



REGULAR CITY COUNCIL MEETING AGENDA
MONDAY, AUGUST 16, 2021 ~ 6 P.M.
LAW ENFORCEMENT CENTER
1601 EAST MAIN STREET
FREDERICKSBURG, TEXAS 78624

Charlie Kiehne, Mayor
Tom Musselman, Councilmember
Bobby Watson, Councilmember

Jerry M. Luckenbach, Councilmember
Kathy O'Neill, Councilmember
Kent Myers, City Manager

The City of Fredericksburg City Council will meet in a regular session on Monday, August 16, 2021 at 6 p.m. This meeting will be held in person and live stream on our YouTube Channel.

Link to City of Fredericksburg YouTube Channel [Fredericksburg, Texas USA - YouTube](https://www.youtube.com/c/FredericksburgTexasUSA)
(<https://www.youtube.com/c/FredericksburgTexasUSA>)

Audio of this meeting will be recorded and uploaded to the City website following the conclusion of the meeting.

1. CALL TO ORDER

2. INVOCATION

(George Studor)

3. PLEDGE OF ALLEGIANCE

4. EMPLOYEE RECOGNITIONS

5. PUBLIC COMMENTS

The City Council welcomes citizen participation and comments at all City Council Regular Meetings. The City Council offers citizens the opportunity to address them by signing up to speak prior to the meeting and to limit comments to 3-minutes.

Written Comments: to be submitted remotely:

1. Must be received by 3 p.m. on August 16, 2021.
2. Complete the Citizen Comment Form online at [Fredericksburg, TX - Official Website \(fbgtx.org\)](https://fbgtx.org); or
3. Email your comments to CitizenComments@fbgtx.org or
4. Complete a Citizen Comment Form located inside the Public Access entrance at 126 W. Main Street, Fredericksburg, Texas, and place in the box marked Citizen Comment Form.

Copies of the submitted comments will be provided to the City Council and made public on the City website under the "**August 16, 2021**, City Council Regular Meeting" tab.

Verbal Comments:

1. Sign up in-person between 5:30 p.m. and 6 p.m. at the Law Enforcement Center in order to comment.
2. You will be limited to 3 minutes to speak.

NOTE: The Texas Open Meetings Act permits a member of the public or a member of the governmental body to raise a subject that has not been included in the notice for the meeting. However, any discussion of the subject must be limited to a proposal to place the subject on the agenda for a future meeting and any response to a question posed to the City Council is limited to either a statement of specific information or recitation of existing policy. TEX. GOV'T CODE § 551.042.

6. CONSENT

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

- A.** Consider approval of City Council Minutes (Shelley Goodwin, City Secretary)
 - i. August 2, 2021 Workshop
(Agenda Packet Pages 5-)
 - ii. August 2, 2021 Regular Meeting
(Agenda Packet Pages 9-)
 - iii. August 4, 2021 Workshop
(Agenda Packet Page 13-)
- B.** Consider approval of a request from Bestfest to close one south-bound traffic lane and parking lane adjacent to Marktplatz on North Adams from Austin to Main Street beginning Friday, October 15, 2021, at 8 a.m. until Sunday, October 17, 2021, at noon (Jennifer Krupa, Special Events Coordinator).
(Agenda Packet 19-)

7. PUBLIC HEARING

- A.** Hold a public hearing to receive citizen comments for or against a request by Steve and Marsha Mengle to consider a Conditional Use Permit (CUP) per Section 3.510 to Construct a first-floor bed and breakfast unit in the Historic Shopping District Overlay on property located at 211 W. Austin (Z-2113) (Jason Lutz, Development Services Director).
(Agenda Packet Pages 23)
- B.** Hold a public hearing to receive citizen comments for or against a request by Wes and Tammy Pack to consider a Conditional Use Permit (CUP) per Section 3.510 to Construct a first-floor bed and breakfast unit in the Historic Shopping District Overlay on property located at 514 W. San Antonio (Z-2114) (Jason Lutz, Development Services Director).
(Agenda Packet Pages 29)

8. OTHER ACTION ITEMS AND UPDATES

- A.** Consider the approval of an Order of Special Election for November 2, 2021 for the purpose of a proposed Measure related to Town Pool Splashpad (1st of two readings; City Council may waive 2nd reading) (Daniel Jones, City Attorney and Shelley Goodwin, City Secretary)
(Agenda Packet Pages 33-40)
 - i.** Discussion on Town Pool/Splash Pad Information meetings and citizen input (Andrea Schmidt, Parks and Recreation Director).
(Agenda Packet Page 41-64)
- B.** Consider an approval of a request by Steve and Marsha Mengle to consider a Conditional Use Permit (CUP) per Section 3.510 to Construct a first floor bed and breakfast unit in the Historic

Shopping District Overlay on Property Located at 211 W. Austin (Z-2113) (Jason Lutz, Development Services Director)
(Agenda Packet Pages 23 28)

- C. Consider an approval of a request by Wes and Tammy Pack to consider a Conditional Use Permit (CUP) per Section 3.510 to Construct a first floor bed and breakfast unit in the Historic Shopping District Overlay on Property Located at 514 W. San Antonio (Z-2114) (Jason Lutz, Development Services Director)
(Agenda Packet Pages 29 32)
- D. Consider an approval of an annexation agreement related to the request by Mark Cornett for a voluntary annexation for property located at 651 Post Oak Road (Jason Lutz, Development Services Director).
(Agenda Packet Pages 65-78)
- E. Consider the announcements related to the proposed Fiscal Year 2022 Budget (Laura Hollenbeak, Finance Director):
 - i. Filing the proposed Fiscal Year 2022 Budget with the City Secretary.
 - ii. Public Hearing to receive comments on the Proposed Budget for Fiscal Year 2022, at 6:00 p.m. on Monday, August 23, 2021, at the Law Enforcement Center located at 1601 East Main, Fredericksburg, Texas 78624.

9. CITY MANAGER REPORT

- A. Budget Update
- B. STR Update

10. ITEMS FOR FUTURE AGENDA

(Agenda Packet Pages 79-80)

11. COUNCIL COMMENTS

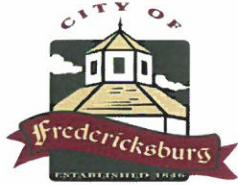
Reports about items of community interest, which no action will be taken.

12. ADJOURN

This is to certify that I, Shelley Goodwin, posted this Agenda at 3:35 p.m. on August 11, 2021, at the main entrance bulletin board of the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.



Shelley Goodwin, TRMC
City Secretary



**CITY COUNCIL AND GILLESPIE COUNTY
COMMISSIONERS COURT
JOINT WORKSHOP MINUTES
MONDAY, AUGUST 2, 2021 – 8:30 A.M.
CITY HALL - FIRE TRAINING ROOM
126 W. MAIN STREET
FREDERICKSBURG, TEXAS 78624**

City Council Members Present:

Mayor Charlie Kiehne (left the meeting at 11:05 a.m.)
Councilmember Jerry Luckenbach
Councilmember Tom Musselman
Councilmember Kathy O'Neill
Councilmember Bobby Watson

Members Absent:

None

County Commissioners Present:

County Judge Mark Schroeder
Commissioners Donnie Shue
Commissioner Charlie Olfers
Commissioner Kevin Kramer
Commissioner Neffendorf

Members Absent:

None

City Staff Present:

Kent Myers, City Manager
Clinton Bailey, Assistant City Manager/Director of Public Works and Utilities
Lynn Bizzell, Fire Chief
Daniel Jones, City Attorney
Brian Vorauer, Police Department Lt.
Eric Whiting, Information Technology Director
Jason Lutz, Development Services Director
Regan Rabke, Fire Marshall
Andrea Schmidt, Parks Department Director
Laura Hollenbeak, Finance Director
David Kellam, Assistant Finance Director
Krista Wareham, City Accountant
Garret Bonn, Assistant Engineer
Lea Fugue, Public Information Officer
Justin Calhoun, Emergency Management Coordinator
Frank Stead, Fire Department Safety Officer
David Jung, EMS Administrator
Lori Seawall, Account Administrator

1. CALL TO ORDER

Mayor Kiehne called the work session meeting of the Fredericksburg City Council and Gillespie County Commissioners to order at 8:30 a.m. on Monday, August 2, 2021. Mayor Kiehne and County Judge Stroeder announced a quorum of the City Council and Commissioners present.

2. PUBLIC COMMENTS

No one signed up to speak.

3. PRESENTATION, DISCUSSION, REVIEW AND POSSIBLE DIRECTION

Kent Myers, City Manager, reviewed the budget schedules. He noted these numbers are preliminary figures. Staff was seeking feedback from City Council and County Commissioners.

A. Economic Development Commission Funding

Tim Limburger, EDC, reviewed his request for \$240,000, increase of \$100,000. There hasn't been an increase for the last 6 years and has moved his last funds in reserves to his operating fund. He would like to put funds back into reserves.

The consensus from the City Council and Gillespie County Commissioners Court was to support but encouraged next time EDC should request smaller annual increases.

B. Gillespie County Health Services

Kent Myers, City Manager, reviewed the changes to the State Law regarding health permit fees.

Kelli Olfers, Health Director, reviewed the Health and Safety Permit and fees. The growth that the Health Department has experienced has created more staff time.

C. City/County Emergency Management Services

Kent Myers, City Manager, reviewed the proposed budget.

Justin Calhoun Emergency Management Service Coordinator, reviewed the proposed budget and what was experienced during the ice storm related to the East and West Tower Generator.

D. City Fire Department

Kent Myers, City Manager, reviewed the proposed budget and possibility of an ESD to finance a new station, equipment, and operations.

Lynn Bizzell, Fire Chief, and Frank Stead, Fire Department Safety Officer, reviewed a PowerPoint on the data for calls.

Chief Bizzell stressed the importance of the new Fire Station being in the area of the calls coming from.

The County Commissioners discussed the need to look at County Assistance District especially with the new Tax Rate caps.

Lynn Bizzell, Fire Chief, noted the two trucks needing to be replaced were originally purchased by County. He also reviewed the need to replace the radio system due to it's age.

The City Council agreed by consensus to look at creating an Ad Hoc Committee (2 County Commissioners and 2 City Councilmembers) to review Emergency Service District.

E. County Rural Fire Services

Larry Crump, reviewed the figures for the County Rural Fire Services.

F. City EMS Department

Kent Myers, City Manager, reviewed the City EMS Department increase:

- Six new paramedics
- Increase EMS charge of \$100 per call
- New ambulance due to new increase of calls (paying out over 3 years)
- Salary increases for part-time EMS

David Jung, EMS, reviewed how they arrived at the \$100 increase for the EMS charges.

G. Law Enforcement Center (LEC)

Judge Stroehrer, County Judge, reviewed the LEC budget and noted the increase to the proposed budget. He also noted the need for additional secured filing cabinets for the jail.

H. Combined Emergency Dispatch Center

Judge Stroehrer, County Judge, reviewed the proposed budget. He noted that the following:

- new phone system
- 10 satellite phones,
- travel expenses due to CELO requirements
- Extra pay for 4 Communication Specialists.

I. Housing Coordinator Position

Kent Myers, City Manager, provided information on the joint request from Chamber, City and partnership within the Community. He requested the City and County to each consider funding \$25,000.

Todd Eidson, Chamber President, noted the need for a contract employee to spend full time on workforce housing. He provided the need for an expert in this field. The position would pay \$75,000 to \$80,000 plus provide a cell phone. He reviewed the sources of payments from other organization that would help fund the position.

Councilmember O'Neill, member of the Task Force, provided the research she has done on affordable housing and found that we needed a expert. She stated this position would be a for one year contract employee.

The City Council discussed the needs for this position and the need to make them a contract employee who will report to a committee of state holders.

The County Commissioners discussed the position and how they would like to see more funding from the community.

J. Sports Park

Kent Myers, City Manager, reviewed the history of the Sports Park.

Clinton Bailey, Assistant City Manager and Public Works/Utility Director, reviewed the new interest from private individuals. The City is currently working with the Soccer Association and they have developed a plan. He noted the Little League has currently not developed a plan. He stated the City has ear marked \$850,000 out of Water Department Budget, to fund the affluent irrigation pond, which will extend the currently location of the lines to the fields.

Dan Kemp, Soccer Association, stated the association will take on the maintenance of the field. He noted the association has found portable lighting. He noted they have pledges from private sector but can get more with a commitment from the City and County. Currently, there are 500+ kids in the program and there is a need for the following:

- Better grass
- Removable of rocks for safety reason
- Restrooms/Concession Stand

K. American Rescue Fund

Kent Myers, City Manager, stated the City is estimated to receive \$2.8 million and the Gillespie County is estimated to receive \$5 million from the Department of Treasury. He reviewed the different items the funds can be spent on. He also reviewed what the City is proposing to use their funding for.

Eric Whiting, IT Director, reviewed the Broadband PowerPoint presentation and the need to extend Broadband services to other areas of Gillespie County.

4. ADJOURN

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Watson, to adjourn the Monday, August 2, 2021, City Council Workshop at 11:20 a.m. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

Charlie Kiehne
Mayor

ATTEST

Shelley Goodwin, TRMC
City Secretary



CITY OF FEDERICKSBURG

MINUTES OF CITY COUNCIL REGULAR MEETING AUGUST 2, 2021

The City of Fredericksburg City Council held their regular session on Monday, August 2, 2021 at 6 p.m. This meeting was held in person at the Law Enforcement Center and live streamed on the Fredericksburg YouTube Channel.

Members Present:

Mayor Charlie Kiehne
Councilmember Jerry Luckenbach
Councilmember Tom Musselman
Councilmember Kathy O'Neill
Councilmember Bobby Watson

Members Absent:

None

City Staff Present:

Kent Myers, City Manager
Clinton Bailey, Assistant City Manager/Director of Public Works and Utilities
Daniel Jones, City Attorney
Steve Wetz, Police Chief
Eric Whiting, Information Technology Director
Andrea Schmidt, Parks and Recreation Director
Jason Lutz, Development Services Director
Kris Kneese, Assistant Public Works Director
Jennifer Krupa, Special Events Coordinator
Shelby Collier, Asst. Planner
Leslie Ball-Embrey, Administrative Assistant
Shelley Goodwin, City Secretary

1. CALL TO ORDER

Mayor Kiehne called the regular meeting of the Fredericksburg City Council to order at 6:00 p.m. on Monday, August 2, 2021.

2. INVOCATION

Pastor Michael Burdick, Victory Fellowship, led the Invocation.

3. PLEDGE OF ALLEGIANCE

Mayor Kiehne led the Pledge of Allegiance.

4. EMPLOYEE RECOGNITIONS

Kent Myers, City Manager, provided the following:

- Thank you to Shelley Goodwin, City Secretary, and the City Secretary Office, for filling in for Lea Fergie, Public Information, while she was out.
- Thank you to Andrea Schmidt and Trevor Dupuis, and other Parks Department members for assisting the Golf Course.

5. PUBLIC COMMENTS

Kathy Lux, County resident, spoke regarding a Border Rally in Hondo, Texas.

Kimberly Lam, City resident, spoke regarding the COVID Vaccine.

Judith Roth, City resident, spoke regarding the STR meetings.

Tom Marschall, City resident, spoke regarding the Newburg Code and July 19, 2021 City Council Minutes.

Jett Burn, County resident, spoke regarding mask mandates and lockdowns.

Jeannette Hormuth, City resident, spoke regarding the COVID Vaccine.

Robert Phoenix, County resident, spoke regarding Dr. Ben Edwards, STRs, and COVID-19.

Edward Rhode, County resident, spoke regarding the annexation passed in 2019.

6. CONSENT

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

A. Consider approval of City Council Minutes (Shelley Goodwin, City Secretary)

- i. July 12, 2021 Workshop
- ii. July 14, 2021 Workshop
- iii. July 19, 2021 Workshop
- iv. July 19, 2021 Regular Meeting

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Luckenbach, to approve Consent Agenda items A. i. – iv. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

7. ORDINANCES AND RESOLUTIONS

A. Consider the approval of Ordinance 2021-17 amending Article IV. Sales of Alcoholic Beverages of Chapter 8-Businesses, of the Code of Ordinances, to modify the collection of Alcoholic Beverage License Fees and issuance of Alcoholic Beverage Licenses, moving from an annual fee and license to a two-year fee and license, to conform with changes in State Law related to same, and providing for an effective date (1st of two readings; City Council may waive 2nd reading) (Daniel Jones, City Attorney and Shelley Goodwin, City Secretary).

Shelley Goodwin, City Secretary, provided a PowerPoint presentation regarding the proposed changes to Texas Alcoholic Beverage Commission regulations and the City process for licensing.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Luckenbach, to approve Ordinance 2021-17 amending Article IV. Sales of Alcoholic Beverages of Chapter 8-Businesses, of the Code of Ordinances, to modify the collection of Alcoholic Beverage License Fees and issuance of Alcoholic Beverage Licenses, moving from an annual fee and license to a two-year fee and license, to conform with changes in State Law related to same, and providing for an effective date, and waive the 2nd reading. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

8. OTHER ACTION ITEMS AND UPDATES

A Consider a request from Judy Vordenbaumn to exchange property on Friendship Lane (Kent Myers, City Manager)

Stuart Barron, provided a presentation on behalf of his mother. He read a letter and noted this project is a way to honor his father and great-great-grandfather.

The City Council agreed to discuss this Agenda Item after the conclusion of the Executive Session.

After Executive Session.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Luckenbach, to deny Judy Vordenbaumn's request to exchange property on Friendship Lane. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

B. Consider approval to initiate a Text Amendment to the Zoning Ordinance Regarding Short-Term Rentals (Jason Lutz, Development Services Director)

Jason Lutz, Development Services Director, stated the past several months, staff has been reviewing data, other City regulations, and possible changes to the City's Zoning Code regarding Short-Term Rentals. Based on issues identified via public meetings, recommendations from owners and operators of STRs, and direction by City Council, several sections of the City Code will need to be amended. He noted that to begin amending the Ordinance, the City Council will need to initiate the amendments formally.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember O'Neill, to approve the initiation of a Text Amendment to the Zoning Ordinance Regarding Short-Term Rentals. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

9. CITY MANAGER REPORT

A. Budget Update

Kent Myers, City Manager, provided an update on the budget process

- Wednesday, 8-4-21 at 4 p.m. City Council Work Session
- Wednesday, 8-11-21 at 4 p.m. City Council Work Session
- Monday, 8-23-21 at 6 p.m. at Law Enforcement Center for public hearings on the proposed budget and tax rate.

He also noted the City has not received the appraisal information from Gillespie County Appraisal District.

B. Covid Update

Kent Myers, City Manager, stated the City currently has a 23% positive rate, and there are six 6 people in Hill Country Memorial Hospital.

C. STR Code Enforcement Activities

Jason Lutz, Development Director, noted the following:

- 15 STR violation (parking trash, noise)
- 145 in new STR in the beginning stage of the process
- New Code Enforcement Officer Theodore Boil will begin on August 16, 2021.

10. ITEMS FOR FUTURE AGENDA

Kent Myers, City Manager, reviewed the Future Agenda items.

11. COUNCIL COMMENTS

Councilmember Luckenbach stated the Marktplatz Redevelopment Commission is raising \$1.3 million for the improvements, and currently, they are short \$218,000. He also spoke regarding the positive COVID cases and the vaccine.

Mayor Kiehne spoke regarding the respect that he has witnessed regarding the wearing of a mask.

12. EXECUTIVE SESSION

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Sections- 551.071 (Consultation with Attorney) and 551.072 (Deliberation Regarding Real Property),

- A. Consider and discuss The City of Fredericksburg, Texas vs Arch Ray, LLC, and Fiesta on the River RV Resort, LLC, pending in the 216th District Court -- 551.071**
- B. Consider and discuss the purchase, exchange, lease, or value of real property, located in the vicinity of the intersection of Friendship Lane and US Hwy 87 S, in the City of Fredericksburg, Texas. -- 551.072**

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Luckenbach, to go out of the Regular Meeting into Executive Session at 7:15 p.m. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Musselman, to go out of the Executive Session into Regular Meeting at 7:47 p.m. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

13. BUSINESS ITEM

The City Council then considered Agenda Item #8.A.

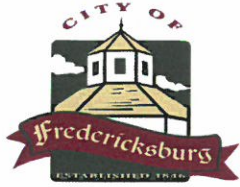
14. ADJOURN

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Luckenbach, to adjourn the Monday, August 2, 2021, City Council Regular Meeting at 7:48 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Charlie Kiehne
Mayor

ATTEST

Shelley Goodwin, TRMC
City Secretary



CITY OF FREDERICKSBURG MINUTES OF CITY COUNCIL WORK SESSION AUGUST 4, 2021

The City of Fredericksburg City Council held their work session on Wednesday, August 4, 2021 at 4 p.m. This meeting was held in person at the Lady Bird Johnson Golf Course-Cardinal Room.

Members Present:

Mayor Charlie Kiehne left 6:05 p.m.
Councilmember Jerry Luckenbach
Councilmember Tom Musselman
Councilmember Kathy O'Neill
Councilmember Bobby Watson

Members Absent:

None

City Staff Present:

Kent Myers, City Manager
Clinton Bailey, Assistant City Manager/Director of Public Works and Utilities
Lynn Bizzell, Fire Chief
Daniel Jones, City Attorney
Steve Wetz, Police Chief
Brian Vorauer, Police Department Lt.
Braxton Roemer, Police Special Services Lieutenant
Eric Whiting, Information Technology Director
Jason Lutz, Development Services Director
Regan Rabke, Fire Marshall
Andrea Schmidt, Parks Department Director
Laura Hollenbeak, Finance Director
David Kellam, Assistant Finance Director
Krista Wareham, City Accountant
Garret Bonn, Assistant Engineer
Lea Fugue, Public Information Officer
Justin Calhoun, Emergency Management Coordinator
Shelley Goodwin, City Secretary

1. CALL TO ORDER

Mayor Kiehne called the regular meeting of the Fredericksburg City Council to order at 4:00 p.m. on Wednesday, August 4, 2021. Mayor Kiehne announced a quorum of the City Council present.

2. PUBLIC COMMENTS

George Studor, City resident, spoke regarding the Emergency Management Budget.

3. WORK SESSION ITEM

A. Consider, discuss, and take action on the Fiscal Year (FY) 2021/2022 on the following Funds(Kent Myers, City Manager and Laura Hollenbeak, Finance Director):

i. Electric Fund Proposed Budget

Kent Myers, City Manager, reviewed the past two years' major capital items in the Electric Fund Budget. He noted the proposed Electric Fund Budget for next year is \$12,547,419, which is a sizeable decrease from the current budget of \$13,391,503. The Budget includes 50% of the costs for the Meter Tech position added during the mid-year budget process. As in the other funds, this Budget also consists of a 2% merit increase and a 2% COLA increase for electric employees. The Budget does not include the purchase of land for a substation.

The City Council discussed doing an Electric Rate comparison and a possible Electric Rate increase in small increments. They also asked for an LCRA update on power payments and the number of years left to pay on the agreement.

Kyle Treibs, Electric Department, noted during the winter storm, the City felt it was more important to keep the lights on, which caused the City to buy power at a higher rate.

ii. Water Fund Proposed Budget

Kent Myers, City Manager, noted that Water Fund Proposed Budget is \$17,447,871, increasing from \$9,528,132. He stated this budget includes:

- purchase of new generators at all water well and water pump sites and using American Rescue Funds
- ½ of the costs for the Meter Tech position
- a new bobcat.

Proposed capital improvements include the following:

- Completion of the Boot Ranch Lift Station-\$1,500,000 (75% funded from impact fees)
- Water and sewer improvements in W. Live Oak Road area \$1,155,000 (impact fees)
- Water main rehab projects \$300,000
- Sewer main rehab projects \$300,000
- E. Main Street water rehab -\$3,000,000 (\$2 million from remaining water bond funds)
- Friendship Lane sewer improvements \$2,000,000 (impact fees)
- Effluent irrigation improvements for Sports Park-\$850,000
- Pressure relief valve for Heritage Hill Country area-\$100,000

Clinton Bailey, Assistant City Manager and Public Works/Utility Director, stated Dan Kemp with Soccer Association stated they could move forward with their plans as long as the Effluent Water Project is done.

The City Council requested a diagram of the Effluent Water System and the creation of a separate Boot Ranch revenue line item.

iii. Golf Fund Proposed Budget

Kent Myers, City Manager, discussed the loan that Water and Electric Department provided to the Golf Course in 2013. He noted Daniel Jones, City Attorney, is reviewing the laws regarding waiving repayment.

The City Council discussed the balance of the payback loan.

iv. Sanitation Fund Proposed Budget

Kent Myers, City Manager, discussed the proposed budget, which includes the following:

- one additional employee
- new garbage truck
- zero turn mower
- partial funding of a message board
- new trash cans
- partial funding of engine diagnostic equipment

Garret Bonn, Assistant Engineer, stated staff would like to hold a workshop to discuss the landfill and the future sanitation plans.

v. EMS Fund Proposed Budget

Kent Myers, City Manager, reviewed the Proposed Budget of \$3,934,656, a major increase over the current budget of \$3,055,277. This Budget includes the following:

- a recommended increase in EMS charges of \$100 per call
- increase from \$15.70 an hour to \$19.45 an hour for part-time EMS employees
- purchase of a new ambulance at the cost of \$107,606 for three years.

He noted with increases in calls, a third EMS unit based at the South Station is needed, that will require six additional paramedics to fully Staff.

vi. Tourism Fund

Kent Myers, City Manager, stated based upon our discussions, the proposed Budget includes a 7% increase over our projected HOT revenues from the current year. The projected revenue. The total Tourism Fund Budget proposed for next year is \$5,421,909. Other significant changes in this Fund that are proposed in FY 2022 include the following:

- Addition of new full-time employee dedicated to the maintenance of Marktplatz due to the retirement of Stephen Itz
- Addition of janitorial services for cleaning of restrooms at Marktplatz and Visitor's Center seven days a week
- Increase in funding for special events such as the New Year's Eve event that was eliminated during COVID
- Funding for the additions to Marktplatz, which includes carry-over of the \$200,000 approved last year and an additional contribution of \$200,000
- Replacement of Christmas lights that were damaged during the winter storm.
- Contract with the Former Texas Rangers to operate Fort Martin Scott if approved by the City Council next month.

Ernie Loeffler, CEO of CVB, reviewed the proposal for a Visitor Tourism Master Plan. He also discussed the need for expanding the building.

Jennifer Krupa, Special Events Coordinator, reviewed the new line item for Fort Martin Scott.

Andrea Schmidt, Park Director, noted the need for Janitorial Services and the cleaning process. She reviewed the proposed Former Texas Ranger management plan of to take over management of Fort Martin Scott.

The City Council discussed the possibility of using Tourism Funds for a parking garage. They also discussed the Christmas lights. They also noted the future budgets need to include the maintenance of the Visitor Center Restrooms at Pioneer Museum.

vii. Drainage Fund Proposed Budget

Kent Myers, City Manager, reviewed the proposed Budget and noted no increase in drainage fees are proposed for the coming year. The total budget for the Drainage Fund is \$734,708 compared to the current budget of \$649,683. This Budget includes:

- a new residential street sweeping program
- an addition of one new employee
- a new street sweeper at the cost of \$103,283 over three years.
- design of the N. Llano storm sewer project, which we hope to begin in the next several years

Clinton Bailey, Assistant City Manager/Director of Public Works and Utilities, discussed the need for street sweeper and additional personnel.

Garret Bonn, Assistant Engineer, reviewed the need for an additional person to assist with street sweeping, tree trimming, and vegetation management. He explained the way the program will work.

viii. Food and Wine Fund Proposed Budget

Kent Myers, City Manager, noted that there are no changes to the Food and Wine Fund.

ix. Emergency Management Fund Proposed Budget

Kent Myers, City Manager, stated the Emergency Management includes purchasing two new generators for two of the radio towers.

x. Police Forfeiture Fund Proposed Budget

Braxton Roemer, Police Special Services Lieutenant, reviewed what the Forfeiture Fund is used for.

xi. Capital Projects Fund-Water and Wastewater Proposed Budget

Kent Myers, City Manager, reviewed the Capital Projects Fund-Water and Wastewater proposed budget.

xii. Animal Services Special Revenue Fund Proposed Budget

Kent Myers, City Manager, reviewed the Animal Services Special Revenue Fund proposed Budget and why the fund was created.

xiii. Parks and Recreation Special Revenue Fund Proposed Budget

Kent Myers, City Manager, reviewed the Parks and Recreation Special Revenue Fund proposed budget.

xiv. Health Insurance Fund Proposed Budget

Kent Myers, City Manager, reviewed the Health Insurance Fund proposed Budget and stated this budget includes a 10% increase in health insurance contributions.

xv. Proposed Property Tax Rate

Laura Hollenbeck, Finance Director, reviewed the 2021 Tax Rate Scenarios, Tax Rate Comparison, and 2021 Tax Rate Calculation Worksheet. She reviewed the different tax rates, last year's tax rate, and voter approval tax rate that would cause an election.

The City Council discussed the different proposed tax rates. They asked for scenarios to be created for a 3.5 cent tax and maintaining our current tax rate to be brought back for discussion at the next Work Session.

xvi. Employee Salaries

Tammie Loth, Human Resources, reviewed Exhibit B Salary Survey Results.

Kent Myers, City Manager, reviewed the results and noted we are below market rate in most positions. He reviewed the need to stop Fredericksburg from being a training ground for other Cities.

xvii. Budget for Town Pool

Andrea Schmidt, Parks and Recreation Director, reviewed the maintenance and operation of the Pool and proposed Splash Pad. She also reviewed the results of the meetings regarding the proposed Splash Pad. She noted the most popular option is #2.

The City Council discussed the different options and requested that Staff look at other cities with Splash Pads and make a size comparison. They also discussed the need for adding the maintenance and operation of the pool and splash pad to the Budget.

xviii. American Rescue Plan Funds

Kent Myers, City Manager, reviewed the different items the ARP Funds can be used for.

The City Council discussed using the ARP Funds on as many items as they can.

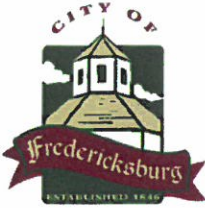
4. ADJOURN

Motion: A motion was made by Councilmember Watson, seconded by Councilmember O'Neill, to adjourn the Wednesday, August 4, 2021, City Council Workshop at 6:55 p.m. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

Charlie Kiehne
Mayor

ATTEST

Shelley Goodwin, TRMC
City Secretary



CITY COUNCIL MEMO

DATE: August 9, 2021
TO: Mayor and City Council
FROM: Jennifer Krupa, Special Events Coordinator
SUBJECT: Street Closure Request – Bestfest 2021

Summary:

Bestfest is an annual event sponsored by the Knights of Columbus and is held each October at Marktplatz. This year's event will take place on Saturday, October 16th. Event organizers have requested to close one southbound traffic lane and the parking lane of N. Adams Street, adjacent to Marktplatz from Austin to Main Street beginning Friday, October 15, 2021, at 8 a.m. and ending Sunday, October 17, 2021, at 12 p.m.

Recommendation:

Recommend Council consider a motion to approve the request to close one southbound traffic lane and parking lane adjacent to Marktplatz on North Adams from Austin to Main Street beginning Friday, October 15, 2021, at 8 a.m. until Sunday, October 17, 2021, at noon for Bestfest.

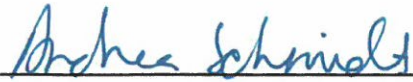
Background / Analysis:

City council has approved this same street closure request in 2018 & 2019. Bestfest was not held in 2020 due to the coronavirus. The police department and streets division have approved this street closure request internally.

Attachments:

The City of Fredericksburg

Special Events Street Closure Request Form



Department Approval



City Attorney Approval



City Manager Approval

The City of Fredericksburg

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SPECIAL EVENTS STREET CLOSURE REQUEST



Street closure requests must be made two (2) months in advance to City Council for any closure two (2) hours or more. Please consider this timeline when submitting your request. Please also attach the notification letter you will send to abutting property owners (if applicable) with this request to the Special Events Coordinator.

Event Name:	<u>Boatfest</u>
Event Date(s):	<u>10.16.21</u>
Contact Name:	<u>John Eilers</u>
Contact Phone:	<u>() 456.6279</u>

Closure Area:

☐ Entire Street
 ☒ Parking Lane Only
 ☒ Partial Street
 ☐ Blocking City owned property

Side of street: West (N,S,E,W)
 Side of street: W
 Location: _____

Additional details (attach additional pages as needed for more streets and describe details of use below):
 Historically, we have requested the right, southbound lane of North Adams be closed from Friday morning at 8:00 AM to noon Sunday.

If that works for the city, we would appreciate the same closure.

Street Closure Details:

Street Name	Between (cross street)	And (cross street)	Start Date	Start Time	End Date	End Time
Example:	Crockett Street	Adams Street	Friday, 4/2/21	6:00 PM	Sunday, 4/4/21	12:00 PM
N. Adams	Main Street	Austin Street	Friday, 10.15.21	8:00 AM	Sunday, 10.17.21	12:00 PM

If the event will impact surrounding property owners, a notification letter is required to be sent to property owners at least two weeks prior to the event date. Attach a copy of the notification letter and a list of addresses the letter will be sent to.

Date notice provided: N/A

Printed Name: Matt Seidenberger

Date: _____

Signature: Matthew Seidenberger

Date: 8-6-21

Street Department: A. Koerneckc via email

Date: 8-9-21

Police Department: Lt. Voraver via email

Date: 8-6-21

Parks Department: Jaigler KP

Date: 8-6-21



CITY COUNCIL MEMO

DATE: August 16, 2021

TO: Mayor and City Council Members

FROM: Jason Lutz

SUBJECT: Z-2113 – Public Hearing, Consideration, and Action regarding a request by Steve and Marsha Mengle to consider a Conditional Use Permit (CUP) per section 3.510 to construct a first-floor bed and breakfast unit in the Historic Shopping Overlay District on property located at 211 W. Austin St.

Summary:

The applicant is requesting a conditional use permit for the property at 211 W. Austin St. to construct a first-floor bed and breakfast unit.

Background / Analysis:

The site is in the CBD zoning district and is currently a 2,900 s.f. single-family residential structure. The applicant is looking to construct an 8-unit Short-term rental facility (STR) to include an office, commercial kitchen, and a living quarters for an onsite manager.

Zoned:	CBD
Lot Size:	17,903 s.f. (0.41 acres)
Setbacks:	0' front yard (5' provided), 0' side yard (3' provided), 0' rear yard (30' provided)
Density:	1,600 s.f. per efficiency unit required (2,238 s.f. provided per efficiency unit)
Impervious Cover:	90% allowed (55% proposed)
Building Height:	3 stories & 38' allowed (1.5 story & 21' proposed)
Parking:	1 space per STR unit (8) & 2 per managers quarter required (10 spaces provided)
Adjacent Land Uses:	Single-family residential to the west and east, commercial to the south, mix of STRs and single-family residential across the street and creek to the north.

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Recommendation:

P&Z held a public hearing and considered the request on August 4, 2021, and recommended approval of the requested CUP with a recommendation that the fence height be increased from 6' to 8' in height.

Based on the CBD zoning district land use chart and allowed uses, staff recommends approval of the requested CUP, with P&Z recommendation on increasing the fence height from 6' to 8' for the fences proposed between structures along the side property lines.

Attachments:

Zoning/Location map, Survey, and Proposed Site Plan.



Department Approval



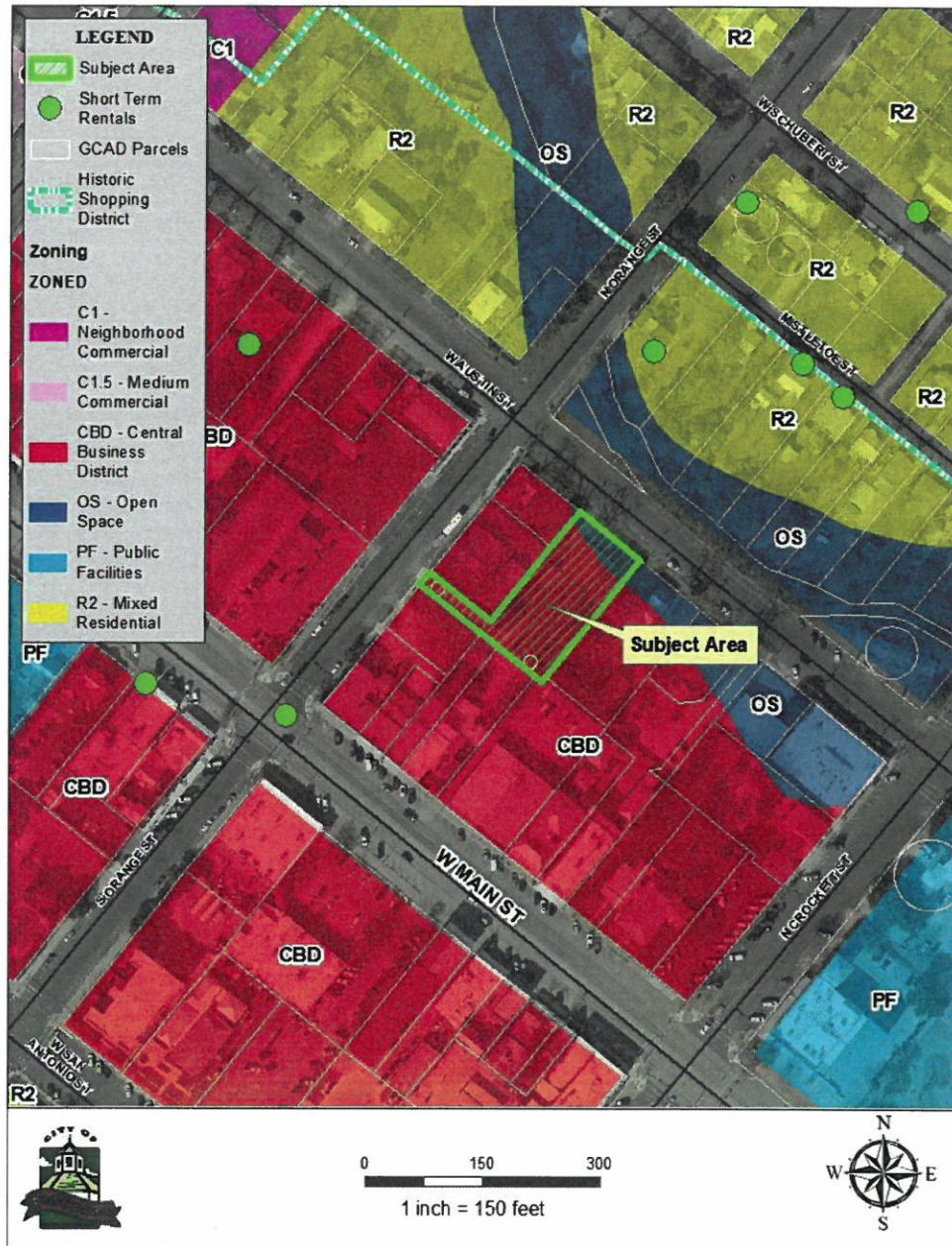
City Attorney Approval



City Manager Approval

The City of Fredericksburg

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CITY COUNCIL MEMO

DATE: August 16, 2021

TO: Mayor and City Council Members

FROM: Jason Lutz

SUBJECT: Z-2114 – Public Hearing, Consideration, and Action regarding a request by Wes and Tammy Pack to consider a Conditional Use Permit (CUP) per section 3.510 to construct a first-floor bed and breakfast unit in the Historic Shopping Overlay District on property located at 514 W. San Antonio St.

Summary:

The applicant is requesting a conditional use permit for the property at 514 W. San Antonio St. to construct a first-floor bed and breakfast unit.

Background / Analysis:

The site is in the R2 zoning district and is currently a 2-unit short-term rental structure. The applicant is looking to construct 3 additional (STRs) to include private spa areas. The Historic Review Board had several concerns regarding the location of the spa areas and parking configuration but ultimately approved the Certificate of Appropriateness based on the renderings and HRB guidelines (not zoning guidelines). Staff also has concerns regarding the parking layout and location of spa areas. While these issues do meet the regulations of the zoning code, the CUP process allows P&Z and Council to place additional conditions or requirements on the project to mitigate potential negative impacts to adjacent properties. There appears that there are some areas that could be utilized to improve the parking for the facility, such as the fire pit location.

Zoned:	R2 – Mixed Residential
Lot Size:	17,424 s.f. (0.40 acres)
Setbacks:	15' front yard (7.5' existing), 5' side yard (5' on west, 13' on east provided), 10' rear yard (30' provided)
Density:	16,000 s.f. required (17,424 s.f. provided)

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Impervious Cover: 65% allowed (53% proposed)
Building Height: 2 stories & 88' allowed (1 story proposed)
Parking: 1 space per STR unit (5) (5 spaces provided)
Adjacent Land Uses: Single-family residential to the west and east, commercial to the north, mix of STRs and single-family residential to the general area.

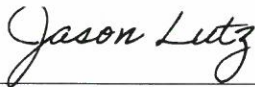
Recommendation:

P&Z held a public hearing and considered the request on August 4, 2021, and recommended approval of the requested CUP with a recommendation that a perimeter privacy fence be constructed along the side and rear property lines, that the spa area along the western property line be screened with an additional screening fence, and that the new STR units have a max capacity of 2 people per unit.

Staff recommends approval of the requested CUP with the additional recommendations of the P&Z Commission regarding the privacy fence, spa screening, and occupancy limits.

Attachments:

Zoning/Location map & Proposed Site Plan



Department Approval



City Manager Approval

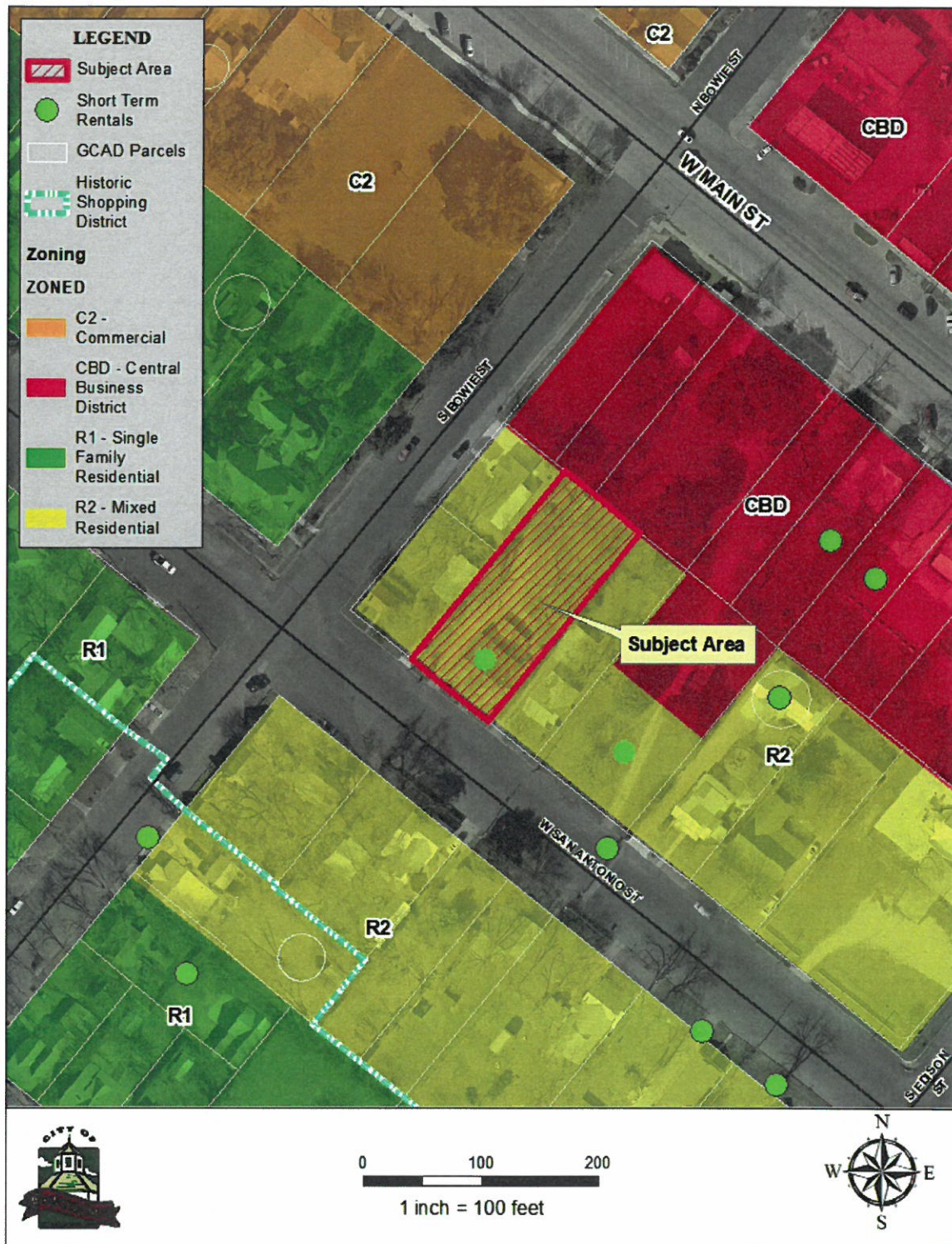


City Attorney Approval

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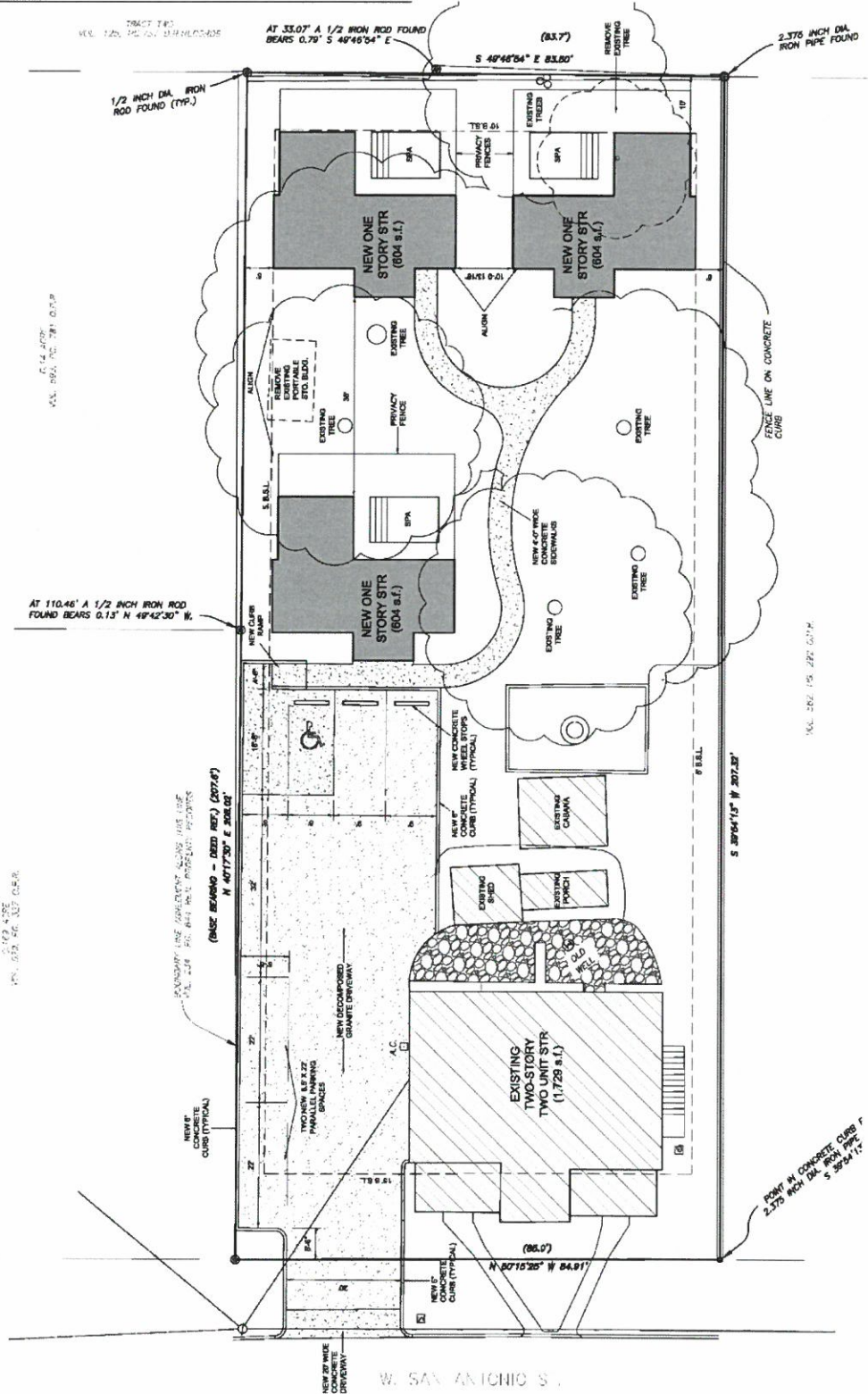
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SOUTH BOWL SITE



The City of Fredericksburg

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CITY COUNCIL MEMO

DATE: August 11, 2021

TO: Mayor and City Council

FROM: Shelley Goodwin, City Secretary

SUBJECT: Order of November 2, 2021, Special Election.

Summary:

If the City Council wants to call a Special Election for November 2, 2021, the deadline is August 16, 2021.

Recommendation:

Staff recommends City Council approve the Order calling for the November 2, 2021, Special Election.

Background / Analysis:

On July 19, 2021, the City Council discussed the possibility of calling a Special Election regarding a referendum related to Town Pool. The sample Order calling for the November 2, 2021, Special Election includes the following:

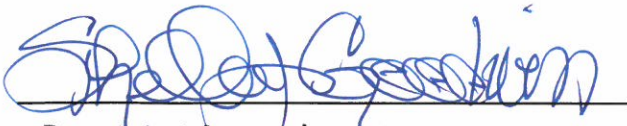
- Early Voting dates, times, and location
- Election Day times and locations
- Process and deadlines for requesting a Ballot by Mail

Attachment:

Election Order

Special Election Calendar at a Glance

The City of Fredericksburg



Department Approval



City Attorney Approval



City Manager Approval

The City of Fredericksburg

ORDER OF SPECIAL ELECTION FOR
CITY OF FREDERICKSBURG, TEXAS
(ORDEN DE ELECCIÓN ESPECIAL PARA
CIUDAD DE FREDERICKSBURG, TEXAS)

An election is hereby ordered to be held on November 2, 2021, pursuant to Sec. 8.04 of the City Charter, as the City Council, upon its own motion and by a majority vote of its members, submits to popular vote for adoption or rejection the following proposed measure:

Measure 1.

The City Council submits to popular vote, for adoption or rejection, the following proposed measure as set forth below:

“Shall the City demolish the existing swimming pool and kiddie pool located at Coach Tony Knopp Town Pool, 105 W. Travis Street, and construct a splash pad in the same location?”

A vote of “FOR THE MEASURE” will be a vote to demolish the pools and construct a splash pad.

A vote of “AGAINST THE MEASURE” will be a vote to keep the existing pools.

(Por la presente se ordena que una elección se celebre el 2 de noviembre de 2021, de conformidad con la Sección 8.04 de la Carta Orgánica de la Ciudad, ya que el Concejo Municipal, de oficio y por mayoría de votos de sus miembros, somete a votación popular para su adopción o rechazo la siguiente medida propuesta:)

Medida 1.

El Concejo Municipal somete a votación popular, para su adopción o rechazo, la siguiente propuesta de medida que se expone a continuación:

“¿La Ciudad demolerá la piscina existente y la piscina para niños ubicada en Coach Tony Knopp Town Pool, 105 W. Travis Street, y construirá una almohadilla de chapoteo en la misma ubicación?”

Una votación de “POR LA MEDIDA” será una votación para demoler las piscinas y construir una almohadilla de salpicaduras.

Un voto de “EN CONTRA DE LA MEDIDA” será un voto para mantener los fondos existentes.

Early voting by personal appearance will be conducted at:

La votación anticipada por comparecencia personal se llevará a cabo en:

95 Frederick Road
Fredericksburg, Texas 78624

Monday, October 18, 2021	<i>lunes, 18 de octubre de 2021</i>	8 a.m.- 4 p.m.
Tuesday, October 19, 2021	<i>martes, 19 de octubre de 2021</i>	7 am-7pm
Wednesday-Friday, October 20-22, 2021	<i>Miércoles-viernes, 20-22 de octubre de 2021</i>	8 a.m.- 4 p.m.
Sunday, October 24, 2021	<i>Domingo 24 de octubre de 2021</i>	1 p.m.-3 p.m.
Monday, October 25, 2021	<i>Lunes 25 de octubre de 2021</i>	8 a.m.- 4 p.m.
Tuesday, October 26, 2021	<i>martes, 26 de octubre de 2021</i>	7 am-7pm
Wednesday-Friday, October 27-29, 2021	<i>Miércoles-Viernes, 27-29 de octubre de 2021</i>	8 a.m.- 4 p.m.

Application for ballot by mail shall be mailed to:
(La solicitud de boleta por correo se enviará por correo a:)

Shelley Goodwin, City Secretary
City of Fredericksburg
126 W. Main Street
Fredericksburg, Texas 78624
sgoodwin@fbgtx.org
(830)997-7521

Applications for ballots by mail must be received no later than the close of business, at 4:30 p.m. on (application in person) October 15, 2021 or (application by mail; delivered not postmarked) October 22, 2021.

(Las solicitudes de boletas por correo deben recibirse a más tardar al cierre de los negocios, a las 4:30 p.m. el (solicitud en persona) 15 de octubre de 2021 o (solicitud por correo; entregada sin matasellos) 22 de octubre de 2021.

Election Day voting will be held on November 2, 2021, from 7 a.m.-7 p.m. at the following locations:
La votación del día de las elecciones se llevará a cabo el 2 de noviembre de 2021 de 7 a.m.-7 p.m. en los siguientes lugares:

- Pct. 1 Fredericksburg United Methodist Church – Gym
1800 N. Llano, Fredericksburg, Texas
- Pct. 2 Gillespie County Historical Society – Sanctuary Hall
312 W. San Antonio Street, Fredericksburg, Texas
- Pct. 3 Gillespie County AgriLife Extension Building – Meeting Room
38 Business Court, Fredericksburg, Texas
- Pct. 4 Girl Scout Cabin –
202 W. Austin St., Fredericksburg, Texas

Issued this the 16th day of August, 2021.
(Emitido este el día 16 de Agosto, 2021)

Signature of Mayor
(Firma del Alcalde)

Councilmember
(Concejal)

Councilmember
(Concejal)

Councilmember
(Concejal)

Councilmember
(Concejal)

SAMPLE

TUESDAY, NOVEMBER 2, 2021

SPECIAL ELECTION CALENDAR AT A GLANCE

January 1st	First day voter may submit an application for a ballot by mail.
August 16, 2021	Last Day to Call Election
September 3, 2021	Last day to notify the County Clerk and Voter Registrar.
September 20, 2021	Recommended date to appoint Presiding Judges and Alternate Judges (post a notice of judges not later than 20 days after appointment).
October 4, 2021	Last day to register to vote.
October 4, 2021	Last day to mail balloting materials for early voting by mail , to persons whose applications were accepted before the 37 th day.
October 12, 2021	Last day to post the notice of election.
October 15, 2021	Last day to receive application from voter <u>in person</u> for a ballot to be voted by mail.
October 18, 2021	Early voting begins.
October 19, 2021	Extended Early Voting Hour (7 a.m.-7 p.m.)
October 21, 2021	Notice for Sunday voting deadline is at 1 p.m.
October 22, 2021	Last day to apply for Ballot By Mail (ABBM) (Received not postmarked).
October 24, 2021	Sunday voting 1 p.m.- 3 p.m.
October 25, 2021	Last day of period during which notice of election must be published.
October 26, 2021	Extended Early Voting Hour (7 a.m.-7 p.m.)
October 29, 2021	Last day for early voting by personal appearance.
November 2, 2021	Election Day (7 a.m.-7p.m.) Last day to receive a BBM by 7 p.m. if carrier envelope is not postmarked, <u>OR</u> Wednesday, November 3, 2021 (next business day after Election Day) at 5:00 p.m. if carrier envelope is postmarked by 7:00 p.m. at the location of the election-on-Election Day (Military and Overseas Voters have different deadlines).
November 3, 2021	Last day to receive a ballot from outside the US, other than certain FPCA ballots.
November 5, 2021 - November 15, 2021	Canvass time period (November 5 th if the EVBB has verified all ballots).

November 8, 2021	Last day to receive an FPCA ballot from a member of the US Armed Services or Merchant Marines or a spouse or dependent of a member.
November 12, 2021	Period during which early voting ballot board may meet to count ballots received outside US if the Early Voting Clerk certifies that all ballots mailed from outside the US have been received.
November 12, 2021	Last day for voter registrar to complete the review of Provisional Ballots.
January 2, 2022	First day the ballot boxes may be unlocked and voted ballots may be transferred to another secure container until remainder of preservation period.
September 3, 2023	Last day of preservation period unless contested or criminal investigation and if no Open Records Request has been filed.

Early Voting
95 Frederick Road
October 18-29, 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
17	18 8 a.m.- 4 p.m.	19 7 am-7pm	20 8 a.m.- 4 p.m.	21 8 a.m.- 4 p.m.	22 8 a.m.- 4 p.m.	23
24 1 p.m.- 3 p.m.	25 8 a.m.- 4 p.m.	26 7 am-7pm	27 8 a.m.- 4 p.m.	28 8 a.m.- 4 p.m.	29 8 a.m.- 4 p.m.	

Election Day Precincts
November 2, 2021
7 a.m. – 7 p.m.

- Pct. 1 Fredericksburg United Methodist Church – Gym
(NEW LOCATION) 1800 N. Llano, Fbg.
- Pct. 2 Gillespie County Historical Society – Sanctuary Hall
312 W. San Antonio Street, Fbg.
- Pct. 3 Gillespie County AgriLife Extension Building – Meeting Room
(NEW LOCATION) 38 Business Court, Fbg.
- Pct. 4 Girl Scout Cabin – Main Room
202 W. Austin St., Fbg.



CITY COUNCIL MEMO

DATE: August 16, 2021

TO: Mayor and City Council

FROM: Andrea Schmidt, Parks & Recreation Director

SUBJECT: Decide on splashpad options at Coach Tony Knopp Town Pool

Summary:

The Morning Rotary Club would like to fund a splashpad at Coach Tony Knopp Town Pool. The Morning Rotary Club would fully fund the construction of the splashpad. A presentation on the three options was made at a Council meeting in July as well as two public forums in July and August.

The three options include:

- Option 1: Keep Town Pool as is with no changes
- Option 2: Keep Town Pool and add a splashpad in the green space behind the pool.
- Option 3: Convert Town Pool into a splashpad

Approximately 28 members of the public attended the two forums, and several emails were received by parks staff from 10 people. In addition, I spoke to 12 people in person or over the phone. This represents about 50 people some of which do not live here locally.

Of these 50 people there were a few that preferred option 3 or another option not presented but most preferred option 2. The comments and emails are included as attachments to this report. While this represents a small portion of city residents, most of the people commenting were passionate about keeping Coach Tony Knopp Town Pool.

If an election is held, there will be a cost to the City of about \$15,000. This does not include staff time to prepare and run the election as well as staff time to make presentations to the community groups leading up to the election.

The City of Fredericksburg

Based on the turn out for the public forums and that there will not be any other items on the ballot, a low voter turn out would be expected. Those that do turn out may be those that are passionate about the pool and vote to keep it.

Town Pool has a lot of history and prior to the General Obligation Bond election in 2012, there was some controversy surrounding the pool's future. I would hate to see something that should be a positive addition to the parks system become controversial again and divide the community.

If an election is held, then a decision would not be made until early November and based on current material delivery timetables, the construction may be delayed and an opening in the Spring of 2022 may not be practical.

Currently funds have been included in the budget for both Town Pool and a separate splashpad in FY 2022.

There was one suggestion to make the entry fee to Town Pool free so, when Town Pool is open, the users could move back and forth from each facility easier and there would not be the confusion on the rules and rates. While this would lead to about \$5,000 less in revenue annually, we would see some cost savings in the cashier position. We would still need the tall fencing around Town Pool so it could be closed to the public and the splashpad could continue to be open for extended hours.

A possible new revenue source could be renting out the new shade structures that are being built with option 2 and open these up for reservations at certain times. This could be an option when Town Pool is open while we have staff there.

Recommendation:

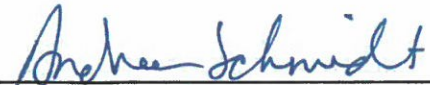
Consider moving forward with option 2 which would keep Town Pool as it is and add a splashpad behind the pool.

Background / Analysis:

Discussion for adding a splashpad in the City Parks system has been ongoing for last several months. The Fredericksburg Morning Rotary Club has agreed to fund this facility. The recommended location is at Town Pool.

Attachments:

Comments on the splashpad options,



Department Approval



City Attorney Approval



City Manager Approval

The City of Fredericksburg

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Splashpad Options Public Forum

Thursday, July 29, 2021

Approximately 20 members of the public attended this meeting. The presentation was given then followed by comments and discussion about the options.

Overall, most of the people present at this public forum were for option 2 but there were a few people that felt like option 3 was the best and a couple that felt either option 2 or 3 would be their choice.

Below is a summary of some of the comments.

- A recommendation was made that we work with the high school to include lifeguard certification as a class selection where they could earn physical education credits.
- There is a large financial loss at Town Pool for a small number of attendees and has ongoing staffing obstacles. With Option 2 you are accepting these issues and adding to them, so he was in favor of Option 3.
- A Town Pool neighbor, who can see the pool from his home, said the tax money used to build the pool was wasted as it sits idle.
- The decision should not be made with emotion.
- There is not a lot the city does for residents except the parks. "The city has the tourism thing down." They want option 2 so there is more for the kids and not less while keeping a facility that serves an adult population.
- The Bethany School Director would be for option 2 or 3 and struggles with staffing the same as we are. She feels a splashpad would attract up to 5th grade children.
- Several commented they are concerned about parking in that area. One Town Pool neighbor said she already has issues with people taking up parking around her home.
- Several comments for adding additional fencing around the splashpad for option 2.
- A person commented they voted for the pool, but it is not usable and what he expected the way it was built.
- Would there be too much congestion at Park Pool if the morning Wellness fitness classes were added to the other Swim lesson and Swim team morning programs already taking place at Park Pool?
- We should consider charging an entry fee for the splashpad.
- Why can't we include the pool in the existing fencing for Town Pool?
- Where will swimming lesson be held if the pool goes away?
- A pool committee member from about 10 years ago stated he had recommended only a splashpad then as he knew this would be a problem now. He was for option 3.
- Attendees liked that Option 2 would allow the splashpad to stay open even if Town Pool had to be closed.

Splashpad Options Public Forum

Tuesday, August 3, 2021

Approximately 8 members of the public attended this meeting. The presentation was given then followed by comments and discussion about the options.

Overall, the people present at this public forum wanted to keep Town Pool but were fine with the splashpad being added in the green space.

Below is a summary of some of the comments.

- Mrs. Rebeca Knopp Corbet, one of Coach Tony Knopp's daughters, spoke about her dad and the importance of Town Pool. She gave some history and brought some Council minutes when Coach Knopp was authorized to run Town Pool for \$150 a month. She spoke with several people recently and everyone wanted to keep Town Pool. She was emotional at the idea of the pool being removed as her dad felt strongly to keep a pool in town since it was important for people to be able to get to safely if they did not have transportation to Park Pool.
- A recommendation was made to add lifeguard classes as a P.E. credit at the high school.
- A concern was brought up about the parking issues that currently exist in this area and if this will make it worse. Will additional parking spaces be added?
- Restarting water safety classes should also be a priority at Town Pool. The group was made aware of the current swim lessons offered at Park Pool.
- A parent of 5 of which 4 have been city lifeguards said he agreed with the comment that working as a lifeguard was a bad financial decision for his son as he could make more money elsewhere. He preferred option 2.
- A suggestion to offer a membership to the splashpad was suggested.
- Discussion was held on charging for entry to the splash pad to recover some of the costs to maintain it.
- Discussion was held on kids riding bicycles to the pool. This is rarely done now.
- The rules regarding age requirements to have an adult present were also discussed. The current rule states: Children under 12 must be supervised by a parent or guardian at least 17 years of age at all times. This has recently changed at the state level to children under the age of 14.
- It was suggested that we make Town Pool free so the whole facility could be accessible rather than having to walk around through the front gate. A cashier may not be needed and could result in some cost savings.
- Someone commented to open Town Pool more and in the evenings for adult swim only.
- A comment was made to raise the lifeguards pay rate.
- Use a referral program so guards that refer a friend and both stay until the end of the summer are provided a cash incentive.

Splashpad option comments by phone or in person

July 2021

Over the past few weeks, I have received some phone calls or spoken to people in person about the splashpad options.

Below is a summary of their comments:

- Consider selling Town Pool and using the revenue to build a shade structure at Park Pool so it can be used year-round.
- My family is torn. Two of us want option 2 and two want option 3.
- Keep the pool. It is like a private pool, so we go there a lot.
- I prefer option 2 and enjoy new classes in the morning.
- I would be fine with option 3.
- Keep the pool. We only live a few blocks away and moved here to use this pool. It is like a private pool.
- Don't get rid of the pool. I like to use it for exercise.
- I just discovered this little pool. It is an excellent pool. Park Pool is so crowded that I lose sight of my grandson. There are also older ladies that want to take advantage of this pool.
- We need to make sure all angles are covered prior to deciding the future of the pool which it sounds like you're doing. Not for or against any option.

I spoke to Rebecca Knopp Corbet, one of Tony Knopp's daughters. She said the pool was very important to him and keeping one in town for people to access easily. She also thought it was important for lifeguards to have a place to work and for swimming lessons to be held at this pool. She let me borrow some framed City Council minutes and an article from the Fredericksburg Standard about her dad to have at the first public forum and plans to attend the second public forum on August 2nd. She is not concerned about the naming of the pool.

Andrea Schmidt

From: George Studor [REDACTED]
Sent: Tuesday, July 20, 2021 1:48 PM
To: Andrea Schmidt
Cc: Mary Studor'16; Kent Myers
Subject: Pool Options

Hi Andrea,

Thanks for all the work on this addition to our community so far and getting on the public input so quickly after last evening's discussion at city council.

I will be traveling on the 29th and I saw the presentation last night. I am for Option 2,

but - I would like to see a much higher hourly rate for our life guards. The risk and responsibility for safety and life of so many people does not compare to other jobs for young people or old. We need someone who good as well conscientious... I think our problem with having enough lifeguards is mostly a problem of money. I would suggest the city advertise \$20/hr starting rate, if accepted, and add the potential for \$25/hr if returning from previous year as a city pool lifeguard.

The city should afford a high level of competence in this area, and will need it for Option 2 because of total number of people that will be on the property.

Thanks for listening,
George Studor
1015 Avenue D

Andrea Schmidt

From: [REDACTED]
Sent: Wednesday, July 21, 2021 12:35 PM
To: Andrea Schmidt
Subject: Town Pool / Splashpad

Hello Andrea,

Pray all is well with you.

Kudos to the Morning Rotary Club for their generous offer!

Would appreciate you considering / counting this e-mail input on the issue as I won't be able to attend either public meeting.

Though I have not personally used Town Pool, I know many folks who have enjoyed it immensely, and would be very disappointed if it were no longer available. The feedback I've heard from them, and my own thoughts are to keep Town Pool as is. If the City feels it is imperative to have an additional public water option, then please put the 'splash pad' in the green space by Town Pool, or another site within City property.

Know 'green space' is a popular topic / desirable asset, especially in metropolitan areas, however, Fredericksburg is blessed to have much 'green space' within, and in close proximity to the City. Therefore, do not see it a problem to use the 'green space' by Town Pool if the City is determined to have a splashpad, and does not have another appropriate location.

Thank you for all you do for Fredericksburg - wish you continued success!

*Best regards,
Tamesha Jumper*

Andrea Schmidt

From: Chris Reese [REDACTED]
Sent: Wednesday, July 21, 2021 2:36 PM
To: Andrea Schmidt
Cc: tjumper@austin.rr.com
Subject: RE: Town Pool / Splashpad

Hello Andrea,

I just think it's wonderful that the Morning Rotary Club is looking for ways to improve the activities that are available for local families! Thank you.

Because I will not be able to attend the upcoming public meeting where you will hear input on plans to renovate Town Pool, I am providing my feedback via email. I would like to ask that you please, please keep the pool! I recently had my two grandchildren stay with my husband and I for 5 weeks. I took them to the pool several times each week – we would have gone more often but rain hampered our plans. When I asked the kids (ages 9 and 12) what their favorite part of their visit with us was, they said "going to the pool!" What I love is that the pool allows me to be active with them because I get in the pool with them. I saw many other moms and dads (and grandparents!) in the pool with their children/grandchildren. I do think adding a splashpad to the green area of Town Pool is a great idea! It would provide even more options for those who visit Town Pool. I would very much like to see the city keep the pool and add the splashpad.

I appreciate the opportunity to provide you with my feedback.

Best Regards,
Chris Reese
281-682-8496
315 S. Lee Street
Fredericksburg, Tx 78624

From: [REDACTED]
Sent: Wednesday, July 21, 2021 12:35 PM

To: aschmidt@fbgtx.org
Subject: Town Pool / Splashpad

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Andrea,

Pray all is well with you.

Kudos to the Morning Rotary Club for their generous offer!

Would appreciate you considering / counting this e-mail input on the issue as I won't be able to attend either public meeting.

Though I have not personally used Town Pool, I know many folks who have enjoyed it immensely, and would be very disappointed if it were no longer available. The feedback I've heard from them, and my own thoughts are to keep Town Pool as is. If the City feels it is imperative to have an additional public water option, then please put the 'splash pad' in the green space by Town Pool, or another site within City property.

Know 'green space' is a popular topic / desirable asset, especially in metropolitan areas, however, Fredericksburg is blessed to have much 'green space' within, and in close proximity to the City. Therefore, do not see it a problem to use the 'green space' by Town Pool if the City is determined to have a splashpad, and does not have another appropriate location.

Thank you for all you do for Fredericksburg - wish you continued success!

*Best regards,
Tamesha Jumper*

Andrea Schmidt

From: Gary Neffendorf [REDACTED]
Sent: Thursday, July 22, 2021 12:22 PM
To: Andrea Schmidt
Subject: Lindeman, Knopp Pool

Andrea,

Putting in my 2 cents as a citizen –

Kat called me. He thinks Bill Lindeman should get a statue and it should be at Lady Bird, near the entrance to the Nature Trail. While I agree, I know how much a statue costs. In the least, there should be some sort of memorial for him out there and possibly rename it the Bill Lindeman Nature Trail, although I realize naming something after only one person can be tricky.

As for the pool/splash pad issue, I have several comments. First (and I don't know how far along negotiations are), if the City is going to acquire some of the FUSD Middle Schools buildings and land, then I think that is a more fitting place for a splash pad as part of a green space element. At town pool, it seems like the proverbial 50 lbs. of whatever in a 20 lb. sack. I think that an alternate idea would be to close Schubert St. as a through street and develop the section of the street adjacent to the pool property as the pad or new green space. You'd still be able to have parking on either side and you could spread out rather than cram together. There are some elevation issues, but there are plenty of smart people who can design around those. If those options don't work, then I'd say leave some sort of pool and add the splash pad.

Thanks and good luck,

Gary

Andrea Schmidt

From: Mo saïidi <[REDACTED]>
Sent: Friday, July 30, 2021 10:28 AM
To: Andrea Schmidt
Subject: Re: Splash Pad

Another negative r/Opt 2 is having those pesky screen walls separating splash pad from pool. Just an aesthetic concerns looking like a penitentiary going through these walkways with wired fences - would we want that when you look at opt 3 w/open spaces for everyone to move around freely. I say 1 for opt 2, 3 for opt 3 & 1 with fence structure

On Fri, Jul 30, 2021 at 10:03 AM Andrea Schmidt <aschmidt@fbgtx.org> wrote:

Mo,

Thanks, for your comments! You make some good points. I'm going to put a summary together of the meeting along with emails I have received and make sure Council gets them all.

Andrea Schmidt

Parks & Recreation Director

City of Fredericksburg

126 W. Main St.

Fredericksburg, TX 78624

830-990-2018

From: Mo Saiidi <[REDACTED]>
Sent: Friday, July 30, 2021 9:05 AM
To: Andrea Schmidt <aschmidt@fbgtx.org>
Subject: Re: Splash Pad

Good morning Andrea. Good discussion last night. Sorry I had to leave early but wanted to pass couple of comments in your support and option 3.

The lady upfront kept on arguing two comments. First was that we always go for cheap solution. Remind the community next time that the cheapest approach is actually option 1. Option 3 is most expensive to build at \$0.5m. But has lowest m&o. The second is what would bring more attendance? The pool w/opt 2 or added splash pad w/opt3. We already know the low attendance with pool. I would argue that having more with slashpad is worth a chance. If folks are coming to a small splash pad w/opt2, then the logic tells us higher attendance w/more robust splash pad.

Good luck. I am all for opt 3. We need to remove emotion out of this.

Sent from my iPhone

Mo Saiidi

Fbrg Tx

On Jul 23, 2021, at 12:05 PM, Mo saiidi <[REDACTED]> wrote:

in my mind to be complete, opt 4 is a subset of option 3. In that you could sell the town property and from the sale proceeding, build the splash pad at a park like LBJ or windcrest park. You will start fresh with ample space for future. further it is in an outside environment which would be more receptive and frankly from long term planning, the area would become city recreational area with soccer, pool, baseball, basketball, etc. Here is a write up to explain the chart- if I get a chance, I'll talk this at the next meeting

On Fri, Jul 23, 2021 at 11:42 AM Andrea Schmidt <aschmidt@fbgtx.org> wrote:

Mo,

Thank you for sending this over. What is option 4?

Andrea Schmidt
Parks & Recreation Director
City of Fredericksburg

126 W. Main St.
Fredericksburg, TX 78624
830-990-2018

From: Mo saïdi <[REDACTED]>
Sent: Friday, July 23, 2021 11:38 AM
To: Andrea Schmidt <aschmidt@fbgtx.org>; Katelyn Brazell <kbrazell@fbgtx.org>
Subject: Splash Pad

I listened to your presentations - it was very well done and informative. I also sensed your frustrations for hiring qualified staff, pays, and variations in scheduling timeframes - all understood and sympathized with you.

I took the liberty of drawing a decision block that you may use in the upcoming public forums to make it easier for folks to follow. Use it as you wish - let me know if you need further info.

Thanks Mo Saiidi

<Splash Pad Proposal.docx>

Splash Pad Proposal & Options – Mo Saiidi (City Public Hearing 7/29/2021)

A. The First and foremost basic Question to asked is: Do we want splash pad?

- a. **If No (No Splash Pad – Option 1), then the whole discussion is moot. We will have to make a decision on the future of exiting pool operation & cost overrun – Separate discussion regarding:**
 - 1. Cost overrun (Annual M&O deficit \$80,000) plus**
 - \$70,000 for re-plaster
 - \$15,000 for annual materials
 - Expected to increase with higher pay and lower attendance
 - 2. Staffing Challenges**
 - Limited hours
 - Hard to find qualified guards
 - Demands higher pay to become market competitive
 - Requires 4 staff regardless of attendance
 - 3. Limited Operating Hours**
 - o Short seasons: Open ~Avg 10 weeks/year
 - o Limited weekdays and hours
 - 4. Lower Attendance**
 - Avg of 8 people per shift hour demanding 4 paid staff
 - Continues to drop lending to lower hours and cost overrun
- b. **If Yes (Want Splash Pad), then we will have to ask if we want to keep the existing pool**
 - 1. If Yes (Splash Pad + pool – Option 2) and accept all the current concerns with the pool operation plus additional challenges with combined pool & Splash Pad operation that would exacerbate the concerns – Not very smart**
 - a. Continue w/increased Cost overrun (Annual M&O \$120,000)
 - b. Continue with hiring Staff challenges
 - c. Continue with limited pool operation & synergism with Splash pad operation
 - d. Continue w/lower pool attendance - why pay for pool when splash pad is free
 - e. Keeping track of paid (pool) vs. non-paid (splash pad) customers, unless we charge the same fee for splash pad
 - f. Added demand on facility for restroom supplies, clean ups, and janitorial support

2. **If No (Yes Splash Pad - No pool - Option 3), then the position is to develop a stand alone splash pad:**

3.

Option 3a - Convert Town Pool to Splash Pad as presented.

- **Removes most of the challenges & concerns with Option 2**
- **May consider keeping \$2 fee to cover some of the facility expenses (toilet paper, soaps, clean up)**
- **Has a risk of low attendance due to its location**

Option 3b. Build New Splash Pad. Sell the town pool property. Use the proceedings from the sale plus donations (Rotary Club) to build splash pool in the parks (LBJ park, Windcrest field, etc.)

HWY 16 properties become future the city's recreational and sport complex

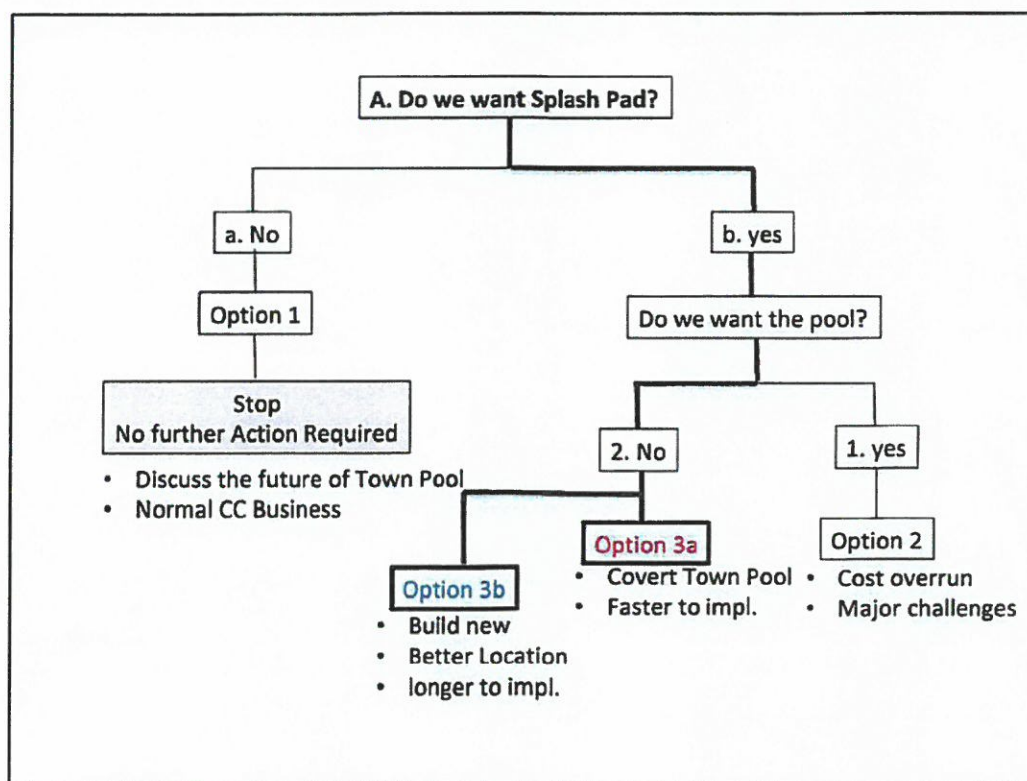
- **Provides more of outdoor charm**
- **Close vicinity to park pool & other recreational activities to increase attendance with existing restrooms**
- **Plenty of space to grow & park**
- **Sales proceeds provides revenues for other parks expenses and helps to reduce other expenses**
- **Takes longer to develop than Option 3. But then what is the rush?**

B. Decision Point:

- **Option 2 is not viable to continue to operate at higher cost and more stringent challenges burdening city staff further. We should have a long-term solution to fix the issues with operating the pool. Adding Splash pad to it would make the matters worse. Not smart!**
- **Option 3a provides the cost effective approach and removes most of the issues associated with Option 2. However, the location is in the residential area and may still face low attendance (lots of capital invested in the property that wouldn't be fully utilized)**
- **Option 3b is same as option 3a but located in a city park. The outdoor park environment provides ample spaces for growth and adds to the existing corridor for city's recreational facilities. Attendance will be much greater than Option 3A, due to other sport activities in the park and also the park ambiance. It relieves capital to aid city budget for other expenses. It takes longer to implement than option 3a but we need to question if there is urgency for a splash pool**

C. Recommendation. Either Option 3a or 3b would be the desired approach. However, serious considerations should be given to Option 3b for future city planning and long term vision for central sport corridor along HWY16. The city may also consider small fee for splash pad, if necessary, to cover some of the operating cost.

Decision Matrix Summary – Flow Chart



Andrea Schmidt

From: Jana Speck [REDACTED]
Sent: Saturday, July 24, 2021 2:23 PM
To: Andrea Schmidt
Subject: Town pool

I have young children and would love to see option #2 for town pool. Keep the pool and add a splash pad. The reason being I would like to see more things added in Fredericksburg for children.

Thanks,

Jana

—

Jana Speck

Andrea Schmidt

From: Dr Anthony J Corbet - [REDACTED]
Sent: Tuesday, July 27, 2021 9:12 AM
To: Andrea Schmidt
Subject: Info on the Tony Knopp Memorial Pool

Dear Andrea,

I found some information about the Town Pool that you might be interested in. I was wrong about when the pool opened. Dad, along with other City employees, were honored by the City a number of years ago for their years of service. At this ceremony, Dad was presented with a copy of the City Council Meeting Minutes from April 4th, 1953. In the minutes, the Council authorized my Dad and Coach Langerhans to operate the swimming pool. I have this document and will bring this and another article from the Fbg Standard about my Dad and his work as the Pool Supervisor from 1983. I will bring this info by your office tomorrow when we come to Fbg to attend a funeral.

Thanks,
Rebecca Corbet

Andrea Schmidt

From: [REDACTED]
Sent: Tuesday, August 3, 2021 2:59 PM
To: Andrea Schmidt
Subject: Town Pool/Splash Pad

Andrea,
I am not for doing away with any part of the Town Pool.
Instead of building a splash pad in the green area, it should be landscaped with native plants, flowers, and trees to provide shade.

The Grand Central being built on Millam is going to have a splash pad for kids in the lawn area (See link below.), so I think the Rotary Club's money would be better spent on the ailing trees in Lady Bird park, or beautifying other parks (i.e. the park planned on Friendship Lane.) or other city properties.

<https://www.fredericksburgstandard.com/business/gatherings-flavor-eyed-grand-central>

Please confirm receipt of this e-mail for tonight's meeting with city council.
Thank you.

Andrea Schmidt

From: Ashley Crane [REDACTED]
Sent: Friday, July 30, 2021 3:16 PM
To: Andrea Schmidt
Subject: Town Pool

Hi Andrea,

I'm writing to express my concern that converting town pool into a splashpad is even an option being considered by the city, especially considering how much was spent just a few years ago to update both pools several years ago. We are a growing town and I believe that it's incredibly short-sighted to consider removing one of our pools. A splashpad would be a great addition for our town, but not at the expense of one of our only pools. We utilize town pool almost daily during the summer.

Regards,
Ashley Crane

Sent from my iPhone

Andrea Schmidt

From: Karen Oestreich [REDACTED]
Sent: Monday, August 2, 2021 4:58 PM
To: Andrea Schmidt
Subject: town pool

Andrea, I wanted to send you what I am having Shelley send to city council. It's not against you at all but just something I feel very strongly about.

I would like to address changing the town pool to a splash pad. We have visited Jellystone in Kerrville and their large splash pad will entertain the older (7 +) children about 15 minutes and that's all. The only thing that might entertain them for longer is two very tall and long slides which required lifeguards and used quite a bit of property. But it's still not the same as having fun in the water.

We worked very hard to keep the town pool from being closed permanently. The community supported that decision in a vote. I would be very disappointed to see it covered over for a splash pad and one day find our council regretted that decision. The park pool is very nice but if we only have one pool the number of swimmers will go up and will it be able to handle them? What about the children who can't get out to the park?

If it's financial that is not the only thing that the city has sponsored that has lost money.

I understand that the number of swimmers are slightly down at times but does that mean those children aren't important enough to swim. There must be a reason they chose the town pool over the park pool. Since we live near the pool I drive by many times a day and it seems as if the pool is open a good deal of the time and many are enjoying our town pool. What fun memories.

I sympathize with Andrea and the scarcity of life guards but isn't that a problem all over whether it's a restaurant, gift shop or service industry? I don't think that is a good reason to close our pool.

I hope our city council will think long and hard before they make such an important decision.

Karen Oestreich

Karen and Dwight Oestreich

fbgcouple@outlook.com

830.889.0295

Andrea Schmidt

From: Dr Anthony J Corbet [REDACTED]
Sent: Thursday, August 5, 2021 8:20 PM
To: Andrea Schmidt
Subject: Re: Meeting at Tatsch House-Pool Issues

Dear Andrea,

Thank you for letting me speak at Tuesday's meeting. I hope the Council members will listen to the citizens and go with Option 2. You did a great presentation.

I will let my friends and relatives who live in Fredericksburg know to e.mail to vote for Option 2.

Thank you again.

Also thank you for being a Foster parent-both you and your husband. You are doing God's work and I know it is not easy. I will keep your family in my prayers and hope that you will be able to adopt your beautiful children. They are so lucky to have you and your husband.

Rebecca Corbet

On Tuesday, August 3, 2021, 08:00:13 AM CDT, Andrea Schmidt <aschmidt@fbgbx.org> wrote:

Good morning Rebecca,

Last week's meeting went well. We had about 20 people with some good discussion. I had the framed article and minutes for people to review including staff and some Council members. I'll make sure to have them tomorrow as well.

I look forward to meeting you as well.

Andrea

Andrea Schmidt

Parks & Recreation Director

City of Fredericksburg

126 W. Main St.

Fredericksburg, TX 78624

830-990-2018

From: Dr Anthony J Corbet <[REDACTED]>
Sent: Monday, August 2, 2021 8:52 PM
To: Andrea Schmidt <aschmidt@fbgtx.org>
Subject: Meeting at Tatsch House-Pool Issues

Hi Andrea,

I hope last week's meeting about the status of the Tony Knopp Memorial Town Pool went well. I am anxious to hear what was discussed.

I plan to be at tomorrow night's meeting. Can you please bring the 2 framed pictures I left for you last Wednesday. I would like to have them at the meeting.

Thanks for your help. I look forward to meeting you.

Rebecca Knopp Corbet



CITY COUNCIL MEMO

DATE: August 16, 2021

TO: Mayor and City Council Members

FROM: Jason Lutz

SUBJECT: Z-2106 –Consideration and action regarding a requested Annexation Agreement.

Summary:

The property owner has requested voluntary annexation of approximately 6 acres of land to construct a single-family subdivision. The requested zoning of the property is R1A.

The property is located at 651 Post Oak Rd, located approximately 575 ft north of the intersection of Post Oak Rd. and W. Live Oak St. This property is currently located in the City's Annexation Plan (Area 6A). The remaining properties of annexation area 6A have been notified of the annexation process and will be considered for annexation at a later date.

The property would be required to extend utilities to serve their property and then be required to extend utilities to adjacent landowners as part of the platting/subdivision process.

Recommendation:

Staff recommends approval of the requested annexation agreement.

Attachments: Draft Annexation Agreement and Exhibits & Location/Zoning Map

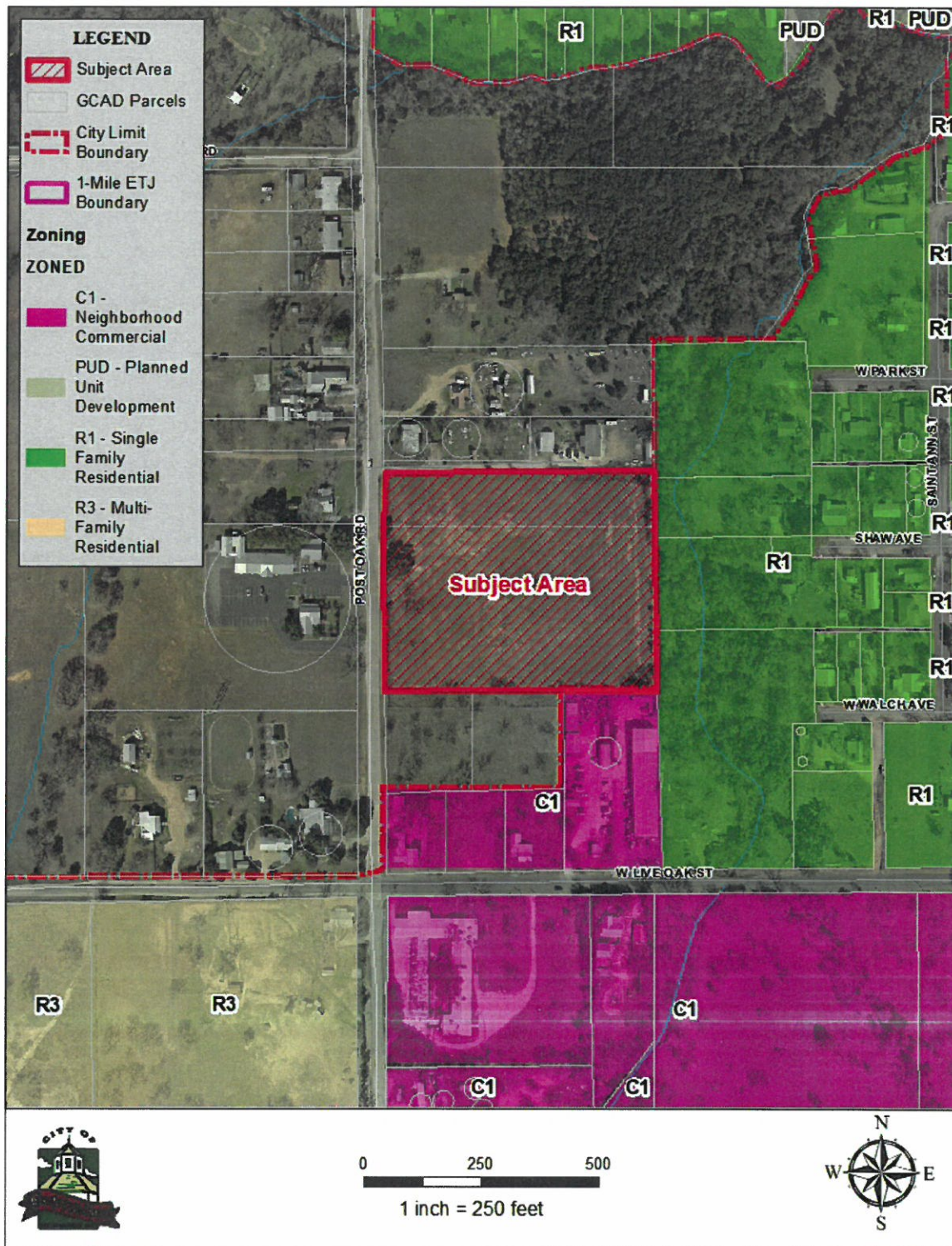
Department Approval

City Manager Approval

City Attorney Approval

The City of Fredericksburg

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



The City of Fredericksburg

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

**ANNEXATION AGREEMENT
FOR THE POST OAK VILLAGE SUBDIVISION**

This Annexation Agreement ("Agreement"), made and entered into this ____ day of _____, 2021, by and between the City of Fredericksburg ("City"), with an address of 126 W. Main Street, Fredericksburg, Texas, 78624, and, 10-8 Properties, LLC, a Texas limited liability company ("Developer"), with an address of 412 S. Adams St., PMB 1104, Fredericksburg, Texas 78624.

RECITALS

WHEREAS, the Developer is the owner of record of certain real estate ("Subdivision Tract") legally described as follows:

Being 6.320 acres of land out of Outlot 97, Outlot 96, an Unnumbered Outlot, and Block V as shown on the map of Fredericksburg and Environs by the German Emigration Company in Gillespie County, Texas and being all of that certain 6.230 acre tract described in Instrument No. 20211938 of the Official Public Records of Gillespie County, Texas and all of that certain 0.09 acre tract described in Instrument No. 20211938 of said Official Public Records; Said 6.320 acre tract being more particularly described on Exhibit "A", attached hereto and incorporated herein for all purposes.

WHEREAS, the Developer desires to have the entirety of said Subdivision Tract annexed into the City, and the agreements contained herein are made in anticipation of the annexation of said 6.230 acres; and

WHEREAS, the City Council, after due and careful consideration, finds that the annexation of said 6.230 acres into the City will promote economic development and further the growth of the City, promote affordable and attainable housing in the City, enable the City to control the development of the area, and serves the best interests of the City.

NOW THEREFORE, for and in consideration of the mutual covenants contained herein, the Parties agree as follows:

AGREEMENT

1. The Parties acknowledge and agree that the entire 6.230 acres of the Subdivision Tract is presently located outside the city limits of the City (the "Annexation Tract"), but is located within the extra territorial jurisdiction of the City. The Annexation Tract is more particularly described by metes and bounds description in Exhibit "A", a copy of which is attached hereto and made a part hereof. At a public City Council meeting, the City Council shall duly consider enacting an ordinance annexing the Annexation Tract, pursuant to a Petition for Annexation filed by Developer.

2. Contemporaneously with the annexation of the Annexation Tract under Paragraph 1 of this Agreement, the City Council shall also duly consider enacting an ordinance amending the Zoning Ordinance of the City, to designate the zoning districts of the Subdivision Tract as set forth on the Zoning Map in Exhibit "B", a copy of which is attached hereto and made a part hereof. The designation of the Subdivision Tract shall be carried out in accordance with the provisions and proceedings of the City of Fredericksburg Zoning Ordinance and City of Fredericksburg Comprehensive Plan. Any subsequent zoning amendments related to the Subdivision Tract and requested by the Developer shall be subject to the rules, regulations, and procedures set forth in the City of Fredericksburg Zoning Ordinance, and the same must be in conformity with the Comprehensive Plan for the City in effect at the time of the request.
3. Subsequent to the execution of this Agreement, the Developer may submit to the City a preliminary plat for the Subdivision Tract. Any preliminary plat submitted by Developer under this Agreement shall be processed by the City under the applicable City procedures and Ordinances existing at the time of submission of the plat to the City. The Parties acknowledge and agree that the Subdivision Tract shall be developed in accordance with said preliminary plat, and the dedications and easements shown thereon. The Developer shall be permitted a reasonable degree of flexibility with respect to changes or modifications of said preliminary plat due to engineering considerations, as is permitted by the Ordinances of the City. The Parties acknowledge and agree that all Exhibits attached to this Agreement are attached hereto solely for the purposes of clarification of the provisions of this Agreement, and the attachment of said Exhibits shall not be considered as an approval by the City of the plat or design of the Subdivision Tract.

4. Parkland dedication or fees shall be provided or paid pursuant to the City regulations regarding Parkland dedication at the time of Final Plat approval.

- ~~4. In consideration of the open space and internal parkland to be provided to the residents of the Subdivision Tract, the Developer shall pay to the City a fee in lieu of park land dedication and a park development fee, at the rate of fifty (50%) percent of the fees set forth in Section 6.15 (Park Land Dedication) of Chapter 38 (Subdivisions) of the City Code of Ordinances.~~

5. Utility Improvements.

- a. Utility plan. Developer shall, at Developer's expense, have a utility infrastructure master plan for streets, electric, , water, sewer and drainage prepared by a Texas registered professional engineer and approved by the City, , Central Texas Electric Cooperative, or other utility service provider as applicable for the entire Subdivision Tract. A preliminary Utility Plan for the Subdivision Tract is set forth in Exhibit "X", a copy of which is attached hereto and made a part hereof. Such study will be based on fully developed conditions, shall incorporate the City's available engineering data and comply with the City of Fredericksburg Construction Standards and Specifications. Developer will incorporate such plan and improvements in each Phase as it is approved. All utilities will be required to

Commented [GB1]: Need a copy of the referenced exhibit to review.

be provided to the boundary of the Subdivision Tract to permit future extensions at locations shown on the approved utility infrastructure master plan. If Developer changes the layout of subsequent Phases which necessitate relocation of such mains or other utilities, the same, including the cost of replacing any City upsizing paid for by the City, shall be at Developer's expense, and will require subsequent City approval in accordance with the City's usual development regulations notwithstanding any agreements herein.

Commented [GB2]: Extensions to boundary lines within development will be developer's expense.

- b. Drainage. Developer will have a flood study on the adjacent nearby dry and unnamed ditch to define this area with base flood elevations into a Zone AE status. Drainage from this subdivision is expected to be conveyed to the existing ditch through an easement and underground storm drainage and released into the ditch through one of the adjacent private parcels. City agrees to allow this drainage to flow into the ditch so long as the flood study reduces the overall flood zone and defines the base flood elevations. The storm drainage system including the underground storm drainage system will be conveyed and dedicated to the City, along with the applicable easements granted across private property.
- c. Sewer. In order to minimize ongoing maintenance costs to the City, whenever possible the Subdivision Tract will be served through a sanitary sewer gravity flow collection system as described in the development plans submitted to the City by the Developer's engineering consultants. Installation and maintenance of individual household sanitary sewer grinder lift stations, if necessary, serving single lots will be the responsibility of the individual lot owner, not the City, and shall be shown in the City-approved construction plans.
- d. Oversizing. Subject to the terms hereof, the City may elect to oversize any or all of the public infrastructure to be constructed. For purposes hereof, oversize means that the City may require an increase in the size of any utility infrastructure beyond what is required to serve the Subdivision Tract pursuant to the applicable codes. The City, if it desires, may require oversizing in connection with the various phases. In order to make an election to oversize any or all of the utility infrastructure, the City must send written notice to Developer on or before the date that is thirty (30) days after the date the relevant utility construction plans are submitted to the City for review prior to approval of the preliminary plat for the applicable Phase or section being platted. If the City makes an oversizing request, then Developer shall obtain bids for the construction of the applicable oversizing as an alternate bid based on construction plans approved by the City. It is understood that the Developer's responsibility for obtaining bids at its expense is for add alternates for upsizing, and not for major re-engineering expense. Developer will send written notice to City setting forth both the base bid Developer has received for its infrastructure and for the alternate bid. No more than thirty (30) days after receipt of this notice, the City shall provide written notice to Developer of its intention to pursue and pay all costs

Commented [GB3]: Development will need to comply with City's Stormwater Control Ordinance.

Commented [GB4]: Will need to see drainage plan but prefer for this easement to be privately maintained. Section 6A covers this but conflicts with this note.

associated with the oversizing. Upon making such election, the Developer shall construct the improvements set out in the alternate bid, and City shall be obligated to reimburse Developer for 100% of the difference between the base bid and the alternate bid.

- e. The Developer agrees to design and construct, at Developer's sole expense, all remaining external and internal lines and taps to connect the Subdivision Tract to City's water and sewer system, constructed in conformance with the utility infrastructure master plan, all City ordinances, and the Minimum Standards for street and utility design and the materials and specifications on file with the City Engineer. The Parties acknowledge and agree that the City will not construct or assume maintenance for any life pumps, sewer pumps, pressure boosters, or any other item needed for adequate water or sewer service to the Subdivision Tract, excepting any costs the City is specifically obligated to provide under this Agreement. It is further understood and agreed by the Parties that each lot in the Subdivision Tract shall be subject to the impact fees of the City in effect at the time of required payment with regard to water and sewer, unless said lot is exempt from payment of impact fees pursuant to a City ordinance in effect at the time of required payment, related to affordable or attainable housing. Impact fees shall become due and payable to the City for each lot in the Subdivision Tract at the time of issuance of a building permit for said lot.

6. Roadways and easements.

- a. It is agreed and understood that all roadway easements, utility easements, drainage easements, and any other public or private dedications or easements shown on the Subdivision Tract plat shall be acquired and constructed by Developer at Developer's sole cost, and in conformance with all City ordinances and the Minimum Standards for street and utility design and the materials and specifications on file with the City Engineer. Following construction, dedication, completion of the maintenance assurance period, and acceptance by the City, the public roadways shall be conveyed to the City and shall be maintained by the City as public roadways. All easements other than public roadways shall be maintained by the Parties in accordance with the City Subdivision Ordinance and City Storm Water Control and Detention Ordinance, and as set forth in Paragraph 9 of this Agreement.
- b. All roadways will be designed and constructed as set out in a geotechnical report/ study, to be conducted by a Texas Registered Professional Engineer, provided by Developer approved by the City, but shall be constructed at least to minimum City standards for street and utility design and the materials and specifications on file with the City Engineering Department for the type of street being constructed.

- c. Developer will provide a Traffic Impact Study ("TIS") if necessary, which includes the impact of the Subdivision Tract on Post Oak Road any other other impacted roadways or intersections. Developer shall not be required to construct streets or make other road improvements to any public right of way outside the Subdivision Tract, including Post Oak Road. If Developer significantly changes the development plan, including the phasing for the various Phases, at any time during the development process for the entire Subdivision Tract, the City may require subsequent studies and the attendant improvements or alterations.
- d. Developer shall be solely responsible for coordinating with the United States Postal Service concerning the establishment and provision of U.S. Mail delivery to the Subdivision Tract.
7. The Developer shall install through CTEC all street lights as required by City ordinances in effect at the time of development.
8. The City agrees to provide for the maintenance of all public streets, storm water and drainage system, sanitary sewer and water main, and public rights-of-way in the development, following conveyance to the City and acceptance by City, as shown on the approved final plat of the Subdivision Tract and in accordance with the City Subdivision Ordinance and City Storm Water Control and Detention Ordinance.
9. The Parties acknowledge and agree that this Agreement shall not bind either party hereto until an annexation ordinance has been duly enacted and adopted by the City, as set forth in Paragraph 1 of this Agreement. The Parties acknowledge and agree that this Agreement shall not bind or hinder the independent or legislative powers of any City boards or commissions, and this Agreement shall be effective only if and upon adoption of the ordinance contemplated and as set forth in Paragraph 1 of this Agreement, the same to be completed on or before 90 days from the date of institution of Annexation proceedings by the City.
10. It is hereby agreed that if the Annexation Tract is annexed into the City under Paragraph 1 of this Agreement, and if any of the terms of this Agreement are not met by the Developer within five years from the date of said annexation, then any commitments on the part of the City for construction of infrastructure or for development approvals shall be automatically terminated, and the Subdivision Tract shall then be subject to the development ordinances then in effect.
11. The effective date of this Agreement shall be the date of annexation of the Subdivision Tract to the City, as set forth in Paragraph 1 of this Agreement. This Agreement shall be binding upon the parties to it, their respective grantees, successors, assigns or lessees for a full term of thirty (30) years, commencing as of the effective date of this Agreement, subject to limitations provided by law and to the extent permitted thereby, and for such

Commented [GB5]: Will need to be determined by TIA, as required. At a minimum, developer will need to install or provide escrow deposit for curbing and widening of the development's side of Post Oak up to standard collector cross section along the frontage of the tract.

Commented [GB6]: To be determined based on drainage plan.

further term as may subsequently be agreed to by the parties. It is hereby agreed that if the Subdivision Tract (or any portion of the Subdivision Tract) is annexed to the City of Fredericksburg, and if any the City does not grant the requested zoning set forth in this Agreement, or if the City does not perform its obligations hereunder, then Developer may petition for disannexation and/or the City may disannex.

12. It is understood and agreed by the Parties hereto that time is of the essence of this Agreement, and that all of the parties will make every reasonable effort to expedite the subject matters hereof.
13. The Parties mutually represent that they have taken and will take action as may be required to bring about the annexation of Annexation Tract and the amendments, exceptions, and variances, as may be necessary or proper in order to zone and classify the Subdivision Tract so as to enable the same to be developed and used in the manner anticipated in this Agreement, and such other action as to enable the parties to execute this Agreement and to fully carry out all other covenants, agreements, duties and other obligations created and imposed by the terms and conditions of this Agreement.
14. This Agreement shall be binding upon the parties to it, their respective grantees, successors, assigns or lessees, subject to limitations provided by law.
15. The Parties agree that this Agreement and any exhibits attached to it may be amended only by the mutual written consent of all parties.
16. The Developer covenants and agrees to fully indemnify, hold harmless and defend the City, its officers, agents, servants, and employees, from all claims, suits or causes of action of any nature whatsoever, whether real or asserted, brought for or on account of any injuries or damages to persons or property including death, resulting from or in any way connected with this Agreement or the construction of the improvements or facilities described herein; and in addition, the Developer covenants to indemnify, hold harmless and defend the City, its officers, agents, servants and employees, from and against any and all claims, suits or cause of action of any nature whatsoever, brought for or on account of any injuries or damages to persons or property, including death, resulting from any failure to properly safeguard the work, or on account of any act, intentional or otherwise, neglect or misconduct of the Developer, its contractors, agents, servants or employees.
17. Approval by the City of any plans, designs, or specifications submitted by the Developer pursuant to this Agreement shall not constitute or be deemed to be release of the responsibility and liability of the Developer or its engineers, employees, officers or agents for the accuracy and competency of their design and specifications. The Parties acknowledge and agree that the approval of any plans, designs, or specifications by the City signifies the City's approval on only the general design concept of the improvements to be constructed as the same relates to conformance with City ordinances.

IN WITNESS WHEREOF, each of the parties hereto has executed this Agreement, or caused the same to be executed by its duly authorized representative.

DEVELOPER

10-8 Properties, LLC
a Texas limited liability company

By: _____ Date: _____
Jacob Grant, President

CITY OF FREDERICKSBURG, TEXAS ("CITY")

By: _____ Date: _____
Kent Myers, City Manager

Proposed



SEARCHERS

SURVEYING & ENGINEERING LLC

MASON | FREDERICKSBURG

P.O. Box 1504 Fredericksburg, TX 78624 | 830-383-1211

Firm #10193966 | www.searchersls.com

LEGAL DESCRIPTION: Being 6.320 acres of land out of Outlot 97, Outlot 96, an Unnumbered Outlot, and Block V as shown on the map of Fredericksburg and Environs by the German Emigration Company in Gillespie County, Texas and being all of that certain 6.23 acre tract described in Instrument No. 20211938 of the Official Public Records of Gillespie County, Texas and all of that certain 0.09 acre tract described in Instrument No. 20211938 of said Official Public Records; Said 6.320 acre tract being more particularly described as follows and as surveyed under the supervision of Searchers Surveying & Engineering LLC in May 2021:

BEGINNING at a 3/4 inch iron pipe found in the east line of Post Oak Road and the west line of said Outlot 97, for the northwest corner of that certain 0.92 acre tract recorded in Instrument No. 20203030 of said Official Public Records and described in the "First" tract in Volume 135, Page 826 of the Deed Records of Gillespie County, Texas, the southwest corner of said 6.23 acre tract, and the southwest corner hereof;

THENCE North 00°27'46" West a distance of 478.29 feet along the east line of said Post Oak Road, the west line of said Outlot 97, and the west line of said Unnumbered Outlot to a 1/2 inch iron rod found in the centerline of Blackwater Road, a private road, described as a 10 foot wide alley in Volume 79, Page 243 of said Deed Records, for the southwest corner of that certain 0.723 acre tract described in Instrument No. 20212310 of said Official Public Records, the northwest corner of said 6.23 acre tract, and the northwest corner hereof;

THENCE North 89°44'32" East a distance of 573.20 feet along the south line of said 0.723 acre tract, the south line of that certain 0.65 acre tract described in Instrument No. 20120034 of said Official Public Records, the north line of said 6.23 acre tract, and the north line of said 0.09 acre tract to a 1/2 inch iron rod found in the west line of that certain 2.14 acre tract described in Instrument No. 20205800 of said Official Public Records, for the northeast corner of said 0.09 acre tract and the northeast corner hereof, and from which a nail found bears North 21°57'07" East a distance of 1.27 feet and a 1/2 inch iron rod with a cap marked "Bonn 4447" found bears South 07°57'52" East a distance of 3.52 feet;

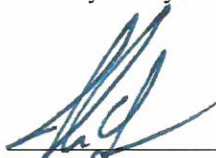
THENCE along the east line of said 0.09 acre tract, the following 2 courses:

1. South 01°00'42" East a distance of 21.12 feet along the west line of said 2.14 acre tract to a 1/2 inch iron rod found for the southwest corner of said 2.14 acre tract and the northwest corner of that certain 0.999 acre tract described in Instrument No. 20160175 of said Official Public Records;
2. South 01°04'34" East along the west line of said 0.999 acre tract, at a distance of 130.52 feet pass a 1/2 inch iron rod found for the southwest corner of said 0.999 acre tract, the northwest corner of Lot 1 of the Dueck Subdivision as shown on the plat recorded in Volume 5, Page 45 of the Plat Records of Gillespie County, Texas, continuing along the west line of said Lot 1, at a distance of 326.75 feet to a 1/2 inch iron rod found for the southwest corner of said Lot 1 and the northwest corner of Lot 2 of said Duecker Subdivision, continuing along the west line of said Lot 2 in all for a total distance of 457.00 feet to a 1/2 inch iron rod found for a corner of said Lot 2, the northeast corner of that certain 0.90 acre tract described in Volume 186, Page 11 of said Deed Records, the southeast corner of said 0.09 acre tract, and the southeast corner hereof;

THENCE South 89°43'17" West, along the north line of said 0.90 acre tract, the south line of said 0.09 acre tract, and the south line of said 6.23 acre tract, at a distance of 100.76 feet pass a 1/2 inch iron rod found for the northwest corner of said 0.90 acre tract and the northeast corner of that certain 0.91 acre tract, Third, described in Volume 135, Page 826 of said Deed Records, continuing along the north line of said 0.91 acre tract, the north line of that certain 0.92 acre tract, Second, described in said Volume 135, Page 826, and the south line of said 6.23 acre tract, at a distance of 389.97 feet pass a 1/2 inch iron rod found for the northwest corner of said Second tract and the northeast corner of said First tract, continuing along the north line of said First tract and the south line of said 6.23 acre tract in all for a total distance of 578.29 feet to the POINT OF BEGINNING containing 6.320 acres of land, more or less, and as shown on certified plat herewith.

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

Surveyed by;



Josh W. Leamons
Registered Professional Land Surveyor #6276
Date: May 18, 2021
Job# 21-4946



Exhibit B - Proposed Zoning

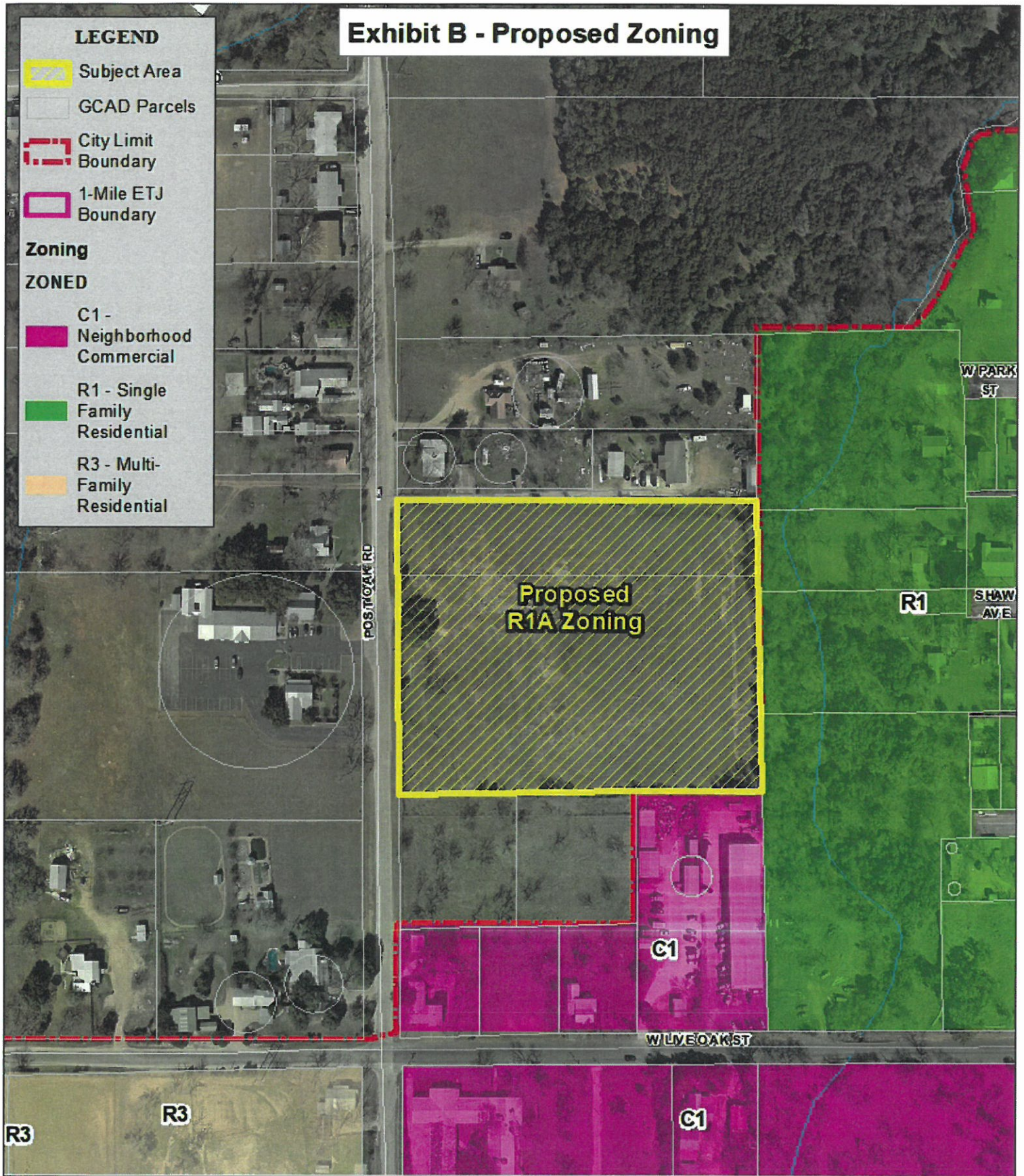
LEGEND

-  Subject Area
-  GCAD Parcels
-  City Limit Boundary
-  1-Mile ETJ Boundary

Zoning

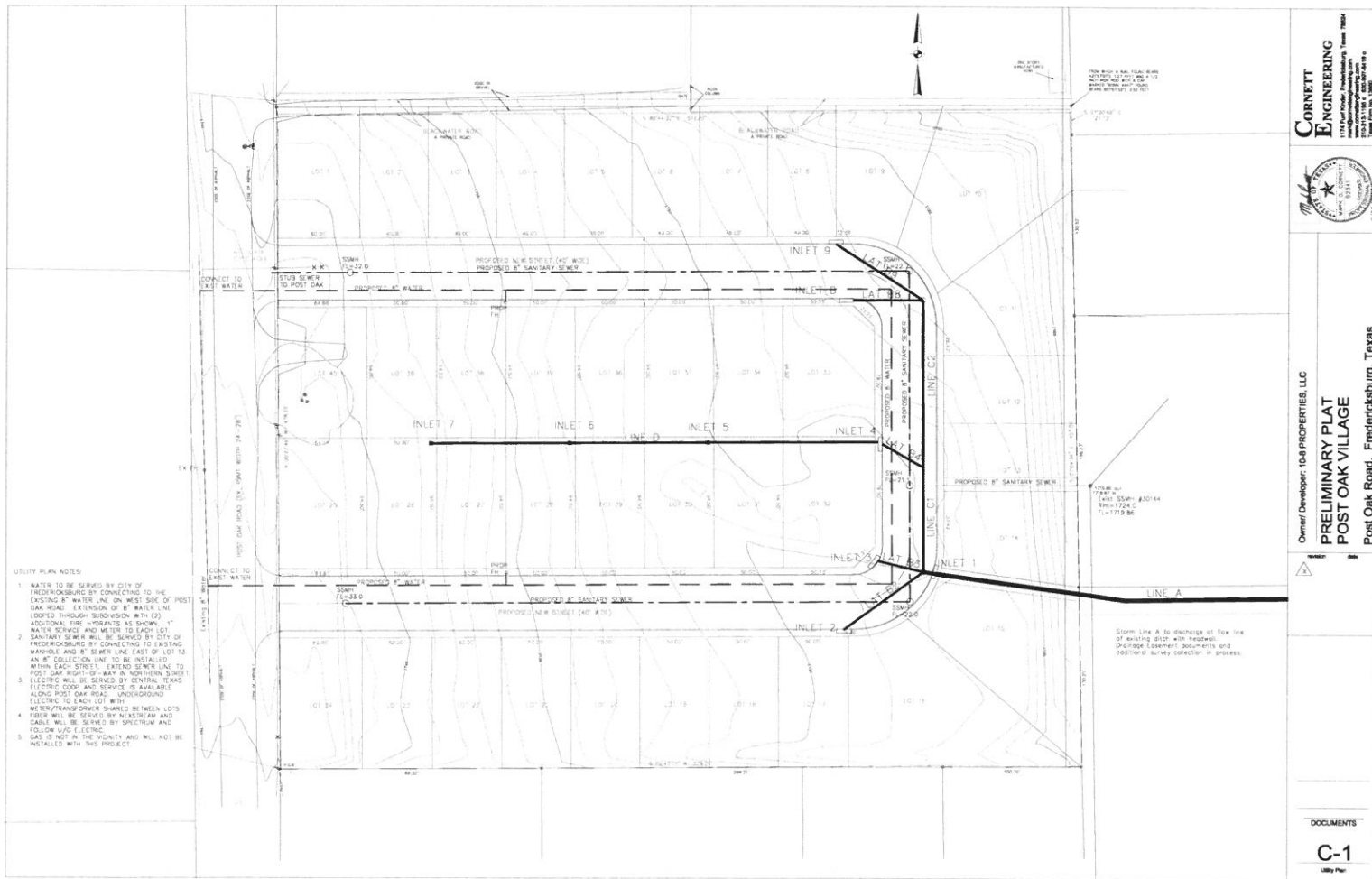
ZONED

- C1 -
Neighborhood
Commercial
- R1 - Single
Family
Residential
- R3 - Multi-
Family
Residential



0 200 400
1 inch = 200 feet





Future Agenda Items

City Council

September 7, 2021 Regular Meeting

City Council = Red

7th and 20th Regular Meetings @ 6p.m.

Planning & Zoning = Green on 8th @ 5:30 p.m.

Historic Review Board = Purple on 14th @ 5:30 p.m.

Zoning Board of Adjustment = Blue on 16th @ 5:30 p.m.

City Events = 6th Labor Day Holiday

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

Proclamation

1.

Consent

1. 8-11-2021 City Council Workshop Minutes
2. 8-16-2021 City Council Regular Meeting Minutes
3. 8-23-2021 City Council Workshop Minutes

Public Hearing

1. Post Oak Annexation 1st public hearing

Ordinances

- 1.
- 2.

Resolutions

1. Relating to an Advance Funding Agreement for the S. Llano Shared-Use Bridge & Ufer St, Sidewalk Project

Approvals-Misc.

1. Texas Rangers managing Fort Martin Scott
2. Presentation from CVB regarding their budget
3. Appointment of 3 new FCVB Board Members

Presentations, Discussions and Updates:

1. Update report on Emergency Action Plan

Executive Session

September 20, 2021

Regular Meeting

Proclamation

1.

Consent

1. 9-7-2021 City Council Regular Meeting Minutes

Public Hearing

1. Post Oak Annexation 2nd public hearing

Ordinances

1. Adoption of Tax Rate
2. Adoption of FY 2022 Budget

Resolutions

1.

Approvals-Misc.

1.

Presentations, Discussions and Updates:

1.

Executive Session