



REGULAR CITY COUNCIL MEETING AGENDA
MONDAY, SEPTEMBER 20, 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, September 20, 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

(Rev. Rob Holster, Hill Country Church)

3. PLEDGE OF ALLEGIANCE

4. PROCLAMATION

A. Constitution Week

(Agenda Packet Pages 5-6)

B. Hill Country Night Sky Month

(Agenda Packet Pages 7-8)

5. EMPLOYEE RECOGNITIONS

6. 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 September 20, 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 "**September 20, 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.

7. 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 16, 2021 Regular Meeting
(Agenda Packet Pages 11-16)
 - ii. September 7, 2021 Regular Meeting
(Agenda Packet Page 17-24)

8. PUBLIC HEARING

- A. Hold a public hearing to receive citizen comments for or against a request by Jacob Grant to consider a voluntary annexation and requested zoning for "Single-Family Residential – Small Lot" (R-1A) for approximately 6.32 acres of land out of Outlot 97, Outlot 96, an unnumbered Outlot, and Block v of the German Emigration Company Environs Map, located at 651 Post Oak Road (Jason Lutz, Development Services Director).
(Agenda Packet Pages 25-34)

9. ORDINANCES AND RESOLUTIONS

- A. Consider the approval of Ordinance 2021-23 annexing approximately 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, located along Post Oak Road to the north of the intersection of Post Oak Road and West Live Oak Street; extending the corporate limits of the City, so as to include said territory; granting to all inhabitants and future inhabitants of said territory all of the rights and privileges of other citizens of the City; binding the inhabitants and future inhabitants of said territory by any and all acts, ordinances, resolutions and regulations of said City; and amending the Zoning Ordinance of the City to establish the Zoning District of said territory as R-1-A: Single Family Residential-Small Lot. (Jason Lutz, Development Services Director).
(Agenda Packet Pages 25-34)
- B. Consider the approval of Ordinance 2021-19 amending Chapter 2 - Administration - of the Code of Ordinances, by adopting and adding an Article VII - Administrative Adjudication of Violations - providing for a Civil Administrative hearing process for violations of Ordinances described in Texas Local Government Code Section 54.032 (2nd reading) (Daniel Jones, City Attorney)
(Agenda Packet Page 35-50)

- C. Consider the approval of Ordinance 2021-20 adopting the City Budget for the Fiscal Year beginning October 1, 2021 and ending September 30, 2022, and making appropriations for each department and account (1st of two readings; City Council may waive 2nd reading) (Laura Hollenbeak, Finance Director).
(Agenda Packet Page 51-56)
- D. Consider the approval of Ordinance 2021-21 setting the Tax Levy for the Taxable Year 2021; and providing an effective date (1st of two readings; City Council may waive 2nd reading) (Laura Hollenbeak, Finance Director).
(Agenda Packet Page 57-64)
- E. Consider the approval of Ordinance 2021-22 amending Article 24.000 of Appendix A -“ Fee Schedule, of the Code of Ordinances, to update and amend the use fees for pool party use of Lady Bird Johnson Park Pool and Town Pool, use of the Recreational Vehicle Sewer System Dump at Lady Bird Johnson Municipal Park, and use of the open-air pavilions at Lady Bird Johnson Municipal Park. (1st of two readings; City Council may waive 2nd reading) (Andrea Schmidt, Parks and Recreation Director).
(Agenda Packet Page 65-70)
- F. Consider the approval of Ordinance 2021-24 amending Article 11.702 - Electric Rates, of Appendix A – Fee Schedule, of the Code of Ordinances, to update and amend the Fees for Electric Service provided by the City (1st of two readings; City Council may waive 2nd reading) (Laura Hollenbeak, Finance Director).
(Agenda Packet Page 71-78)
- G. Consider the approval of Resolution 2021-10R authorizing the removal of delinquent Personal Property Accounts from the Tax Roll (Kent Myers, City Manager).
(Agenda Packet Pages 79-94)

10. OTHER ACTION ITEMS AND UPDATES

- A. Consider the approval of a Voluntary Annexation Agreement for approximately 10.839 acres of land to construct a single-family subdivision of Stone Ridge Unit 11 (Jason Lutz, Development Services Director).
(Agenda Packet Pages 95-112)

11. CITY MANAGER REPORT

- A. STR Regulations
- B. COVID Update
- C. Housing Coordinator
- D. American Rescue Plan Funds

12. ITEMS FOR FUTURE AGENDA

(Agenda Packet Pages 113-114)

13. COUNCIL COMMENTS

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

14. EXECUTIVE SESSION

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Section 551.072 (Deliberation Regarding Real Property):

- A. Consider and discuss the purchase, exchange, lease, or value of real property, located in the vicinity of the intersection of S. Adams Street at San Antonio Street, in the City of Fredericksburg, Texas (Section 551.072)

15. BUSINESS ITEM

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

16. ADJOURN

This is to certify that I, Shelley Goodwin, posted this Agenda at 4:00 p.m. on September 15, 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



PROCLAMATION

WHEREAS: It is the privilege and duty of the American people to commemorate the two hundred and thirty-fourth anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities; and

WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I, Charlie Kiehne, Mayor of the City of Fredericksburg, Texas, in the State of Texas, by virtue of the authority vested in me, do hereby proclaim the week of September 17 through 23, 2021 as

CONSTITUTION WEEK

In the City of Fredericksburg; and urge all citizens to study the Constitution and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City to be affixed this 20th day of September of the year of our Lord two thousand twenty-one.

Charlie Kiehne
Mayor



CITY COUNCIL MEMO

DATE: September 7, 2021

TO: Mayor and City Council

FROM: Lea Feuge, Public Information Officer

SUBJECT: Proclamation of October as Hill Country Night Sky Month

Summary:

The City of Fredericksburg obtained its designation as an International Dark Sky Community in 2020, joining the efforts of other communities including the neighboring areas of Horseshoe Bay, Dripping Springs, and Wimberley Valley to preserve the night sky through the implementation and enforcement of a quality outdoor lighting ordinance, dark sky education, and citizen support of dark skies. Dark Sky Communities excel in their efforts to promote responsible lighting and dark sky stewardship, and set good examples for surrounding communities.

The Hill Country Alliance has announced its inaugural, month-long celebration of our region's night skies and the hard work the Hill Country communities have put forth to preserve it.

Recommendation:

City of Fredericksburg Staff along with the support of the Hill Country Alliance recommend designating October as Hill Country Night Sky Month.

Background / Analysis:

The City of Fredericksburg encourages citizens to enjoy the night sky and to participate in the City of Fredericksburg, Texas and the Hill Country region's events and programs celebrating the night sky and promoting the ways in which communities are working to preserve it. We also encourage citizens to learn

The City of Fredericksburg

about light pollution and why it matters, night sky friendly lighting, and lighting regulations, and to implement practices and lighting improvements that will reduce light pollution, thereby preserving our night skies.

By proclaiming October as "Hill Country Night Sky Month," the City of Fredericksburg will be continuing to show its support for the Dark Sky initiative and encourage our citizens and visitors to do their part to preserve our night sky for generations to come.

Attachments:

Proclamation of the City of Fredericksburg, Texas, proclaiming October 2021 as "Hill Country Night Sky Month"



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

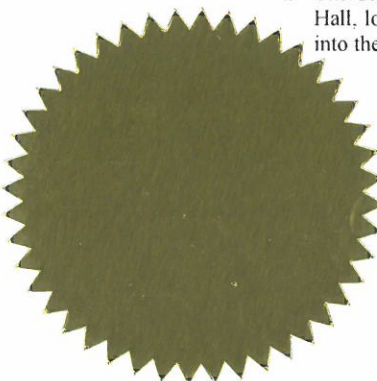
**PROCLAMATION
OF THE CITY OF FREDERICKSBURG, TEXAS
PROCLAIMING OCTOBER 2021 AS**

“Hill Country Night Sky Month”

- WHEREAS,** the aesthetic beauty and wonder of star-filled skies are the heritage of all humankind and locally to the inhabitants of the City of Fredericksburg, Texas and are therefore worthy of celebration; and
- WHEREAS,** the experience of standing beneath a star-filled night sky inspires feelings of wonder and awe, and may encourage interest in science and nature especially among young people; and
- WHEREAS,** the opportunity to view star-filled skies attracts tourists to our region and therefore economic benefit to the City of Fredericksburg, Texas; and
- WHEREAS,** preserving the rich historic heritage and starry night skies of the City of Fredericksburg, Texas is important to its residents; and
- WHEREAS,** “light pollution,” which is wasted light that performs no function or task and artificial light that goes where it is not supposed to go, is created by glare, light trespass, sky glow, and overlighting; and
- WHEREAS,** light pollution wastes natural resources amounting to at least \$2 billion per year and contributes to diminished American energy independence; and
- WHEREAS,** the historical view of the night skies has been eroding in many nearby areas and generations are growing up with limited, if any, view of the wonders of the universe; and
- WHEREAS,** the influx of people into the Texas Hill Country region and the accompanying light pollution from area lighting fixtures has been steadily on the rise; and
- WHEREAS,** solving the problem of light pollution involves making better use of outdoor lighting to direct light down to where it is needed instead of upward into the sky, putting outdoor lights on timers and using outdoor lighting only where necessary; and
- WHEREAS,** Hill Country communities are increasingly dedicated to the preservation of the region’s night skies, as evidenced by the frequent educational activities conducted in our region and by the increasing number of places in our region recognized as International Dark-Sky Places by the International Dark-Sky Association, including: Enchanted Rock State Natural Area, South Llano State Park, the City of Dripping Springs, the Wimberley Valley, the City of Fredericksburg, the City of Horseshoe Bay, U Bar U Camp & Retreat Center, River Hills Neighborhood of Travis County, and Lost Creek Neighborhood of Travis County; and
- WHEREAS,** this regional effort and the preservation and celebration of our night skies is worthy of a month-long celebration.

NOW THEREFORE, BE IT PROCLAIMED by the City of Fredericksburg, Texas:

1. October 2021 shall hereafter be known as “Hill Country Night Sky Month” in the City of Fredericksburg, Texas.
2. That the City of Fredericksburg, Texas encourages citizens to enjoy the night sky and to participate in the City of Fredericksburg, Texas and the Hill County region’s events and programs celebrating the night sky and promoting the ways in which communities are working to preserve it.
3. That the City of Fredericksburg, Texas encourages citizens to learn about light pollution and why it matters, night sky friendly lighting, and lighting regulations, and to implement practices and lighting improvements that will reduce light pollution, thereby preserving our night skies.
4. The City Secretary is hereby instructed to post this Proclamation at the City of Fredericksburg, Texas City Hall, located at 126 W. Main, Fredericksburg, Texas, 78624, for Public Display and enter this document into the permanent records of the City of Fredericksburg, Texas.



Charlie Kiehne, Mayor
City of Fredericksburg, TX



CITY OF FREDERICKSBURG

MINUTES OF CITY COUNCIL REGULAR MEETING AUGUST 16, 2021

The City of Fredericksburg City Council held their regular session on Monday, August 16, 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
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 16, 2021.

2. INVOCATION

George Studor, led the Invocation.

3. PLEDGE OF ALLEGIANCE

Mayor Kiehne led the Pledge of Allegiance.

4. EMPLOYEE RECOGNITIONS

Kent Myers, City Manager, read the following thank yous:

- From a resident who sent an email regarding Ray Ortegon, Code Enforcement, for making a difference.

- From a resident regarding the high-level customer service by Shelby Collier, Development Services Coordinator, Jason Lutz, Development Service Director, and Shelley Goodwin, City Secretary.
- From a resident who sent an email regarding two lifeguards that jumped into action to save a child.

Kent Myers, City Manager, introduced Ted Boyer, the new Code Enforcement Officer. He also recognized the Fredericksburg PD for reaccreditation by TPCA.

5. PUBLIC COMMENTS

Debra Holbecker, City resident, spoke regarding COVID and Town Pool.

Jerry McCorkle, City resident, spoke and provided a handout regarding 45 Declared Communist Takeover Goals.

Johnny Rodriguez, City resident, spoke regarding renewable energy.

Delbert Irons, City resident, spoke regarding his service in the military and socialism.

Marylee Marschall, City resident, spoke regarding COVID and the hospital.

Tom Marschall, City resident, spoke regarding a proposed Resolution for the City Council to consider at a future meeting.

Kimberly Lams, City resident, spoke regarding personal rights and provided a handout regarding the CDC.

Cord Switzer, City resident, spoke regarding personal rights, Hill Country Medical Center trip, and government regulations.

Heather Davis, Blue Bird Beginnings Child Center, spoke regarding needing help with finding her a new location.

Tonya Benson, City resident, spoke regarding Town Pool and protecting her rights.

Jeannette Hormuth, City resident, spoke regarding the proposed Resolution and encouraged the City Council to approve.

Isla Roof, City resident, spoke regarding the Police Department.

Robert Phoenix, County resident, spoke regarding the citizen comments period.

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**
- ii. August 2, 2021 Regular Meeting**
- iii. August 4, 2021 Workshop**

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).

Councilmember Musselman pulled Agenda Item 6. B. to consider separately.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Luckenbach, to approve Consent Agenda items 6. A. i. – iii., with corrections The City Council voted five (4) for, and none (0) opposed. The motion carried unanimously.

The City Council discussed the Health and Safety Plan requirements.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Luckenbach, to approve the request from Bestfest 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. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

7. PUBLIC HEARING

A. Hold a public hearing to receive citizen comments for or against a request by Steve and Marsha Mingle 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).

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

Mayor Kiehne asked if anyone wished to speak. No one did.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Watson, to go out of the Regular Meeting into the public hearing at 7:02 p.m. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

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).

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Musselman, to go out of the Regular Meeting into the public hearing at 7:03 p.m. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

Mayor Kiehne asked if anyone wished to speak.

Rebecca Davis, City resident, spoke regarding her sister and how the STR is affecting her.

Jim Richmond, City resident, spoke regarding the effects that adding three more units will have on the neighborhood.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Musselman, to go out of the Regular Meeting into the public hearing at 7:05 p.m. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

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)

i. Discussion on Town Pool/Splash Pad Information meetings and citizen input (Andrea Schmidt, Parks and Recreation Director).

Andrea Schmidt, Parks and Recreation Director, reviewed the history of the Town Pool and the Splash Pad. She also reviewed the results of the public forums information she received.

Daniel Jones, City Attorney, stated August 16, 2021, is the deadline for calling a Special Election and creating the ballot language.

Motion: A motion was made by Councilmember Musselman, seconded by Mayor Kiehne, to call a Special Election to be held on November 2, 2021, so the voters can decide to keep Town Pool and add a splash pad or to convert Town Pool into a splash pad. The City Council voted one (1) for, and four (4) opposed (Councilmembers Luckenbach, Watson, and O'Neill, and Mayor Kiehne). Motion failed.

Motion: A motion was made by Councilmember Musselman, seconded by Mayor Kiehne, to call a Special Election to be held on November 2, 2021, and include the 3 Options, to keep Town Pool and add a splash pad, or to convert Town Pool into a splash pad, or do nothing at all to Town Pool. The City Council voted two (2) for and three (3) opposed (Councilmembers Luckenbach, Watson, and O'Neill). Motion failed.

The City Council agreed by consensus for Staff to bring back an Agenda Item regarding options related to Town Pool for the City Council to consider.

B. Consider an approval of a request by Steve and Marsha Mingle 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)

Jason Lutz, Development Services Director, reviewed the history and noted that the applicant wants to construct an 8-unit STR facility. This facility will include an office, commercial kitchen, and living quarters for an onsite manager. He also reviewed the site plan and noted the Fire Marshall did review this property.

The City Council discussed the occupancy, serving food, and fence. They expressed concerns about the separation of the property on the west side.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Luckenbach, for approval of a request by Steve and Marsha Mingle 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, with the condition of increasing the fence height for 6' to 8' for the fences proposed between structures along the side property lines. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

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)

Jason Lutz, Development Services Director, reviewed the history of the property. He noted that the Historic Review Board had several concerns regarding the location of the spa areas and parking configuration. Still, they approved the Certificate of Appropriateness based on the renderings and guidelines. He noted that Staff also has concerns with parking layout and location of spa areas.

The City Council discussed the occupancy of the main house, parking, and the STR units. They also discussed the current Ordinance and guidelines.

Motion: A motion was made by Councilmember O'Neill, seconded by Councilmember Luckenbach, to deny the request by Wes and Tammy Pack to consider for 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. The City Council voted three (3) for, and two (2) opposed (Councilmembers Musselman and Watson). The motion carried

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).

Jason Lutz, Development Services, reviewed the property and the reason for the annexation request.

Mark Cornett, requestor, stated he was present to answer questions.

The City Council discussed the annexation request.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember O'Neill, for the approval of an annexation agreement related to the request by Mark Cornett for a voluntary annexation for property located at 651 Post Oak Road. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

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.**

Laura Hollenbeak, Finance Director, stated the FY 2022 proposed Budget was filed with the City Secretary on August 19, 2021. She also stated a Public Hearing to receive comments on the Proposed Budget for Fiscal Year 2022 will be held at 6:00 p.m. on Monday, August 23, 2021, at the Law Enforcement Center.

9. CITY MANAGER REPORT

A. Budget Update

Kent Myers, City Manager, stated the City Council would consider setting a proposed FY 2021 Tax Rate on August 23, 2021. He noted that if the proposed Tax Rate exceeds the no-new-revenue tax rate, the City Council will need to schedule another public hearing; September 8, 2021, at 6 p.m. in the Fire Training Room.

B. STR Update

Kent Myers, City Manager, stated the new Code Enforcement Officer would receive training for the next 30 days. He also noted that the amendment to the Ordinance is being discussed at a City Council Work Session on September 13, 2021, at 6 p.m. at University Center.

COVID-19

Kent Myers, City Manager, stated that 4 City employees have tested positive, and two employees are in quarantine. COVID positivity rate 24%, EMS have tested 133 people, and 26 of those were positive. He noted there would be a City-wide vaccination at Marktplatz on September 1, 2021.

10. ITEMS FOR FUTURE AGENDA

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

11. COUNCIL COMMENTS

Councilmember O'Neill stated she had reviewed several of the reports that citizens have shared on vaccines and noted in her opinion this information is misleading.

Councilmember Luckenbach reported on the Gillespie County Commissioner's Court. He also reported on the grants and donations the Marker Square Redevelopment Commission has received. He also read a statement regarding Dr. Edwards that citizens mentioned at the last Regular City Council meeting.

Councilmember Watson reported that fuel sales are up more than 43% this year.

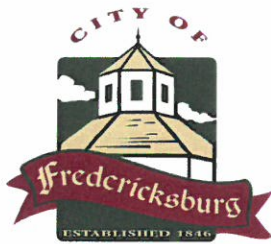
Mayor Kiehne reported on the Water Wheel dedication ceremony, Leadership Summit Pastor Vitek held, and the FISD Scavenger Hunt.

12. ADJOURN

Motion: A motion was made by Councilmember Watson and seconded by Councilmember Luckenbach, to adjourn the Monday, August 16, 2021, City Council Regular Meeting at 8:35 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Charlie Kiehne
Mayor

Shelley Goodwin, TRMC
City Secretary



CITY OF FREDERICKSBURG

MINUTES OF CITY COUNCIL REGULAR MEETING SEPTEMBER 7, 2021

The City of Fredericksburg City Council held their regular session on Tuesday, September 7, 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
Lynn Bizzell, Fire Chief
Eric Whiting, Information Technology Director
Andrea Schmidt, Parks and Recreation Director
Jason Lutz, Development Services Director
Laura Hollenbeck, Finance Director
Rebekka Goff, Administrative Assistant/Receptionist
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 Tuesday, September 7, 2021.

2. INVOCATION

Austin Loza, Area Director of Fellowship of Christian Athletes held the Invocation.

3. PLEDGE OF ALLEGIANCE

Mayor Kiehne led the Pledge of Allegiance.

4. EMPLOYEE RECOGNITIONS

Kent Myers, City Manager, read the following thank yous:

- Resident kudos to two employees for their assistance.
- Officer Evan Smith for his professionalism and respect.

5. PUBLIC COMMENTS

Walter Moldenhauer, Fort Martin Scott Friends, spoke regarding the proposed management agreement of Fort Martin Scott.

Julie Ballenger, City resident, spoke regarding the proposed management agreement of Fort Martin Scott.

Mary Lu Abbott, City resident, spoke regarding the proposed management agreement of Fort Martin Scott.

Randy Briley, City resident, spoke regarding the Criminal Court vs. Alternative Adjudication process Ordinance 2021-19.

Janet Crouch, County resident, spoke regarding Short-Term Rental (STR) and the process.

Jerry McCorkle, City resident, spoke regarding affordable housing and property taxes.

Jeff Morin, City resident, spoke regarding STR violations and Hotel Occupancy Taxes collection.

Mary Lee Marschall, City resident, spoke regarding COVID-19 and regulations.

Tom Marschall, City resident, spoke regarding a Sanctuary Resolution for businesses. He also spoke regarding property taxes.

Annette Bennett, City resident, spoke regarding a Sanctuary Resolution for businesses.

Bradley Shearer, spoke regarding doing business during COVID-19 shutdowns.

Jeannette Hormuth, City resident, read the Texas Constitution Article I Section 2 and FY2022 proposed Budget.

Steve O'Brien, City resident, spoke regarding the Sanctuary Cities, and urged support of the Sanctuary Resolution for businesses.

Robert Phoenix, County resident, spoke regarding Sanctuary Resolution for businesses.

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 11, 2021 Workshop
- ii. August 16, 2021 Regular Meeting
- iii. August 23, 2021 Special Meeting

Councilmember Musselman pulled item 6. A. ii. August 16, 2021, Regular Meeting and requested these minutes be brought back to the September 20, 2021, Regular Meeting.

Motion: A motion was made by Councilmember O'Neill, seconded by Councilmember Watson, to approve Consent Agenda items 6. A. i. and iii., with corrections. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

7. PUBLIC HEARING

- A. Hold a public hearing to receive citizen comments for or against Annexation for properties that have frontage on Post Oak Road between Live Oak Street and Bowie Street, and those properties fronting on the Cherry Street extension to the north of Bowie Street for approximately 83.33 acres, part of the City's Annexation Plan Area 6 A. and 6 B. (1st of 2 public hearings) (Jason Lutz, Development Services Director).**

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Luckenbach, to go out of the Regular Meeting into the public hearing at 6:53 p.m. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

Edward Rode spoke regarding the cost of the annexation and the other proposed annexation. He provided the City Council copies of the law he feels the City should be using when addressing annexations.

Jeffery Hutson stated he is a resident in the area proposed for annexation. He also spoke regarding the Agriculture exemption and the process.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Musselman, to go out of the Regular Meeting into the public hearing at 7:02 p.m. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

8. ORDINANCES AND RESOLUTIONS

- A. Consider the approval of Ordinance 2021-18 amending Article IV - Sales of Alcoholic Beverages, of Chapter 8 -Businesses, of the Code of Ordinances, to modify the issuance of Alcoholic Beverage Licenses, to align with the effective term of permits or licenses issued by the Texas Alcoholic Beverage Commission and providing for an effective date (1st of two readings; City Council may waive 2nd reading) (Daniel Jones, City Attorney).**

Daniel Jones, City Attorney, reviewed the 2-year licenses process, and this amendment will allow the City to collect the remainder of the current licenses. He noted this would align the City with the TABC permit timeframe.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Luckenbach, to approve Ordinance 2021-18 amending Article IV - Sales of Alcoholic Beverages, of Chapter 8 -Businesses, of the Code of Ordinances, to modify the issuance of Alcoholic Beverage Licenses, to align with the effective term of permits or licenses issued by the Texas Alcoholic Beverage Commission and amend the effective date to September 7, 2021, and waive the 2nd reading. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

- B. Consider the approval of Ordinance 2021-19 amending Chapter 2 - Administration - of the Code of Ordinances, by adopting and adding an Article VII - Administrative Adjudication of Violations - providing for a Civil Administrative hearing process for violations of Ordinances described in Texas Local Government Code Section 54.032 (1st of two readings; City Council may waive 2nd reading) (Daniel Jones, City Attorney).**

Daniel Jones, City Attorney, reviewed the history of the criminal process and the pros and cons of an alternative adjudication process.

Jason Lutz, Development Services Director, reviewed the benefits to the alternative adjudication process.

Kent Myers, City Manager, reviewed the history of the types of citations and changes. He also reviewed the benefits of changing to a civil process.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Watson, to approve Ordinance 2021-19 amending Chapter 2 - Administration - of the Code of Ordinances, by adopting and adding an Article VII – Administrative Adjudication of Violations - providing for a Civil Administrative hearing process for violations of Ordinances described in Texas Local Government Code Section 54.032.

Daniel Jones, City Attorney, reviewed the process and stated some administrative items will still need to be worked out.

The City Council reviewed some changes:

- Violation link to the Ordinance
- Effective date December 2021

Kent Myers, City Manager, suggested the effective date be January 1, 2022.

Withdraw Motion: Councilmember Luckenbach and Councilmember Watson withdrew their motion and second.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Watson, to approve the first reading and bring back the Ordinance with the recommended changes. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

C. Consider the approval of Resolution 2021-09R authorizing execution of an Advance Funding Agreement (AFA) with The Texas Department of Transportation for a Transportation Alternatives Set-Aside (TASA) Project (S. Llano Shared-Use Bridge and Ufer Street sidewalk Project) (Garret Bonn, Assistant City Engineer)

Garret Bonn, Assistant Engineer, stated the S. Llano Shared-Use Bridge and E. Ufer Street Sidewalk project would connect E. San Antonio St. to E. Ufer St. via a shared-use bridge that will cross Barons Creek in the S. Llano Right of Way and provide much-needed connectivity between the historic shopping district and many other areas on the south side of Barons Creek such as Old Fair Park, the City's Recycling Center, etc. In 2019, after submittal of an application for funding to TxDOT under the Transportation Alternatives Set-Aside Program, the City received word that the project had been approved for future funding considerations under the Small Urban Transportation Alternative (TA) Funds Conditional project approval list with an 80% (State) and 20% (City). As part of a development agreement Hamuk, LLC, which is developing a hotel at the northwest corner of S. Llano and Ufer St, is responsible for contributing \$100,000 towards the cost of the shared-use bridge project. On April 29, 2021, the Texas Transportation Commission formally approved the project and awarded \$902,748 in federal funding. The current estimated project cost is \$1,128,435, including design, environmental/floodplain clearance, construction, TxDOT administrative costs, and a 15% contingency.

The City Council discussed the project and the timeframe.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Luckenbach, to approve Resolution 2021-09R authorizing execution of an Advance Funding Agreement (AFA) with The Texas Department of Transportation for a Transportation Alternatives Set-Aside (TASA) Project (S. Llano Shared-Use Bridge and Ufer Street sidewalk Project). The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

9. OTHER ACTION ITEMS AND UPDATES

A. Consider a presentation from Chief Chris McCall, TPCA Representative, for the City of Fredericksburg Police Department receiving the Texas Police Chiefs Association (TPCA) Best Practices Program to remain a recognized law enforcement agency (Steve Wetz, Police Chief and Lt. Braxton Roemer).

TPCA Representative Chief Chris McCall spoke regarding the Best Practices Program and the requirements. The Fredericksburg Police Department has received accreditation for the second four-year cycle and third assessment. He reviewed the continued compliance. He presented the re-recognition to Lt. Braxton Roemer, who accepted it on behalf of Chief Steve Wetz.

B. Consider the approval of the Texas Rangers Heritage Center's Professional Services Management Agreement at Fort Martin Scott (Andrea Schmidt, Parks and Recreation Director)

Andrea Schmidt, Parks and Recreation Director, reviewed the history of Fort Martin Scott. She recommended approval of the Professional Service Agreement.

Dr. Joey Gant, Texas Rangers Heritage Center, stated the storage of items in the office and building would need to be discussed with his Executive Board. They would like to assist them with several items until they look at a new location for their items. He noted they would continue the park host program and bring back any fees for approval by City Council.

The City Council discussed the role of the Friends of Fort Martin Scott and a continuing dialog. They also discussed the usage of the RV hook-up.

Motion: A motion was made by Councilmember O'Neill, seconded by Councilmember Luckenbach, to approval of the Texas Rangers Heritage Center's Professional Services Management Agreement at Fort Martin Scott and an update in 6 months regarding Fort Martin Scott Friends. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

C. Consider the approval of License Agreement with the Morning Rotary Club to add a splashpad in the green space behind Coach Tony Knopp Town Pool (Andrea Schmidt, Parks and Recreation Director).

Andrea Schmidt, Parks and Recreation Director, reviewed the update from the Morning Rotary Club's proposal to a splash pad behind Pool.

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember O'Neill, to approve the License Agreement with the Morning Rotary Club to add a splashpad in the green space behind Coach Tony Knopp Town Pool. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

D. Consider, discuss, and take action regarding the Fredericksburg Convention and Visitor Bureau (CVB) FY2022 proposed Budget presentation (Kent Myers, City Manager).

Ernie Loeffler, the Convention and Visitor Bureau CEO, reviewed the proposed Budget and recapped the accomplishments for the FY2021 Budget. He noted the proposed Budget includes a Master Plan, best practices of COVID, and funding for a survey.

Councilmember Musselman, City Council representative on CVB Board, thanked them for all they do for the community and the visitors. He also praised staff CVB and CVB Board.

Motion: A motion was made by Councilmember Musselman, seconded by Councilmember Watson, to approve the Fredericksburg Convention and Visitor Bureau (CVB) FY2022 proposed Budget. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

i. Consider the appointment of three (3) new members to fill vacancies and one (1) current Board member to be reappointed to the Fredericksburg CVB Board Members.

Ernie Loeffler, CEO of CVB, reported the Board currently has three vacancies and one reappointment that needs to be made. He recommended the following:

- John Dubea - appoint to fill a vacancy; expiring September 30, 2023.
- Abby McCulloch Mund - appoint to a 3-year term, expiring September 30, 2024.
- Karen Stevenson - appoint to fill a vacancy; expiring September 30, 2023.
- Linda Goldsmith - reappoint to a second 3-year term, expiring September 30, 2024.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Luckenbach, to approve the following Fredericksburg Convention and Visitor Bureau (CVB) Board appointments:

John Dubea - appoint to fill a vacancy; expiring September 30, 2023.

Abby McCulloch Mund - appoint to a 3-year term, expiring September 30, 2024.

Karen Stevenson - appoint to fill a vacancy; expiring September 30, 2023.

Linda Goldsmith - reappoint to a second 3-year term, expiring September 30, 2024.

The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

E. Consider and discuss changes to the proposed FY2022 Budget (Kent Myers, City Manager)

Kent Myers, City Manager, reviewed the final changes

- TABC fee revenues adjustment from \$187,000 to \$38,600
- Development of a parking deck at CVB \$80,000 in Tourism Fund.
- Support set funds aside funds from the American Rescue Fund Act.

The City Council discussed the American Relief Fund and agrees to add \$80,000 for the parking proposal.

Kent Myers, City Manager, announced the next meeting related to the budget is the Tax Rate public hearing scheduled for Wednesday, September 15, 2021 at 6 p.m. in the Fire Training Room. He noted the adoption of the FY2022 Budget and FY2021 Tax Rate is scheduled for September 20, 2021 at 6 p.m. in the Law Enforcement Center.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Luckenbach, to approve the FY2022 proposed Budget changes. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

F. Consider and take action regarding an update report on the Winter Storm 2021 After Action Plan (Justin Calhoun, Emergency Management Officer).

Justin Calhoun, Emergency Management Officer, reviewed the PowerPoint regarding lessons learned and updates since Winter Storm.

The City Council discussed the Winter Storm 2021 After Action Plan. They also discussed the FEMA Claims for overtime and the additional \$10,000 claim for administrative time.

Kent Myers, City Manager, encouraged Justin to present the same PowerPoint to the County.

Motion: A motion was made by Councilmember Watson, seconded by Councilmember Musselman, to approve the Winter Storm 2021 After Action Plan. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

G. Consider and discuss a report summarizing the Governor's current Executive Orders (GA-38 and GA-39) concerning COVID-19, and the status of related litigation.(Daniel Jones, City Attorney)

Daniel Jones, City Attorney, reviewed the GA 38 and GA 39 required restrictions. He noted it provided clarity and uniformity for the fight against COVID-19 and relied on personal responsibility rather than government mandates. He noted that GA 39 is related to prohibiting vaccine mandates and vaccine passports subject to legislative action. He also noted there are currently six lawsuits in the court systems regarding these orders.

10. CITY MANAGER REPORT

A. Recycling Program

Kent Myers, City Manager, stated the market has come back in the last six months, mainly plastic and newspapers. He noted that this topic would be brought back to the City Council for discussion within the next six months.

B. Relief Route Task Force

Kent Myers, City Manager, stated the Relief Route Task Force would continue with the education on the Relief Route through September. He noted the Task Force felt it was not their role to do a survey, but if Commissioner's Court and City Council want a survey, they would need to handle it. He recommended the City Council hold a Joint Meeting with Commissioners Court to discuss the Relief Route in October or November.

C. Budget Update

Kent Myers, City Manager, provided the following meeting dates and times

- September 15, 2021 proposed Tax Rate public hearing at 6 p.m. in the Fire Training Room.
- September 20, 2021 adoption of Budget and Tax Rate at 6 p.m. in the Law Enforcement Center.

D. STR Update

Kent Myers, City Manager, reminded everyone of the Short-Term Rental Work Session that will be held on September 13, 2021 at 6 p.m. at University Center

E. Texas Tech Workforce Housing Study

Kent Myers, City Manager, stated Texas Tech has offered 12 students the opportunity to work with our community regarding a Housing Study. He also noted Anna Hudson, Historic Preservation Officer, will be the contact person for this project.

11. ITEMS FOR FUTURE AGENDA

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

12. COUNCIL COMMENTS

Councilmember O'Neill provided an update regarding the Chamber of Commerce meeting and SECCO Development.

Councilmember Musselman reminded everyone of the STR Work Session on Monday, September 13, 2021 at 6 p.m. at University Center.

Councilmember Luckenbach stated the Market Square Redevelopment Commission received an anonymous memorial donation for John Klein totaling \$380,000. He also reviewed a story of a Freedom Fighter who died because he supported his freedom more than his health.

13. ADJOURN

Motion: A motion was made by Councilmember Luckenbach, seconded by Councilmember Musselman, to adjourn the Tuesday, September 7, 2021, City Council Regular Meeting at 8:47 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Charlie Kiehne
Mayor

Shelley Goodwin, TRMC
City Secretary



CITY COUNCIL MEMO

DATE: September 20, 2021

TO: Chairman and P&Z Commissioners

FROM: Jason Lutz

SUBJECT: Z-2112 – Public hearing, Consideration, and Action regarding a requested Annexation and requested zoning.

Summary:

The property owner has requested voluntary annexation of approximately 6 acres of land to construct a single-family subdivision. This Annexation Agreement was approved by City Council on August 16, 2021. The requested zoning of the property is R1A.

The Future Land Use Plan calls this area as Low Density Residential and the requested zoning of R1A meets the requirements of the Future Land Use Plan.

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 and proposed zoning of R1A.

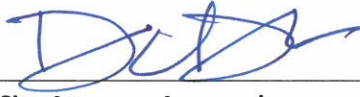
Attachments: Location Map & Draft Annexation/Zoning Ordinance

The City of Fredericksburg

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

Jason Lutz

Department Approval



City Attorney Approval

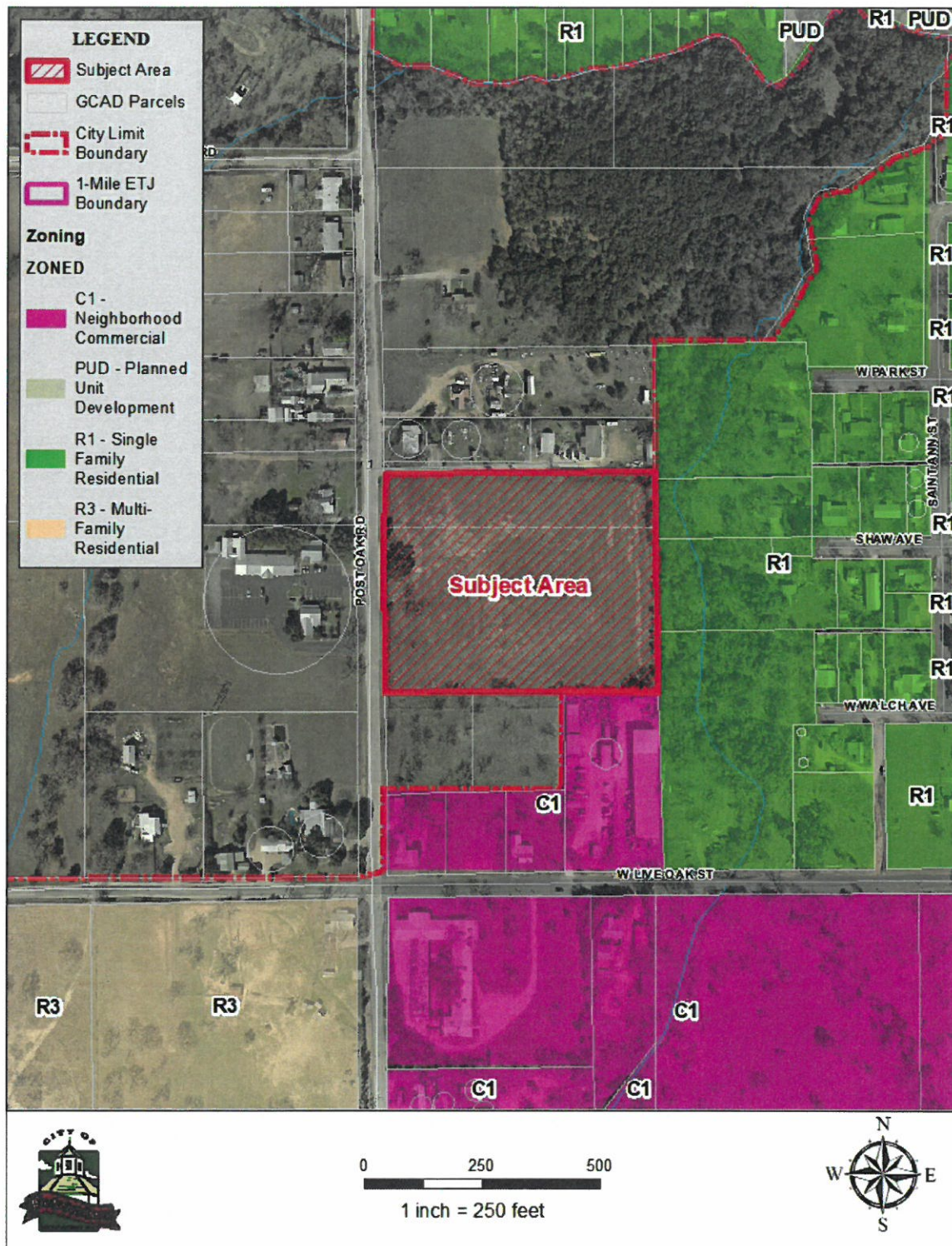


City Manager Approval

The City of Fredericksburg

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Agenda Packet Page 26



The City of Fredericksburg

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

ORDINANCE NO. 2021-23

AN ORDINANCE ANNEXING TO THE CITY OF FREDERICKSBURG, TEXAS APPROXIMATELY 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, LOCATED ALONG POST OAK ROAD TO THE NORTH OF THE INTERSECTION OF POST OAK ROAD AND WEST LIVE OAK STREET; EXTENDING THE CORPORATE LIMITS OF THE CITY OF FREDERICKSBURG, TEXAS, SO AS TO INCLUDE SAID TERRITORY; GRANTING TO ALL INHABITANTS AND FUTURE INHABITANTS OF SAID TERRITORY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS OF THE CITY OF FREDERICKSBURG, TEXAS; BINDING THE INHABITANTS AND FUTURE INHABITANTS OF SAID TERRITORY BY ANY AND ALL ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF SAID CITY OF FREDERICKSBURG, TEXAS; AND AMENDING THE ZONING ORDINANCE OF THE CITY TO ESTABLISH THE ZONING DISTRICT OF SAID TERRITORY AS R-1-A: SINGLE FAMILY RESIDENTIAL-SMALL LOT.

WHEREAS, the City of Fredericksburg has received a written request for voluntary annexation for the following tracts or parcels of land (the "Property") situated in Gillespie County, Texas, to-wit:

Being APPROXIMATELY 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, LOCATED ALONG POST OAK ROAD TO THE NORTH OF THE INTERSECTION OF POST OAK ROAD AND WEST LIVE OAK STREET, and more particularly and separately described in the attached Exhibit "A"; and

WHEREAS, the City Council of the City of Fredericksburg, Texas has heard arguments for and against the annexation of such Property at a public hearing in accordance with the Local Government Code of the State of Texas and after having been requested to annex such Property by the owners thereof; and

WHEREAS, the City Council of the City of Fredericksburg, Texas has determined that said Property is contiguous and adjacent to the limits of the City of Fredericksburg, Texas; that said Property meets all requisites of law for annexation, and that such Property should be annexed to the City of Fredericksburg, Texas, and the corporate limits of the City of Fredericksburg, Texas should be extended so as to include such territory; and that the

City Council of the City of Fredericksburg, Texas, by the provisions of the Local Government Code of the State of Texas, and the Charter of the City of Fredericksburg, has the power to annex such Property; and

WHEREAS, a request has been submitted by the owner of the Property to establish R-1-A: Single Family Residential-Small Lot zoning upon said Property; and

WHEREAS, public hearings before the Planning and Zoning Commission and the City Council of the City of Fredericksburg have been duly noticed and held regarding such application, as required by the City of Fredericksburg Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission has determined that such zoning change is in conformity with the uses established by the Comprehensive Land Use Plan of the City of Fredericksburg and is consistent with the objectives of the City of Fredericksburg Zoning Ordinance, and has recommended to the City Council of the City of Fredericksburg, based upon positive findings under the review and evaluation criteria established by such ordinance, that the zoning be enacted; and

WHEREAS, the City Council has specifically found, following public hearing, that such change is consistent with the objectives of the City of Fredericksburg Zoning Ordinance and Comprehensive Land Use Plan of the City of Fredericksburg and there has not been a protest against the zoning signed by owners of twenty per cent (20%) or more of the area of the property included in the zoning request, or of the area of the property immediately adjoining the same and extending two hundred feet (200') therefrom.

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

Section 1. That the Property is hereby annexed to the City of Fredericksburg, Texas; that the corporate limits of the City of Fredericksburg, Texas, be and they are hereby extended so as to include such Property within the city limits of the City of Fredericksburg, Texas; and that said Property shall hereafter be included within the territorial limits of the City of Fredericksburg, Texas.

Section 2. That the present and future inhabitants of such Property shall hereafter be entitled to all the rights and privileges of other citizens of the City of Fredericksburg, Texas; and that the inhabitants of such Property shall be bound by any and all the acts, ordinances, resolutions and regulations of the City of Fredericksburg, Texas. Pursuant to Texas Local Government Code Sec. 43.0672, the City has entered into a written agreement with the owners of Property, related to the provision of City services in the area, and the City is not required to provide a service that is not included in said agreement.

Section 3. That the zoning ordinance of the City of Fredericksburg is hereby amended to incorporate the certain change in zoning district as follows:

The Property is hereby zoned and designated as R-1-A: Single Family Residential-Small Lot.

Section 4. That all references in City of Fredericksburg Code of Ordinances to the Zoning Ordinance shall henceforth refer to such as is amended hereby.

PASSED AND APPROVED this the _____ day of _____, 20____.

Charlie Kiehne, Mayor
City of Fredericksburg, Texas

ATTEST:

Shelley Goodwin, TRMC
City Secretary

APPROVED AS TO FORM:

Daniel Jones, City Attorney

Page 1 of 2



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:

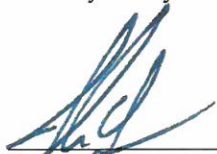
Page 2 of 2

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

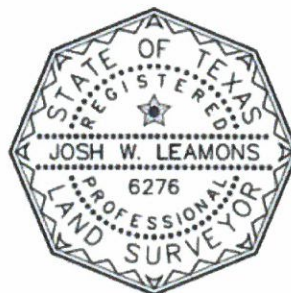


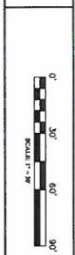


EXHIBIT "A"



LEGEND:

1	Survey Line
2	Property Line
3	Right of Way Line
4	Utility Line
5	Water Line
6	Gas Line
7	Electric Line
8	Telephone Line
9	Other Utility Line
10	Other Line



BURIALY NOTES:

1. All measurements are in feet and inches, unless otherwise noted.

2. All bearings are in degrees, minutes, and seconds, unless otherwise noted.

3. All distances are in feet, unless otherwise noted.

4. All corners are marked with iron pins, unless otherwise noted.

5. All lines are shown in black, unless otherwise noted.

6. All areas are shown in green, unless otherwise noted.

7. All easements are shown in yellow, unless otherwise noted.

8. All other lines are shown in blue, unless otherwise noted.

BOUNDARY SURVEY

THIS SURVEY WAS MADE FOR THE PURPOSE OF DETERMINING THE BOUNDARIES OF THE PROPERTY DESCRIBED IN THE ACCOMPANYING DEED. THE SURVEY WAS MADE IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF SURVEYORS AND MAPS OF THE STATE OF TEXAS. THE SURVEY WAS MADE BY THE SURVEYOR, AND THE RESULTS ARE SHOWN ON THIS MAP. THE SURVEY WAS MADE ON THE 15TH DAY OF MAY, 2018, AT THE COUNTY SEAL OF TARRANT COUNTY, TEXAS. THE SURVEY WAS MADE BY THE SURVEYOR, AND THE RESULTS ARE SHOWN ON THIS MAP. THE SURVEY WAS MADE ON THE 15TH DAY OF MAY, 2018, AT THE COUNTY SEAL OF TARRANT COUNTY, TEXAS.





CITY COUNCIL MEMO

DATE: For the September 20, 2021 meeting

TO: Mayor and City Council

FROM: Daniel Jones, City Attorney

SUBJECT: Consider establishing an alternative civil process to administer City ordinance violations

Summary: By adopting an ordinance to establish an alternative civil adjudication process, City code violations are enforced as an administrative civil matter, rather than as a Class C misdemeanor criminal case.

Recommendation: Discuss and consider the adoption of the attached Ordinance establishing an alternative civil adjudication process for City code violations.

Background / Analysis: The City Council previously considered the first reading of an ordinance to create an alternative approach to handle City ordinance violations, through a civil administrative hearing process. By using an alternative adjudication process, code violations are treated as a civil administrative matter, rather than as a Class C misdemeanor criminal case. The goals are to promote code compliance and increase efficiency of code enforcement, while improving the City-public relationship by disposing of cases in a less adversarial manner. This a second reading of the proposed ordinance, which has been amended to include the following revisions made by the City Council at the first reading of the ordinance:

1. Administrative citations are now required to identify the specific City code section alleged to be violated; and
2. The effective date of the ordinance is January 1, 2022.

Attachments: Proposed ordinance; redline copy showing revisions from first reading.

Daniel Jones
Department Approval

Kent Myers
City Manager Approval

The City of Fredericksburg

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

ORDINANCE NO. 2021-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING CHAPTER 2 - ADMINISTRATION - OF THE CODE OF ORDINANCES, BY ADOPTING AND ADDING AN ARTICLE VII - ADMINISTRATIVE ADJUDICATION OF VIOLATIONS - PROVIDING FOR A CIVIL ADMINISTRATIVE HEARING PROCESS FOR VIOLATIONS OF ORDINANCES DESCRIBED IN TEXAS LOCAL GOVERNMENT CODE SECTION 54.032.

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

Section 1. That, Chapter 2 - ADMINISTRATION, of the Code of Ordinances, is hereby amended by the addition of Article VII as follows:

Article VII. ADMINISTRATIVE ADJUDICATION OF VIOLATIONS.

§ 2-250 DEFINITIONS.

In this Article:

- (1) CODE OFFICIAL means the city employee designated by the City Manager as the Director of the City of Fredericksburg Civil Code Enforcement Department.
- (2) HEARING COORDINATOR means the Code Official's designee that manages the administrative hearing process created by this Article.
- (3) ISSUING OFFICER means a City civil code enforcement officer or City employee with the authority to issue administrative citations for violations described in Section 2-252 (*Violations Subject to Administrative Adjudication*).
- (4) VIOLATOR means the person charged with violating an ordinance described in Section 2-252 (*Violations Subject to Administrative Adjudication*).

§ 2-251 PURPOSE; ESTABLISH ADMINISTRATIVE HEARING PROCESS.

- (A) The purpose of this Article is to protect the health, safety, and welfare of the citizens of the City, by providing for an administrative hearing process for violations of ordinances described in Texas Local Government Code Section 54.032 (*Ordinances Subject to Quasi-Judicial Enforcement*). The City Council hereby implements Subchapter C (*Quasi-Judicial*

Enforcement of Health and Safety Ordinances) of Texas Local Government Code Chapter 54.

- (B) This Article establishes a procedure for administrative hearings pursuant to and consistent with Texas Local Government Code Section 54.044 (*Alternative Procedure for Administrative Hearing*).

§ 2-252 VIOLATIONS SUBJECT TO ADMINISTRATIVE ADJUDICATION.

- (A) The administrative hearing process established in this Article may be used to enforce City ordinances:
 - (1) for the preservation of public safety, relating to the materials or methods used to construct a building or improvement, including the foundation, structural elements, electrical wiring or apparatus, plumbing and fixtures, entrances, or exits;
 - (2) relating to the fire safety of a building or improvement, including provisions relating to materials, types of construction or design, warning devices, sprinklers or other fire suppression devices, availability of water supply for extinguishing fires, or location, design, or width of entrances or exits;
 - (3) relating to dangerously damaged or deteriorated buildings or improvements;
 - (4) relating to conditions caused by accumulations of refuse, vegetation, or other matter that creates breeding and living places for insects and rodents;
 - (5) relating to a building code or to the condition, use, or appearance of property in a municipality; or
 - (6) relating to water conservation measures, including watering restrictions.
- (B) Nothing in this Article shall preclude the City's pursuit of any and all other remedies allowed under the civil and criminal statutes, under this Code of Ordinances, and in equity, to address violations of City ordinances described in this Section 2-252.

§ 2-253 HEARING OFFICER.

- (A) One or more hearing officers shall be appointed by the City Council to administratively adjudicate violations of ordinances described in Section 2-252 (*Violations Subject to Administrative Adjudication*). The hearing officer shall not be appointed for a definite term, but may be removed at the will and pleasure of the City Council by an affirmative vote of the majority of the entire council.
- (B) A hearing officer may:
 - (1) administer oaths;
 - (2) issue orders that compel the attendance of witnesses and the production of documents;
 - (3) issue an order that includes the disposition of the hearing and the amount of penalties and costs; and
 - (4) act pursuant to the authority granted in Texas Local Government Code Section 54.044 (*Alternative Procedure for Administrative Hearing*).

- (C) An order to compel the attendance of witnesses and the production of documents is enforceable by the Municipal Court.

§ 2-254 ADMINISTRATIVE CITATIONS.

- (A) An administrative citation shall be on a form prescribed by the Code Official and shall include:
 - (1) the nature, date, and location of the violation;
 - (2) the section of the City's Code of Ordinances alleged to be violated;
 - (3) a notification that the violator has the right to a hearing;
 - (4) the time and place of the hearing;
 - (5) a notification that failure to appear for a hearing is considered an admission of liability for the violation charge and will result in the assessment of penalties and costs; and
 - (6) the name of the Issuing Officer.
- (B) The original or copy of an administrative citation is kept in the ordinary course of City business and is rebuttable proof of the facts it states.

§ 2-255 HEARING FOR AN ADMINISTRATIVE CITATION.

- (A) A hearing to adjudicate an administrative citation described in this Article shall be conducted by a hearing officer appointed pursuant to Section 2-253 (*Hearing Officer*).
- (B) The Texas Rules of Evidence do not apply to a hearing under this Article.
- (C) The hearing officer shall hear and consider:
 - (1) evidence presented by the person charged;
 - (2) presumptions and prima facie evidence established by this Article or other applicable law;
 - (3) evidence presented by the issuing officer, if required to attend the hearing; and
 - (4) evidence presented by individuals who attend the hearing.
- (D) The hearing officer shall make a decision based on a preponderance of the evidence.
- (E) The testimony at the hearing shall be recorded. If an audio recording is made, each voice shall be identified.
- (F) The recorded testimony, documents, and other evidence shall constitute the record for appeal. The acceptance of documents or other evidence shall be noted on the record.
- (G) The issuing officer is not required to attend a hearing, except as set forth in Subsection 2-255(H) below.
- (H) The issuing officer shall attend a hearing:
 - (1) if requested in writing by the violator; and

- (2) the request is filed with the hearing coordinator at least five (5) business days before the scheduled hearing date.
- (I) A scheduled hearing may be reset for cause if the violator submits a written request for a reset to the hearing coordinator at least five (5) business days before the scheduled hearing date. If the hearing coordinator does not respond to a request for a reset, the request is denied, and the violator must appear as scheduled.
- (J) At the conclusion of the hearing, the hearing officer shall issue an order that:
 - (1) finds the violator liable and assesses penalties and costs; or
 - (2) finds the violator not liable for the violation.
- (K) The hearing officer's order shall be filed with the City Clerk in a separate index and file.

§ 2-256 FAILURE TO APPEAR AT A HEARING.

If a violator fails to attend a scheduled hearing, including an appeal hearing, the violator is considered to admit liability for the violation charged.

§ 2-257 ESTABLISHING A PENALTY.

- (A) Except as provided in Subsections 2-257(D) and 2-257(F), the penalty range that may be assessed against a violator found liable under this Article shall be no more than \$1,000.00 and:
 - (1) not less than \$25.00 for a first violation;
 - (2) not less than \$250.00 for a second violation of the same charge; and
 - (3) not less than \$750.00 for a third or subsequent violation of the same charge.
- (B) In addition to the penalty assessed, the hearing officer may assess against the violator found liable under this Article any costs of the adjudication as set by separate ordinance.
- (C) In determining the amount of penalty to be assessed, the hearing officer shall consider the following factors:
 - (1) the gravity of the violation;
 - (2) any actions taken by the violator to correct or cure the violation;
 - (3) any previous violations committed by the violator;
 - (4) indigence of the violator; and
 - (5) any other relevant evidence, as determined by the hearing officer.
- (D) Except as provided in Subsection 2-257(F), the penalty range that may be assessed against a violator found liable under this Article for violating Appendix B of the City's Code of Ordinances (*Zoning Ordinance*) shall be no more than \$1,000.00 and:
 - (1) not less than \$150.00 for a first violation;
 - (2) not less than \$500.00 for a second violation; and
 - (3) not less than \$750.00 for a third or subsequent violation.

- (E) A violator who has been found liable for a violation may assert a financial inability to pay the penalty. If a violator asserts a financial inability to pay the penalty, the hearing officer must make a determination of financial inability to pay. The determination must be made based on documentary evidence provided to the hearing officer.
- (F) If the hearing officer determines that the violator does not have the financial ability to pay the penalty, the hearing officer must make the finding in writing and must reduce the penalty to an amount that is within the violator's ability to pay.
- (H) A violator cannot appeal the hearing officer's determination related to the violator's financial inability to pay.
- (I) A violator who has been found liable for a violation may request to pay the penalty in installments during the six months from the date the hearing officer issues an order. A violator must request to pay the penalty in installments within 20 calendar days from the date the hearing officer issues the order and must waive the appeal described in Section 2-258 (*Appeal from a Hearing*). The Code Official is authorized to grant a request to pay the penalty as described in this subsection.

§ 2-258 APPEAL FROM A HEARING.

- (A) A violator found liable by a hearing officer may appeal the determination by:
 - (1) filing a petition with the Clerk of the Municipal Court within ten (10) business days following the date that the hearing officer's determination is filed with the City Clerk; and
 - (2) paying a non-refundable filing fee of \$50.00.
- (B) A violator that fails to appear at a hearing described in Section 2-255 (*Hearing for an Administrative Citation*) is not entitled to an appeal hearing.
- (C) An appeal hearing is conducted by a municipal court judge.
- (D) The judge shall review the record and hear oral arguments of the parties at the appeal hearing.
- (E) The judge may receive evidence of procedural irregularities alleged to have occurred at the hearing that are not reflected in the record.
- (F) The judge may not substitute his or her judgment for that of the hearing officer as to the weight of the evidence given by the hearing officer for questions that fall within the hearing officer's discretion.
- (G) The court may reverse the hearing officer's order or remand the case for a rehearing if the appellant's substantial rights have been violated because the administrative findings or orders:
 - (1) violate constitutional or statutory provisions;
 - (2) exceed statutory authority;
 - (3) are made upon unlawful procedure;
 - (4) are affected by other error of law;
 - (5) are not supported by substantial evidence, as that term is used in Texas Local Government Code Section 54.039 (*Judicial Review*), in light of the reliable and probative evidence in the record as a whole; or

- (6) are arbitrary, capricious, characterized by abuse of discretion, or clearly unwarranted exercise of discretion.
- (H) If the findings of the hearing officer are affirmed, the penalties and costs may not be modified, except that additional costs of the appeal as set by separate ordinance may be added.

§ 2-259 ENFORCEMENT OF ORDER.

- (A) An order issued under this Article may be enforced by:
 - (1) filing a civil suit for the collection of a penalty assessed against the violator; and
 - (2) obtaining an injunction that:
 - (a) prohibits specific conduct that violates the ordinance; or
 - (b) requires specific conduct necessary for compliance with the ordinance.
- (B) Unless the violator posts a bond with the Fredericksburg Code Department before filing an appeal, an appeal of an order issued under this Article does not stay enforcement and collection of the penalties and costs.
- (C) The amount of the bond shall equal to fifty percent (50%) of all penalties and costs assessed against the violator.

{End of code text}

Section 2. Severability or Invalidity. If any provision of this ordinance or the application hereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without defeating the purpose or objective of the provisions, and to this end, the provisions of this ordinance are declared to be severable.

Section 3. Repealer. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Effective Date. This ordinance shall be effective on January 1, 2022.

PASSED AND APPROVED on this the ____ day of _____, 20__.

Charlie Kiehne, Mayor
City of Fredericksburg, Texas

ATTEST:

Shelley Goodwin, TRMC, City Secretary

APPROVED AS TO FORM:

Daniel D. Jones, City Attorney

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING CHAPTER 2 - ADMINISTRATION - OF THE CODE OF ORDINANCES, BY ADOPTING AND ADDING AN ARTICLE VII - ADMINISTRATIVE ADJUDICATION OF VIOLATIONS - PROVIDING FOR A CIVIL ADMINISTRATIVE HEARING PROCESS FOR VIOLATIONS OF ORDINANCES DESCRIBED IN TEXAS LOCAL GOVERNMENT CODE SECTION 54.032.

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

Section 1. That, Chapter 2 - ADMINISTRATION, of the Code of Ordinances, is hereby amended by the addition of Article VII as follows:

Article VII. ADMINISTRATIVE ADJUDICATION OF VIOLATIONS.

§ 2-250 DEFINITIONS.

In this Article:

- (1) CODE OFFICIAL means the city employee designated by the City Manager as the Director of the City of Fredericksburg Civil Code Enforcement Department.
- (2) HEARING COORDINATOR means the Code Official's designee that manages the administrative hearing process created by this Article.
- (3) ISSUING OFFICER means a City civil code enforcement officer or City employee with the authority to issue administrative citations for violations described in Section 2-252 (*Violations Subject to Administrative Adjudication*).
- (4) VIOLATOR means the person charged with violating an ordinance described in Section 2-252 (*Violations Subject to Administrative Adjudication*).

§ 2-251 PURPOSE; ESTABLISH ADMINISTRATIVE HEARING PROCESS.

- (A) The purpose of this Article is to protect the health, safety, and welfare of the citizens of the City, by providing for an administrative hearing process for violations of ordinances described in Texas Local Government Code Section 54.032 (*Ordinances Subject to Quasi-Judicial Enforcement*). The City Council hereby implements Subchapter C (*Quasi-Judicial*

Enforcement of Health and Safety Ordinances) of Texas Local Government Code Chapter 54.

- (B) This Article establishes a procedure for administrative hearings pursuant to and consistent with Texas Local Government Code Section 54.044 (*Alternative Procedure for Administrative Hearing*).

§ 2-252 VIOLATIONS SUBJECT TO ADMINISTRATIVE ADJUDICATION.

- (A) The administrative hearing process established in this Article may be used to enforce City ordinances:
- (1) for the preservation of public safety, relating to the materials or methods used to construct a building or improvement, including the foundation, structural elements, electrical wiring or apparatus, plumbing and fixtures, entrances, or exits;
 - (2) relating to the fire safety of a building or improvement, including provisions relating to materials, types of construction or design, warning devices, sprinklers or other fire suppression devices, availability of water supply for extinguishing fires, or location, design, or width of entrances or exits;
 - (3) relating to dangerously damaged or deteriorated buildings or improvements;
 - (4) relating to conditions caused by accumulations of refuse, vegetation, or other matter that creates breeding and living places for insects and rodents;
 - (5) relating to a building code or to the condition, use, or appearance of property in a municipality; or
 - (6) relating to water conservation measures, including watering restrictions.
- (B) Nothing in this Article shall preclude the City's pursuit of any and all other remedies allowed under the civil and criminal statutes, under this Code of Ordinances, and in equity, to address violations of City ordinances described in this Section 2-252.

§ 2-253 HEARING OFFICER.

- (A) One or more hearing officers shall be appointed by the City Council to administratively adjudicate violations of ordinances described in Section 2-252 (*Violations Subject to Administrative Adjudication*). The hearing officer shall not be appointed for a definite term, but may be removed at the will and pleasure of the City Council by an affirmative vote of the majority of the entire council.
- (B) A hearing officer may:
- (1) administer oaths;
 - (2) issue orders that compel the attendance of witnesses and the production of documents;
 - (3) issue an order that includes the disposition of the hearing and the amount of penalties and costs; and
 - (4) act pursuant to the authority granted in Texas Local Government Code Section 54.044 (*Alternative Procedure for Administrative Hearing*).

- (C) An order to compel the attendance of witnesses and the production of documents is enforceable by the Municipal Court.

§ 2-254 ADMINISTRATIVE CITATIONS.

- (A) An administrative citation ~~must~~ shall be on a form prescribed by the Code Official and ~~must~~ shall include:
 - (1) the nature, date, and location of the violation;
 - (2) the section of the City's Code of Ordinances alleged to be violated;
 - (23) a notification that the violator has the right to a hearing;
 - (34) the time and place of the hearing;
 - (45) a notification that failure to appear for a hearing is considered an admission of liability for the violation charge and will result in the assessment of penalties and costs; and
 - (56) the name of the Issuing Officer.
- (B) The original or copy of an administrative citation is kept in the ordinary course of City business and is rebuttable proof of the facts it states.

§ 2-255 HEARING FOR AN ADMINISTRATIVE CITATION.

- (A) A hearing to adjudicate an administrative citation described in this Article shall be conducted by a hearing officer appointed pursuant to Section 2-253 (*Hearing Officer*).
- (B) The Texas Rules of Evidence do not apply to a hearing under this Article.
- (C) The hearing officer shall hear and consider:
 - (1) evidence presented by the person charged;
 - (2) presumptions and prima facie evidence established by this Article or other applicable law;
 - (3) evidence presented by the issuing officer, if required to attend the hearing; and
 - (4) evidence presented by individuals who attend the hearing.
- (D) The hearing officer shall make a decision based on a preponderance of the evidence.
- (E) The testimony at the hearing shall be recorded. If an audio recording is made, each voice shall be identified.
- (F) The recorded testimony, documents, and other evidence shall constitute the record for appeal. The acceptance of documents or other evidence shall be noted on the record.
- (G) The issuing officer is not required to attend a hearing, except as set forth in Subsection 2-255(H) below.
- (H) The issuing officer shall attend a hearing:
 - (1) if requested in writing by the violator; and

- (2) the request is filed with the hearing coordinator at least five (5) business days before the scheduled hearing date.
- (I) A scheduled hearing may be reset for cause if the violator submits a written request for a reset to the hearing coordinator at least five (5) business days before the scheduled hearing date. If the hearing coordinator does not respond to a request for a reset, the request is denied, and the violator must appear as scheduled.
- (J) At the conclusion of the hearing, the hearing officer shall issue an order that:
 - (1) finds the violator liable and assesses penalties and costs; or
 - (2) finds the violator not liable for the violation.
- (K) The hearing officer's order shall be filed with the City Clerk in a separate index and file.

§ 2-256 FAILURE TO APPEAR AT A HEARING.

If a violator fails to attend a scheduled hearing, including an appeal hearing, the violator is considered to admit liability for the violation charged.

§ 2-257 ESTABLISHING A PENALTY.

- (A) Except as provided in Subsections 2-257(D) and 2-257(F), the penalty range that may be assessed against a violator found liable under this Article shall be no more than \$1,000.00 and:
 - (1) not less than \$25.00 for a first violation;
 - (2) not less than \$250.00 for a second violation of the same charge; and
 - (3) not less than \$750.00 for a third or subsequent violation of the same charge.
- (B) In addition to the penalty assessed, the hearing officer may assess against the violator found liable under this Article any costs of the adjudication as set by separate ordinance.
- (C) In determining the amount of penalty to be assessed, the hearing officer shall consider the following factors:
 - (1) the gravity of the violation;
 - (2) any actions taken by the violator to correct or cure the violation;
 - (3) any previous violations committed by the violator;
 - (4) indigence of the violator; and
 - (5) any other relevant evidence, as determined by the hearing officer.
- (D) Except as provided in Subsection 2-257(F), the penalty range that may be assessed against a violator found liable under this Article for violating Appendix B of the City's Code of Ordinances (*Zoning Ordinance*) shall be no more than \$1,000.00 and:
 - (1) not less than \$150.00 for a first violation;
 - (2) not less than \$500.00 for a second violation; and
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- (E) A violator who has been found liable for a violation may assert a financial inability to pay the penalty. If a violator asserts a financial inability to pay the penalty, the hearing officer must make a determination of financial inability to pay. The determination must be made based on documentary evidence provided to the hearing officer.
- (F) If the hearing officer determines that the violator does not have the financial ability to pay the penalty, the hearing officer must make the finding in writing and must reduce the penalty to an amount that is within the violator's ability to pay.
- (H) A violator cannot appeal the hearing officer's determination related to the violator's financial inability to pay.
- (I) A violator who has been found liable for a violation may request to pay the penalty in installments during the six months from the date the hearing officer issues an order. A violator must request to pay the penalty in installments within 20 calendar days from the date the hearing officer issues the order and must waive the appeal described in Section 2-258 (*Appeal from a Hearing*). The Code Official is authorized to grant a request to pay the penalty as described in this subsection.

§ 2-258 APPEAL FROM A HEARING.

- (A) A violator found liable by a hearing officer may appeal the determination by:
 - (1) filing a petition with the Clerk of the Municipal Court within ten (10) business days following the date that the hearing officer's determination is filed with the City Clerk; and
 - (2) paying a non-refundable filing fee of \$50.00.
- (B) A violator that fails to appear at a hearing described in Section 2-255 (*Hearing for an Administrative Citation*) is not entitled to an appeal hearing.
- (C) An appeal hearing is conducted by a municipal court judge.
- (D) The judge shall review the record and hear oral arguments of the parties at the appeal hearing.
- (E) The judge may receive evidence of procedural irregularities alleged to have occurred at the hearing that are not reflected in the record.
- (F) The judge may not substitute his or her judgment for that of the hearing officer as to the weight of the evidence given by the hearing officer for questions that fall within the hearing officer's discretion.
- (G) The court may reverse the hearing officer's order or remand the case for a rehearing if the appellant's substantial rights have been violated because the administrative findings or orders:
 - (1) violate constitutional or statutory provisions;
 - (2) exceed statutory authority;
 - (3) are made upon unlawful procedure;
 - (4) are affected by other error of law;
 - (5) are not supported by substantial evidence, as that term is used in Texas Local Government Code Section 54.039 (*Judicial Review*), in light of the reliable and probative evidence in the record as a whole; or

- (6) are arbitrary, capricious, characterized by abuse of discretion, or clearly unwarranted exercise of discretion.
- (H) If the findings of the hearing officer are affirmed, the penalties and costs may not be modified, except that additional costs of the appeal as set by separate ordinance may be added.

§ 2-259 ENFORCEMENT OF ORDER.

- (A) An order issued under this Article may be enforced by:
 - (1) filing a civil suit for the collection of a penalty assessed against the violator; and
 - (2) obtaining an injunction that:
 - (a) prohibits specific conduct that violates the ordinance; or
 - (b) requires specific conduct necessary for compliance with the ordinance.
- (B) Unless the violator posts a bond with the Fredericksburg Code Department before filing an appeal, an appeal of an order issued under this Article does not stay enforcement and collection of the penalties and costs.
- (C) The amount of the bond shall equal to fifty percent (50%) of all penalties and costs assessed against the violator.

{End of code text}

Section 2. Severability or Invalidity. If any provision of this ordinance or the application hereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without defeating the purpose or objective of the provisions, and to this end, the provisions of this ordinance are declared to be severable.

Section 3. Repealer. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Effective Date. This ordinance shall be effective on ~~December~~ January 1, ~~2021~~2022.

PASSED AND APPROVED on this the ____ day of _____, 20__.

Charlie Kiehne, Mayor

City of Fredericksburg, Texas

ATTEST:

Shelley Goodwin, TRMC, City Secretary

APPROVED AS TO FORM:

Daniel D. Jones, City Attorney



CITY COUNCIL MEMO

DATE: September 20, 2021

TO: Mayor and City Council

FROM: Laura Hollenbeak, Director of Finance

SUBJECT: Adoption of the FY 2022 City Budget

Summary:

Following four City Council budget work sessions, the FY 2022 City Budget is being presented for adoption.

Recommendation:

The FY 2022 City Budget, which includes changes recommended by the City Council, is recommended for adoption.

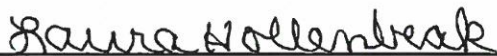
Background / Analysis:

Over the last four months, we have had four budget work sessions to discuss the proposed FY 2022 City Budget. This budget process has been productive with the City Council adding several changes to the Budget. As a result, this final budget addresses the policy goals of the City Council. I am excited about the programs and services that are included in the Budget for funding in the coming year. This funding will allow us to continue to improve basic services, upgrade critical infrastructure and offer a continued high quality of life for our citizens.

Attachments:

The City of Fredericksburg

FY 2022 Proposed Budget Summary and an Ordinance adopting and approving the City Budget for the Fiscal Year beginning October 1, 2021, and ending September 30, 2022



Department Approval



City Manager Approval



City Attorney Approval

The City of Fredericksburg

City of Fredericksburg
2022 Budget Summary



FY 2022 Budgeted Revenues vs Budgeted Expenditures	FY 2022 Budgeted Revenues	FY 2022 Budgeted Expenditures	Revenues in Excess (Deficiency) of Expenditures
Governmental Funds			
Administrative	16,898,921	5,160,785	11,738,136
Police	354,175	6,345,774	(5,991,599)
Fire	982,445	2,157,105	(1,174,660)
Street	18,700	2,501,142	(2,482,442)
Park	855,800	3,286,962	(2,431,162)
Development Services	351,200	1,247,163	(895,963)
Health	189,224	250,849	(61,625)
Municipal Court	173,537	283,959	(110,422)
Engineering	-	270,882	(270,882)
Sub-total	19,824,002	21,504,621	(1,680,619)
Food & Wine Fest	174,325	170,100	4,225
Total Governmental Funds	19,998,327	21,674,721	(1,676,394)
Special Revenue Funds			
Tourism	5,041,549	5,505,704	(464,155)
Police Forfeiture	2,000	2,500	(500)
Emergency Management	241,885	241,885	(0)
Animal Shelter	4,750	88,387	(83,637)
Parks & Recreation	39,910	39,900	10
Total Special Revenue Funds	5,330,094	5,878,376	(548,282)
Enterprise Funds			
Electric	12,405,968	12,608,652	(202,684)
Water & Sewer	9,387,361	17,447,522	(8,060,161)
Golf	148,724	148,724	0
Sanitation	2,740,896	2,641,304	99,592
EMS	3,803,575	3,803,575	(0)
Drainage / Vegetation Mgt	618,950	738,001	(119,051)
Total Enterprise Funds	29,105,474	37,387,777	(8,282,303)
Capital Project Fund			
Water & Wastewater	-	2,428,389	(2,428,389)
Total Capital Project Fund		2,428,389	(2,428,389)
Internal Service Funds			
Health Insurance	2,798,698	2,779,753	18,945
Total Internal Service Funds			
Debt Service	720,198	814,252	(94,054)
Total All Funds	57,952,791	70,963,268	(13,010,477)

* General Fund Tax Revenues based on last year's tax rate of .220775

* Animal Shelter funded with prior year donations

* Water Generators will be funded with \$653,735 of the American Rescue Funds

* Water & Sewer capital projects to be funded with \$4,340,000 W&S Impact Fees

* Water & Sewer capital Projects funded with \$2M unspent 2018 Utility Revenue Bond Construction funds

* Debt Service budgeted deficit funded with prior fiscal year fund balance

* Police Forfeiture funded with prior fiscal year fund balance

ORDINANCE NO. 2021-20

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, ADOPTING AND APPROVING THE CITY BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022, AND MAKING APPROPRIATIONS FOR EACH DEPARTMENT AND ACCOUNT.

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

Section 1. That the City Manager of the City of Fredericksburg, Texas ("City") has prepared and filed a proposed City budget for the fiscal year 2021-2022, and subject to the applicable provisions of State Law and the City Charter, and after a public hearing as required by law, the budget for the fiscal year beginning October 1, 2021 and ending September 30, 2022, as filed by the City Manager and as amended by the City Council, containing estimates of City revenues and resources for the fiscal year, and estimates of expenditures for City operations, activities, purchases, and projects, is hereby approved and adopted. Such City resources and revenues are hereby appropriated for City department and account expenditures as detailed in said budget.

Section 2. Severability or Invalidity. If any provision of this ordinance or the application hereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without defeating the purpose or objective of the provisions, and to this end, the provisions of this ordinance are declared to be severable.

Section 3. Repealer. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Effective Date. This ordinance shall be effective on and after the date of passage and publication when required by law.

Record vote

	Musselman	Kiehne	Watson	O'Neill	Luckenbach
1st					
2nd					
Vote Aye					
Vote Nay					

PASSED AND APPROVED on this the ____ day of _____, 20_____.

Charlie Kiehne, Mayor
City of Fredericksburg, Texas

ATTEST:

Shelley Goodwin, TRMC, City Secretary

APPROVED AS TO FORM:

Daniel D. Jones, City Attorney



CITY COUNCIL MEMO

DATE: September 20, 2021

TO: Mayor and City Council

FROM: Laura Hollenbeak, Director of Finance

SUBJECT: Adoption of the 2021 Property Tax Rate for the FY 2022 Budget Year

Summary:

The attached ordinance sets the property tax rate for tax year 2021. State law requires that a city adopt a budget before they adopt the tax rate. The City can adopt a budget and a tax rate at the same meeting as long as the budget is adopted first as a separate item.

Recommendation:

The City must adopt a tax rate by official action and set it out in a written ordinance using specific wording set out in the Tax Code. Staff recommends adopting the attached ordinance levying a Tax Rate for the City of Fredericksburg for the Tax Year 2021. The proposed adopted tax rate exceeds the no-new-revenue tax rate but does not exceed the voter-approval tax rate.

A motion to adopt an ordinance, setting a tax rate that exceeds the no-new-revenue tax rate must be made in the following form:

"I move that the property tax rate be increased by the adoption of a tax rate of (specify tax rate), which is effectively a (insert percentage by which the proposed tax rate exceeds the no-new revenue tax increase in the tax rate:"

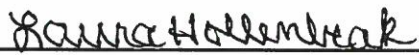
Background / Analysis:

The City of Fredericksburg

During the development of the FY 2022 City Budget, the City Council discussed various tax rates for the coming year. The proposed adopted tax rate is \$0.225823. A taxing unit authorized to pay both M&O and debt service with property taxes must adopt its rate as two separate components. The proposed M&O tax rate is \$0.197344, and the proposed Debt tax rate is \$0.028479, for a total proposed tax rate of \$0.225823.

Attachments:

- 1) An Ordinance Levying a Tax Rate for the City of Fredericksburg for the Tax Year 2021, and
- 2) Additional Property Tax Rate scenarios including the information required to make a motion using one of the attached Property Tax Rates.



Department Approval



City Attorney Approval



City Manager Approval

The City of Fredericksburg

Will Raise Taxes for M&O on a \$100,000 Home by Approximately

Property Value	Proposed Property Tax M&O Rate	Optional Property Tax M&O Rate	Optional Property Tax M&O Rate	Optional Property Tax M&O Rate	NNR M&O Rate	Last Year's M&O Rate
100,000	0.197344	0.192401	0.182666	0.172903	0.168029	0.184625
	197.34	192.40	182.67	172.90	168.03	184.63
	6.9%	4.2%	-1.1%	-6.3%	-9.0%	% Increase (Decrease) from last year's M&O rate

* The information above compares the amount of M&O property tax revenue for various tax rate scenarios on a \$100,000 home compared to last year's M&O rate. It also includes the % increase/(decrease) from last year's M&O tax rate

Property Tax Rate Scenarios

	Proposed	Last Year's rate in current Proposed Budget			NNR
	Tax Rate	Tax Rate	Tax Rate	Tax Rate	Tax Rate
	0.225823	0.220775	0.210823	0.200823	0.195823
M&O	0.197344	0.192401	0.182666	0.172903	0.168029
I&S	0.028479	0.028374	0.028157	0.027920	0.027794
Total	0.225823	0.220775	0.210823	0.200823	0.195823
	15.3%	12.7%	7.7%	2.6%	% above NNR tax rate

ORDINANCE NO. 2021-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, SETTING THE TAX LEVY FOR THE TAXABLE YEAR 2021; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. That, there be assessed, levied and collected on all taxable property in the City of Fredericksburg, Texas ("City"), for the taxable year 2021, the following tax, to wit:

\$0.168029 on a one-hundred dollar (\$100.00) valuation of all taxable property in the City for the purposes of maintenance and operations; and

\$0.027794 on a one-hundred dollar (\$100.00) valuation of all taxable property in the City for the payment of principal and interest on the debt of the City; for a

\$0.195823 total tax rate for one-hundred dollar (\$100.00) valuation of all taxable property in the City.

Section 2. Severability or Invalidity. If any provision of this ordinance or the application hereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without defeating the purpose or objective of the provisions, and to this end, the provisions of this ordinance are declared to be severable.

Section 3. Repealer. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Effective Date. This ordinance shall be effective on and after the date of passage and publication when required by law.

Record vote					
	Musselman	Kiehne	Watson	O'Neill	Luckenbach
1st					
2nd					
Vote Aye					
Vote Nay					

PASSED AND APPROVED on this the ____ day of _____, 20____.

Charlie Kiehne, Mayor
City of Fredericksburg, Texas

ATTEST:

Shelley Goodwin, TRMC, City Secretary

APPROVED AS TO FORM:

Daniel D. Jones, City Attorney

ORDINANCE NO. 2021-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, SETTING THE TAX LEVY FOR THE TAXABLE YEAR 2021; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. That, there be assessed, levied and collected on all taxable property in the City of Fredericksburg, Texas ("City"), for the taxable year 2021, the following tax, to wit:

\$0.XXXXX on a one-hundred dollar (\$100.00) valuation of all taxable property in the City for the purposes of maintenance and operations; and

\$0.XXXXX on a one-hundred dollar (\$100.00) valuation of all taxable property in the City for the payment of principal and interest on the debt of the City; for a

\$0.XXXXXXX total tax rate for one-hundred dollar (\$100.00) valuation of all taxable property in the City.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY (INSERT PERCENTAGE BY WHICH THE TAX RATE EXCEEDS THE NO-NEW-REVENUE MAINTENANCE AND OPERATIONS RATE) PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$(Insert amount)

Section 2. Severability or Invalidity. If any provision of this ordinance or the application hereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without defeating the purpose or objective of the provisions, and to this end, the provisions of this ordinance are declared to be severable.

Section 3. Repealer. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Effective Date. This ordinance shall be effective on and after the date of passage and publication when required by law.

Record vote

	Musselman	Kiehne	Watson	O'Neill	Luckenbach
1st					
2nd					
Vote Aye					
Vote Nay					

PASSED AND APPROVED on this the ____ day of _____, 20____.

 Charlie Kiehne, Mayor
 City of Fredericksburg, Texas

ATTEST:

 Shelley Goodwin, TRMC, City Secretary

APPROVED AS TO FORM:

 Daniel D. Jones, City Attorney



CITY COUNCIL MEMO

DATE: September 20, 2021

TO: Mayor and City Council

FROM: Laura Hollenbeak, Director of Finance

SUBJECT: Electric Utility Rate Increase

Summary:

The attached ordinance includes a 3% increase in electric utility rates that were discussed during the FY 2022 budget process.

Recommendation:

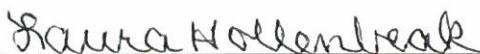
It is recommended that City Council approve the attached ordinance establishing a 3% increase in electric utility rates, effective October 1, 2021.

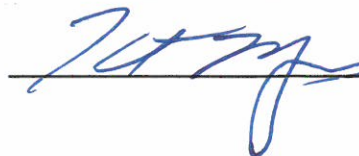
Background / Analysis:

The increase in electric utility rates included in the attached ordinance are the result of recent budget discussions and City Council budget work sessions. The increase in electric utility rates is necessary due to the increase in electric utility expenses. Electric utility rates have not been increased since October 2015.

Attachments:

Ordinance – Electric Utility Rate increase effective October 1, 2021





The City of Fredericksburg

Department Approval

City Manager Approval



City Attorney Approval

The City of Fredericksburg

ORDINANCE NO. 2021-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING ARTICLE 11.702 - ELECTRIC RATES, OF APPENDIX A – FEE SCHEDULE, OF THE CODE OF ORDINANCES, TO UPDATE AND AMEND THE FEES FOR ELECTRIC SERVICE PROVIDED BY THE CITY.

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

Section 1. That, Article 11.702(a)(4), of Appendix A - “Fee Schedule”, of the Code of Ordinances, is amended as follows:

(4) *Monthly rate.*

Customer charge:	\$11.03 <u>11.36</u> PLUS
Energy charge	
Distribution charge:	\$0.01400 <u>0.014420</u> (all kWh per month)
PCRF:	See subsection (f) of this section (all kWh per month)

{End of code text}

Section 2. That, Article 11.702(b)(4), of Appendix A - “Fee Schedule”, of the Code of Ordinances, is amended as follows:

(4) *Monthly rate.*

Customer charge:	\$33.12 <u>34.11</u> PLUS
Energy charge	
Distribution:	\$0.0117420 <u>0.012094</u> (All kWh per month)
PCRF:	See subsection (f) of this section (all kWh per month)

Section 3. That, Article 11.702(c)(4), of Appendix A - “Fee Schedule”, of the Code of Ordinances, is amended as follows:

(4) *Monthly rate.*

Customer charge:	\$1,324.58 <u>1,364.32</u> PLUS
Energy charge:	
Distribution:	\$0.00896 <u>0.009230</u>
PCRF:	See subsection (f) of this section (all kWh per month)

{End of code text}

Section 4. That, Article 11.702(d)(4), of Appendix A - "Fee Schedule", of the Code of Ordinances, is amended as follows:

(4) *Monthly rate.*

Customer Charge:	
175 Watts or smaller	\$9.389.66
175 Watts and less than 400 Watts	\$22.07 <u>22.73</u>
Over 400 Watts	\$27.32 <u>28.14</u>

{End of code text}

Section 5. That, Article 11.702(e)(4), of Appendix A - "Fee Schedule", of the Code of Ordinances, is amended as follows:

(4) *Monthly rate.*

Energy charge:	
Distribution:	\$0.004532 <u>0.004668</u> (All kWh per month)
PCRF:	See subsection (f) of this section (all kWh per month)

{End of code text}

Section 6. Severability or Invalidity. If any provision of this ordinance or the application hereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without defeating the purpose or objective of the provisions, and to this end, the provisions of this ordinance are declared to be severable.

Section 7. Repealer. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 8. Effective Date. This Ordinance shall be effective on and after the 1st day of October, 2021.

PASSED AND APPROVED on this the ____ day of _____, 20____.

Charlie Kiehne, Mayor
City of Fredericksburg, Texas

ATTEST:

Shelley Goodwin, TRMC, City Secretary

APPROVED AS TO FORM:

Daniel D. Jones, City Attorney



CITY COUNCIL MEMO

DATE: September 20, 2021

TO: Mayor and City Council

FROM: Katelyn Brazell, Parks & Recreation: Recreation Superintendent

SUBJECT: Consider adopting new rates for various Parks services

Summary:

Dump Station Fee: Currently the city offers a dump station use fee of \$5 for individuals that are not staying the RV Park and need to dump and refill their tanks. Staff researched how much other RV Parks in the area charge for Dump Station use before recommending a new rate. Other RV Parks in the area ranged from \$10 to \$30 for the use of their Dump Stations. Staff suggests increasing the Dump Station use rate to \$10 to go into effect October 2021.

Open Air Pavilions: Currently the city offers Open Air Pavilions for rent at Lady Bird Johnson Municipal Park. The current rates are as follows: Pavilion 1 and 2: \$40, Pavilion 3 and 4: \$45, and Pavilion 5: \$60. Staff would like to increase these pavilion fees to be consistent with other cities in the area that also rent Open Air Pavilions in their parks.

Since our Open Air Pavilions are substantially lower than other cities, staff suggests increasing these rates in phases. This year the recommended increase would be: Pavilion 1 and 2 by \$10 to \$50, Pavilion 3 and 4 by \$15 to \$60, and Pavilion 5 by \$15 to \$80. We would review the possibility of an additional increase of 5% to 10% the following year.

Pool Parties: Currently the city offers 2-hour Private Pool Party rentals after public swim hours from 6:45pm-8:45pm. The rates are based on the number of attendees and are set as follows: Town Pool: 1-25 is \$140, 26-50 is \$170, 51-75 is \$195, 76-100 is \$250, Park Pool Leisure + Tot Pool only: 1-25 is \$140, 26-50 is \$170, 51-75 is \$195, 76-100 is \$250, and Park Pool Entire Facility: 1-25 is \$190, 26-50 is \$215, 51-75 is \$275, 76-100 is \$300, 101-125 is \$340. Staff would like to simplify the current system and adjust

The City of Fredericksburg

the minimum rate to include the cost of keeping the facility open 2 additional hours with the appropriate amount of staff. This increase will also help cover the increase in lifeguard pay rates.

The new proposed fees would only affect the smaller parties and would be as follows: Town Pool: Up to 75 would be \$195, Park Pool Leisure + Tot Pool only: Up to 75 would be \$195, and Park Pool Entire Facility: Up to 75 would be \$275. All other party rates would remain the same. We do not guarantee pool party availability and are not able to offer parties in May due to the limited availability of lifeguards during that time of year.

Staff researched other cities aquatic facility rates as a guide for recommending new rates. Other cities fees were very similar to ours however their minimum rate was consistently higher to cover the additional after hours staffing and facility costs.

The increase in all fees above was included in the FY 2022 Budget.

Recommendation:

Consider motion to adopt new park fees to go into effect October 1, 2021.

Background / Analysis:

Fredericksburg Parks	Price for Dump Station use
Oakwood RV	\$20
Vineyards RV	\$20
Bending Oaks RV	\$30
Hill Country RV	None
Heritage Oaks	None
Fredericksburg RV	n/a
Stonewall Parks	Price for Dump Station use
Jellystone	\$10
Peach Country	None
Kerrville Parks	Price for Dump Station use
Hill Country	None
Yogi Bear Jellystone	Free
Buckhorn Lake	None
KOA	\$10
Johnson Creek	\$15
Happy Days	None

Pavilion Comparisons

City	Non-Resident Rates	Resident Rate	Seats	Amenities
City of Boerne	Weekday \$100 Weekend \$150	Weekday \$100 Weekend \$150	76	Electric and No Water
City of Bryan	Half Day \$60 Full Day \$100	Half Day \$72 Full Day \$120	36-48	Water, Electric, BBQ grill
City of Bryan	Half Day \$50 Full Day \$70	Half Day \$60 Full Day \$84	30-36	Water, Electric, BBQ grill
City of College Station	Mon-Thurs \$240 Fri, Sat, Holidays \$300	Mon-Thurs \$200 Fri, Sat, Holidays \$250	40-100	Water, Electric, BBQ grill
City of College Station	Mon-Thurs \$360 Fri, Sat, Holidays \$420	Mon-Thurs \$300 Fri, Sat, Holidays \$350	250	Water, Electric, BBQ grill
City of Kerrville	n/a	\$100	50	No Electric
City of Kerrville	n/a	\$40	25-30	No Electric
City of New Braunfels	\$110	\$253	60-80	Electric and BBQ grill
City of New Braunfels	\$75	\$172.50	25-50	Electric and BBQ grill
City of New Braunfels	\$225-\$300	\$575-\$690	100-144	Electric and BBQ grill
City of San Marcos	\$274	\$131	100	n/a
City of San Marcos	\$335	\$99	24	n/a
City of San Marcos	\$131	\$550	50	n/a
City of Wimberley	\$60 per hour	\$30 per hour	100-150	n/a
City of Wimberley	\$40 per hour	\$20 per hour	60-80	n/a

The City of Fredericksburg

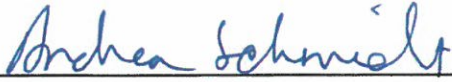
Pool Party comparisons

City	Non-Resident Rates	Resident Rates	# of people	Pool Details
City of San Marcos -Rio Vista	\$223	\$193	1-30	Diving Well and Splash Pad
	\$261	\$235	31-75	
	\$320	\$294	76-100	
	\$360	\$334	100-150	
City of College Station- Adamson Lagoon	\$445	\$375	Up to 100	Two Large Slides
	\$720	\$600	101-300	
	\$960	\$800	301-600	
City of College Station- Cindy Hallaran	\$300	\$250	Up to 100	One small slide
City of New Braunfels- Olympic Pool	n/a	\$155	100 (max 250) \$2 more per guest above included guests # up to the max amount of guests	Olympic Pool
	n/a	\$105	50 (max 75) \$2 more per guest above included guests # up to the max amount of guests	Zero Entry
	n/a	\$180	150 (max325) \$2 more per guest above included guests # up to the max amount of guests	Olympic Pool and Zero
City of New Braunfels-Spring fed Pool	n/a	\$325	200 (max 800) \$2 more per guest above included guests # up to the max amount of guests	Diving Board
City of Wimberley- Blue Hole Swimming Area	Weekday \$100 per hour Weekend \$150 per hour	Weekday \$125 per hour Weekend \$200 per hour	100-150	n/a
City of Boerne- Municipal Pool	\$300	\$250	Under 50	Diving Board
	\$375	\$325	Over 50	
City of Kerrville	n/a	\$250	Max 200	Diving Board

The City of Fredericksburg

Attachments:

Ordinance



Department Approval



City Attorney Approval



City Manager Approval

The City of Fredericksburg

ORDINANCE NO. 2021-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING ARTICLE 24.000 OF APPENDIX A – FEE SCHEDULE, OF THE CODE OF ORDINANCES, TO UPDATE AND AMEND THE USE FEES FOR POOL PARTY USE OF LADY BIRD JOHNSON PARK POOL AND TOWN POOL, USE OF THE RECREATIONAL VEHICLE SEWER SYSTEM DUMP AT LADY BIRD JOHNSON MUNICIPAL PARK, AND USE OF THE OPEN AIR PAVILIONS AT LADY BIRD JOHNSON MUNICIPAL PARK.

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

Section 1. That, Section 24.200 “Fees for use of Lady Bird Johnson Park Pool and Town Pool”, of Appendix A - “Fee Schedule”, of the Code of Ordinances, is amended by deletion of subsection 24.200(f) in its entirety, and the following substituted therefore:

Sec. 24.200 - Fees for use of Lady Bird Johnson Park Pool and Town Pool.

(f) Group use fees shall be as follows:

(i) Town Pool outside of normal pool operating hours, for a maximum number of 100 people and a rental period of two (2) hours:

One hundred and ninety-five and no/100 Dollars (\$195.00) for 1 to 75 people, including non- swimmers.

Two hundred and fifty and no/100 Dollars (\$250.00) for 76 to 100 people, including non- swimmers.

(ii) Lady Bird Johnson Park Leisure Pool and Tot Pool outside of normal pool operating hours, for a maximum number of 100 people and a rental period of two (2) hours:

One hundred and ninety five and no/100 Dollars (\$195.00) for 1 to 75 people, including non-swimmers.

Two hundred and fifty and no/100 Dollars (\$250.00) for 76 to 100 people, including non- swimmers.

(iii) Lady Bird Johnson Park Pool – entire facility outside of normal pool operating hours, for a maximum number of 125 people and a rental period of two (2) hours:

Two hundred and seventy five and no/100 Dollars (\$275.00) for 1 to 75 people, including non-swimmers.

Three hundred and no/100 Dollars (\$300.00) for 76 to 100 people, including non- swimmers.

Three hundred and forty and no/100 Dollars (\$340.00) for 101 to 125 people, including non-swimmers.

(iv) Additional conditions:

All guests entering the facility as part of a group rental will be counted, without regard to a guest's actual length of stay or actual use of the pool. Any guests that exceed the number of guests in the reservation, which requires seven (7) day advance notice, will not be admitted. Groups may only reserve the pool facilities for use at times outside of normal pool operating hours.

The rates set out above will be effective October 1, 2021, except as otherwise specifically set forth above.

{End of code text}

Section 2. That, Section 24.400 "Fees for use of Lady Bird Johnson Park and campgrounds", of Appendix A - "Fee Schedule", of the Code of Ordinances, is amended by deletion of subsections 24.400(e-g) in their entirety, and the following substituted therefore:

Sec. 24.400 - Fees for use of Lady Bird Johnson Park and campgrounds

- (e) Daily rental for each of Pavilions Nos. 1 and 2 is \$50.00.
- (f) Daily rental for each of Pavilions Nos. 3 and 4 is \$60.00.
- (g) Daily rental for Pavilion No. 5 is \$80.00.

{End of code text}

Section 3. That, Section 24.400 "Fees for use of Lady Bird Johnson Park and campgrounds", of Appendix A - "Fee Schedule", of the Code of Ordinances, is amended by deletion of subsection 24.400(l) in its entirety, and the following substituted therefore:

Sec. 24.400 - Fees for use of Lady Bird Johnson Park and campgrounds

- (l) The fee for each recreational vehicle sewer system dump or clean water fill is \$10.00.

{End of code text}

Section 4. Severability or Invalidity. If any provision of this ordinance or the application hereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without defeating the purpose or objective of the provisions, and to this end, the provisions of this ordinance are declared to be severable.

Section 5. Repealer. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 6. Effective Date. This ordinance shall be effective on October 1, 2021.

PASSED AND APPROVED on this the ____ day of _____, 20____.

Charlie Kiehne, Mayor
City of Fredericksburg, Texas

ATTEST:

Shelley Goodwin, TRMC, City Secretary

APPROVED AS TO FORM:

Daniel D. Jones, City Attorney



CITY COUNCIL MEMO

DATE: September 14, 2021
TO: Mayor and City Council
FROM: Kent Myers, City Manager
SUBJECT: Delinquent Personal Property

Summary:

The Gillespie County Appraisal District has requested that the City consider the approval of the attached resolution which removes personal property taxes owed the City from 2011 and prior years from the delinquent tax rolls.

Recommendation:

It is recommended that this resolution be adopted.

Background / Analysis:

State law provides a limitation on the collections of property taxes that includes personal property taxes owed for more than ten years. In the interests of full transparency, the Appraisal District has requested that local taxing jurisdictions, including the City of Fredericksburg, adopt a resolution authorizing the removal of these taxes. In our case, the total taxes that are shown on the attached spreadsheets is \$4,685.68. Scott Fair from the Appraisal District will attend Monday's Council meeting in case the Council has any questions about this resolution.

Attachments:

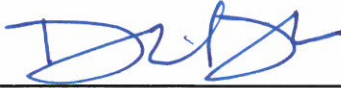
Proposed Resolution

The City of Fredericksburg

Summary of Uncollectable Accounts

Spreadsheet Showing the Delinquent Personal Property Taxes Owed the City of Fredericksburg (CFB)

Department Approval



City Attorney Approval

City Manager Approval



The City of Fredericksburg

RESOLUTION 2021-10R

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FREDERICKSBURG, TEXAS, AUTHORIZING THE REMOVAL OF
DELINQUENT PERSONAL PROPERTY ACCOUNTS FROM THE TAX ROLL.**

WHEREAS, Section 33.05(a)(1) of the Texas Property Tax Code provides that personal property may not be seized and a suit may not be filed to collect a tax on personal property that has been delinquent more than four years; and

WHEREAS, removing delinquent personal property accounts from the tax roll will allow the District to save the cost of printing statements as well as the cost of postage, and other related collection costs.

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

Section 1. That the Tax Assessor Collector is hereby authorized to remove from the computer files the personal property accounts dated 2011 and prior, as shown on the Exhibit "A" attached hereto, in order to save the cost of printing statements on same, as well as postage and other related collection costs, but the Tax Assessor Collector shall continue to accept payments thereon when and if received.

Section 2. *Severability.* In the event any clause, phrase, provision, sentence or part of this Resolution or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Resolution as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional

Section 3. *Effective Date.* This Resolution shall be effective upon its passage.

PASSED AND APPROVED on this the ____ day of _____, 20____.

Charlie Kiehne, Mayor
City of Fredericksburg, Texas

ATTEST:

Shelley Goodwin, TRMC, City Secretary

Uncollectable Accounts Summary

		Year Range
Total Personal Property Accounts on List:	82	2001-2011
Total Real Property Accounts on List:	6	1995-2001

	Real Property	Personal Property	Total
City of Fredericksburg	\$0.00	\$4,685.68	\$4,685.68
Gillespie County	\$1,224.30	\$9,788.95	\$11,013.25
Hill Country UWCD	\$49.41	\$260.12	\$309.53
Doss CCSD	\$0.00	\$0.00	\$0.00
Fredericksburg ISD	\$5,441.03	\$43,853.80	\$49,294.83
Harper ISD	\$0.00	\$221.39	\$221.39
Gillespie WCID	\$1.87	\$3.44	\$5.31
Stonewall WCID	\$2.83	\$9.03	\$11.86
Gillespie CAD	\$0.00	\$80.04	\$80.04
County Education District (FISD)	\$303.82	\$1.12	\$304.94
TOTAL	\$7,023.26	\$58,903.57	\$65,926.83

REAL PROPERTY

PID	NAME	DESCRIPTION	TYPE	YEAR	CODE	CAD	CFB	EFB	G086	HUW	SHP	SFB	SD	WCD	WDS	TOTAL
59339	ESPINOSA, RUDY BOX 16 STONEWALL, TX 78671	ABS A0216 J FLORES #10, HUD# UNK9999999 -M/H ONLY HOMESITE-ON HESMEREJELDO ESPINOZA PROP	R	2001	UNCOL				\$3.69	\$0.12		\$18.91			\$2.83	\$25.55
									\$3.69	\$0.12		\$18.91			\$2.83	\$25.55
67119	DIZDAR & YANCY DEVELOPMENT LTD 620 E PECAN BLVD UNIT 5487 MCALLEN, TX 78502	TRIPLE CREEK RANCH 8.83 TRIPLE CREEK PUBLIC ROADS	R	1995	NO			\$303.82	\$221.63	\$11.22		\$747.21	\$0.58			\$1,284.46
									\$117.00	\$5.21		\$557.53	\$0.22			\$679.96
									\$125.83	\$5.12		\$570.37	\$0.22			\$701.54
									\$128.04	\$4.68		\$581.46	\$0.18			\$714.36
									\$169.33	\$6.14		\$722.95	\$0.17			\$898.59
									\$303.82	\$761.83	\$32.37	\$3,179.52	\$1.37			\$4,278.91
69303	BEARD, TRAVIS R JR & LYNDA %WILLSEY, LYNDA 31571 TRES LOMAS BULVERDE, TX 78163	ABS A1574 J LINDSAY #1658 HUD# TEX0562031 M/H ONLY HOMESITE- LOCATED ON FORREST J WELDON'S PRO	R	2000	SF				\$49.85	\$1.84		\$238.74	\$0.05			\$290.48
									\$199.09	\$6.42		\$1,019.31	\$0.13			\$1,224.95
									\$248.94	\$8.26		\$1,258.05	\$0.18			\$1,515.43
8528179	CRUZ, HIPOLITO H & DENISE 413 PLUM FREDERICKSBURG, TX 78624	COUNTRY INN GE #366, LOT 33 MH SERIAL # SV404473 LABEL # RAD1123382	R	2000	UNCOL				\$117.06	\$4.33		\$560.52	\$0.12			\$682.03
									\$117.06	\$4.33		\$560.52	\$0.12			\$682.03
8540085	CANTU, MICHAEL G & DIANA G 243 MUNOZ RD WILLOW CITY, TX 78675	A0398 H LOCKWOOD #230, TRACT 8-A, MH SERIAL # 2048846402, TITLE # TEX0259647	R	1995	UNCOL				\$27.03	\$1.29		\$121.37	\$0.06			\$149.75
									\$27.03	\$1.20		\$128.81	\$0.05			\$157.09
									\$54.06	\$2.49		\$250.18	\$0.11			\$306.84
8540108	DURHAM, KAY %DURHAM, ALBERT JR 325 W BURBANK FREDERICKSBURG, TX 78624	A0386 J I LEAL #30, MH SERIAL # TXFL2AD288401660 LABEL # TEX0261364 LOCATED ON KAY DURHAM PROP	R	1995	UNCOL				\$38.72	\$1.84		\$173.85	\$0.09			\$214.50
									\$38.72	\$1.84		\$173.85	\$0.09			\$214.50

CAD	CFB	EFB	G086	HUW	SHP	SFB	SD	WCD	WDS	TOTAL
\$0.00	\$0.00	\$303.82	\$1,224.30	\$49.41	\$0.00	\$5,441.03	\$0.00	\$1.87	\$2.83	\$7,023.26

PERSONAL PROPERTY																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
PID	NAME	DESCRIPTION	TYPE	YEAR	CODE	CAD	CFB	EFB	G086	HUW	SHF	SFB	SD	WCD	WDS	TOTAL																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
1	77502 B&V PHOTOGRAPHY %HANNA, VIKTORIYA G 5309 PINE HOLLOW RD CONCORD, CA 94521	INV,SUP,FE,ME	P	2003	UNCOL		\$4.42		\$5.46	\$0.14		\$26.98				\$37.00																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
				2004	UNCOL		\$4.85		\$5.44	\$0.14		\$27.28				\$37.71																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
				2005	UNCOL		\$4.47		\$5.25	\$0.14		\$27.35				\$37.21																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
			BPP	2006	UNCOL		\$4.41		\$5.12	\$0.13		\$24.74					\$34.40																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
				2006	UNCOL	\$0.17	\$0.42		\$0.48	\$0.01		\$2.35					\$3.43																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
				2007	UNCOL		\$4.15		\$4.76	\$0.12		\$19.72					\$28.75																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
			BPP	2007	UNCOL	\$0.14	\$0.40		\$0.45	\$0.01		\$1.88					\$2.88																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
				2008	UNCOL		\$4.05		\$4.44	\$0.12		\$19.72					\$28.33																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
				2008	UNCOL	\$0.14	\$0.38		\$0.42	\$0.01		\$1.87					\$2.82																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
			BPP	2009	UNCOL		\$3.99		\$4.44	\$0.12		\$19.72					\$28.27																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
				2010	UNCOL		\$4.07		\$4.51	\$0.12		\$19.72					\$28.42																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
				2011	UNCOL		\$4.21		\$4.79	\$0.12		\$19.72					\$28.84																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
			BPP	2011	UNCOL	\$0.14	\$0.40		\$0.46	\$0.01		\$1.87					\$2.88																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
						\$0.59	\$40.22		\$46.02	\$1.19		\$212.92				\$300.94																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
1	77585 CISSY D ENTERPRISES (LILLIAN DUTCHER) %BRUNSON, STEPHANIE L 14508 JFK BLVD #4213 FORT WORTH, TX 76155	INV,SUP,F&E	P	2002	UNCOL		\$7.35		\$9.54	\$0.28		\$48.88				\$66.05																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
				2003	UNCOL		\$7.96		\$9.84	\$0.26		\$48.63				\$66.69																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
				2004	UNCOL		\$8.74		\$9.80	\$0.26		\$49.17				\$67.97																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
			BPP	2005	UNCOL		\$8.05		\$9.46	\$0.26		\$49.29				\$67.06																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
				2006	UNCOL		\$7.95		\$9.23	\$0.24		\$44.59				\$62.01																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
				2006	UNCOL	\$0.31	\$0.76		\$0.87	\$0.02		\$4.24				\$6.20																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
						\$0.31	\$40.81		\$48.74	\$1.32		\$244.80				\$335.98																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
1	80718 BELL, J MICHAEL LEGAL & REALTOR 14362 MARKHAM GLN SAN ANTONIO, TX 78247	2005 FORD EXCURSION -48NV22-	P	2007	UNCOL		\$80.94		\$92.88	\$2.35		\$384.32		\$0.03		\$560.52																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	

1	84099	APACHE MAINTENANCE & CONSTRUCTION %SLATE, DAN PO BOX 572 FREDERICKSBURG, TX 78624	SUP, ME	P	2003	UNCOL					\$6.67	\$0.18		\$32.94			\$39.79
					2004	UNCOL					\$6.64	\$0.17		\$33.31			\$40.12
					2005	UNCOL					\$6.41	\$0.17		\$33.39			\$39.97
					2006	UNCOL					\$6.25	\$0.16		\$30.21			\$36.62
					2007	UNCOL					\$5.82	\$0.15		\$24.07			\$30.04
				BPP	2007	UNCOL	\$0.16				\$0.55	\$0.01		\$2.28			\$3.00
					2008	UNCOL					\$5.42	\$0.14		\$24.07			\$29.63
				BPP	2008	UNCOL	\$0.15				\$0.51	\$0.01		\$2.29			\$2.96
					2009	UNCOL					\$5.41	\$0.14		\$24.07			\$29.62
					2010	UNCOL					\$5.50	\$0.15		\$24.07			\$29.72
							\$0.31				\$49.18	\$1.28		\$230.70			\$281.47
1	84118	ALL AROUND WATER WELL SERVICE %HODGES, BRYAN KEITH PO BOX 754 CENTER POINT, TX 78010	INV, ME	P	2005	UNCOL		\$9.92			\$11.65	\$0.32		\$60.74			\$82.63
					2006	UNCOL		\$9.80			\$11.37	\$0.30		\$54.95			\$76.42
				BPP	2006	UNCOL	\$0.38	\$0.93			\$1.08	\$0.03		\$5.23			\$7.65
							\$0.38	\$20.65			\$24.10	\$0.65		\$120.92			\$166.70
1	84134	BEST SPORTS APPAREL %STEINBERG, LEANNE CROUNSE 8074 GATEPKWY W APT 4322 JACKSONVILLE, FL 32216	INV, FF	P	2010	UNCOL				\$2,010.55	\$53.70		\$8,792.46		\$0.76		\$10,857.47
					2011	UNCOL				\$234.25	\$6.05		\$962.35		\$0.08		\$1,202.73
							\$0.00				\$2,244.80	\$59.75		\$9,754.81		\$0.84	\$12,060.20
1	84160	CYNTHIAS COLLECTION II %DONELSON, CYNTHIA J 3601 FAUDREE RD APT 532 ODESSA, TX 79765	INV, FE	P	2006	UNCOL		\$12.79			\$14.84	\$0.39		\$71.70		\$0.01	\$99.73
				BPP	2006	UNCOL	\$0.50	\$1.22			\$1.41	\$0.04		\$6.81			\$9.98
					2007	UNCOL		\$12.04			\$13.82	\$0.35		\$57.20			\$83.41
				BPP	2007	UNCOL	\$0.43	\$1.14			\$1.31	\$0.03		\$5.43			\$8.34
					2008	UNCOL		\$11.72			\$12.88	\$0.34		\$57.20			\$82.14
				BPP	2008	UNCOL	\$0.41	\$1.11			\$1.22	\$0.03		\$5.43			\$8.20
					2009	UNCOL		\$11.57			\$12.86	\$0.34		\$57.20			\$81.97
					2010	UNCOL	\$11.80				\$13.07	\$0.35		\$57.20			\$82.42
					2011	UNCOL		\$12.20			\$13.92	\$0.36		\$57.20			\$83.68
				BPP	2011	UNCOL	\$0.42	\$1.16			\$1.32	\$0.03		\$5.43			\$8.36
							\$13.56	\$64.95			\$86.65	\$2.26		\$380.80		\$0.01	\$548.23
1	84312	ADVANCED INSULATION OF TEXAS %SLEDGE, DAN 1030 CANYON BEND DR DRIPPING SPRINGS, TX 78620	SUP, FE	P	2009	SFC					\$2.32	\$0.06		\$10.32			\$12.70
					2010	SFC					\$2.36	\$0.06		\$10.32			\$12.74
											\$4.68	\$0.12		\$20.64			\$25.44
1	84595	DELACRUZ, PAUL PAINTING %DELACRUZ, PAUL JR 238 CEMETERY RD STONEWALL, TX 78671	ME	P	2004	UNCOL					\$0.16			\$0.79		\$0.13	\$1.08
					2005	UNCOL					\$0.15			\$0.80		\$0.13	\$1.08
					2006	UNCOL					\$0.15			\$0.72		\$0.13	\$1.00
				BPP	2006	UNCOL	\$0.01				\$0.02			\$0.07		\$0.01	\$0.11
							\$0.01				\$0.48			\$2.38		\$0.40	\$3.27
1	85804	CUVEE %WHITE JR, LENARD 1949 CRYSTAL LN WEATHERFORD, TX 76088	SUP, INV, F&E, M&E	P	2006	UNCOL		\$92.15			\$106.87	\$2.80		\$516.53		\$0.04	\$718.39
					2007	UNCOL		\$86.69			\$99.47	\$2.51		\$411.60		\$0.04	\$600.31
				BPP	2007	UNCOL	\$3.00	\$8.24			\$9.45	\$0.24		\$39.10			\$60.03
							\$3.00	\$187.08			\$215.79	\$5.55		\$967.23		\$0.08	\$1,378.73

1	85826	BIG WESTERN SKY %SALINAS, KERI 810 N EDISON FREDERICKSBURG, TX 78624	MISC	P	2004	UNCOL		\$14.10		\$15.81	\$0.42		\$79.31		\$0.01		\$109.65
					2005	UNCOL		\$12.98		\$15.26	\$0.42		\$79.50		\$0.01		\$108.17
					2006	UNCOL		\$12.83		\$14.88	\$0.39		\$71.92		\$0.01		\$100.03
				BPP	2006	UNCOL	\$0.50	\$1.22		\$1.42	\$0.04		\$6.83				\$10.01
					2007	UNCOL		\$12.07		\$13.85	\$0.35		\$57.31		\$0.01		\$83.59
				BPP	2007	UNCOL	\$0.42	\$1.15		\$1.32	\$0.03		\$5.44				\$8.36
					2008	UNCOL		\$11.75		\$12.91	\$0.34		\$57.31		\$0.01		\$82.32
				BPP	2008	UNCOL	\$0.41	\$1.12		\$1.23	\$0.03		\$5.44				\$8.23
					2009	UNCOL				\$12.90	\$0.34		\$57.31		\$0.01		\$70.56
								\$1.33	\$67.22	\$89.58	\$2.36		\$420.37		\$0.06		\$580.92
1	85977	DIAMOND CUT TILE %BORJAS, STEPHEN 620 GOEHMANN LN FREDERICKSBURG, TX 78624	ME	P	2004	UNCOL				\$8.61	\$0.23		\$43.18				\$52.02
					2005	UNCOL				\$13.12	\$0.36		\$68.37				\$81.85
					2006	UNCOL				\$12.80	\$0.34		\$61.85				\$74.99
				BPP	2006	UNCOL	\$0.38			\$1.22	\$0.03		\$5.88				\$7.51
					2007	UNCOL				\$11.91	\$0.30		\$49.29				\$61.50
				BPP	2007	UNCOL	\$0.31			\$1.13	\$0.03		\$4.68				\$6.15
					2008	UNCOL				\$11.10	\$0.29		\$49.29				\$60.68
				BPP	2008	UNCOL	\$0.31			\$1.05	\$0.03		\$4.68				\$6.07
					2009	UNCOL				\$11.08	\$0.29		\$49.29				\$60.66
					2010	UNCOL				\$11.27	\$0.30		\$49.29				\$60.86
								\$1.00		\$83.29	\$2.20		\$385.80				\$472.29
1	85980	EL MAGUEY %PEREZ, RUBY 247 OEHLER LN FREDERICKSBURG, TX 78624	INV,FE,ME	P	2011	UNCOL		\$142.99		\$163.24	\$4.22		\$670.59		\$0.07		\$981.11
				BPP	2011	UNCOL	\$4.89	\$13.58		\$15.51	\$0.40		\$63.71		\$0.01		\$98.10
								\$4.89	\$156.57	\$178.75	\$4.62		\$734.30		\$0.08		\$1,079.21
1	86098	CONQUERED COMMUNICATIONS %AMEZCUA, ANTONIO JUAN & LYRIS M 21415 BRANDING BAY SAN ANTONIO, TX 78259	INV,FE	P	2007	UNCOL		\$23.42		\$26.87	\$0.68		\$111.18		\$0.01		\$162.16
				BPP	2007	UNCOL	\$0.81	\$2.23		\$2.55	\$0.06		\$10.57				\$16.22
					2008	UNCOL		\$22.80		\$25.04	\$0.66		\$111.18		\$0.01		\$159.69
				BPP	2008	UNCOL	\$0.80	\$2.17		\$2.38	\$0.06		\$10.56				\$15.97
					2009	UNCOL		\$22.50		\$25.01	\$0.66		\$111.18		\$0.01		\$159.36
								\$1.61	\$73.12	\$81.85	\$2.12		\$354.67		\$0.03		\$513.40
1	86226	ARROWHEAD HOMES 25076 W US HWY 290 HARPER, TX 78631	FE	P	2008	UNCOL				\$1.29	\$0.03	\$5.20					\$6.52
				BPP	2008	UNCOL	\$0.04			\$0.12		\$0.49					\$0.65
					2009	UNCOL				\$1.29	\$0.03	\$5.20					\$6.52
					2010	UNCOL				\$1.31	\$0.04	\$5.20					\$6.55
								\$0.04		\$4.01	\$0.10	\$16.09					\$20.24
1	86277	CONSIDER IT DONE %BEAULIEU, ANTHONY & SHIRLEY 607 GEYSER AVE PFLUGERVILLE, TX 78660	INV,SUP,FE	P	2011	UNCOL		\$17.72		\$20.23	\$0.52		\$83.10		\$0.01		\$121.58
				BPP	2011	UNCOL	\$0.61	\$1.68		\$1.92	\$0.05		\$7.89				\$12.15
								\$0.61	\$19.40	\$22.15	\$0.57		\$90.99		\$0.01		\$133.73
1	86582	BELL, J MICHAEL LEGAL & REALTOR 14362 MARKHAM GLN SAN ANTONIO, TX 78247	FE	P	2007	UNCOL				\$2.85	\$0.07		\$11.80				\$14.72
				BPP	2007	UNCOL	\$0.07			\$0.27	\$0.01		\$1.12				\$1.47
					2008	UNCOL				\$2.66	\$0.07		\$11.80				\$14.53
								\$0.07		\$5.78	\$0.15		\$24.72				\$30.72

1	86621	DELACRUZ, PAUL PAINTING %DELACRUZ, PAUL JR 238 CEMETERY RD STONEWALL, TX 78671	1987 FORD	P	2004	UNCOL				\$2.21	\$0.06		\$11.10				\$13.37	
				BPP	2005	UNCOL				\$2.14	\$0.06		\$11.13				\$13.33	
				BPP	2006	UNCOL				\$2.08	\$0.05		\$10.07				\$12.20	
				BPP	2006	UNCOL	\$0.06			\$0.20	\$0.01		\$0.96				\$1.23	
				BPP	2007	UNCOL				\$1.94	\$0.05		\$8.02				\$10.01	
				BPP	2008	UNCOL				\$1.81	\$0.05		\$8.02				\$9.88	
				BPP	2008	UNCOL	\$0.05			\$0.17			\$0.76				\$0.98	
							\$0.11			\$10.55	\$0.28		\$50.06				\$61.00	
1	87428	ABC CHRISTIAN MONTESSORI SCHOOL %CHRISTINE P JENSCHKE 3551 VUITTON BULVERDE, TX 78163	SUP,FE	P	2011	NO		\$44.19		\$50.44	\$1.30		\$207.23		\$0.02		\$303.18	
								\$44.19		\$50.44	\$1.30		\$207.23		\$0.02		\$303.18	
1	87455	CHERRY SITEWORK %ROSS, FRED R III 179 ROSS LN FREDERICKSBURG, TX 78624	MISC	P	2006	UNCOL				\$14.88	\$0.39		\$71.92		\$0.01		\$87.20	
				BPP	2006	UNCOL	\$0.44			\$1.42	\$0.04		\$6.83				\$8.73	
				BPP	2007	UNCOL				\$13.85	\$0.35		\$57.31		\$0.01		\$71.52	
				BPP	2007	UNCOL	\$0.37			\$1.31	\$0.03		\$5.44				\$7.15	
				BPP	2008	UNCOL				\$12.91	\$0.34		\$57.31		\$0.01		\$70.57	
				BPP	2008	UNCOL	\$0.35			\$1.23	\$0.03		\$5.44				\$7.05	
				BPP	2009	UNCOL				\$12.90	\$0.34		\$57.31		\$0.01		\$70.56	
				BPP	2010	UNCOL				\$13.11	\$0.35		\$57.31		\$0.01		\$70.78	
				BPP	2011	UNCOL				\$13.96	\$0.36		\$57.31		\$0.01		\$71.64	
				BPP	2011	UNCOL	\$0.36			\$1.33	\$0.03		\$5.44				\$7.16	
							\$1.52			\$86.90	\$2.26		\$381.62		\$0.06		\$472.36	
1	87490	FREDBG FURNITURE BARN %ROGERS, RICKY D 330 OTTMERS RD FREDERICKSBURG, TX 78624	INV,SUP,FE,ME	P	2008	UNCOL		\$143.31		\$157.39	\$4.15		\$698.95		\$0.06		\$1,003.86	
				BPP	2008	UNCOL	\$5.02	\$13.61		\$14.95	\$0.39		\$66.40		\$0.01		\$100.38	
				BPP	2009	UNCOL		\$141.41		\$157.20	\$4.15		\$698.95		\$0.06		\$1,001.77	
				BPP	2010	UNCOL		\$144.22		\$159.83	\$4.27		\$698.95		\$0.06		\$1,007.33	
				BPP	2011	UNCOL				\$170.13	\$4.39		\$698.95		\$0.06		\$873.53	
				BPP	2011	UNCOL	\$4.36			\$16.16	\$0.42		\$66.40		\$0.01		\$87.35	
							\$9.38	\$442.55		\$675.66	\$17.77		\$2,928.60		\$0.26		\$4,074.22	
1	87680	FORREST TREE LLC %RICHARDSON, A MICHAEL 24757 GRAND HARBOR DR #714 KATY, TX 77494	MISC	P	2006	UNCOL		\$12.83		\$14.88	\$0.39		\$71.92		\$0.01		\$100.03	
				BPP	2006	UNCOL	\$0.50	\$1.22		\$1.42	\$0.04		\$6.83				\$10.01	
				BPP	2007	XXXXXX	XXXXXX	XXXXXX	XXXXXX	XXXXXX	XXXXXX	XXXXXX	XXXXXX	XXXXXX	XXXXXX	XXXXXX	XXXXXX	\$82.32
				BPP	2008	UNCOL		\$11.75		\$12.91	\$0.34		\$57.31		\$0.01		\$8.23	
				BPP	2008	UNCOL	\$0.41		\$1.12	\$1.23	\$0.03		\$5.44				\$8.23	
				BPP	2009	UNCOL		\$11.60		\$12.90	\$0.34		\$57.31		\$0.01		\$82.16	
							\$0.91	\$37.40	\$1.12	\$43.34	\$1.14		\$198.81		\$0.03		\$282.75	
1	87763	FREDBG INTERIORS INC %CAREY, ROBERT W JR 2028 CROWNVIEW KERRVILLE, TX 78028	INVENTORY, SUPPLIES, FURN & EQUIP	P	2008	UNCOL		\$151.81		\$166.73	\$4.39		\$740.45		\$0.06		\$1,063.44	
				BPP	2008	UNCOL	\$5.31	\$14.42		\$15.84	\$0.42		\$70.34		\$0.01		\$106.34	
							\$5.31	\$166.23		\$182.57	\$4.81		\$810.79		\$0.07		\$1,169.78	

1	87932	ENCHANTED CHATEAU LLC %HORTON, MARGARET 1716 OCALLAHAN DR AUSTIN, TX 78748	FF	P	2005	UNCOL				\$0.12	\$0.01		\$0.66			\$0.79
				BPP	2005	UNCOL				-\$0.07			-\$0.33			-\$0.40
				BPP	2006	UNCOL	\$9.19			\$297.60	\$7.80		\$1,438.40	\$0.10		\$1,743.90
					2006	UNCOL				\$28.27	\$0.74		\$136.65	\$0.01		\$174.86
					2007	UNCOL				\$57.34	\$1.45		\$237.26	\$0.02		\$296.07
					2008	UNCOL				\$40.52	\$1.07		\$179.95	\$0.02		\$221.56
					2009	UNCOL				\$40.48	\$1.07		\$179.95	\$0.02		\$221.52
							\$9.19			\$464.26	\$12.14		\$2,172.54	\$0.17		\$2,658.30
1	88480	AZTEX PEPPER FARMS LLC 25 HIGHLAND PARK VLG 326 DALLAS, TX 75205-2789	1999 FORD F250 -44JL1-	P	2005	UNCOL		\$41.41		\$48.66	\$1.32		\$253.61	\$0.02		\$345.02
				BPP	2006	UNCOL	\$1.41	\$36.18		\$41.96	\$1.10		\$202.81	\$0.01		\$282.06
					2006	UNCOL		\$3.44		\$3.99	\$0.10		\$19.27			\$28.21
					2007	UNCOL		\$29.45		\$33.79	\$0.85		\$139.84	\$0.01		\$203.94
					2008	UNCOL		\$28.67		\$31.49	\$0.83		\$139.84	\$0.01		\$200.84
							\$1.41	\$139.15		\$159.89	\$4.20		\$755.37	\$0.05		\$1,060.07
1	88481	AZTEX PEPPER FARMS LLC 25 HIGHLAND PARK VLG 326 DALLAS, TX 75205-2789	1981 FORD -71HGF2-	P	2005	UNCOL		\$5.19		\$6.10	\$0.17		\$31.80			\$43.26
				BPP	2006	UNCOL	\$0.20	\$5.13		\$5.95	\$0.16		\$28.77			\$40.01
					2006	UNCOL		\$0.48		\$0.57	\$0.02		\$2.74			\$4.01
					2007	UNCOL		\$4.83		\$5.54	\$0.14		\$22.92			\$33.43
					2008	UNCOL		\$4.70		\$5.16	\$0.14		\$22.92			\$32.92
							\$0.20	\$20.33		\$23.32	\$0.63		\$109.15			\$153.63
1	88543	FR III LLC 133 ROSS LN FREDERICKSBURG, TX 78624	2002 FRHT COLUMBIA -2AH919-	P	2006	UNCOL				\$93.82	\$2.46		\$453.46	\$0.03		\$549.77
				BPP	2006	UNCOL	\$2.75			\$8.91	\$0.24		\$43.08			\$54.98
					2007	UNCOL				\$87.34	\$2.21		\$361.39	\$0.03		\$450.97
					2008	UNCOL				\$81.38	\$2.14		\$361.39	\$0.03		\$444.94
				BPP	2008	UNCOL	\$2.23			\$7.73	\$0.20		\$34.33			\$44.49
							\$4.98			\$279.18	\$7.25		\$1,253.65	\$0.09		\$1,545.15
1	88544	FR III LLC 133 ROSS LN FREDERICKSBURG, TX 78624	2002 FRHT COLUMBIA -2AJ041-	P	2006	UNCOL				\$93.82	\$2.46		\$453.46	\$0.03		\$549.77
				BPP	2006	UNCOL	\$2.75			\$8.91	\$0.24		\$43.08			\$54.98
					2007	UNCOL				\$87.34	\$2.21		\$361.39	\$0.03		\$450.97
					2008	UNCOL				\$81.38	\$2.14		\$361.39	\$0.03		\$444.94
				BPP	2008	UNCOL	\$2.23			\$7.73	\$0.20		\$34.33			\$44.49
							\$4.98			\$279.18	\$7.25		\$1,253.65	\$0.09		\$1,545.15
1	88545	FR III LLC 133 ROSS LN FREDERICKSBURG, TX 78624	2000 FRHT BBC -2BN764-	P	2006	UNCOL				\$63.09	\$1.65		\$304.94	\$0.02		\$369.70
				BPP	2006	UNCOL	\$1.85			\$5.99	\$0.16		\$28.97			\$36.97
					2007	UNCOL				\$58.72	\$1.48		\$242.99	\$0.02		\$303.21
					2008	UNCOL				\$54.72	\$1.44		\$242.99	\$0.02		\$299.17
				BPP	2008	UNCOL	\$1.49			\$5.20	\$0.14		\$23.08			\$29.91
							\$3.34			\$187.72	\$4.87		\$842.97	\$0.06		\$1,038.96
1	88684	BOYZ BIKE SHOP, THE %HAAS, RICHARD 702 ETTIE FREDERICKSBURG, TX 78624	MISC	P	2006	UNCOL				\$7.44	\$0.20		\$35.96			\$43.60
				BPP	2006	UNCOL	\$0.22			\$0.70	\$0.02		\$3.42			\$4.36
					2007	UNCOL				\$6.93	\$0.18		\$28.66			\$35.77
				BPP	2007	UNCOL	\$0.18			\$0.66	\$0.02		\$2.72			\$3.58
							\$0.40			\$15.73	\$0.42		\$70.76			\$87.31

1	88758	COOPER ENERGY COMPANY %WALLEN, JOSEPH 317 SIDNEY BAKER ST S STE 400 KERRVILLE, TX 78028	MISC	P BPP	2010 2011	UNCOL UNCOL		\$3.55 \$3.67		\$3.93 \$4.18	\$0.11 \$0.11		\$17.19 \$17.19				\$24.78 \$25.15
							\$0.13	\$0.35		\$0.40	\$0.01		\$1.63				\$2.52
							\$0.13	\$7.57		\$8.51	\$0.23		\$36.01				\$52.45
1	88759	DETAIL SHOP, THE %SCHORR, TERRY D 102 POINT RD FREDERICKSBURG, TX 78624	MISC	P BPP	2006 2006	UNCOL UNCOL		\$3.85 \$0.37		\$4.46 \$0.43	\$0.12 \$0.01		\$21.58 \$2.05				\$30.01 \$3.01
							\$0.15										
							\$0.15	\$4.22		\$4.89	\$0.13		\$23.63				\$33.02
1	88769	CAW CONSULTANTS, INC %WALLENDORF, CRAIG PO BOX 209 MASON, TX 76856	SUP,FE,ME	P BPP	2010 2011	UNCOL UNCOL				\$33.03 \$35.16	\$0.88 \$0.91		\$144.42 \$144.42		\$0.01 \$0.01		\$178.34 \$180.50
							\$0.90			\$3.34	\$0.09		\$13.72				\$18.05
							\$0.90			\$71.53	\$1.88		\$302.56		\$0.02		\$376.89
1	88940	FRISBIE & EDWARDS LLC PO BOX 2132 FREDERICKSBURG, TX 78624	SUP,FF, ME	P	2009 2010 2011	NO NO NO		\$139.85 \$183.48 \$189.04		\$155.47 \$203.33 \$215.81	\$4.11 \$5.43 \$5.57		\$691.22 \$889.22 \$886.59		\$0.06 \$0.08 \$0.08		\$990.71 \$1,281.54 \$1,297.09
							\$512.37			\$574.61	\$15.11		\$2,467.03		\$0.22		\$3,569.34
1	89828	CANTU, PORFIRIO 3212 GRIZZLY RD CULLEOKA, TN 38451	1993 FRTLINER DUMP -53TWM3-	P	2007 2008 2009	UNCOL UNCOL UNCOL				\$18.01 \$15.09 \$15.08	\$0.46 \$0.40 \$0.40		\$74.50 \$67.05 \$67.05		\$0.01 \$0.01 \$0.01		\$92.98 \$82.55 \$82.54
										\$48.18	\$1.26		\$208.60		\$0.03		\$258.07
1	90036	CCC GENERAL AGENCY 1723 1000 DALTON LANE AUSTIN, TX 78742	1997 DODGE CARAVAN -V09JFB-	P BPP	2006 2006 2007 2008	UNCOL UNCOL UNCOL UNCOL		\$4.88 \$0.47 \$4.59 \$4.47		\$5.65 \$0.54 \$5.26 \$4.91	\$0.15 \$0.02 \$0.13 \$0.13		\$27.33 \$2.59 \$21.78 \$21.78				\$38.01 \$3.81 \$31.76 \$31.29
							\$0.19	\$14.41		\$16.36	\$0.43		\$73.48				\$104.87
1	90039	ALLEN SALE BOOTHE %BOOTH, PAT 233 CASTANO AVE SAN ANTONIO, TX 78209	1994 CADILLAC -L88BNN-	P BPP	2006 2006 2007 2008	UNCOL UNCOL UNCOL UNCOL		\$7.18 \$0.68 \$5.67 \$5.52		\$8.33 \$0.79 \$6.51 \$6.06	\$0.22 \$0.02 \$0.16 \$0.16		\$40.28 \$3.83 \$26.94 \$26.94				\$56.01 \$5.60 \$39.28 \$38.68
							\$0.28	\$19.05		\$21.69	\$0.56		\$97.99				\$139.57
1	90065	FR III LLC 133 ROSS LN FREDERICKSBURG, TX 78624	1991 FORD F350 -55NRM2-	P BPP	2006 2006 2007 2008 2008	UNCOL UNCOL UNCOL UNCOL UNCOL				\$10.56 \$1.01 \$9.84 \$9.16 \$0.87	\$0.28 \$0.03 \$0.25 \$0.24 \$0.02		\$51.06 \$4.85 \$40.69 \$40.69 \$3.87				\$61.90 \$6.20 \$50.78 \$50.09 \$5.01
							\$0.31			\$31.44	\$0.82		\$141.16				\$173.98
1	90067	FR III LLC 133 ROSS LN FREDERICKSBURG, TX 78624	2004 ELLI -59YJPW-	P BPP	2007 2008 2008	UNCOL UNCOL UNCOL				\$13.85 \$12.91 \$1.23	\$0.35 \$0.34 \$0.03		\$57.31 \$57.31 \$5.44		\$0.01 \$0.01		\$71.52 \$70.57 \$7.05
							\$0.35			\$27.99	\$0.72		\$120.06		\$0.02		\$149.14

1	90074	FRISBIE & EDWARDS LLC PO BOX 2132 FREDERICKSBURG, TX 78624	2006 FORD F250 -39THZ3-	P	2009	NO		\$6.70		\$7.45	\$0.20		\$33.12				\$47.47
					2010	NO		\$42.09		\$46.66	\$1.25		\$204.02		\$0.02		\$294.04
					2011	NO		\$43.50		\$49.67	\$1.28		\$204.02		\$0.02		\$298.49
								\$92.29		\$103.78	\$2.73		\$441.16		\$0.04		\$640.00
1	90076	FRISBIE & EDWARDS LLC PO BOX 2132 FREDERICKSBURG, TX 78624	1995 MACK -14LFN3-	P	2009	NO		\$73.05		\$81.20	\$2.14		\$361.05		\$0.03		\$517.47
					2010	NO		\$67.05		\$74.31	\$1.98		\$324.95		\$0.03		\$468.32
					2011	NO		\$62.32		\$71.15	\$1.84		\$292.28		\$0.03		\$427.62
								\$202.42		\$226.66	\$5.96		\$978.28		\$0.09		\$1,413.41
1	90204	ARROWHEAD INDUSTRIES LLC %GARDNER, CHARLENE 1244 FM 847 STEPHENVILLE, TX 76401	SPECIAL INVENTORY	P	2008	UNCOL				\$8.69	\$0.23	\$35.05					\$43.97
										\$8.69	\$0.23	\$35.05					\$43.97
1	91411	FIRST PORTLAND CORPORATION 5250 OLD ORCHARD RD STE 300 SKOKIE, IL 60077	ME	P	2009	UNCOL		\$8.47		\$9.41	\$0.25		\$41.84				\$59.97
								\$8.47		\$9.41	\$0.25		\$41.84				\$59.97
1	91798	FOUNDATION SOLUTIONS %WILSON, DAVID L 317 SIDNEY BAKER ST, STE 400-25 KERRVILLE, TX 78028	MISC	P BPP	2008 2008 2009	UNCOL UNCOL UNCOL	\$0.10			\$3.87 \$0.37 \$3.86	\$0.10 \$0.01 \$0.10	\$15.60 \$1.48 \$15.60					\$19.57 \$1.96 \$19.56
							\$0.10			\$8.10	\$0.21	\$32.68					\$41.09
1	92322	FREDBG PIPE & IRON LLC %EDWARDS, JUDGE PO BOX 2132 FREDERICKSBURG, TX 78624	INV	P	2008 2009	NO NO		\$56.70 \$51.09		\$62.28 \$56.80	\$1.64 \$1.50		\$276.58 \$252.51		\$0.02 \$0.02		\$397.22 \$361.92
								\$107.79		\$119.08	\$3.14		\$529.09		\$0.04		\$759.14
1	92773	ALVAREZ, CHERYL PO BOX 1733 MASON, TX 76856	MISC	P BPP	2008 2008 2009	UNCOL UNCOL UNCOL	\$0.13	\$3.52 \$0.33 \$3.48		\$3.87 \$0.37 \$3.86	\$0.10 \$0.01 \$0.10		\$17.19 \$1.63 \$17.19				\$24.68 \$2.47 \$24.63
							\$0.13	\$7.33		\$8.10	\$0.21		\$36.01				\$51.78
1	92826	ARTHUR & WALLENDORF %WALLENDORF, CRAIG PO BOX 209 MASON, TX 76856	1994 CHEV SUB-V30VVV-	P	2010 2011	UNCOL UNCOL				\$3.93 \$4.18	\$0.11 \$0.11		\$17.19 \$17.19				\$21.23 \$21.48
										\$8.11	\$0.22		\$34.38				\$42.71
1	92940	FREDBG PIPE & IRON LLC %EDWARDS, JUDGE PO BOX 2132 FREDERICKSBURG, TX 78624	2007 HMDE DP TRL -912GDG-	P	2008 2009 2010 2011	NO NO NO NO		\$17.63 \$17.40 \$15.96 \$14.86		\$19.36 \$19.33 \$17.70 \$16.96	\$0.51 \$0.51 \$0.47 \$0.44		\$85.97 \$85.97 \$77.37 \$69.69		\$0.01 \$0.01 \$0.01 \$0.01		\$123.48 \$123.22 \$111.51 \$101.96
								\$65.85		\$73.35	\$1.93		\$319.00		\$0.04		\$460.17

1	92941	FREDBG PIPE & IRON LLC %EDWARDS, JUDGE PO BOX 2132 FREDERICKSBURG, TX 78624	2006 STRL DP -50ZWRH-	P	2008	NO		\$15.86		\$17.42	\$0.46		\$77.37		\$0.01		\$111.12
					2009	NO		\$15.66		\$17.41	\$0.46		\$77.37		\$0.01		\$110.91
					2010	NO		\$14.38		\$15.94	\$0.43		\$69.69		\$0.01		\$100.45
					2011	NO		\$13.44		\$15.35	\$0.40		\$63.04		\$0.01		\$92.24
								\$59.34		\$66.12	\$1.75		\$287.47		\$0.04		\$414.72
1	92946	FRISBIE & EDWARDS LLC PO BOX 2132 FREDERICKSBURG, TX 78624	2004 FORD F350-36DLV5-	P	2009	NO		\$28.41		\$31.58	\$0.83		\$140.41		\$0.01		\$201.24
					2010	NO		\$26.09		\$28.91	\$0.77		\$126.42		\$0.01		\$182.20
					2011	NO		\$26.95		\$30.77	\$0.79		\$126.42		\$0.01		\$184.94
								\$81.45		\$91.26	\$2.39		\$393.25		\$0.03		\$568.38
1	92947	FRISBIE & EDWARDS LLC PO BOX 2132 FREDERICKSBURG, TX 78624	2005 PARK DP TR -70ZZWR-	P	2011	NO		\$1.38		\$1.57	\$0.04		\$6.47				\$9.46
								\$1.38		\$1.57	\$0.04		\$6.47				\$9.46
1	93109	AT VENDING BROKERAGE %TOWER, ALTA 2637 WEST ROSEMONT CHICAGO, IL 60659	MISC	P BPP	2008 2008	UNCOL UNCOL		\$3.52 \$0.33		\$3.87 \$0.37	\$0.10 \$0.01		\$17.19 \$1.63				\$24.68 \$2.47
								\$0.13	\$3.85	\$4.24	\$0.11		\$18.82				\$27.15
1	95970	AFFORDABLE LAWN SERVICE %TAYLOR, MICHAEL PO BOX 55 STONEWALL, TX 78671	MISC	P BPP	2010 2011 2011	UNCOL UNCOL UNCOL				\$6.55 \$6.97 \$0.66	\$0.18 \$0.18 \$0.02		\$28.66 \$28.66 \$2.72			\$7.88 \$0.75	\$35.39 \$43.69 \$4.36
								\$0.21		\$14.18	\$0.38		\$60.04			\$8.63	\$83.44
1	99913	DERELLS TREE SERVICE %REDUS, DERELL 4911 TENNYSON DR SAN ANTONIO, TX 78217	ME	P BPP	2009 2009 2010	UNCOL UNCOL UNCOL		\$1.44 \$0.14 \$1.46		\$1.60 \$0.15 \$1.62	\$0.04 \$0.04		\$7.11 \$0.68 \$7.11				\$10.19 \$1.03 \$10.23
								\$0.06	\$3.04	\$3.37	\$0.08		\$14.90				\$21.45
1	100039	EWEN, JODY R 1898 PEDERNALES HILLS RD JOHNSON CITY, TX 78636	MISC	P BPP	2009 2009 2010	SF SF SF	\$0.11			\$3.86 \$0.37 \$3.93	\$0.10 \$0.01 \$0.11		\$17.19 \$1.63 \$17.19				\$21.15 \$2.12 \$21.23
								\$0.11		\$8.16	\$0.22		\$36.01				\$44.50
1	100390	FRISBIE & EDWARDS LLC PO BOX 2132 FREDERICKSBURG, TX 78624	1992 MACK -67SKP9-	P	2009	NO		\$58.28		\$64.78	\$1.71		\$288.04		\$0.03		\$412.84
					2010	NO		\$53.50		\$59.29	\$1.58		\$259.27		\$0.02		\$373.66
					2011	NO		\$49.73		\$56.78	\$1.47		\$233.25		\$0.02		\$341.25
								\$161.51		\$180.85	\$4.76		\$780.56		\$0.07		\$1,127.75
1	100796	FRISBIE & EDWARDS LLC PO BOX 2132 FREDERICKSBURG, TX 78624	10' DUMP TRL, 48' TRAILER & TRI-AXLE GOOSENECK, 2003 CARG, 1988 TFI FB	P	2009	NO		\$32.46		\$36.09	\$0.95		\$160.47		\$0.01		\$229.98
					2010	NO		\$30.15		\$33.42	\$0.89		\$146.14		\$0.01		\$210.61
					2011	NO		\$50.72		\$57.90	\$1.49		\$237.84		\$0.02		\$347.97
								\$113.33		\$127.41	\$3.33		\$544.45		\$0.04		\$788.56

1	101280	CRICKETS CRYSTALS & MORE %GOIN, BETTE LOU 510A SAMMON DR HUMBLE, TX 77338	MISC	P BPP	2010 2011 2011	UNCOL UNCOL UNCOL	\$0.05	\$1.19 \$1.22 \$0.12	\$1.31 \$1.39 \$0.13	\$0.04 \$0.04	\$5.73 \$5.73 \$0.54					\$8.27 \$8.38 \$0.84
							\$0.05	\$2.53	\$2.83	\$0.08	\$12.00					\$17.49
1	102675	COURTSIDE CONCESSIONS %SOLIS, JERRY J 1900 CIRCLE ACRES BULVERDE, TX 78163	MISC 11	P BPP	2011 2011	SFC SFC	\$0.04		\$1.39 \$0.13	\$0.04	\$5.73 \$0.54					\$7.16 \$0.71
							\$0.04		\$1.52	\$0.04	\$6.27					\$7.87
1	8521245	DOUGLAS, R DAVID & CHERYL 3217 PHEASANT ST EVANS, CO 80620	1989 CHEV SILVERADO 2CLL63	AUTO	2004	UNCOL		\$10.01	\$11.23	\$0.29	\$56.31					\$77.84
							\$10.01		\$11.23	\$0.29	\$56.31					\$77.84
1	8521745	DOUBLE D CUSTOM TILE WORKS %DOUGLAS, ROBERT 3217 PHEASANT ST EVANS, CO 80620	SUP,F&E,M&E	P	2004	UNCOL		\$3.05	\$3.42	\$0.09	\$17.13					\$23.69
							\$3.05		\$3.42	\$0.09	\$17.13					\$23.69
1	8521866	CUSTOM CARPENTRY & PAINTING %HOFFMANN, TODD A 703A HARPER RD KERRVILLE, TX 78028	M&E	P	2004 2005	UNCOL UNCOL			\$7.91 \$7.63	\$0.21 \$0.21	\$34.39 \$34.39					\$42.51 \$42.23
									\$15.54	\$0.42	\$68.78					\$84.74
1	8522758	AZTEK PEPPER FARMS LLC 201 TAYLOR RD APT 301 FALFURRIAS, TX 78355	MISC	P	2004	UNCOL		\$4.23	\$4.74	\$0.12	\$23.79					\$32.88
							\$4.23		\$4.74	\$0.12	\$23.79					\$32.88
1	8523308	A TASTE OF COUNTRY %JONES JAMES 287 BUFFALO SUBDIVISION LIVINGSTON, TX 77351	INV,F&E	P	2003	UNCOL		\$3.11	\$3.84	\$0.10	\$18.98					\$26.03
							\$3.11		\$3.84	\$0.10	\$18.98					\$26.03
1	8523384	EPICUREAN EXPRESS %FELTON, JASON K 13813 SUNTAN AVE CORPUS CHRISTI, TX 78418	INV,SUP, F&E, M&E	P	2002 2003	UNCOL UNCOL		\$7.35 \$7.96	\$9.53 \$9.85	\$0.28 \$0.26	\$48.88 \$48.63					\$66.04 \$66.70
							\$15.31		\$19.38	\$0.54	\$97.51					\$132.74
1	8523442	BRIDAL SOLUTIONS %WERTHELM, MICHELLE LEIGH 8203 GALESPOINT SAN ANTONIO, TX 78250	SUP,F&E	P	2003	UNCOL			\$3.49	\$0.09	\$17.26					\$20.84
									\$3.49	\$0.09	\$17.26					\$20.84

1	8523479	DARNELL STEEL PRODUCTS %DARNELL, RICHARD G 5360 JONES RD CHRISTINA, TN 37037	SUP, M&E,F&E	P	2003	UNCOL		\$902.30		\$1,116.01	\$29.53		\$5,513.98		\$0.35		\$7,562.17
								\$902.30		\$1,116.01	\$29.53		\$5,513.98		\$0.35		\$7,562.17
1	8523493	ALLISON DENNIS TREE SERVICE %ALLISON, DENNIS DALE 1435 FM 1480 SAN SABA, TX 76877	M&E	P	2003	UNCOL				\$4.76	\$0.13	\$20.64					\$25.53
										\$4.76	\$0.13	\$20.64					\$25.53
1	8523853	FREDBG MOTOR CO INC 800 S HARBOR CITY BLVD MELBOURNE, FL 32901	1996 CHEV C1500 FLEET V8 6 1/2' PU -RR7409	AUTO	2002	UNCOL		\$19.02		\$24.68	\$0.71		\$126.54		\$0.01		\$170.96
								\$19.02		\$24.68	\$0.71		\$126.54		\$0.01		\$170.96
1	8524067	ANNIE LAURIE'S NECKLACES 239 E MAIN FREDERICKSBURG, TX 78624	INV,SUP,F&E	P	2002	UNCOL		\$18.73		\$24.31	\$0.71		\$124.65		\$0.01		\$168.41
								\$18.73		\$24.31	\$0.71		\$124.65		\$0.01		\$168.41
1	8524080	BAKER & SON FOREIGN & DOMESTIC AUTOMOBILE REPAIR KENNETH L BAKER PO BOX 631 TEAGUE, TX 75860-0631	INV,SUP,F&E,M&E	P	2001	UNCOL		\$25.05		\$31.03	\$1.00		\$158.87		\$0.02		\$215.97
								\$25.05		\$31.03	\$1.00		\$158.87		\$0.02		\$215.97
1	8524089	ENCHANTED COLLECTIONS %RUDMAN, JACQUELINE 14508 OWEN TECH BLVD APT 228 AUSTIN, TX 78728	INV,SUP, F&E	P	2001 2002	UNCOL UNCOL		\$199.29 \$188.55		\$246.86 \$244.71	\$7.96 \$7.08		\$1,263.89 \$1,254.42		\$0.16 \$0.08		\$1,718.16 \$1,694.84
								\$387.84		\$491.57	\$15.04		\$2,518.31		\$0.24		\$3,413.00
1	8524231	BROKEN ARROW SILVER COMPANY %JEFFERY, JERRY 125 JULIAN TRL HARWOOD, TX 78632	FURN & EQUIP	P	2002	UNCOL		\$2.86		\$3.71	\$0.11		\$19.00				\$25.68
								\$2.86		\$3.71	\$0.11		\$19.00				\$25.68
1	8524243	DIAMOND G WELDING %GARCIA, SCOTT 108 GAMMENTHALER LN HARPER, TX 78631	INV,SUP,M&E	P	2002	UNCOL				\$10.77	\$0.31	\$48.15					\$59.23
										\$10.77	\$0.31	\$48.15					\$59.23
1	8527988	DIAMOND H PRODUCE % RICHARD S HENSLEY SR 119 RIDGEWOOD DR FREDERICKSBURG, TX 78624	INV,SUP,F&E,M&E	P	2001	UNCOL		\$6.51		\$8.07	\$0.26		\$41.31		\$0.01		\$56.16
								\$6.51		\$8.07	\$0.26		\$41.31		\$0.01		\$56.16

1	8541450	ARROW EMPLOYMENT SERVICES %KOEKBE, MATTHEW 1193 BROOKDALE LN LIVERMORE, CA 94551	MISC	P	2007	UNCOL		\$20.52		\$23.55	\$0.60	\$97.43		\$0.01	\$142.11
				BPP	2007	UNCOL	\$0.71	\$1.95		\$2.24	\$0.06	\$9.25			\$14.21
					2008	UNCOL		\$19.98		\$21.94	\$0.58	\$97.43		\$0.01	\$139.94
				BPP	2008	UNCOL	\$0.70	\$1.90		\$2.08	\$0.06	\$9.26			\$14.00
					2009	UNCOL		\$19.71		\$21.92	\$0.58	\$97.43		\$0.01	\$139.65
					2010	UNCOL		\$20.10		\$22.28	\$0.60	\$97.43		\$0.01	\$140.42
					2011	UNCOL				\$23.72	\$0.61	\$97.43		\$0.01	\$121.77
				BPP	2011	UNCOL	\$0.61			\$2.25	\$0.06	\$9.26			\$12.18
							\$2.02	\$84.16		\$119.98	\$3.15	\$514.92		\$0.05	\$724.28
1	8541471	BERKMAN BOOKS %BERKMAN, DAVID 8525 WOODSTONE DR AUSTIN, TX 78757	MISC	P	2011	UNCOL		\$70.02		\$79.93	\$2.06	\$328.33		\$0.03	\$480.37
				BPP	2011	UNCOL	\$2.41	\$6.65		\$7.59	\$0.20	\$31.19			\$48.04
							\$2.41	\$76.67		\$87.52	\$2.26	\$359.52		\$0.03	\$528.41
1	8541511	CLASSIC KNOWLEDGE PUBLICATIONS %KOEKBE, MATTHEW 1193 BRROKDALE LN LIVERMORE, CA 94551	MISC	P	2007	UNCOL		\$9.65		\$11.08	\$0.28	\$45.85			\$66.86
				BPP	2007	UNCOL	0.33	\$0.92		\$1.05	\$0.03	\$4.36			\$6.69
					2008	UNCOL		\$9.40		\$10.32	\$0.27	\$45.85			\$65.84
				BPP	2008	UNCOL	0.33	\$0.89		\$0.98	\$0.03	\$4.36			\$6.59
					2009	UNCOL		\$9.27		\$10.31	\$0.27	\$45.85			\$65.70
					2010	UNCOL		\$9.46		\$10.49	\$0.28	\$45.85			\$66.08
					2011	UNCOL				\$11.16	\$0.29	\$45.85			\$57.30
				BPP	2011	UNCOL	\$0.29			\$1.06	\$0.03	\$4.36			\$5.74
							\$0.95	\$39.59		\$56.45	\$1.48	\$242.33			\$340.80
1	8541517	COTTAGE CHATEAU %MCCARL, SHELLI L 6821 INDEPENDENCE PKWY FRISCO, TX 75035	MISC	P	2008	UNCOL		\$3.52		\$3.87	\$0.10	\$17.19			\$24.68
				BPP	2008	UNCOL	\$0.13	\$0.33		\$0.37	\$0.01	\$1.63			\$2.47
					2009	UNCOL		\$3.48		\$3.86	\$0.10	\$17.19			\$24.63
							\$0.13	\$7.33		\$8.10	\$0.21	\$36.01			\$51.78
1	8541527	CREATIVE IMAGES %TAYLOR, JOHN & ROXANNE PO BOX 523 HARPER, TX 78631	MISC	P	2007	UNCOL				\$12.47	\$0.32	\$51.58			\$64.37
				BPP	2007	UNCOL	\$0.32			\$1.19	\$0.03	\$4.90			\$6.44
					2008	UNCOL				\$11.61	\$0.31	\$51.58			\$63.50
				BPP	2008	UNCOL	\$0.32			\$1.10	\$0.03	\$4.90			\$6.35
					2009	UNCOL				\$11.60	\$0.31	\$51.58			\$63.49
					2010	UNCOL				\$11.79	\$0.32	\$51.58			\$63.69
					2011	UNCOL				\$12.55	\$0.32	\$51.58			\$64.45
				BPP	2011	UNCOL	\$0.32			\$1.19	\$0.03	\$4.90			\$6.44
							\$0.96			\$63.50	\$1.67	\$272.60		\$0.00	\$338.73

CAD	CFB	EFB	G086	HUW	SHP	SFB	SD	WCD	WDS	TOTAL
\$80.04	\$4,685.68	\$1.12	\$9,788.95	\$260.12	\$221.39	\$43,853.80	\$0.00	\$3.44	\$9.03	\$58,903.57



CITY COUNCIL MEMO

DATE: September 20, 2021

TO: Mayor and City Council Members

FROM: Jason Lutz

SUBJECT: Z-2115 –Consideration and action regarding a requested Annexation Agreement.

Summary:

The property owner has requested voluntary annexation of approximately 10.839 acres of land to construct a single-family subdivision. The proposed annexation area is for the development of Stone Ridge Unit 11. The requested zoning of the property is R1.

The property is located at the south end of Stoneledge Street, east of the Stoneridge Subdivision. The developer 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.

There are currently 372 lots within Stone Ridge subdivision, and the proposed phase will add an additional 24 lots bring the total to 396 lots.

Recommendation:

Staff recommends approval of the requested annexation agreement.

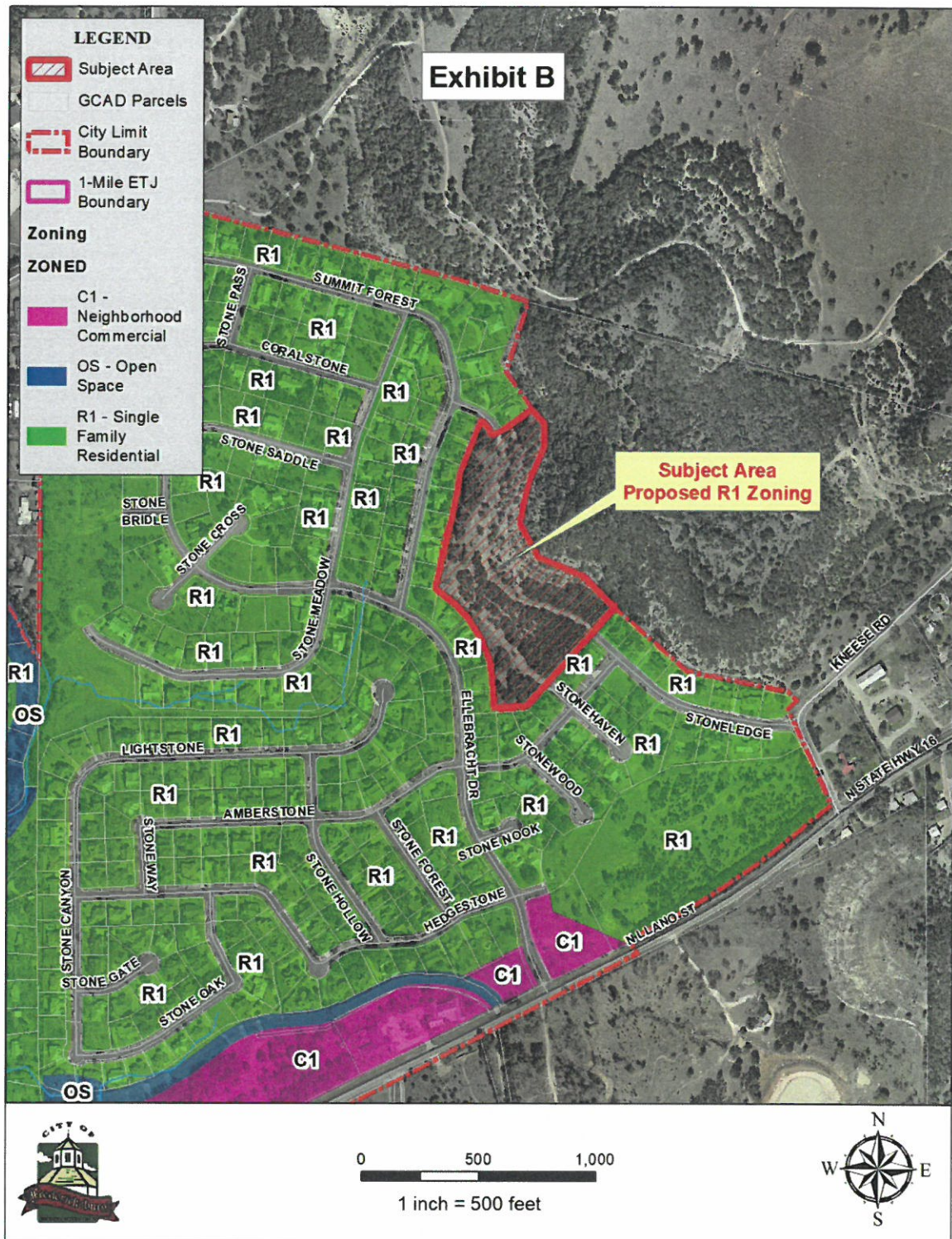
Attachments: Draft Annexation Agreement and Exhibits & Location/Zoning Map

Department Approval

City Attorney Approval

City Manager Approval

The City of Fredericksburg



The City of Fredericksburg

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

PETITION TO ANNEX

STATE OF TEXAS §

COUNTY OF GILLESPIE §

To the Honorable City council of the City of Fredericksburg, Texas: Carolyn Ellebracht being the sole owner of the hereinafter described 10,839 acres of land in Gillespie County, Texas, said 10.839 acres being contiguous and adjacent to the City of Fredericksburg, Texas, a home rule city, respectfully requests that the said 10.839 acres, hereinafter described, and shown on the map attached, on which less than three (3) qualified voters reside, be annexed to the City of Fredericksburg, Texas, said tract sought to be annexed described by metes and bounds as follows, to-wit:

BEING 10.839 acres of land out of a remaining portion of a 258 acre tract of land described in Volume 63, Page 366, Deed Records, Gillespie County, Texas, also being situated in the William H. Anderson Survey No. 197, Abstract No. 2, Gillespie County, Texas.

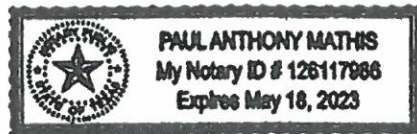
WHEREFORE, the undersigned respectfully pray that the above described tract of land be annexed to the City of Fredericksburg, Texas.

EXECUTED this the 9th day of July, 2021.

OWNERS:

CAROLYN ELLEBRACHT

By: Carolyn Ellebracht
Carolyn Ellebracht



STATE OF TEXAS §

COUNTY OF GILLESPIE §

This instrument was acknowledged before me on this the 9th day of July, 2021, by Carolyn Ellebracht.


Notary Public in and for
The State of Texas

PETITION TO ANNEX

STATE OF TEXAS §

COUNTY OF GILLESPIE §

To the Honorable City council of the City of Fredericksburg, Texas: Carolyn Ellebracht being the sole owner of the hereinafter described 10,839 acres of land in Gillespie County, Texas, said 10.839 acres being contiguous and adjacent to the City of Fredericksburg, Texas, a home rule city, respectfully requests that the said 10.839 acres, hereinafter described, and shown on the map attached, on which less than three (3) qualified voters reside, be annexed to the City of Fredericksburg, Texas, said tract sought to be annexed described by metes and bounds as follows, to-wit:

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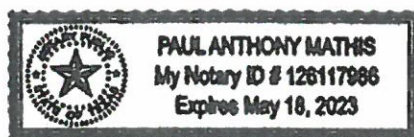
WHEREFORE, the undersigned respectfully pray that the above described tract of land be annexed to the City of Fredericksburg, Texas.

EXECUTED this the 9th day of July, 2021.

OWNERS:

CAROLYN ELLEBRACHT

By: Carolyn Ellebracht
Carolyn Ellebracht



STATE OF TEXAS §

COUNTY OF GILLESPIE §

This instrument was acknowledged before me on this the 9th day of July, 2021, by Carolyn Ellebracht.


Notary Public in and for
The State of Texas

ANNEXATION AGREEMENT FOR
THE STONERIDGE UNIT 11
SUBDIVISION

This Annexation Agreement ("Agreement") is made and entered into by and between the City of Fredericksburg, Texas ("City"), with an address of 126 W. Main Street, Fredericksburg, Texas, 78624, and Carolyn Ellebracht ("Owner"), with an address of 8498 S S.H.-16, Fredericksburg, Texas, 78624.

RECITALS

WHEREAS, the Owner is the owner of record of approximately 10.839 acres tract of land out of the William H. Anderson Survey No. 197, Abstract No. 2, Gillespie County, Texas, and being the remaining portion of a called 258 acre tract recorded in Volume 63, Page 366, Deed Records of Gillespie County, Texas, located at the south end of Stoneledge Drive, east of the Stoneridge Subdivision, and more particularly and separately described in the attached Exhibit "A"; and

WHEREAS, the City Council, after due and careful consideration, finds that the annexation of said 17.461 acres into the City will promote economic development and further the growth of 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:

1. The Parties acknowledge and agree that the 10.839 acre subject property is presently located outside the city limits of the City, but is located within the extra territorial jurisdiction of the City, and is commonly known as Stoneridge Unit 11 (the "Annexation Tract"), and is more particularly described 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 or other written request filed by the Owner.

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 district of the Annexation Tract as set forth on the Zoning Map in Exhibit "B", a copy of which is attached hereto and made a part hereof. The zoning designation of the Annexation 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 Annexation Tract and requested by the owner 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.

2. City Service Plan.

(a). The Parties acknowledge and agree that the Owner's proposed plans for the Annexation Tract will require an improvement to the City's water and sewer system to properly provide City sanitary sewer and water service to the Annexation Tract. The Owner agrees to design and construct, at Owner's sole expense, an extension of the City's water line from its current terminus, to be extended to the Annexation Tract. The Owner agrees to design and construct, at Owner's sole expense, an extension of the City's sanitary sewer line from its current terminus, to be extended to the Annexation Tract. The Owner shall acquire, at Owner's sole expense, all utility easements necessary to construct the extension of the City water line and City sanitary sewer line under this Paragraph. The extension of the City water line and sanitary sewer line set forth in this Paragraph shall be constructed 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. The Owner agrees to design and construct, at Owner's sole expense, all remaining external and internal lines and taps to connect the Annexation Tract to City's water and sewer system, constructed 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. The Parties acknowledge and agree that the City will not construct or assume maintenance for any lift pumps, sewer pumps, pressure boosters, or any other similar item needed for adequate water or sewer service to the Annexation Tract. The Owner shall be responsible for payment of all impact fees, tap fees, and other related utility fees, as assessed by the City pursuant to the City's Code of Ordinances for water and wastewater utility service connections. It is hereby understood and agreed by the Parties that permanent connection of the Annexation Tract to City water and wastewater utility services is contingent upon annexation of the Annexation Tract under Paragraph 1 of this Agreement, and the City may discontinue water and wastewater utility services to the Annexation Tract if the Annexation Tract is not annexed.

(b). Upon completion of the annexation proceedings under Paragraph 1 of this Agreement, all other City services shall be provided to the Owner as set forth in the agreed service plan in Exhibit "C", a copy of which is attached hereto and made a part hereof. In the event of any inconsistency or conflict between the provisions of this Agreement and those of the agreed service plan in Exhibit "C", this Agreement shall prevail.

3. The effective date of this Agreement shall be the date of execution by both Parties.

4. It is understood and agreed by the Parties hereto that time is of the essence of this Agreement, and that all the parties will make every reasonable effort to expedite the

subject matters hereof.

5. 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 necessary or proper processes in order to zone and classify the Annexation 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.

6. This Agreement shall be binding upon the parties to it, their respective grantees, successors, assigns or lessees, subject to limitations provided by law.

7. The Parties agree that this Agreement and any exhibits attached to it may be amended only by the mutual written consent of all parties.

8. THE OWNER 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 OWNER 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, NEGLIGENCE OR MISCONDUCT OF THE OWNER, ITS CONTRACTORS, AGENTS, SERVANTS OR EMPLOYEES.

9. Approval by the City of any plans, designs, or specifications submitted by the Owner pursuant to this Agreement shall not constitute or be deemed to be release of the responsibility and liability of the Owner 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.

Carolyn Ellebracht ("OWNER")

By: _____ Date: _____

Printed Name: _____

THE STATE OF TEXAS
COUNTY OF _____

This instrument was acknowledged before me on the _____ day of _____,
20_____, by _____, Owner.

Notary Public, State of Texas

CITY OF FREDERICKSBURG, TEXAS ("City")

By: _____ Date: _____
Kent Myers, City Manager

THE STATE OF TEXAS
COUNTY OF GILLESPIE

This instrument was acknowledged before me on the _____ day of _____,
20_____, by Kent Myers, City Manager of the City of Fredericksburg.

Notary Public, State of Texas

EXHIBIT A



CIVIL ENGINEERING CONSULTANTS
DON DURDEN, INC.

FIELD NOTES FOR STONE RIDGE UNIT XI 10.839 Acres

Being a 10.839 acre parcel of land in the William Anderson Survey No. 197, Abstract No. 2 of Gillespie County, Texas, and being out of the called 258 acre tract recorded in Volume 63, Page 366, of the Deed Records (D.R.) of Gillespie County, Texas; said 10.839 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a found 1/2" rebar being the northeastern most corner of Lot 113, Stone Ridge Unit II, as recorded in Volume 3, Page 82, Plat Records of Gillespie County, Texas; and being the **POINT OF BEGINNING** of the herein described tract:

THENCE with said East Boundary of the herein described 10.839 Acre Tract the following seven (7) courses:

S 33°58'51" E, a distance of 86.61 feet to a 1/2" iron rod w/CEC cap set for an exterior corner;

S 02°44'53" W, a distance of 93.71 feet to a 1/2" iron rod w/CEC cap set for an exterior corner;

S 22°28'27" W, a distance of 196.00 feet to a 1/2" iron rod w/CEC cap set for an exterior corner;

S 11°34'23" W, a distance of 153.87 feet to a 1/2" iron rod w/CEC cap set for an exterior corner;

S 26°46'00" E, a distance of 164.30 feet to a 1/2" iron rod w/CEC cap set for an exterior corner;

S 65°34'14" E, a distance of 199.51 feet to a 1/2" iron rod w/CEC cap set for an exterior corner;

S 48°34'27" E, a distance of 208.12 feet to a 1/2" iron rod w/CEC cap set for an exterior corner; said point also being the northern most corner of Lot 240, Stone Ridge Unit VI, as recorded in Volume 4, Page 1, Plat Records of Gillespie County, Texas;

THENCE S 42°17'10" W, a distance of 570.00 feet with the common exterior boundary line of said Stone Ridge Unit VI and the herein described 10.839 Acre Tract to a 1/2" iron rod w/CEC cap set for an exterior corner; said point also being the common corner of Lot 242 and Lot 243, Stone Ridge Unit VI, as recorded in Volume 4, Page 1, Plat Records of Gillespie County, Texas;

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THENCE S 87°11'59" E, with the north line of said Lot 242 and Lot 241, Stone Ridge Unit VI, a distance of 139.86 feet, to a 1/2" iron rod w/CEC cap set for the southwestern most corner of the herein described 10.839 Acre Tract, said point also being the common corner of Lots 59 and 60, Stone Ridge Unit I, as recorded in Volume 2, Page 98-101, Plat Records of Gillespie County, Texas;

THENCE with said West Boundary of the herein described 10.839 Acre Tract and the common line with Stone Ridge Unit I the following six (6) courses:

N 02°48'36" W, a distance of 94.60 feet to a 1/2" iron rod w/CEC cap set for an exterior corner, said point also being the common corner of Lots 60 and 61, Stone Ridge Unit I;

N 08°39'23" W, a distance of 112.05 feet to a 1/2" iron rod w/CEC cap set for an exterior corner, said point also being the common corner of Lots 61 and 62, Stone Ridge Unit I;

N 20°20'58" W, a distance of 112.05 feet to a 1/2" iron rod w/CEC cap set for an exterior corner, said point also being the common corner of Lots 62 and 63, Stone Ridge Unit I;

N 32°02'34" W, a distance of 112.05 feet to a 1/2" iron rod w/CEC cap set for an exterior corner, said point also being the common corner of Lots 63 and 64, Stone Ridge Unit I;

N 41°20'51" W, a distance of 66.36 feet to a 1/2" iron rod w/CEC cap set for an exterior angle,

N 50°03'29" W, a distance of 100.69 feet to a 1/2" iron rod w/CEC cap set for an exterior corner, said point also being the common corner of Lots 64 and 65, Stone Ridge Unit I and Lot 120, Stone Ridge Unit II, as recorded in Volume 3, Page 82, Plat Records of Gillespie County, Texas;

THENCE with the east line of said Stone Ridge Unit II, N 11°34'23" E, a distance of 522.32 feet to a 1/2" iron rod w/CEC cap set for an angle point;

THENCE continuing with the east line of said Stone Ridge Unit II, N 22°28'27" E, a distance of 234.36 feet to a 1/2" iron rod w/CEC cap set on the southeast right-of way line of Stoneledge (50' ROW) and being in a curve having a radius of 175.00';

THENCE 76.39 feet with a curve to the right, said curve having a central angle of 25°00'35", a chord bearing of S 36°42'13" E, and a chord distance of 75.78 feet to an angle point in the southeast right-of way line of Stoneledge;

THENCE N 68°17'35" E, crossing Stoneledge (50' ROW) a distance of 50.04 feet to a 1/2" iron rod w/CEC cap set on the northeast right-of-way line of Stoneledge for an angle point;

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THENCE N 56°01'09" E, a distance of 154.90 feet to the **POINT OF BEGINNING** and containing 10.839 acres of land, more or less.

- Bearings source is the last described west line of this description, between the two found monuments described above, and shown as N 00°56'24" E as derived from GPS observation based on NAD 83(2011), Texas State Plane Coordinate System - South Central Zone.

I hereby certify that this description conforms to the minimum standards set forth by the Texas Board of Professional Land Surveying according to an actual survey made on the ground by employees of Don Durden, Inc. dba Civil Engineering Consultants.

Date:

Gary B. Neill
R.P.L.S. #3964
Firm No. 10041000

Warning: Only those copies with the Signature and
Seal in red should be relied upon.

Stone Ridge Unit XI
Project Number: E0617302

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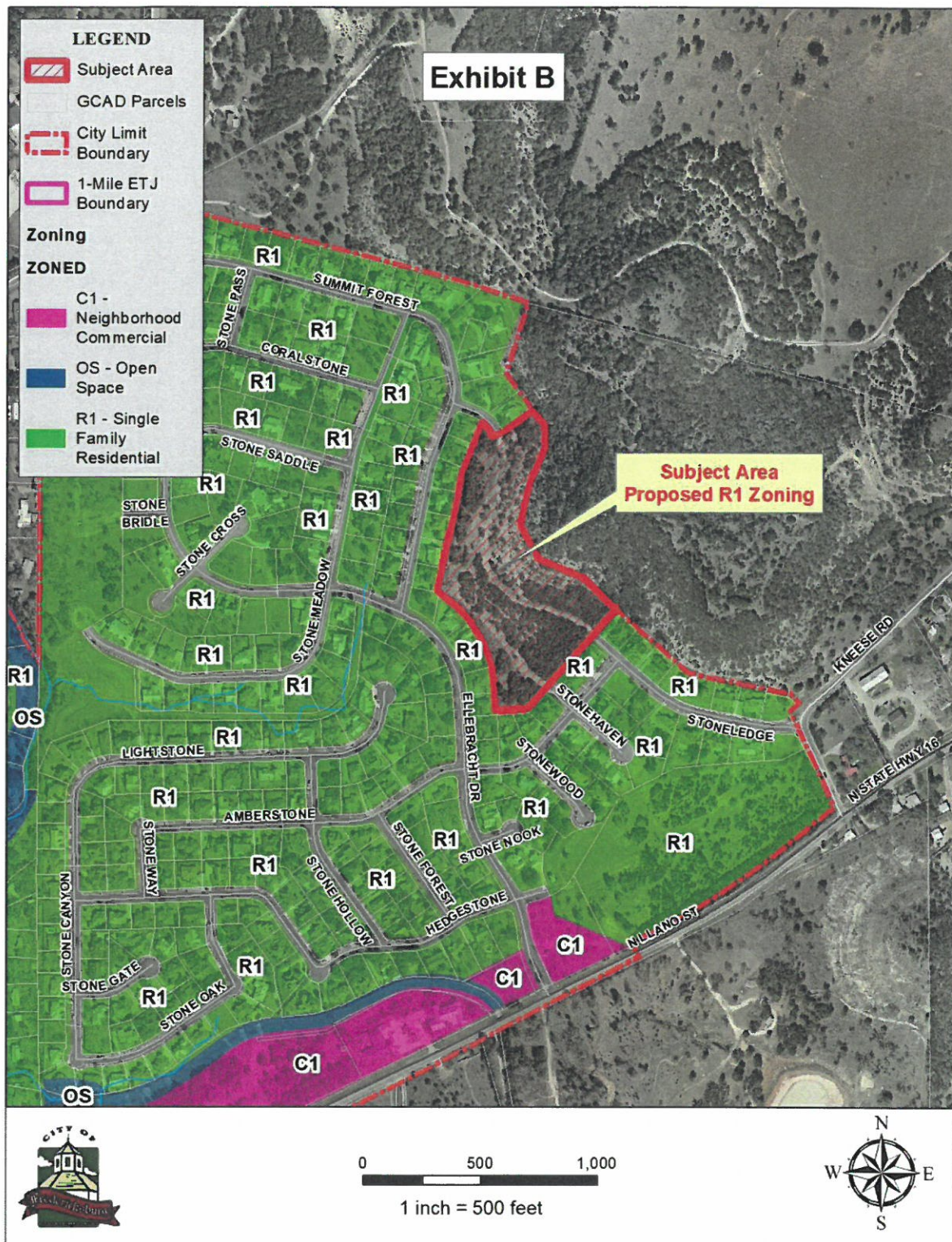


EXHIBIT "C"

City of Fredericksburg Agreed Annexation Service Plan For Annexation

I. TERRITORY

This service plan is applicable to approximately 10.839 acres tract of land out of the William H. Anderson Survey No. 197, Abstract No. 2, Gillespie County, Texas (the "Annexation Parcel").

II. GENERAL PROVISIONS

a. Effective Term. This service plan shall be in effect for a ten-year period commencing on the effective date of the annexation.

b. Amendment or Renewal. This service plan may be amended from time to time as provided by Local Government Code. Renewal of this service plan shall be at the sole option of the Fredericksburg City Council.

c. Level of Services to be Provided. The City Council finds and determines that the level of services, infrastructure and infrastructure maintenance provided within the area prior to annexation is not greater than is provided in the City. The City Council finds and determines that the services, infrastructure and infrastructure maintenance proposed by this plan are comparable to that provided to other parts of the City with reasonably similar topography, land use, and population density. The City Council finds and determines that implementation of this plan in the manner proposed will not reduce the level of fire, police, and emergency medical services available within the City.

III. SERVICES TO BE PROVIDED AT ANNEXATION

The following services will be provided within the annexed area immediately upon the effective date of the annexation. In the case of a gated subdivision, it will be the responsibility of the Property Owners Association (POA) of the gated subdivision to allow timely emergency service access and City staff access, particularly in cases where the access mechanism changes on or after annexation.

a. Police Protection. The City of Fredericksburg Police Department will provide police services, including criminal investigations, routine patrol, traffic

enforcement, and dispatched response to both emergency and non-emergency service calls. It is anticipated that police services within the annexed area will be provided utilizing existing levels of personnel and equipment. Currently, the nearest police station is the City of Fredericksburg Police Department headquarters, located at 1601 E. Main Street.

b. Fire Protection and Emergency Medical Services. The City of Fredericksburg Fire Department will provide emergency fire suppression and routine fire prevention services within the annexed area. The City of Fredericksburg Emergency Medical Services (EMS) Department will provide primary EMS services within the annexed area. Firefighters may be dispatched to the scene of accidents or other medical emergencies to assist EMS personnel or to provide “first responder” services pending the arrival of EMS personnel.

c. Solid Waste Collection. The City provides fee based household garbage collection services to single family residences within the City. The City provides a single drop off location for recycling collection within the City. The City does not collect garbage from commercial establishments. Commercial garbage collection and disposal and/or recycling and is available from privately owned collection businesses.

The City currently provides residential garbage collection at the street curb using an automated collection system that requires use of specific collection containers. In accordance with the City’s current policy, each residential garbage customer will be provided a collection container for waste disposal. The City does not currently provide recycling collection at the street curb.

Privately owned solid waste management service providers currently provide collection services within the annexed area and may continue to provide such services. Pursuant to Local Government Code, at any time before the second anniversary of the date an area is included within the corporate boundaries of a the City by annexation, the City may not (1) prohibit the collection of solid waste in the area by a privately owned solid waste management service provider; or (2) offer solid waste management services in the area unless a privately owned solid waste management service provider is unavailable. The City will commence residential collections services prior to the second anniversary of annexation if requested to do so in writing by any property owner. Any such request must be made at least 90 days prior to the proposed effective date for initiation of City service.

d. Maintenance of Water and Wastewater Facilities. The annexation territory is not currently within the service area of the City of Fredericksburg. The City does not maintain privately owned water wells or septic or aerobic wastewater systems. Property owners who currently have water wells, septic or aerobic wastewater systems may keep them as long as they are maintained in proper working order. When City wastewater disposal facilities are available to serve existing development the City may require connection to the City system instead

of permitting the installation of new septic or aerobic disposal systems. Mandatory connection to the City wastewater system will not be required where existing systems remain in good working order and do not present a threat to public health or safety.

e. Maintenance of Roads, Streets, Street Lighting, and Drainage Infrastructure. The City is currently responsible for the maintenance of public roads, streets, street lighting, and drainage infrastructure in the annexed area.

f. Maintenance of Parks, Playgrounds and Swimming Pools. There are no public parks, public playgrounds, or public swimming pools within the area to be annexed.

g. Maintenance of any other Public Building, Facility or Service. Annexation does not transfer ownership of public buildings, facilities or services, all of which should continue to be maintained or provided by the public entity that currently owns or provides them. Privately owned facilities, including privately owned and operated storm water detention facilities, are not affected by the annexation.

An appropriate City Department will be assigned to assume responsibility for the maintenance or provision of any required facilities or services which become the responsibility of the City and are not expressly provided for by this service plan.

IV. CAPITAL IMPROVEMENTS PLAN

Construction of the following capital improvements related to the annexation will be substantially completed within 2½ years, except for certain services that the City cannot reasonably provide within that period, and for which the City proposes a schedule set forth below to provide for the provision of full municipal services no later than 4-1/2 years after the effective date of the annexation.

a. Police Protection. No additional capital improvements are needed at this time to provide police services.

b. Fire Protection. No capital improvements are needed at this time to provide fire protection services.

c. Solid Waste Collection. No capital improvements are needed at this time to provide solid waste collection services.

d. Water and Wastewater Facilities. No additional capital improvements by City will be made at this time to provide full water and wastewater services to the annexed area. The Owner agrees to design and construct, at Owner's sole expense, an extension of the City's water line and wastewater lines to serve the annexed area.

e. Roads, Streets, Street Lighting, and Drainage Infrastructure. No new roads, streets, street lights, or drainage infrastructure is needed at this time.

f. Parks, Playgrounds and Swimming Pools. No capital improvements are needed at this time to provide recreational services.

g. Other Public Buildings, Facilities or Services. No capital improvements are needed at this time to provide other public services.

V. WATER AND WASTEWATER SERVICE EXTENSION POLICIES

The City provides fee based water and wastewater services to the portions of the City which are not within the service area of another water or wastewater utility provider. For lots that have water or wastewater lines in an abutting street or easement, the owner may receive water or wastewater service by applying for a City tap and paying any required fees.

The provision of water and wastewater facilities for new development within the City is primarily governed by the City's building code and subdivision ordinances that are found in Chapters 14 and 94 of the City Code of Ordinances.

Facilities necessary to serve any new development are generally provided at the sole cost of the developer. Such facilities include not only those which are located within the developer's property, but also any exterior mains which must be extended to connect the property under development to the point of connection with the City's existing facilities. The City need not compensate the developer for the ordinary costs of extending exterior mains.

Future Agenda Items

City Council

October 4, 2021 Regular Meeting

City Council = Red

4th and 18th Regular Meetings @ 6p.m.

Planning & Zoning = Green on 6th @ 5:30 p.m.

Historic Review Board = Purple on 12th @ 5:30 p.m.

Zoning Board of Adjustment = Blue on 14th @ 5:30 p.m.

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
31						

Proclamation

1.

Consent

1. 9-13-2021- City Council Workshop Minutes
2. 9-15-2021 City Council Workshop Minutes
3. 9-20-2021 City Council Regular Meeting Minutes

Public Hearing

1. 2nd public hearing-Post Road Annexation

Ordinances

1. Health fees

Resolutions

1.

Approvals-Misc.

1. Approval of Request for Proposals From Local Non-Profit Agencies for American Rescue Plan Act (ARPA) Funds
2. Approval of Votes for Directors of the Gillespie Center Appraisal District

Presentations, Discussions and Updates:

1. Animal Control Presentation
2. Global Opioids Settlement

Executive Session

October 18, 2021 Regular Meeting

Proclamation

- 1.

Consent

1. 10-4-2021 City Council Regular Meeting Minutes
2. Hosting the Light the Night Christmas Parade on Main Str. December 3, 2021.

Public Hearing

1. 2nd public hearing-Post Road Annexation
2. Z-2117 PUD-Needham/SECO
3. Z 2119 Definition of Event Center
4. Z 2116 Zoning Change – Stuart Barron
5. Z2116 CUP – Stuart Barron

Ordinances

1. Z-2117 PUD-Needham/SECO
2. Z 2119 Definition of Event Center
3. Z 2116 Zoning Change – Stuart Barron

Resolutions

- 1.

Approvals-Misc.

1. Institute Post Oak Annexation proceeding
2. Z2116 CUP – Stuart Barron

Presentations, Discussions and Updates:

- 1 Salary Survey

Executive Session