used for the collection of construction debris or materials during a construction project on the property upon which the item is placed.

Sec. 14-19 (b) beginning: "For the purposes hereof....., the following definitions are used:" is hereby re-numbered to be **Sec. 14-19 (c)**.
Other than as hereinabove set out, all sections and parts of sections not changed shall remain as written.

-----End of Code Text-----

Severability / Invalidity.

If any provision of this ordinance or the application hereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without defeating the purpose or objective of the provisions, and to this end, the provisions of this ordinance are declared to be severable.

Repealer.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Penalties.

Penalties provided for in the Code Ordinances of the city of Fredericksburg shall apply to violations hereof.

This ordinance shall take effect from and after the date of its passage and publication in accordance with the law.

PASSED AND APPROVED this the _____ day of _____, 2014.

Linda Langerhans,
Mayor City of
Fredericksburg

ATTEST:

Shelley Britton, City Secretary

APPROVED AS TO FORM:

Pat McGowan, City Attorney



CITY COUNCIL MEMO

DATE: July 7, 2014

TO: Mayor and City Council

FROM: Clinton Bailey, P.E., Director of Public Works and Utilities

SUBJECT: School Zone Speed Limits

Summary:

This item is for the first reading of an ordinance amending the City of Fredericksburg Code of Ordinances clarifying the physical limits of all school zones within the Fredericksburg City Limits and in several school zones, making modifications to the times in which they apply.

Recommendation:

Staff recommends amending the Code of Ordinances to allow for the proposed changes.

Background / Analysis:

The current City of Fredericksburg ordinance has not been modified or updated since 1978. The current ordinance does not include a comprehensive list of existing school zones nor does it define the limits of any school zone within the City Limits. In order for a speed limit within the City Limits to be

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The City of Fredericksburg

School zones.

SECTION 1.

(1) The following streets and portions thereof are hereby designated as school zones for the schools indicated and are zoned for a maximum speed limit of 20 miles per hour during the times listed on all official school days. Any speed in excess of said maximum shall be prima facie evidence that the speed is not reasonable or prudent, and that it is unlawful.

(a) School zone times for Fredericksburg Primary School and St. Mary's shall be from 8:00 a.m. to 3:30 p.m.

Location of school zones-

Primary-

South Adams starting at 35 feet from East Highway to 30 feet from Friendship Lane

St. Mary's-

South Orange beginning at a point 120 feet south of Main Street to 60 feet from West Creek

(b) School zone times for Fredericksburg Elementary School, Fredericksburg Middle School, Fredericksburg High School, Heritage School & Ambleside shall be from 7:30 a.m. to 9:30 a.m. and from 3:00 p.m. to 4:30 p.m.

Location of school zones-

FES-

North Adams starting east at 305 feet from Lower Crabapple to 265 feet from Edgewood

Lower Crabapple starting at 285 feet north from North Llano to 230 feet from Morning Glory

FMS-

West Travis starting at the intersection of Orange and West Travis to 225 from North Llano

West College starting at 250 feet from Elm to 105 feet from Cora

North Orange starting at 95 feet south from Centre until it intersects with West Travis

West Orchard Starting at the conjunction of West Orchard and North Milam to 130 feet from Elm

West Schubert Street beginning at 135 feet east of the intersection of West Schubert Street and North Orange to North Crockett Street

North Crockett Street beginning at a point 585 feet west of the intersection of North Crockett Street and extending to the intersection of North Crockett Street and Travis Street

FHS-

East Highway starting west 250 feet from South Adams to the intersection of East Highway and SH 16

South Milam starting at the intersection of South Milam and SH 16 to 410 feet from Friendship Lane

South Milam starting at 300 feet from Friendship Lane SH 16

Heritage-

Smokehouse Road starting from 785 feet south from Live Oak until the end of the road

Ambleside-

Edison starting from 115 feet south from Main Street to 215 feet from West Creek

West San Antonio starting from 45 feet from Bowie to 150 feet from South Milam

(c) School zone times for other locations vary, and are in effect at all times when the flashing yellow beacon mounted above the school zone speed limit sign at one of the locations is operating. Any speed in excess of said maximum shall be prima facie evidence that the speed is not reasonable or prudent, and that it is unlawful.

Location of school zone-

SH 16 South starting north 30 feet from East Highway to 415 feet past South Milam

North Milam starting north 40 feet from West Travis to 15 feet past Morse

North Llano starting from north from 5 feet past West Austin to 195 feet from Centre

West San Antonio starting east from 180 feet from South Crockett to 70 feet from South Milam

SECTION 2. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the validity of the remaining provisions of this ordinance shall not be affected and shall remain in force and effect.

SECTION 4. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Hundred (\$200.00) Dollars for each offense.

SECTION 5. That the present ordinances of the City of Fredericksburg are inadequate to provide for the proper locations of school zones; creates an urgency and an emergency for the preservation of the public health, safety, and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance, as the law in such cases provides.

SECTION 6. That this ordinance shall take effect on and after August 18th 2014



CITY COUNCIL MEMO

DATE: July 7, 2014

TO: Mayor and City Council

FROM: Clinton Bailey, P.E., Director of Public Works and Utilities

SUBJECT: Proposed Speed Limit Changes on Portions of RM 1631

Summary:

This item is for the first reading of an ordinance amending the City of Fredericksburg Code of Ordinances changing the speed limit on portions of RM 1631 within the City Limits of Fredericksburg.

Recommendation:

Staff recommends amending the Code of Ordinances to allow for the proposed speed limit changes.

Background / Analysis:

The Texas Department of Transportation (TxDOT) completed a speed zone study along RM 1631 from US 290 (Mile Point 0.000) to RM 1323 (Mile Point 15.917). Based on the results of the study, TxDOT is



The City of Fredericksburg

recommending a speed change within the first 0.6 miles of this 15.917 segment. The proposed speed limit changes are as follows:

Change from 30 MPH to 35 MPH (inside the City Limits)

MP 0.000 (US 290) to MP 0.084 (E. Austin St.)

Change from 40 MPH to 35 MPH (inside the City Limits)

MP 0.084 (E. Austin St.) to MP 0.200 (N. Eagle Dr.)

Change from 40 MPH to 45 MPH (inside the City Limits)

MP 0.200 (N. Eagle Dr.) to MP 0.270 (Vestal Dr.)



The City of Fredericksburg

ORDINANCE _____

AN ORDINANCE OF THE CITY OF FREDERICKSBURG, TEXAS, SETTING TRAFFIC RATE OF SPEED FOR PORTIONS OF RM 1631 IN THE CITY LIMITS OF THE CITY OF FREDERICKSBURG; DEFINING SPEEDING, FIXING A PENALTY THEREFOR; DECLARING WHAT MAY BE A SUFFICIENT COMPLAINT IN PROSECUTIONS HEREUNDER; ADDING A SAVINGS CLAUSE, EFFECTIVE DATE AND REPEALING CONFLICTING LAWS.

It is hereby determined upon the basis of an Engineering and Traffic investigation that the prima facie maximum speed limit on those portions of the RM 1631 routed in the City of Fredericksburg, shall be, following the effective date hereof, as hereinafter stated, which prima facie maximum speed limit shall be effective at all times and signs will be erected giving notice of the prima facie maximum speed limit so declared to wit.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG THAT THE FOLLOWING SPEED LIMITS BE AND ARE HEREBY ESTABLISHED:

RM 1631

On RM 1631 beginning at milepoint 0.000 (at US 290) to milepoint 0.200 (at North Eagle Street), a prima facie maximum speed limit of 35 miles per hour;

On RM 1631 beginning at milepoint 0.200 (at North Eagle Street) to milepoint 0.270 (at Vestal Drive), a prima facie maximum speed limit of 40 miles per hour.

This ordinance shall be kept on file with the City Secretary of the City of Fredericksburg, and it is hereby ordered that appropriate signage be erected to notify drivers of the limits established herein.

SECTION II

That all of the streets of this city, and all portions of any such streets, are hereby declared to be public streets and that the driving or operating of any motor vehicle on or along any portion of any street of this city at a rate of speed that is greater than the maximum rate of speed for said portion of said street, as fixed by this ordinance shall be guilty of a misdemeanor, which is named "The Offense of Speeding" and that the said offense is punishable by a fine in any sum not to exceed the amount established by state law and/or as established in the Code of Ordinances of the City of

Fredericksburg for code violations if no state law provision applies, for speeding violations as the same may be amended from time to time. That the use of the word "Speeding" shall be sufficient to designate the said offense, and shall mean that a motor vehicle has been driven upon a public street at a greater rate of speed than fixed by City Ordinance for the street and for the zone thereof, that such motor vehicle was so being driven upon, if zoned.

That in prosecutions under this ordinance, for the offense of speeding, the complaint, if in other respects sufficient form, shall as to the portion thereof seeking to acknowledge the offense, be sufficient if it in substance alleges that the defendant did while driving a motor vehicle in said city commit the offense of "Speeding."

Section III

That should any section of any portion of any section hereof be declared to be void, the invalidity of such section or such portion thereof shall not affect the validity of the remaining portions of this ordinance; and that each section and each portion thereof not decreed to be invalid shall remain valid and enforceable.

That all ordinances and parts of ordinances that are in conflict with this ordinance are hereby repealed.

Thus ordinances shall become effective upon its passage and publication in accordance with law.

PASSED AND APPROVED this the ____th day of July, 2014.

Linda Langerhans, Mayor
City of Fredericksburg, Texas

ATTEST:

APPROVED as to form:

Shelley Britton, City Secretary

Pat McGowan, City Attorney

Shelley Britton

From: Mahendran Thivakaran <Mahendran.Thivakaran@txdot.gov>
Sent: Friday, May 30, 2014 1:47 PM
To: Kent Myers
Cc: Clinton Bailey; Alan Saenger; Kris Kneese; David Baroi; Hector Tamez
Subject: Speed Study - RM 1631
Attachments: RM 1631 - Strip Map.pdf

Dear Mr. Myers,

TxDOT conducted a speed study last month on RM 1631 from US 290 (Mile Point 0.000) to RM 1323 (Mile Point 15.917). According to that speed study, we are recommending a speed change on its first 0.6 mile only. Of that 0.6 mile of RM 1631, 0.270 mile is inside the city limits. Therefore we need the support from the City of Fredericksburg to change the speed limit inside the city limits.

Change from 30 MPH to 35 MPH (inside the City Limits)
MP 0.000 (US 290) to MP 0.084 (E. Austin St.)

Change from 40 MPH to 35 MPH (inside the City Limits)
MP 0.084 (E. Austin St.) to MP 0.200 (N. Eagle Dr.)

Change from 40 MPH to 45 MPH (inside the City Limits)
MP 0.200 (N. Eagle Dr.) to MP 0.270 (Vestal Dr.)

Attached you can find the Strip Map showing the proposed changes. We request the city to pass a city ordinance to support our recommended speed changes within the city limits. Please let me know if you have any questions, require additional information or a sample City Ordinance.

Thank you



Mahendran Thivakaran, P.E. | Transportation Engineer
Traffic Operations – Austin District
7901 N IH 35, Austin, TX 78753
Phone: (512) 832-7286 | Email: Mahendran.Thivakaran@txdot.gov

MAP 1 OF 4

DEVELOPMENT
RES. SIGHT DISTANCE
BALL BANK or ADVISORY SPEED
CURVES OVER 2"
GRADES OVER 3%
SURFACE WIDTH AND TYPE
R.O.W. AND RDBD. WIDTH
ACCIDENTS
ZONE LENGTHS MILE
ZONE SPEEDS MPH

SEE BELOW

TOWARD
FREDERICKSBURG

C.L. BEARINGS
TOWARD
RM 1323

CITY ORDINANCE

ZONE SPEEDS MPH
ZONE LENGTHS MILE
ACCIDENTS
R.O.W. AND RDBD WIDTH
SURFACE WIDTH AND TYPE
GRADES OVER 3%
CURVES OVER 2"
BALL BANK or ADVISORY SPEED
RES. SIGHT DISTANCE
DEVELOPMENT

NOT RECORDED

NONE

NONE

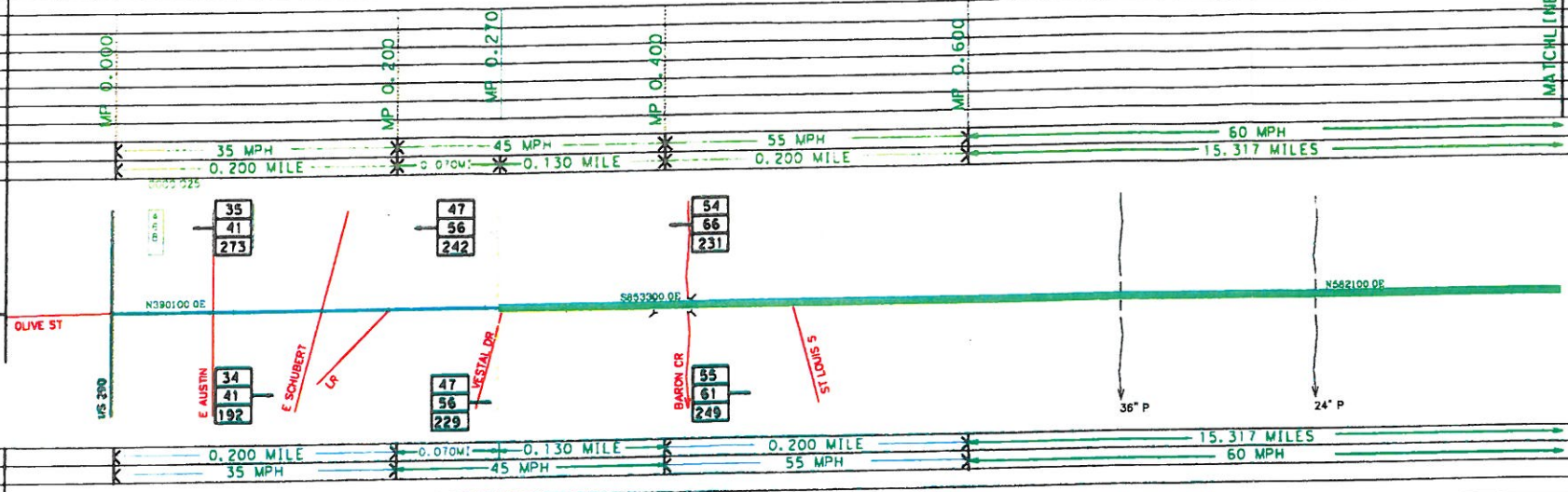
NONE

DIST. Austin COUNTY Gillespie
HIGHWAY RM 1631 CITY
DATE OF SURVEY 04-17-14 SCALE NOT TO SCALE

MINUTE NO. DATE
REPLACES 106847 DATE 6/18/36
REPLACED BY DATE
CANCELED BY DATE

LIMITS OF ZONE					
SECTION ONE			SECTION TWO		
STA. OR M.P.	LENGTH	PROJECT	STA. OR M.P.	LENGTH	PROJECT
BEGINS	MP 0.000	1536-1	BEGINS		
ENDS	MP 15.317	1536-1	ENDS		

1:15 Speed Zone Austin District Speed Studies Gillespie Co. RM 1631 11536-11.dgn



42
62
125

85 PERCENTILE SPEED
TOP SPEED MEASURED
NUMBER OF CARS CHECKED

- FATAL ACCIDENT
- PERSONAL INJURY ACCIDENT
- PROPERTY DAMAGE ACCIDENT
- INDICATES SECTION ZONED BY COMMISSION MINUTE

SPEED ZONE



CITY COUNCIL MEMO

DATE: July 7, 2014

TO: Mayor and City Council

FROM: Kris Kneese, P.E., Assistant City Engineer

SUBJECT: On Demand Reclaimed Water and Bulk Potable Water Service Ordinance

Summary:

To cover cost incurred by the sale of reclaimed and bulk potable water for on demand customers, City Staff proposes applying a minimum monthly charge to each on demand customer's bill. The attached Ordinance would allow City Staff to apply the monthly charge to cover the cost of billing and collection of reclaimed and bulk potable water sales.

Recommendation:

Staff recommends approving the Ordinance for Reclaimed and Bulk Potable Water Service.

Background / Analysis:

In August 2013, City Council approved a contract to sell reclaimed water to customers that receive reclaimed water from the fill stand at the City's Wastewater Treatment Plant. These customers are known as on "demand customers". The approved contract included a rate of \$1.50 per 1,000 gallons

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The City of Fredericksburg

at an unlimited quantity, as available. Since Council approval in August, the City has sold 1,939,950 gallons of reclaimed water to on demand customers at the WWTP and recovered \$2,909.00.

Many on demand customers fill small volumes of reclaimed water at the WWTP, resulting in a monthly charge of less than a couple of dollars per month. Regardless of the volume of reclaimed water purchased each month by the on demand customer, City billing staff spends the same amount of time preparing the bills, mailing the bills, and processing the payment to keep track of who has and has not paid for the reclaimed water service. As a result, City Staff is recommending a minimum rate applied to each customer's bill for each calendar month in which reclaimed water is purchased. This minimum monthly charge is to cover the cost for City Staff to process the bills and collect and process the customer's payments. This is similar to water and sewer utility bills, which have a minimum month service charge applied to the each customer's bill, whether or not water or sewer services are used during that month. The proposed monthly service rate for on demand reclaimed water customers is \$20.00 per month for each calendar month in which reclaimed water is purchased plus \$1.50 per 1,000 gallons for an unlimited amount, as available.

Similarly, City Staff proposes applying a bulk potable water rate which is equal to the commercial potable water rate a utility customer would pay for a 2 inch water service connection. This minimum rate is \$48.86 for each calendar month in which bulk potable water is purchased plus \$1.89 per 1,000 gallons for 1 to 10,000 gallons per month and \$3.00 per 1,000 gallons for over 10,000 gallons. This rate would be applied to any on demand customer purchasing bulk potable water from the City Warehouse fill stand.

The proposed reclaimed and bulk potable water services are described in the attached "On Demand Reclaimed and Bulk Water Service" Ordinance.



The City of Fredericksburg

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING ON DEMAND RECLAIMED AND BULK WATER SERVICE BY THE CITY OF FREDERICKSBURG SETTING THE TERMS OF SERVICE, RATES AND POLICIES OF SUCH SERVICE SETTING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Fredericksburg has determined that to best utilize the water resources of the City, to reduce the use of treated potable water for purposes which do not require use of treated potable water, to reduce the required discharge of the City's effluent into the creeks and other watercourses, and to afford the citizens of the City the opportunity to utilize bulk and reclaimed water, it is in the interests of the City to establish an on demand Reclaimed and Bulk Water Service as a part of its utility services.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG THAT THE ON DEMAND RECLAIMED AND BULK WATER SERVICE AS HEREINAFTER DESCRIBED BE AND IS HEREBY ESTABLISHED AS FOLLOWS AND THAT CHAPTER 47-UTILITIES AND APPENDIX "A" OF THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG BE AMENDED TO ADD THE FOLLOWING:

Chapter 47-Utilities

Section 47-12 Reclaimed and Bulk Potable Water Service

(a) The City of Fredericksburg will sell potable bulk water and Type I Wastewater effluent (reclaimed water) to any person or entity within or without the City Limits of the City of Fredericksburg, provided that the provision of the same is not to be considered an essential or guaranteed service of the City's Water Utility Service. The City's Director of Utilities or his or her designee (Director), shall determine in his or her sole discretion whether such water is available for sale and the amount of such water which is available for sale at any time.

(b) Priority of use: City of Fredericksburg water system customers and other contracted uses have priority over Reclaimed or Bulk potable water customers. After such prior uses, and any other public uses deemed advisable by the Director, the Director shall equitably determine allocations. All usage allocated to each customer and any cutbacks therein by the Director in his/her determination is final.

(c) Reclaimed and Bulk water customers shall be responsible for providing receptacles, approved by the Director for such service. The same shall be utilized in accordance with

the City's specifications, and the same shall be subject to inspection prior to connection to the City's system or delivery of water. The City is not responsible for determining the condition of receptacles or the presence of contaminants in the same.

(d) All Reclaimed water customers of the City are responsible for testing the water received by them to determine if it is suitable for their own purposes at all times. By use of the reclaimed water, all customers understand that the quality of the water and its contents may continually change. The City is not liable for any damages, loss of life or any other thing as a consequence of the provision of reclaimed water.

(e) No reclaimed or effluent water may be returned or added to the City's system without approval of the Director.

(f) Rates- Each Reclaimed and Bulk potable water on demand customer shall pay for Reclaimed or Bulk potable water at the rates set forth in the fee schedule found in Appendix A to this Code. All on demand Reclaimed and Bulk potable water customers shall be charged for such water service for each month. Failure to pay such rates in a timely manner shall be treated the same as other unpaid City utility bills as set forth in Section 47-11 of this Code of Ordinances. Additionally, the City may refuse to sell additional Reclaimed or Bulk potable water to any customer with an unpaid bill.

(g) This on demand reclaimed and bulk potable water service requires no continuing contract with the City, and does not affect reclaimed or bulk water sales provided by the City in connection with contracts approved by the City Council.

APPENDIX "A"

ARTICLE 16.000 WATER AND SEWER UTILITY RATES

SEC. 16.301 Charge for Reclaimed and Bulk Potable Water sales

(a) Reclaimed water: A minimum rate of \$20.00 for each customer for each calendar month in which reclaimed water is purchased plus \$1.50 per 1,000 gallons for unlimited amounts, as available.

(b) Bulk potable water: A minimum rate of \$48.86 for each customer for each calendar month in which bulk potable water is purchased plus \$1.89 per 1,000 gallons for 1 to 10,000 gallons per month and \$3.00 per 1,000 gallons for over 10,000 gallons.

-----End of Code Text-----



CITY COUNCIL MEMO

DATE: July 2, 2014

TO: Mayor and City Council

FROM: Brian Jordan

SUBJECT: Board Appointments

Summary:

Board appointments are considered in July of each year. This year, we have a number of new appointments to make to fill the positions of members who have left and re-appointments to consider. The Planning and Zoning Commission has one vacancy and three members who are up for re-appointment. The Historic Review Board has one regular member vacancy, one alternate member vacancy and two regular members up for re-appointment. The Board of Adjustment has one alternate member vacancy, and one regular and one alternate member up for re-appointment. Letters have been provided by members who wish to be considered for re-appointment.

Recommendation:

We have received completed applications (attached) from Joe Cloud, Tim Dooley, Donnie Finn and John Smiljanic for Planning and Zoning Commission and John Muraglia for Historic Review Board. We would recommend re-appointing all members who wish to serve another term. We recommend appointing one of these individuals to the Planning and Zoning Commission and another as an alternate to the Board of Adjustment. On the Historic Review Board, we would recommend moving

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The City of Fredericksburg

one of the alternate members to serve as a regular member and appoint a new member to serve as an alternate member.

Background / Analysis:

Attached are applications and a list of current members of the various boards and their current terms.



The City of Fredericksburg

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

Board of Adjustment

Mike Dooley * 997-4304 Jul-15
516 W. Main

Cynthia Scroggins 997-5544 Jul-16
710 S. Adams

Robert Deming # 992-5676 Jul-14
PO Box 1072

Barbara Heinen 997-5682 Jul-15
705 S. Eagle

Jim McAfee 997-4763 Jul-16
123 W. San Antonio

Alternates

Vacant (see note below)

Gesena Houy 990-7722 Jul-14
304 E. Hackberry

Daryl Whitworth was appointed to Planning
and Zoning Commission, December 2013

Planning & Zoning

Steve Thomas 997-0383 Jul-16
902 W. Schubert

Vacant (see note below)

Chris Kaiser 456-1388 Jul-14
306 Bluebonnet

Daryl Whitworth 990-0181 Jul-14
2146 Lightstone

Charlie Kiehne 997-3400 Jul-15
PO Box 623

Janice Menking * 997-1339 Jul-16
612 W. Morse

Todd Willingham 997-7693 Jul-15
505 Cross Mountain Dr.

Brenda Segner # 998-7060 Jul-14
802 Friendship Lane

Bill Pipken 997-7691 Jul-'16
108 W. Morse

Historic Review Board

Sharon Joseph * 997-4763 Jul-14
123 W. San Antonio

Charles Schmidt 997-3234 Jul-14
489 Summit Circle

Stan Klein 456-6018 Jul-15
405 E. Centre

Mike Penick 997-3254 Jul-15
141 E. Main

Larry Jackson # 997-0073 Jul-16
209 S. Llano

Vacant (see note below)

David Bullion 998-1889 Jul-15
302 N. Kay

Alternates

Burleigh Arnecke 997-9345 Jul-'14
206 E. Travis

Eric Parker 990-2221 Jul-'16
2134 Lightstone

Karen Oestreich 997-9591 Jul-'16
506 W. College

J. Hardin Perry resigned from the Board
February, 2014

*Chair
#-Vice-Chair

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Bobby Watson was elected to City Council in May, 2014

Tammie Loth

To: Brenda Segner
Subject: RE: City of Fbg Board Appointments

From: Brenda Segner [<mailto:blsegner@gmail.com>]
Sent: Sunday, June 29, 2014 7:44 PM
To: Tammie Loth
Subject: Re: City of Fbg Board Appointments

Tammie,

Please consider this email as my application for re-appointment for the upcoming term for the Planning and Zoning Commission for the City of Fredericksburg.

Regards,
Brenda Segner

Sent from my iPhone

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CHRIS KAISER BUILDER

103 EAST MAIN STREET • FREDERICKSBURG, TEXAS 78624

830.990.2255 • CHRISJKAISER@GMAIL.COM

June 27, 2014

Fredericksburg City Council

Dear Council members:

I have enjoyed serving on the planning and zoning commission and would be delighted to continue to do so.

Respectfully,



Chris J. Kaiser

CJK/ds

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VISIT THE CHRIS KAISER BUILDER PAGE ON FACEBOOK.



Brian Jordan

From: Daryl Whitworth <daryl.whitworth@gmail.com>
Sent: Thursday, June 05, 2014 10:24 AM
To: Brian Jordan
Subject: P&Z Board

Good morning Brian,

As we discussed this morning, I would be happy to be appointed to serve on the Planning and Zoning Board for a full term; should the Council choose to re-appoint me.

Please apprise me of any questions regarding this matter.

Daryl Whitworth
Sent from my iPad

**Burleigh Frederick Arnecke
206 East Travis St.
Fredericksburg, TX 78624
830 – 997-9345**

June 25, 2014

**Brian Jordan
Director of Development Services
Fredericksburg, TX**

Please advise the City Council I do not wish to continue serving as an alternate member of the Historic Review Board beyond June, 2014.

I have been the only member of the Board living in the Residential Historic District. Please consider replacing me with a new member that is also a resident of the district.

A handwritten signature in blue ink that reads "Burleigh". The signature is written in a cursive, flowing style.

Tammie Loth

From: Charles Schmidt <cschmidt20@austin.rr.com>
Sent: Thursday, June 26, 2014 6:16 AM
To: Tammie Loth
Subject: Re: City of Fbg Board Appointments

Tammie

I would like to be re-appointed to serve on the Historical Review Board. I have enjoyed serving and hope to be able to add to the continued growth of Fredericksburg in a positive way.

Thank You
Charles Schmidt



Joseph Financial Partners

123 West San Antonio Street

Fredericksburg, Texas 78624

www.josephfinancialpartners.com

830.997.4763

800.209.8247

MEMORANDUM

TO: The Honorable Linda Langerhans, Mayor
Members of City Council, Fredericksburg, Texas

FROM: Sharon Joseph

RE: Historic Review Board

Date: June 30, 2014

It has been an honor to serve on the Historic Review Board and if my service is a benefit to the City of Fredericksburg, I would like to continue to serve.

Respectfully submitted,



Tammie Loth

From: Robert Deming <rcdeming@gmail.com>
Sent: Tuesday, July 01, 2014 10:57 AM
To: Tammie Loth
Subject: Board of Adjustment

City Council:

I would like to be reappointed to the Board of Adjustment for another term. I have learned a great deal about the code during my service, and I remember many past cases, which I believe is important. I also consider both the spirit of the ordinance as well as the written word. On a case last year (Mr Gattis), there was a conflict between the building code and the sign ordinance; the building code language was confusing but could be read in such a way as to permit a sign the sign ordinance clearly prohibited. There was talk by some newer Board members about approving the request, which could have resulted in opening the proverbial *can of worms*. I moved to disallow the variance before a movement in favor could coalesce, then later brought the conflict to the attention of the Council, which amended the code. The sign ordinance was a hard fought battle and I don't want to see it diminished. If I was in my first or second year on the board I wouldn't have understood the nuances of the proposal and discussion.

Robert Deming

check out my blog: www.robertcdeming.me

[Link to my novels](#)

July 1, 2014

To Whom It May Concern,

Please accept this letter as my formal request to be reinstated for another term to the City of Fredericksburg Board of Adjustments. I appreciate the opportunity to be considered to serve the City of Fredericksburg in this capacity.

Thank you for your consideration,

A handwritten signature in cursive script that reads "Gesena Houy".

Gesena Houy
304 E Hackberry
Fredericksburg, Texas 78624
(830)992-0130
rhoy@austin.rr.com



City of Fredericksburg

Application for Consideration of Appointment

Board / Commission / Committee You Are Applying For: (Check all that may apply)

- ☒ Planning & Zoning ☐ Historic Review Board ☐ Board of Adjustment
☐ G.C. Economic Development Commission ☐ City/County Health Board
☐ Other _____

Name: Joe M. Cloud, II Date: 6/4/14
(Title) (First) (M.I.) (Last)

Home Address: 108 N. Acorn 830-990-4196
(Street) (Home Phone Number)

Mailing Address: 830-998-9579
(Street or Post Office Box #) (Business Phone Number)

Fax Number: _____ E-mail Address: jcloudfbg@gmail.com

Employer: Gourmet Holdings / The All Seasons Collection (Self)
(Name / Address)

Occupation: Bed and Breakfast Reservation Agency / Property Management

Are you a qualified voter of the City of Fredericksburg? X Yes No

Are you a City of Fredericksburg resident? X Yes No How Long? 8 Years

So the council may know more about you, please complete the following:

Education: The University of Texas Austin BA Government/English 1993 University of Salamanca

Volunteer Experience / Community Service: President - Fasching Fredericksburg, Past President Fredericksburg Hospitality Association, VP Marketing Texas Bed and Breakfast Association, Steering Committee for Chamber Young Entrepreneur Program Leadership Gillespie County

Areas of Interest: Personal interest - I'm a workaholic and I like to travel.

Please specify membership on any other governmental or community board/commission/committee:

Please provide a brief narrative outlining your reasons for seeking appointment to a board or commission.

(Resumé or additional information may be attached.)

Resume is attached. I'm interested in joining P&Z because I am always looking for new ways to be involved in the community. Because of the work I do and my experience, this is a natural fit for me.

Joe M Cloud II

Signature

6/4/14

Date

Please return the completed form to the City Manager's office for processing. Your application will be kept on file for 12 months.

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City of Fredericksburg

Application for Consideration of Appointment

Board / Commission / Committee You Are Applying For: (Check all that may apply)

- ☒ Planning & Zoning ☐ Historic Review Board ☐ Board of Adjustment
☒ G.C. Economic Development Commission ☐ City/County Health Board
☐ Other _____

Name: Tim Dooley Date: May 23, 2014
(Title) (First) (M.I.) (Last)

Home Address: 611 Persimmon Ct. 830-997-7345
(Street) (Home Phone Number)

Mailing Address: 611 Persimmon Ct. 830-997-3458
(Street or Post Office Box #) (Business Phone Number)

Fax Number: 830-990-1297 E-mail Address: dooleys5-10@austin.rr.com

Employer: Dooley's 5 - 10 & 25¢ Store Inc. 131 E. Main St.
(Name / Address)

Occupation: Retailer

Are you a qualified voter of the City of Fredericksburg? XX Yes No

Are you a City of Fredericksburg resident? XX Yes No How Long? 60 yrs.

So the council may know more about you, please complete the following:

Education: BBA St. Edward's University

Volunteer Experience / Community Service: Fbg. Rotary Club, Fbg. Jaycees, Golden

Hub Senior Center Foundation BOD, Gillespie Central Appraisal Dist.

Areas of Interest: Community Involvement

Please specify membership on any other governmental or community board/commission/committee:

As Above Fbg City Council 20 years Charter Writing Commission,

Charter Review Committee

Please provide a brief narrative outlining your reasons for seeking appointment to a board or commission.

(Resumé or additional information may be attached.)

I want to continue to be involved in community affairs and offer
my v years of experience to the betterment of my hometown.

Tim Dooley Tim Dooley
Signature

May 23, 2014
Date

Please return the completed form to the City Manager's office for processing. Your application will be kept on file for 12 months.

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City of Fredericksburg

Application for Consideration of Appointment

Board / Commission / Committee You Are Applying For: (Check all that may apply)

- ☐ Planning & Zoning ☒ Historic Review Board ☐ Board of Adjustment
☐ G.C. Economic Development Commission ☐ City/County Health Board
☒ Other LONG RANGE PLANNING

Name: JOHN L. MURAGLIA Date: 6/26/14
(Title) (First) (M.I.) (Last)

Home Address: 1341 FELIX Ln. HYE, TX. 78635
(Street) (Home Phone Number)

Mailing Address: Same 303-810-3655
(Street or Post Office Box #) (Business Phone Number)

Fax Number: 830-868-7194 E-mail Address: JBmuraglia@aol.com (lower case)

Employer: N.A.
(Name / Address)

Occupation: Retired/Rancher/INVESTMENTS: Capra Partners, L.P. MANAGER

Are you a qualified voter of the City of Fredericksburg? ☐ Yes ☒ No

Are you a City of Fredericksburg resident? ☒ Yes ☒ No How Long? * OWN SEVERAL PROPERTIES IN CITY

So the council may know more about you, please complete the following:

Education: BS. PETROLEUM ENGINEERING, M.S. BANKING & FINANCE, M.A. Philosophy
^{LSU} ^{S.M.U.} ^{U. of DENVER}

Volunteer Experience / Community Service: FOUNDING BOARD member DENVER SCHOOL of the ARTS,

FOUNDING BOARD member Center for Health Care Ethics, Humanities & LAW. U. of Colorado
HISTORIC DENVER INC., FRENCH QUARTER PRESERVATION. U. of Colorado Hospital ETHICS Committee
12 yrs.

Areas of Interest:

Historic Preservation, History, Long Range Planning & Fiscal Quality

Please specify membership on any other governmental or community board/commission/committee:

see above plus Vieux Carré Property Owners Assoc.

Please provide a brief narrative outlining your reasons for seeking appointment to a board or commission.

(Resumé or additional information may be attached.)

I have extensive experience with historic properties. Raised in the
FRENCH Quarter of New Orleans, Live and Raise our sons in a 1904 Victorian
home in DENVER. Deep Love of History and the Fredericksburg Community.

John L. Muraglia
Signature

6/26/14
Date

Please return the completed form to the City Manager's office for processing. Your application will be kept on file for 12 months.



City of Fredericksburg

Application for Consideration of Appointment

Board / Commission / Committee You Are Applying For: (Check all that may apply)

- ☒ Planning & Zoning ☐ Historic Review Board ☒ Board of Adjustment
☐ G.C. Economic Development Commission ☐ City/County Health Board
☐ Other _____

Name: Donnie R Finn Date: 7-22-13
(Title) (First) (M.I.) (Last)

Home Address: 1211 Running Buck Lane 830-997-0405
(Street) (Home Phone Number)

Mailing Address: _____ 830-997-9551 x 1030
(Street or Post Office Box #) (Business Phone Number)

Fax Number: 830-997-6164 E-mail Address: donnief@fisd.org

Employer: Fredericksburg Independent School District
(Name / Address)

Occupation: Assistant Superintendent Operations & Personnel.

Are you a qualified voter of the City of Fredericksburg? ☒ Yes ☐ No

Are you a City of Fredericksburg resident? ☒ Yes ☐ No How Long? 9 yrs

So the council may know more about you, please complete the following:

Education: TSCI - Supercalculent Cert
Sam Houston State University - B.A.T., University of Houston - Victoria - M.Ed

Volunteer Experience / Community Service: Kiwanis Club, Fredericksburg Youth Baseball Assoc.,
Young Life, Fisd Community Ed., Pacific Museum, Oktoberfest, NIOF

Areas of Interest: anything to help Fredericksburg

Please specify membership on any other governmental or community board/commission/committee:

Texas Higher Education Board, membership chair Texas Assoc. of
Personnel Admin, safety board committee member Texas Assoc. of
School Boards, HR committee member Texas Assoc. of School Administrators

Please provide a brief narrative outlining your reasons for seeking appointment to a board or commission.

(Resumé or additional information may be attached.)

I would like to serve my community by providing leadership to
enhance and keep Fredericksburg among the best towns to
live and visit in the state.

Signature

Date

7-22-13

Please return the completed form to the City Manager's office for processing. Your application will be kept on file for 12 months.

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Donald Ray Finn, Jr.

1211 Running Buck Lane ~ Fredericksburg, Texas 78624-2537 Home Phone 830-997-0405
Cell ~ 830-889-9566 ~ Work 830-997-9551 ~ Fax 830-997-9164 Email: donnief@fisd.org

► EDUCATION AND CERTIFICATIONS

- 03 Texas Superintendents' Certification Institute: ESC XIII & ESC XX
Emphasis: Texas Superintendent Qualifications/Certificate
- 97 Masters of Education: University of Houston-Victoria
Major: Administration and Supervision- Mid-Management Administrator
- 89 Bachelor of Arts in Teaching: Sam Houston State University
Major: Kinesiology, Minors: English & Secondary Education

Texas Educator Certificates

Superintendent (EC-12)	Standard	Expires	2014
Mid-Management Administrator (PK-12)	Professional	Life	
Secondary Physical Education (6-12)	Provisional	Life	
Generic Special Education (6-12)	Standard	Expires	2014
Secondary English Language Arts (6-12)	Provisional	Life	
Secondary History (6-12)	Provisional	Life	

► HONORS AND AWARDS

- 11 Administrator of the week for Gillespie Standard News, article about me and what I do for Fredericksburg ISD schools
- 09 Honored as writer and winner of 5 consecutive TASB Safety Grants at members' conference
- 05 Membership/Recruiting Award Kiwanis International Club Gillespie County
- 00 Nominated for Outstanding Secondary Principal of the Year- HEB Excellence
- 94 Finalist for Teacher of the Year, Fort Bend Elkins HS
- 91 Finalist for Teacher of the Year, Fort Bend Dulles HS
- 90-88 Delta Phi Epsilon Kinesiology Honor Society- Sam Houston University

► PROFESSIONAL EXPERIENCE

- 13-05 Assistant Superintendent of Operations & Personnel- Fredericksburg ISD
- 05-03 Director of Human Resources- Fredericksburg ISD
- 03-00 Principal and UIL Director for District 26AA - Center Point High & Middle School
- 03-00 Budget Director and Grant Writer- Center Point ISD
- 98-00 Vice Principal- Bandera Middle School
- 98-97 Freshman English Team Leader, Varsity Football- Alief Elsik High School
- 97-90 Senior English Teacher, Football, Basketball, Baseball, Track- Fort Bend Schools

► PUBLICATIONS/PRESENTATIONS

- 13 FISD School Safety presentation article in local paper and TEXASISD News
- 12-05 My TASB School Safety Grants were used as examples for others in magazine
- 11-10 Assisted with School Safety District Audit Report at TASB Risk-Management Members Conference
- 08 Assisted peer in presentation at TASA Mid-Winter Conference on NCLB HQ issues
- 06 Tabletop discussion at TASPAs conference on issues about NCLB HQ
- 05 "Tidings from Gillespie County" Gillespie County Leadership Class article for Fredericksburg Standard Post Newspaper
- 04 "Larry Gatlin FYBA Concert" Fredericksburg Youth Baseball Association article for Fredericksburg Standard Post Newspaper
- 04 "Teacher Certification Requirements and Issues" presentation at TASPAs conference
- 03 "Years Fly By" article in Texas Coach ~ October 2003
- 03 "Dancing with the Bear; School & Community Relations" presentation at ESC XIII workshop
- 02 "Public School Employment Issues in Texas" presentation at ESC XX workshop/class
- 98 "Off the Field Influence" article in Texas Coach ~ October 1998

► PROFESSIONAL ORGANIZATION MEMBERSHIP AND ACTIVITIES

13-05 Texas Association of School Boards
13-03 Interscholastic Track Officials Association of Texas
13-90 Texas High School Coaches Association
13-98 Texas Association of Administrators and School Personal
05-04 Gillespie County Leadership Program
12-03 Texas Association of School Personnel Administrators
07-04 Kiwanis International Club Gillespie County-still volunteer on projects
04-99 Kiwanis International Club Bandera County

► CONSULTING OR ADVISORY ACTIVITIES

13 Tabletop discussion member at TASA Mid-Winters Conference
12-10 Advisory committee member for conducting DAR School Safety Audits
09-08 TASA Tabletop discussion member for hard-to hire teachers committee, Hill Country Representative
07-04 Texas Association of School Personnel Administrators Nomination Committee
07-06 Hill Country Higher Education Consortium
03-00 Kerr County Educational Committee
01-0 Committee Member- US Blue Ribbon Schools-(NEA)

► REFERENCES

Dr. Marc Williamson, 830-997-9551 marc@fisd.org
Superintendent, Fredericksburg Independent School District
234 Friendship Lane, Fredericksburg, Texas 78624

Dan Mittle, 830 997-5612 info@gastehaus.com
Ex-Fredericksburg City Council member
Owner Gastehaus Schmidt Reservation Service
231 W Main Fredericksburg, TX 78624

Jim McAfee, 830-997-4763 james.mcafee@lpl.com
City of Fredericksburg Board Of Adjustment Committee Member
Gillespie County Appraisal District
Joseph Financial Partners
123 W. San Antonio St.
Fredericksburg, TX 78624

David Shanley, 830-868-7410 DShanley@Johnsoncity.txed.net
Superintendent, Johnson City Independent School District
303 North LBJ Drive, Johnson City, Texas 78636

Clem Zapata, 512-467-0222 Clem.Zabalza@tasb.org
Division Director, Texas Association of School Boards Loss Prevention Services
P.O. Box 400, Austin, Texas 78767



City of Fredericksburg

Application for Consideration of Appointment

Board / Commission / Committee You Are Applying For: (Check all that may apply)

- ☒ Planning & Zoning ☐ Historic Review Board ☐ Board of Adjustment
☐ G.C. Economic Development Commission ☐ City/County Health Board
☐ Other _____

Name: John P Smiljanic Date: July 1, 2014
(Title) (First) (M.I.) (Last)

Home Address: 2305 Summit Forest 830-992-3076
(Street) (Home Phone Number)

Mailing Address: (same as home address) 305-903-2211
(Street or Post Office Box #) (Business Phone Number)

Fax Number: _____ E-mail Address: jpsmiljanic@gmail.com

Employer: Self Employed
(Name / Address)

Occupation: Consultant: Engineering, Building Compliance, Business Operations Strategy

Are you a qualified voter of the City of Fredericksburg? X Yes _____ No

Are you a City of Fredericksburg resident? X Yes _____ No How Long? 2 Years

So the council may know more about you, please complete the following:

Education: BSChemE-Purdue, MBA-Tulane, INSEAD, Thunderbird Consortium
Fredericksburg: Chamber Leadership (2013), Rotary
Volunteer Experience / Community Service: _____

Areas of Interest: Building Codes & Compliance, Zoning

Please specify membership on any other governmental or community board/commission/committee:
None

Please provide a brief narrative outlining your reasons for seeking appointment to a board or commission.

(Resumé or additional information may be attached.)

This is an opportunity to support the Fredericksburg community as it
continues to grow. Please see the attached resume.

Signature: John P Smiljanic Date: 7-1-14

Please return the completed form to the City Manager's office for processing. Your application will be kept on file for 12 months.

JOHN P. SMILJANIC

2305 Summit Forest
Fredericksburg, TX 78624
Cell: 305-903-2211
jpsmiljanic@gmail.com

SUMMARY

Consultant in Business Operations, Strategy, Engineering, and Building Compliance. Global and domestic manufacturing, engineering & operations leader. Skilled in engineering, systems design, project management, and business strategy & operations. Successful in all aspects of operations planning and management.

Experienced domestically and in Europe, Middle East, Africa, Asia, South America, & Mexico. MBA, Professional Engineer.

PROFESSIONAL EXPERIENCE

JPS Consulting

Sole Practitioner

Engineering consulting. Specialized in Building & Zoning Code-Compliance. Business operations consulting. Specialized in manufacturing and logistics.

40 Year.com, Inc, Engineering Consulting, Miami, FL

Partner

Founder of Building and Code-Compliance Consultation Business. Provided consulting, project management, and inspection services for commercial, industrial, institutional, and multi-family residential clients. More than one thousand clients over eleven years.

Lucent Technologies, AT&T, American Bell, Western Electric

Director of Operations: Europe, Middle-East & Africa

Resident of The Netherlands. Oversaw all operations from quotation to cash collection for this multinational, multi-billion dollar communications systems business. Oversaw construction and installation projects throughout the region.

Director & Manager Positions: Far-East, South America, Mexico, and domestic.

Managed construction of new export and distribution facilities with new information systems and five new operations centers.

Successfully established facilities, material management, and logistics processes within the South-American region on time and under budget.

Directed the planning, construction, start-up, and management of five new operations centers, both owned and contracted. Phased out eight old centers.

Oversaw construction and management of a facility of 900 employees in Mexico. Administered \$90 million annual budget.

Managed site selection, construction, and operation of Far East contracted manufacture of a consumer products line with cost value of \$350 million per year. Directed technical staffs in eight countries.

JOHN P. SMILJANIC

(page 2)

Led project management and product development for new small business telephone system resulting in sales of over \$2 billion per year.

Held various manufacturing, engineering and management positions with increasing responsibility including leadership of 60 engineering staff and 2,000 operations people.

EDUCATION

BS Chemical Engineering, Purdue University

Master of Business Administration, Tulane University

Management Programs: INSEAD (France), Thunderbird Institute (Arizona)

PROFESSIONAL

Registered Professional Engineer (PE) – Indiana (retired)

US Patent Grant

Guest Lecturer, NYU, The Stern School of Business, New York

Guest Lecturer, US Army School of Management, Fort Harrison

IT management: Business, Accounting, CAD.



CITY COUNCIL MEMO

DATE: July 2, 2014

TO: Mayor and City Council

FROM: Brian Jordan

SUBJECT: Annexation Schedule

Summary:

Prior to the City Council Retreat in February, 2014, the staff evaluated a number of areas around the city for consideration for annexation. It was determined at the retreat that we would focus on the area along US Highway 290 E. from the existing City Limit line near the Hill Country University Center eastward. The attached map shows the area we are proposing for annexation, consisting of approximately 145 acres of land.

The second map distinguishes between those properties with an Agricultural Exemption and those properties without. This is important because we are required by law to offer those properties with an Ag exemption an agreement not to be annexed under certain conditions. If the schedule outlined below is acceptable, we will be contacting the respective owners and offering them the annexation agreement.

Recommendation:

We recommend accepting the schedule below and authorizing staff to proceed with the annexation proceedings for the area depicted on the maps.

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The City of Fredericksburg

Background / Analysis:

Public Hearings: August 4 and 18, 2014

Institution of Proceedings (start of 90 day time frame): September 6-9, 2014

December, 2014 Completion of annexation.



The City of Fredericksburg

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

City of Fredericksburg

2014 Potential Annexation

-  City Limit Boundary
-  Potential Annexation Area
-  1-Mile ETJ Boundary

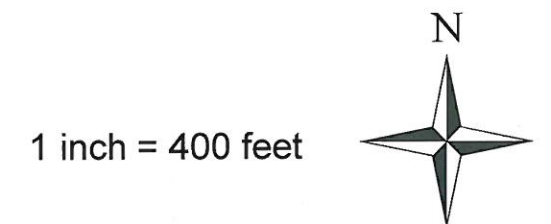
Thoroughfare Plan

-  Civic Streets
-  Major Arterial
-  Future Major Arterial
-  Collector
-  Future Collector
-  Outer Loop Alternate 6
-  Outer Loop Alternate 9
-  Southwest Hill Country Dr.
-  Future Hard Surface Trail
-  Alternate Trail

Agriculture Use

-  Non-Ag Use
-  Ag Use

Potential Annexation Area
Approx. 144.9616 Acres



July 1, 2014

City of Fredericksburg

2014 Potential Annexation

-  City Limit Boundary
-  Potential Annexation Area
-  1-Mile ETJ Boundary

Thoroughfare Plan

-  Civic Streets
-  Major Arterial
-  Future Major Arterial
-  Collector
-  Future Collector
-  Outer Loop Alternate 6
-  Outer Loop Alternate 9
-  Southwest Hill Country Dr.
-  Southwest Hill Country Dr.
-  Future Hard Surface Trail
-  Alternate Trail

Potential Annexation Area
Approx. 144.9616 Acres

1 inch = 400 feet



July 1, 2014



CITY COUNCIL MEMO

DATE: July 27, 2014
TO: Mayor and City Council
FROM: Steven Wetz, Chief of Police
SUBJECT: Request to Accept Proposal from Quorum Architects for Animal Control Facility Design

Summary: After receiving donations from fund raisers and a bequest from the estate of Bernice Jordan for the building of a new Animal Control Facility, Staff wishes to proceed with accepting the proposal from Quorum Architects. The proposal is for \$17,000 to develop conceptual drawings of a Facility, along with site suggestions and cost estimate for the facility. The completion of this phase would allow for future planning and fund raising.

Recommendation: Accept proposal from Quorum Architects.

Background / Analysis: The Police Department has received request for several years to enlarge or build a new animal control facility, to help increase the number of animals adopted. Staff has been working with a possible donor for large portion of the cost of the facility and feels that completing this phase of the project would help with these negotiations as well as future fund raising. After advertising for Architectural Qualifications the city received eight (8) responses, at which time three were chosen to interview. Of the three firms Quorum Architects were chosen to submit a proposal. Attached you will find their firm profile and proposal to complete the design phase of the project.

quorum

Design. Spaces. People.

May 22, 2014

Steven Wetzel
Chief of Police
Fredericksburg Police Department
1601 East Main Street
Fredericksburg, Texas 78624

RE: Architectural Services for Planning, Design and Cost Estimates of a new Animal Control Shelter
Fredericksburg, Texas
Quorum Number: 14060

We are pleased to submit our qualifications for consideration of the Fredericksburg Animal Control Shelter.

Listed below are some of the reasons we feel make us qualified for your project.

- Quorum has been involved in planning phases for 20 animal shelters
- The principal architect on this project, David Duman, was involved in all 20 of those projects which are similar in scope as yours
- Mr. Duman has given presentations on planning and designing animal shelters
- Quorum is using a local Surveyor to assist in site evaluation
- Quorum is currently working with the City of San Marcos on a Needs Assessment and Concept Development for their Animal Shelter

Quorum Architects, Inc., along with M&S Engineering as the local Surveyor and Civil Engineer, would be a fantastic choice for this project as Quorum has an in-depth knowledge and vast experience with animal service facilities throughout Texas, and M&S Engineering has extensive knowledge of the local market, sites, and utilities. We have learned how to deliver consistent results to our clients and will bring these talents to your project as well. In the enclosed qualifications packet, you will find a summary of our qualifications that we feel are unique to us and separates us from other firms submitting for consideration.

We appreciate the opportunity to submit our qualifications to you for planning & concept design of your new Animal Control Shelter. We look forward to creating a new and unique solution to meet your specific needs.

Sincerely,



David G. Duman, AIA
707 W. Vickery Blvd, Suite 101
Fort Worth, Texas 76104
Direct Phone Number: 817-546-6315
E-mail: davidd@garch.com

It's not about the building, It's about the people.

FIRM PROFILE

Founded in 1992, Quorum Architects, Inc. is a versatile and talented, 17-person architectural and interior design firm. In May 2014, the firm celebrated 22 years in business. We thrive on our commitment to our clients, excellent design, and the environment. The firm relies on our dynamic and experienced team of architects, interior designers and other professionals to create exciting designs. All work is performed at our office or at the project site, if needed. We've also been known to work at consultant's offices, coffee houses or anywhere with a WI-FI connection and a close proximity to the project.



Point of Contact Information

Principal

David G. Duman

Direct Line: 817-546-6315

E-mail: davidd@qarch.com

Project Manager

Kim Dowdy

Direct Line: 817-546-6325

E-mail: kimd@qarch.com

Quorum Architects, Inc.
707 W. Vickery Blvd.
Fort Worth, TX 76104
Main Phone Line: 817-738-8095
Fax Number: 817-738-9524

→ We believe every
good design starts
with the space
between the
ears, not between the
walls.



quorum
Design. Spaces. People.

707 W Vickery Blvd Suite 101 Fort Worth Texas 76104 USA ph 817 738 8095 fx 817 738 9524 • qarch.com



FIRM PROFILE

What separates us from all other firms?

Expertise

Our team, consisting of David Duman (Principal) and Kim Dowdy (Project Manager), has a strong working knowledge of the activities, needs, relationships and operations of **animal shelter, welfare and adoption facilities**. With their combined experience, you can be assured that your project will get the very best attention it deserves. Our team is dedicated to making your project a success and will be available throughout your project at a moment's notice.

With our experience, the earlier Quorum is called upon to discuss your facility needs, the better we can help you with your planning. Quorum has done several needs assessments for various clients which helped them to determine location and area needs, space relationships, and operational as well as construction costs and budgetary needs.

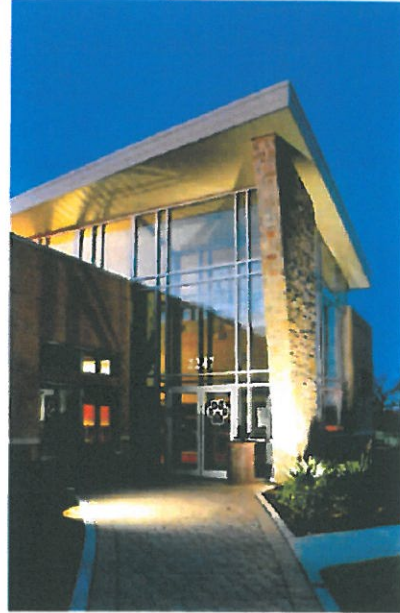
Related Experience

Our team's extensive **animal shelter, welfare and adoption facility master plan and design experience** is evident when you see how many successful projects we have been involved with, including these listed below:

- | | | |
|---------------------------------|--------------------------------|----------------------------|
| → City of Allen | → City of Lewisville | → City of San Marcos |
| → City of Carrollton | → City of Mesquite | → City of Seguin |
| → City of Cedar Hill (Tri-City) | → City of Murphy | → City of White Settlement |
| → Farmers Branch | → City of North Richland Hills | → Wichita Falls |
| → Greenville | → City of Richardson | |
| → Hickory Creek | (Original + 3 additions) | |
| → City of Lake Worth | → City of Rockwall | |

Responsiveness

Quorum has a proven track record. Not only does Quorum have as much animal control experience as probably any other firm in Texas, we also compare favorably to a select few national firms. This combination provides an excellent opportunity for the City to select Quorum Architects, Inc. as the most qualified firm based on significant similar experience.



June 26, 2014

Steven T. Wetz
Chief of Police
Fredericksburg Police Department
1601 East Main
Fredericksburg, Texas 78624

RE: Fredericksburg Animal Shelter
Needs Assessment and Concept Plan
Quorum Number: 14060

Dear Chief Wetz,

We are pleased to respond to your request for a fee proposal for Architectural Services for the Fredericksburg Animal Shelter Needs Assessment and Concept Plan development. We have provided herein a detailed description of each proposed task identified in the RFQ, culminating in a facility space needs, site selection, and concept site plan for the Bemice Jordan City Animal Control Facility. We are available to discuss our proposal at your convenience.

ARCHITECT'S BASIC SERVICES

1. **Meetings** - Shelter staff meetings and City Council, and Trustees meetings – Quorum will meet with the Shelter management and staff to gather information and needs of the staff to address capacity, spaces, processes, etc. This meeting will be done via conference call as suggested by the City. Quorum will present the results of the Needs Assessment to the City Council and the Trustees. Our proposal includes one on-site meeting.
2. **Needs Assessment** – Quorum will develop a Needs Assessment or building program which describes the Shelter needs including parking requirements, functional and spatial relationships of different spaces, such as administrative spaces, adoptive, stray, impound, isolation, and quarantine kennel areas, adoptive cat areas, cat holding, quarantine and isolation rooms, adoption interaction and counseling areas, Indoor Get to Know rooms and outdoor Get to Know courtyards, animal intake areas, work rooms, medical rooms, training, meeting and conference rooms, and ancillary spaces associated with this type of facility. During this data collection and analysis portion of this phase, we will rely on the empirical information provided by the City regarding historical, current and projected intake numbers, releases, adoptions, etc. as well as industry standards such as the Humane Society of the United States (HSUS), and American Veterinarians Medical Association (AVMA), along with interviews from the staff.
3. **Site Evaluation** –Quorum, along with M&S Engineering, will evaluate the site. We anticipate the evaluation criteria will likely include suitability for an animal shelter, proximity to key features, accessibility from all areas in the City, availability of utilities, cost, grading, drainage, etc. In order to reduce scope and fee, the City shall provide drawings indicating locations of utilities adjacent to the site, and review conceptual parking lot layout and access points developed by Quorum.
4. **Conceptual Design**–Quorum, will develop a Conceptual Site plan. The plan will include an analysis of the proposed site including, location, access, parking, flood plain, and general building code and local

ordinances. The concept design documents will include a conceptual site plans, a floor plan, and elevation sketches.

5. **Opinion of Probable Cost** – Quorum will provide a general opinion of probable cost. This information will be developed by Quorum as an estimate to be used for budgetary purposes only. It will utilize related unit costs for similarly constructed facilities recently designed by Quorum as a basis for using square foot costing methods. This is not intended to be used as a final construction cost estimate.

COMPENSATION

1. Compensation for Basic Architectural Services as described herein is proposed to be a lump sum fee of **Seventeen Thousand dollars (\$17,000)**, as described below, **plus reimbursable costs** for direct expenses such as printing, reproductions of documents and renderings, mileage, and other travel related expenses, which will be marked up 10%:
 - a. Meetings - \$1000
 - b. Needs Assessment - \$5500
 - c. Site Evaluation - \$3500
 - d. Conceptual Design - \$6000
 - e. Opinion of Probable cost - \$1000
 - f. Direct Expenses – (reimbursable as described above, not to exceed \$1000 without authorization)
2. Additional Services (Optional) – If there is a request to expand the scope of Basic Services, or to include Additional Services in the future, the fee will be negotiated based on the specific scope. This may include additional meetings with the County if they become a partner with the facility, additional meetings with the City or staff, revisions to previously approved work, multiple designs for comparison, or final design or construction documents. Additional Services work shall not be completed until approved by the Client.
3. Late payments: Accounts unpaid 30 days after the invoice may be subject to a monthly service charge of 1.5% (or the legal rate) on the then unpaid balance.

SCHEDULE

1. In consideration of the Scope identified, Quorum Architects will endeavor to complete our Basic Services within twelve weeks, assuming a Notice to Proceed is received by July 1, 2014. This proposed schedule may be affected or extended, by advertising and scheduling of various meetings, response times, or by the entities involved in the review and approval process, including the City of Fredericksburg and its various departments.

ADDITIONAL INFORMATION

1. Quorum Architects, Inc. will provide the Owner with architectural services as required and agreed upon for satisfactory and normal completion of this project. The Architect shall exercise usual and customary professional care in his efforts to comply with those laws, codes, ordinances, and regulations, which are in effect as of the date of this agreement.
2. The Architect and its Consultants shall have no responsibility for the discovery, presence, handling, removal or disposal of or exposure of persons to hazardous materials in any form at the Project site. The Owner shall obtain a hazardous material evaluation, prior to beginning any demolition or construction on site.

3. Client is to provide copies of any pertinent information, which affects the design, including but not limited to information on materials, site information such as a topographic survey, boundary survey, and geotechnical investigation, if available.
4. Architect will provide design and construction documents for architectural design elements and for coordination with mechanical, electrical, plumbing, and structural engineering. Ownership of the documents will remain the property of Quorum Architects, Inc., but the Client will be given printed and electronic documents, in PDF format, for its use.
5. Texas law requires registrants to provide all clients with the following written statement: "The Texas Board of Architectural Examiners, P.O. Box 12337, Austin, Texas 78711-2337 or 333 Guadalupe, Suite 2-350, Austin, Texas 78701-3942, (512) 305-9000, has jurisdiction over individuals licensed under the Architect's Registration Law, Texas Civil Statutes, and Article 249a".

Should you have any questions or additional concerns, please feel free to contact us at your convenience. Thank you for trusting Quorum Architects, Inc. to assist you in this endeavor.



Digitally signed by David Duman
Date: 2014.08.27 15:04:44-05'00'

David G. Duman, AIA TX Registration #14305
Quorum Architects, Inc.

Signature below will be accepted as our Notice to Proceed.

City of Fredericksburg

Date



CITY COUNCIL MEMO

DATE: July 7, 2014

TO: Mayor and City Council

FROM: Kent Myers, City Manager

SUBJECT: Early Retirement Incentive Program

Summary:

Last year the City Council approved a new Early Retirement Incentive Program for a one-year trial period.

Recommendation:

It is recommended that this Program be extended for two additional years.

Background / Analysis:

Last July the City Council approved a new program that was intended to create an incentive for early retirement. The details of this Program are described in detail in the attached report that Brad Kott prepared for the City Council last year. In approving this Program, the Council agreed to establish it for one year and then evaluate results to determine if the program should be extended. To date, we have had only one employee retire early who qualified for this Program. However, the Program will

(73)

The City of Fredericksburg

provide a total of over \$97,000 in cost savings to the City as a result of this retirement as shown on the attached report.

Recently several additional employees have indicated an interest in participating in the program if it is extended in the future. Based upon this interest and the fact that we have realized actual cost savings of almost \$100,000, it is recommended that the Program be extended for two more years. If approved, at the end of this period, City staff will present a report on the results of the Program and the Council could consider extending it for a longer period or making a permanent addition to our benefit program.



The City of Fredericksburg



Date: July 8, 2013
To: City Council
From: Brad Kott, Director of Finance
Subject: Early Retirement Incentive Program

Summary:

The purpose of this program is to allow retirement-eligible employees to retire prior to reaching the age of 65 that without this incentive would not be able to do so because of health insurance costs.

Many of the City's employees are eligible to retire under TMRS guidelines and have a healthy retirement annuity but cannot retire because when they do they must bear the cost of health insurance that was previously provided by the City.

This past year an employee committee was formed to help evaluate the City's compensation benefits. This early retirement incentive program was introduced to management from that committee.

The program would obviously benefit those employees eligible for this program by allowing them to retire sooner if that is their wish. This program is totally voluntary to those who are eligible.

The City would benefit from this program as well. Employees opting for early retirement assumingly would be replaced by a lower wage earner saving the City money in salaries and benefits. In addition the new employee would have less personal time off (PTO.) Finally, assuming the replacement employee is younger; statistics suggest our self-insured health insurance plan would benefit from a healthier employee.

On the flipside, the City loses the experience of the veteran employee in exchange for the replacement. However, in certain jobs that demand more physical attributes, the younger employee may perform better than the employee they are replacing.

The early retirement incentive program would be available to employees at age 60 that are eligible for retirement under TMRS guidelines and have been with the City for at least 10 years. The City would provide a lump sum payment at retirement based on the number of months from retirement to age 65. This would be a maximum of 60 months. The amount (\$700 used in the attached illustration) should be

agreed upon as to provide the early retiree with enough funds to pay their hospitalization insurance in the open market.

The City presently has 19 employees that would be eligible for the program. Realistically, the City believes that 4-6 of these employees might choose to participate in the program. The average salary of the 19 employees meeting the program's requirements is \$58,039.

The following illustration shows an employee that reaches age 60 and meets all of the program's criteria. For purposes of this illustration the average salary of the 19 eligible employees is being used. Also, the example assumes pay rate increases given to employees of 2% per annum, replacement wages equal to 80% of the early retiree wages, and a medical inflation factor of 5% per year. The targeted cost of insurance was based on the TMLIEBP retirement pool premiums.

Using the average wages of the City's eligible employees, this illustration shows that the City would make a lump sum payment to the early retiree participant of \$33,581 at the date of retirement. The City's total wage/benefit savings over the next 5 years would be \$77,444. When the early retirement cost of \$54,608 (the lump sum payout) is subtracted from the savings, it leaves the City with a net savings of \$31,029.

Recommendation:

Staff would like to receive the City Council's input on the program and its desire, if any, to implement such a program. If favorably received, staff requests feedback regarding the assumptions and variables used in the illustration model. The formalized program would then go back to Council for adoption at a later date.

Only after such a program is implemented and employees choose to participate will the City be able to measure actual monetary results.

Background / Analysis:

The Early Retirement Incentive Program is a product of the suggestions made to management by the employee benefits committee. That committee was recently formed by the City Manager to evaluate the City's employee benefits as compared to other municipalities and governmental entities.



Early Retirement Incentive Program Illustration

CITY'S COST SAVINGS					
Assumed Pay Rate Increases of 2%	1.02	2014	2015	2016	2017
Wages of Early Retirees					2018
Wages- New (80% of retiree)	80.00%	\$58,039 (46,431)	\$59,200 (47,360)	\$60,384 (48,307)	\$61,591 (49,273)
					<u>\$62,823</u> <u>(50,259)</u>
					\$302,037 (241,630)
					<u>\$60,407</u>
Wage Savings					
Benefit Savings					
Longevity	\$48	1,371	1,323	1,275	1,227
Payroll Taxes	7.65%	888	906	924	942
TMRS	10.00%	1,161	1,184	1,208	1,232
		\$15,028	\$15,253	\$15,483	\$15,719
Total Wages and Benefits Savings					<u>\$15,961</u>
Health Insurance Inflation Factor of 5%	1.05				
Retirement Package Pay	\$700.00	\$8,400	\$8,820	\$9,261	\$9,724
Payroll Taxes	7.65%	643	675	708	744
Retirement Expense	10.00%	840	882	926	972
Early Retirement Cost to City		\$9,883	\$10,377	\$10,896	\$11,440
					<u>\$12,012</u>
					<u>\$54,608</u>
Net Cost Savings to City					
		\$5,145	\$4,876	\$4,588	\$4,279
					<u>\$3,949</u>
					<u>\$22,837</u>
PTO Days per Year Savings					
		13	7	7	7
					<u>41</u>
EMPLOYEE LUMP SUM PAYOUT					
Gross Retirement Package Pay	\$700.00	\$8,400	\$8,820	\$9,261	\$9,724
TMRS Deduction	5.00%	(420)	(441)	(463)	(486)
Payroll Tax Deduction	7.65%	(643)	(675)	(708)	(744)
FIT Withholding	15.00%	(1,260)	(1,323)	(1,389)	(1,459)
		\$6,077	\$6,381	\$6,700	\$7,035
Lump Sum Payout					<u>\$7,387</u>
					<u>\$46,415</u> <u>(2,321)</u> <u>(3,551)</u> <u>(6,962)</u>
					<u>\$33,581</u>
Monthly Health Costs Covered					
		\$506	\$532	\$558	\$586
					<u>\$616</u>

Retirement Package to Cover Health Insurance Costs

Retirement packages are similar to severance packages, but they apply to workers who leave their jobs voluntarily after reaching an employer's retirement eligibility. This particular retirement package would benefit both the City and the employee.

It has come to the attention of City management that there are pre-65 employees that are eligible to retire under TMRS guidelines but can not because they will have to bear the entire cost of health insurance.

The retirement package would be available to employees at age 60 that have at least 15 years of service with the City. The City would provide a lump sum payment at retirement (calculated at \$700 per month through age 65.) After deductions for TMRS and payroll taxes, the employee would be left with \$611 per month to cover health insurance until they become eligible for Medicare at age 65.

The City will benefit from this arrangement as the retiree is replaced by an employee that is paid less wages and benefits. An average retirement package would save the City \$32,848 over a 5 year period. The City also would save 13 days of PTO in the first year and 7 days annually in years 2-5.

On the down side, the City loses the experience that the retiree possesses in exchange for an untrained new employee. On the flip side, a younger employee would be able to handle the physical aspects of certain jobs better than an older employee. In addition, younger employees on the average tend to be healthier than older employees. This would be a positive effect for our self-insured hospitalization plan.

The retirement package is voluntary for employees that are eligible.



Early Retirement Incentive - Donna Durst 12/31/2013-Final Results

CITY'S COST SAVINGS

Assumed Pay Rate Increases of 2.50%	1.025	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>Totals</u>
Wages of Early Retirees-D Durst \$22.53		\$46,862	\$48,034	\$49,235	\$50,466	\$51,727	\$246,324
Wages- New Donna Maxwell \$13.55	-60%	<u>(28,184)</u>	<u>(28,889)</u>	<u>(29,611)</u>	<u>(30,351)</u>	<u>(31,110)</u>	<u>(148,144)</u>

Wage Savings

		\$18,678	\$19,145	\$19,624	\$20,115	\$20,617	\$98,180
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Benefit Savings

Longevity \$4 per month of service	\$48	1,948	1,900	1,852	1,804	1,756	9,260
Payroll Taxes	7.65%	1,429	1,465	1,501	1,539	1,577	7,511
TMRS	<u>10.00%</u>	<u>1,868</u>	<u>1,915</u>	<u>1,962</u>	<u>2,011</u>	<u>2,062</u>	<u>9,818</u>

Total Wages and Benefits Savings

		\$23,923	\$24,425	\$24,940	\$25,469	\$26,012	\$124,769
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Incentive Months

		12	12	8			32
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Health Insurance Inflation Factor of 5%

Retirement Package Pay	\$700.00	\$8,400	\$8,820	\$6,174	\$0	\$0	\$23,394
Payroll Taxes	7.65%	643	675	472	0	0	1,790
Retirement Expense	<u>10.00%</u>	<u>840</u>	<u>882</u>	<u>617</u>	<u>0</u>	<u>0</u>	<u>2,339</u>

Early Retirement Cost to City

		\$9,883	\$10,377	\$7,264	\$0	\$0	\$27,523
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Net Cost Savings to City

		\$14,041	\$14,048	\$17,676	\$25,469	\$26,012	\$97,246
--	--	----------	----------	----------	----------	----------	----------

PTO Days per Year Savings

		15	9	9	9	9	51
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EMPLOYEE LUMP SUM PAYOUT

Gross Retirement Package Pay	\$700.00	\$8,400	\$8,820	\$6,174	\$0	\$0	\$23,394
TMRS Deduction	5.00%	(420)	(441)	(309)	0	0	(1,170)
Payroll Tax Deduction	7.65%	(643)	(675)	(472)	0	0	(1,790)
FIT Withholding	20.00%	<u>(1,680)</u>	<u>(1,764)</u>	<u>(1,235)</u>	<u>0</u>	<u>0</u>	<u>(4,679)</u>
Lump Sum Payout		\$5,657	\$5,940	\$4,158	\$0	\$0	\$15,756

Monthly Health Costs Covered

		\$471	\$495	\$520	\$0	\$0	\$0
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