

CITY OF FREDERICKSBURG CITY COUNCIL MEETING

MONDAY, NOVEMBER 16, 2015 ~ 6:00 p.m.

Law Enforcement Center ~ 1601 East Main Street

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

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

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

A G E N D A

CALL TO ORDER.

PLEDGE OF ALLEGIANCE.

Page Ref

1. PUBLIC HEARINGS

A. PUBLIC HEARING - Z-1517 by Penick Real Estate, for:

1-6

(1) Change in the Land Use Plan from Low Density Residential and High Density Residential to Commercial, and

(2) Change in Zoning from R-1, Single Family Residential on the South Side of Friendship Lane, and R-3, Multi Family Residential on the North Side of Friendship to C-1, Neighborhood Commercial.

B. PUBLIC HEARING - Z-1518 by Gable S. Corporation for a Conditional Use Permit to allow a Hotel/Motel in the CBD, Central Business District on Property Located at 406 E. Main Street.

7-20

2. ORDINANCES - RESOLUTIONS - ACTION ITEMS

A. Receive Recommendation and Consider Ordinance for Z-1517.

B. Receive Recommendation and Consider Z-1518.

C. Consider Amending Food Establishment Regulations

21-24

3. INDIVIDUAL ITEMS FOR CONSIDERATION AND POSSIBLE ACTION

A. Receive and Consider Update on Dog Park Agreement

25-37

B. Consider FCVB Board Nominations

38-39

C. Consider Health Board Appointments

40-43

D. Consider Approval of Votes for Gillespie Central Appraisal District Board

44-47

E. Consider Awarding Professional Services Contract - TDS and Chloride Study

48-53

4. CITY MANAGER'S REPORT

A. Golf Course Financial Update

B. Proposed Animal Shelter

C. Parks Master Plan

D. City Employee Recognitions

5. **ITEMS FOR FUTURE AGENDAS**

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

7. **COUNCIL COMMENTS** - No discussion or action may take place

8. **EXECUTIVE SESSION** - Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.086 (Economic Development).

9. **ADJOURN**



CITY COUNCIL MEMO

DATE: November 5, 2015

TO: Mayor and City Council

FROM: Brian Jordan, AICP

SUBJECT: 1. Change in Land Use Plan from Low Density Residential and High Density Residential to Commercial on two tracts totaling 34.79 acres on Friendship Lane, and

2. Change in Zoning from R-1 Single family Residential on the south side of Friendship Lane and R-3 Multi-Family Residential on the north side on Friendship Lane to C-1 Neighborhood Commercial. (Z-1517).

Summary:

The subject property consists of approximately 34.79 acres, with one tract on the north side of Friendship Lane totaling 22.01 acres and one tract on the south side of Friendship Lane totaling 12.78 acres. Property on the north side of Friendship Lane is zoned R-3 Multi-family residential and property on the south side of Friendship Lane is zoned R-1 Single family Residential. The applicant is requesting that both properties be zoned C-1 Neighborhood Commercial. Property on the south side of Friendship Lane is open field, bordered by a power line along the south side. Property on the north side is open field and a wooded area. Land uses surrounding this property include undeveloped land to the west, north and south, and a mix of non-residential uses (FISD Ag building, EMS building and LCRA substation) to the east.

Recommendation:

The Planning and Zoning Commission voted unanimously to recommend approval of changing the zoning to C-1 on all of the property requested. Staff recommended changing the zoning on the 12.78 acres on the south side of Friendship Lane, but ending the C-1 zoning on the north side of Friendship Lane to align with the zoning on the south side. We received no comments in support or opposition of the request.



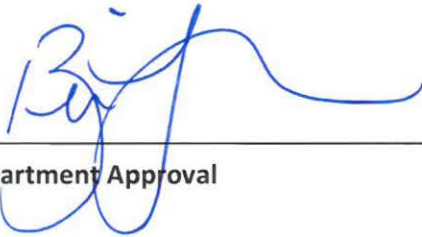
The City of Fredericksburg

Background / Analysis:

See attached Zoning Brief for request Z-1517.

Attachments:

Zoning Brief, Zoning Exhibit, Ordinance and Aerial Map of Subject Property.



Department Approval



City Manager Approval

②

The City of Fredericksburg

LAND USE PLAN AND ZONING CHANGE BRIEF

Rezoning Request # Z-1517

- OWNER/APPLICANT:** Michael Penick, Jim Penick, John Penick and Patti Penick
- LOCATION:** North and south sides of Friendship Lane, west of Hollmig Lane
- SIZE:** Two tracts totaling 34.79 acres. The tract on the north side of Friendship Lane is 22.01 acres and the tract on the south side is 12.78 acres.
- EXISTING ZONING:** R-1 Single Family Residential on the south side of Friendship Lane and R-3 Multi Family Residential on the north side of Friendship Lane.
- PROPOSED CHANGE:**
1. Change in the Land Use Plan from Low Density Residential and High Density Residential to Commercial, and
 2. Change in Zoning from R-1 Single Family Residential on the south side of Friendship Lane and R-3 Multi Family Residential on the north side of Friendship Lane to C-1 Neighborhood Commercial.

FINDINGS:

- The property consists of approximately 34.79 acres on both sides of Friendship Lane, immediately west of Hollmig Lane. The owners are proposing to change the zoning on 22.01 acres on the north side of Friendship Lane and 12.78 acres on the south side of Friendship Lane to C-1 Neighborhood Commercial.
- Property on the south side of Friendship Lane is open field, bordered by a power line along the south side. Property on the north side is open field and a wooded area.
- Property on the north side of Friendship Lane is zoned R-3 Multi-family Residential and property on the south side of Friendship Lane is zoned R-1 Single-family Residential. The applicant is requesting that both properties be zoned C-1.
- Access to the property is available from Friendship lane and Hollmig Lane.
- Water and Sanitary Sewer Utilities are currently located in Hollmig Lane and Friendship Lane to the east of both properties.
- The zoning of surrounding property is R-3 and C-2 to the west and north, PF – Public Facilities to the east and R-1 to the south (see attached exhibit).

- The Land Use Plan identifies the subject property as High Density Residential on the north side of Friendship Lane and Low Density Residential on the south side of Friendship Lane.
- Land uses surrounding this property include undeveloped land to the west, north and south, and a mix of non-residential uses (FISD AG building, EMS building and LCRA substation) to the east.

LAND USE PLAN: The Land Use Plan basically identifies everything fronting on the north side of Friendship Lane between Highway 16 and Hollmig Lane as High Density Residential and everything on the south side of Friendship Lane between Highway 16 and Hollmig Lane as Low Density Residential. When the Land Use Plan was adopted in 2006, the High Density was intended to support the commercial areas along Highway 16 and the area south of Friendship Lane was intended to be single-family neighborhoods. (see attached). With the construction of the City's Consolidated Warehouse facility, the EMS building, the electric substation and the FISD Ag barn, the owners have stated that the nature of the future land uses along Friendship Lane in the vicinity have changed. Thus, they are requesting that the property in question be change to C-1 Neighborhood Commercial.

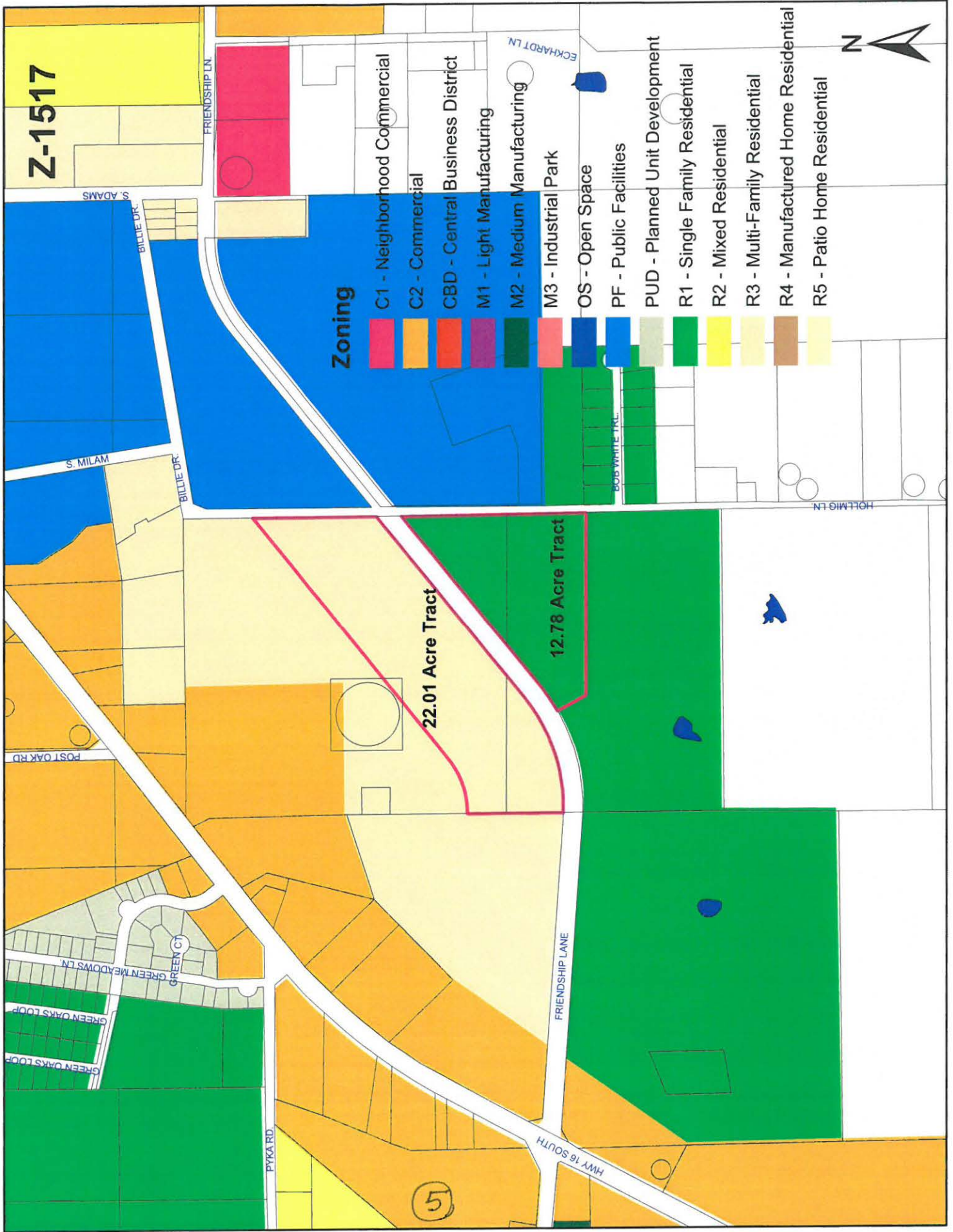
ZONING: There is a natural boundary created by the existing power line along the south side of the 12.78 acres to the south of Friendship Lane. In addition, there is an existing sanitary sewer lift station located at the southeast corner of this property. However, on the north side of Friendship Lane, the owners have established a line 500' in depth parallel to Friendship Lane from Hollmig Lane to their west property line. It seems reasonable to consider adjusting the land use plan and zoning on the southern tract. However, we do not recommend changing the zoning on the entire frontage of the owner's property on the north side of Friendship Lane. As an alternative, the land use plan and zoning could be changed to align with the proposed zoning on the south side of Friendship Lane, or some portion of the property at the intersection with Hollmig Lane.

OPPOSITION/SUPPORT OF REQUEST: None to date.

PLANNING AND COMMISSION: The Commission voted unanimously to recommend approval of the requested change for the entire 34.79 acres.

STAFF RECOMMENDATION: A change in the zoning along this area of Friendship lane to commercial will represent a significant change from the original plans contemplated when the Comprehensive Plan was adopted in 2006. However, given the nature of the recent development activity in the area, along with the status of Friendship Lane, some changes may be reasonable. A change in some portion to a neighborhood commercial zoning which is a limited commercial type zoning could be a favorable step.

Staff does not object to zoning the entire area requested by the applicant, but felt like it would be better to start with a smaller area until it is determined what uses are being proposed for the area.







CITY COUNCIL MEMO

DATE: November 5, 2015

TO: Mayor and City Council

FROM: Brian Jordan, AICP

SUBJECT: Conditional Use Permit to allow a Hotel Lodging Facility in the CBD, Central Business District at 406 E. Main Street (Z-1518).

Summary:

The original hotel project at this location was approved in June, 2014. Several changes are proposed, including a reduction in the number of rooms from 63 to 22, elimination of the third floor, elimination of the drive from Main Street, change in the drive access from Austin Street to Washington Street and a change from below grade parking to surface parking. A complete summary is included in the attached staff brief. A Traffic Study was provided by the applicant to support the access on Washington Street. Also, the applicant owns the Inn on the Creek B&B which adjoins this property, and has been incorporated into the project. The revised building has been approved by the Historic Review Board.

Recommendation:

The Planning and Zoning Commission voted unanimously to recommend approval of the Conditional Use Permit request. Staff concurs with the Commission's recommendation of approval. We received one letter in support and none in opposition of the request. One person spoke in favor of the project at the meeting.

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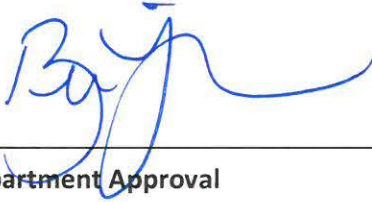
The City of Fredericksburg

Background / Analysis:

See attached Zoning Brief for request Z-1518.

Attachments:

Conditional Use Permit Brief, Site Plan, Building Elevations and Aerial Map of Subject Property.



Department Approval



City Manager Approval



The City of Fredericksburg

CONDITIONAL USE PERMIT BRIEF

Request Z-1518

Owner: Gable S Corporation, Shaesby Scott

Applicant: Jim Mikula, Gable S Corporation

Location: 406 E. Main Street

Existing Zoning: CBD, Central Business District

Request: Conditional Use Permit to allow a Hotel Lodging Facility in the CBD, Central Business Zoning district.

Site Plan Overview:

- The original hotel project at this location was approved in June, 2014. Significant changes have been made to the project which are reflected in a summary provided by the applicant.
- The property currently contains a single vacant building. The existing building has a Low historic rating and is scheduled to be removed to make room for the proposed project.
- The site area is approximately 2.47 acres (107,423 square feet), of which approximately 2.12 acres (92,144 square feet) are out of the floodplain. The property at the corner of Austin and Washington (Inn on the Creek B&B) has been included in the project.
- The project will consist of 22 hotel rooms (originally 63 rooms), 16,800 square feet of retail space and a 3,000 square foot restaurant. The building will be positioned at the front of the site, with all parking being surface parking to the rear of the building.
- A two-way drive is proposed from Washington Street between the Inn on the Creek B&B and Town Creek. The access across the Creek to Austin Street has been eliminated, as has the one-way drive originally proposed on the east side of the building from Main Street.
- The proposed building will be 2 stories (originally 3 stories), which is allowed in the CBD (see attached elevations). Also, all rooms will either face north or south. Rooms facing east or west have been eliminated.
- Impervious coverage is estimated to be approximately 71.6% (90% maximum allowed in the CBD District). This calculation is based on the area outside the floodplain.
- The site is bordered by Austin Street on the north, a sporting arms, arts and collectibles facility along with B&B's (Angels Lodge) to the east, commercial and B&B's to the south and a home furnishings store (Auer Haus) to the west.
- Surrounding zoning is CBD to the west, east and south, and R-1 to the north across Austin Street.

Review and Evaluation Criteria:

A. CONFORMANCE WITH APPLICABLE REGULATIONS:

- As designed, the site is compliant regarding applicable zoning regulations, including building height, setbacks, building coverage, impervious coverage and parking.

B. COMPATIBILITY WITH EXISTING OR PERMITTED USES IN ABUTTING SITES:

- The proposed hotel rooms will serve to support retail and cultural uses within the vicinity. The retail and dining area will enhance the shopping experience along Main Street.

C. POTENTIALLY UNFAVORABLE EFFECTS OR IMPACTS ON OTHER EXISTING OR PERMITTED USES ON ABUTTING PROPERTY:

- With the reduced number of rooms and recommended modifications to the drive onto Washington Street, we do not anticipate unfavorable effects from the proposed use on abutting properties.

D. MODIFICATIONS TO THE SITE PLAN WHICH WOULD RESULT IN INCREASED COMPATIBILITY AND WOULD MITIGATE POTENTIALLY UNFAVORABLE IMPACTS:

- Staff believes the changes from the original project scope will increase the compatibility with surrounding properties.

E. SAFETY AND CONVENIENCE OF VEHICULAR AND PEDESTRIAN CIRCULATION IN THE VICINITY:

- The site access has been changed significantly from the original project. First, the bridge across Town Creek and access to Austin Street has been eliminated. Also, the one-way drive on the east side of the proposed hotel from Main Street has been eliminated. We believe the elimination of the drive on the east side of the building is a favorable change. As for the new access being off of Washington Street, we originally had several concerns and suggested that the applicant provide a traffic study to evaluate the impact this would have on the existing uses and traffic within the area. The applicant has provided this traffic impact study (copy attached) and it basically suggests that with the reduction of the number of hotel rooms and the pedestrian orientation of the retail and restaurant use fronting Main Street, the project will have limited impact on Washington Street. The study does recognize that during peak times of activities within the vicinity, traffic may have difficulty entering or exiting the site, and has suggested a right-in, right-out configuration of the driveway. Also, the study suggests the elimination of two on-street parking spaces on Washington Street for visibility.

F. PROTECTION OF PERSONS AND PROPERTY FROM EROSION, FLOOD OR WATER DAMAGE, FIRE, NOISE, GLARE:

- The property is encumbered by the 100-year floodplain along Town Creek to the rear of the property and is noted on the plan. The applicant has been advised that no structures requiring a permit will be allowed within the floodplain, that the finished floor elevation of all structures abutting the floodplain shall be a minimum of 1' above the base flood elevation, and that the established base flood elevation shall be staked on the ground prior

to construction. In addition, the 100-year floodplain shall be designated as a Drainage Easement.

- Adequate Fire Lane provisions have been provided.

G. LOCATION OF LIGHTING AND TYPE OF SIGNS; THE RELATION OF SIGNS TO TRAFFIC CONTROL AND ADVERSE EFFECTS OF SIGNS ON ADJACENT PROPERTIES:

- All exterior lighting and fixtures will be selected to minimize negative effects of light pollution and shield light trespass beyond the project site lighting boundary. All signage will require a permit and shall comply with the Sign Ordinance.

H. ADEQUACY AND CONVENIENCE OF OFF STREET PARKING AND LOADING FACILITIES:

- Based on the proposed size, configuration and number of units proposed, adequate parking is provided. The applicant will take advantage of the reduction in the parking requirements recently approved by the City Council. All parking will be surface parking at the rear of the property. Also, the elimination of the driveway from Main Street, has allowed the addition of parking on Main Street to include limited time parking.

I. DETERMINATION THAT THE PROPOSED USE IS IN ACCORDANCE WITH THE OBJECTIVES OF THESE ZONING REGULATIONS AND PURPOSES OF THE ZONE IN WHICH THE SITE IS LOCATED:

- While the zoning of the property is CBD, a mixed use development in this block of east Main Street will serve to support the commercial activities in the area and enhance the pedestrian experience downtown.

J. DETERMINATION THAT THE PROPOSED USE WILL COMPLY WITH EACH OF THE APPLICABLE PROVISIONS OF THE ZONING ORDINANCE:

- Affirmative.

K. DETERMINATION THAT THE PROPOSED USE AND SITE DEVELOPMENT, TOGETHER WITH ANY MODIFICATIONS APPLICABLE, THERETO, WILL BE COMPATIBLE WITH EXISTING OR PERMITTED USES IN THE VICINITY:

- The applicant has addressed the site issues required by the Development Review Committee. Final details will be addressed as part of the Construction Plans required prior to issuance of a building permit.

L. DETERMINATION THAT ANY CONDITIONS APPLICABLE TO APPROVAL ARE THE MINIMUM NECESSARY TO MINIMIZE POTENTIALLY UNFAVORABLE IMPACTS ON NEARBY USES AND TO ENSURE COMPATIBILITY OF THE PROPOSED USE WITH EXISTING OR PERMITTED USES IN THE SAME DISTRICT AND THE SURROUNDING AREA:

- Affirmative. Building elevations are provided. The Historic Review Board approved the revised plans at their meeting in October, 2015. As stated in Section E, the driveway onto Washington Street shall be designed to allow only right-in and right-out turning movements. Final design shall be subject to the approval of the Civil Construction Plans.

M. DETERMINATION THAT THE PROPOSED USE TOGETHER WITH THE CONDITIONS APPLICABLE THERETO, WILL NOT BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, OR WELFARE OR MATERALLY INJURIOUS TO PROPERTIES OR IMPROVEMENTS IN THE VICINITY:

- Affirmative

OPPOSITION/SUPPORT OF REQUEST: One comment in support.

PLANNING AND ZONING COMMISSION RECOMMENDATION: Unanimous approval, conditioned upon the following:

1. Approval of a Landscape Plan prior to issuance of a Building Permit.
2. All external lighting being shielded.
3. Approval of Construction Plans prior to issuance of a Building Permit.
4. The property being replatted prior to issuance of a building permit.

STAFF RECOMMENDATION: Staff concurs with the Commission's recommendation of approval.

CONTROL POINT INFO

NUMBER	NORTHING	EASTING	ELEVATION	DESCRIPTION
2	19830.9170	19900.2830	1684.39	TL 2
3	20020.5160	19874.9640	1683.54	TL 3
4	20087.6450	20088.1610	1661.74	TL 4
11	20000.0060	20000.0340	1676.43	TL 1
920	20258.0920	20076.4870	1663.41	CP MAGND
2001	20150.8831	19990.8558	1671.89	WKP1 600SET
2019	20269.5783	19944.7949	1674.50	WKP1 600SET
7001	20115.3112	19970.2794	1674.63	WKP1 600SET
7059	20199.5989	19876.1132	1679.69	WKP1 600SET
7350	20003.5805	20076.5457	1668.94	WKP1 600SET

NOTE:
CONTRACTOR SHALL USE A MINIMUM OF TWO CONTROL POINTS TO ESTABLISH ELEVATIONS. ENGINEER TO BE NOTIFIED OF ANY DISCREPANCY PRIOR TO SETTING OF FORMS OR LAYING OF PIPE.

LEGEND

	EXISTING WATER VALVE
	PROPOSED WATER VALVE
	EXISTING SANITARY SEWER MANHOLE
	EXISTING TELEPHONE MANHOLE
	EXISTING STORM DRAIN MANHOLE
	EXISTING WATER MANHOLE
	EXISTING ELECTRIC STRUCTURE
	EXISTING WATER METER
	EXISTING CLEANOUT
	PROPOSED CLEANOUT
	EXISTING GAS VALVE
	PROPOSED GAS VALVE
	EXISTING FIRE HYDRANT
	PROPOSED FIRE HYDRANT
	EXISTING POWER POLE
	PROPOSED POWER POLE
	PROPOSED LIGHT POLE
	PROPOSED RISER POLE

GENERAL NOTES

- ALL STRIPING IS WHITE ON ASPHALT EXCEPT FOR FIRE LANES, WHICH IS RED. IF PAVEMENT IS CONCRETE, THEN STRIPING SHALL BE YELLOW. SEE GRADING AND FIRE PLANS FOR ADDITIONAL INFORMATION.
- THE DRIVEWAY AND IMPROVEMENTS (SIDEWALK, STRIPING, ETC.) ALONG WASHINGTON STREET SHALL BE APPROVED BY THE CITY OF FREDERICKSBURG AND ANY IMPROVEMENTS (SIDEWALK, STRIPING, ETC.) ALONG MAIN STREET SHALL BE APPROVED BY TXDOT. NO DRIVEWAY PERMIT IS EXPECTED; HOWEVER CEC WILL PROVIDE THE CITY WITH A COPY OF THE REQUEST LETTER PREPARED BY CEC TO REMOVE THE DRIVEWAYS ALONG MAIN STREET THAT WILL BE SUBMITTED TO TXDOT. THE CITY OF FREDERICKSBURG WILL HANDLE THE TXDOT UTILITY PERMIT.
- THE EXPECTED TRAFFIC VOLUME WILL BE 43 LEAVING AND 44 ENTERING THE PARKING LOT DURING PEAK HOUR MORNING TRIPS (DURING WEEKDAYS) AND THEN 31 LEAVING AND 38 ENTERING THE PARKING LOT DURING PEAK HOUR EVENING TRIPS.
- THERE ARE TWO EXISTING PARALLEL PARKING SPACES THAT WILL NEED TO BE REMOVED IN FRONT OF INN ON THE CREEK TO PROVIDE ADEQUATE SIGHT DISTANCE ON WASHINGTON STREET. SEE SITE DISTANCE TRIANGLE NOTED ON THIS SHEET FOR THE REFERENCED CLEAR ZONE AREA.
- THE QUEUE LENGTH OF ABOUT 42 FEET IS FROM THE STOP LOCATION ON WASHINGTON STREET AT THE INTERSECTION WITH AUSTIN STREET TO THE EDGE OF THE DRIVEWAY FLARE.
- ALL STRUCTURES SHALL BE SPRINKLERED AND ARE OF TYPE IIB CONSTRUCTION.

CURRENT PROGRAM PARKING COUNT

67 TOTAL PARKING SPACES PROVIDED

BREAKDOWN:
2 STANDARD HC
2 VAN HC
63 STANDARD PARKING SPACES

65 PARKING SPACES REQUIRED
• HOTEL - 22 GUEST ROOMS - 1.1 SPACES PER ROOM UP TO 50 (24.2 SPACES)
• INN ON THE CREEK - 6 GUEST ROOMS - 1.1 SPACES PER ROOM UP TO 50 (6.6 SPACES)
• RETAIL - 10,800 SF - 1 SPACE PER 800 SF (WITH 50% CREDIT) (21 SPACES)
• RESTAURANT - 3,000 SF WITH 2/3 KITCHEN AND STORAGE AND 1/3 DINING SPACE WITH ASSUMPTIONS OF 100 SEATS MAXIMUM - 1 SPACE PER 8 SEATS (WITH 50% CREDIT) (12.5 SPACES)

UTILITY NOTES

- ELECTRIC WILL BE OVERHEAD FROM CREEK AND THEN WILL UNDERGROUND TO THE BUILDINGS AND ADJACENT PROPERTIES.
- COMMUNICATION WILL FOLLOW THE SAME ROUTE AS THE ELECTRIC.
- WATER AND GAS SERVICES WILL COME OFF OF THE MAIN IN MAIN STREET. WATER METERS WILL BE IN THE LANDSCAPE ALONG MAIN STREET WITH THE WATER BACKFLOW PREVENTERS ON ONE SIDE OF THE BUILDING CLOSEST TO MAIN STREET. THE GAS MAIN WILL BE EXTENDED AND THAT GAS METER WILL BE ON THE OPPOSITE SIDE ON THE BUILDING NEAREST MAIN STREET. THE FIRE LINE WILL ALSO COME OFF THE MAIN IN MAIN STREET.
- THE SANITARY SEWER WILL TIE INTO THE SANITARY SEWER MAIN IN WASHINGTON STREET WITH THREE LATERALS FROM THE PROPOSED BUILDINGS AND A GREASE TRAP LOCATION PLANNED FOR EACH PART OF THE RETAIL CLUSTERS.

PROPOSED BUILDING

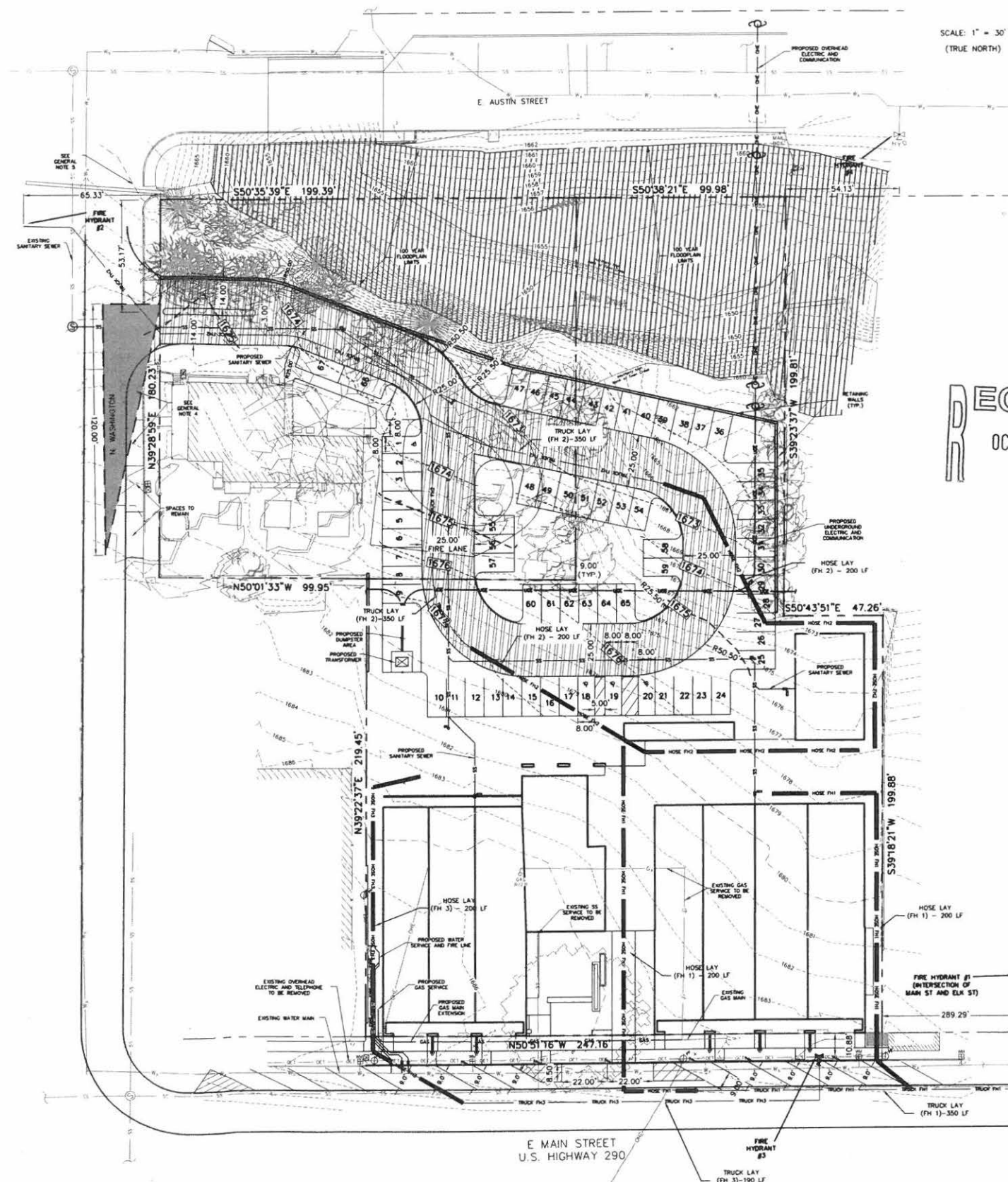
HEIGHT TO THE TOP OF THE PARAPET: 37'-0"
HEIGHT TO TOP OF THE ROOF: 31'-0"
(ALL MEASURED FROM THE EXISTING AVERAGE GRADE AT THE PERIMETER OF THE BUILDING - RETAIL SPACES/FIRST LEVEL)
AVERAGE EXISTING GRADE: 1683' 2 1/2"

ZONING

CBD	CENTRAL BUSINESS DISTRICT
MIN LOT AREA:	5,000 S.F.
MIN WIDTH:	50 FEET
HEIGHT:	3 STORIES (38 FEET)
FRONT YARD SETBACK:	0 FEET
STREET YARD (SIDE):	0 FEET
INTERIOR SIDE YARD:	0 FEET
REAR YARD:	0 FEET
(TEN FEET IF ADJACENT TO R-1 OR R-5)	
MAXIMUM IMPERVIOUS COVER:	90%

IMPERVIOUS PERVIOUS COVER

- OVERALL PROPERTY SIZE: 107,423 SF
- FLOODPLAIN AREA: 15,279 SF
- IMPERVIOUS COVER: 65,995 SF
- PERVIOUS COVER: 41,428 SF
- IMPERVIOUS COVER PERCENTAGE: 61.43% OVERALL
- IMPERVIOUS COVER PERCENTAGE: 71.62% NOT COUNTING FLOODPLAIN



SITE PARKING / FIRE / DRIVEWAY LOCATION PLAN

RECEIVED
OCT 23 2015

DESIGNED BY: PAM
DRAWN BY: VV
APPROVED: PAM

CEC

THE SET OF PLANS IS FOR A CONDITIONAL CONSTRUCTION OR BIDDING PURPOSES.

CUP REVIEW

DESCRIPTION

REV DATE

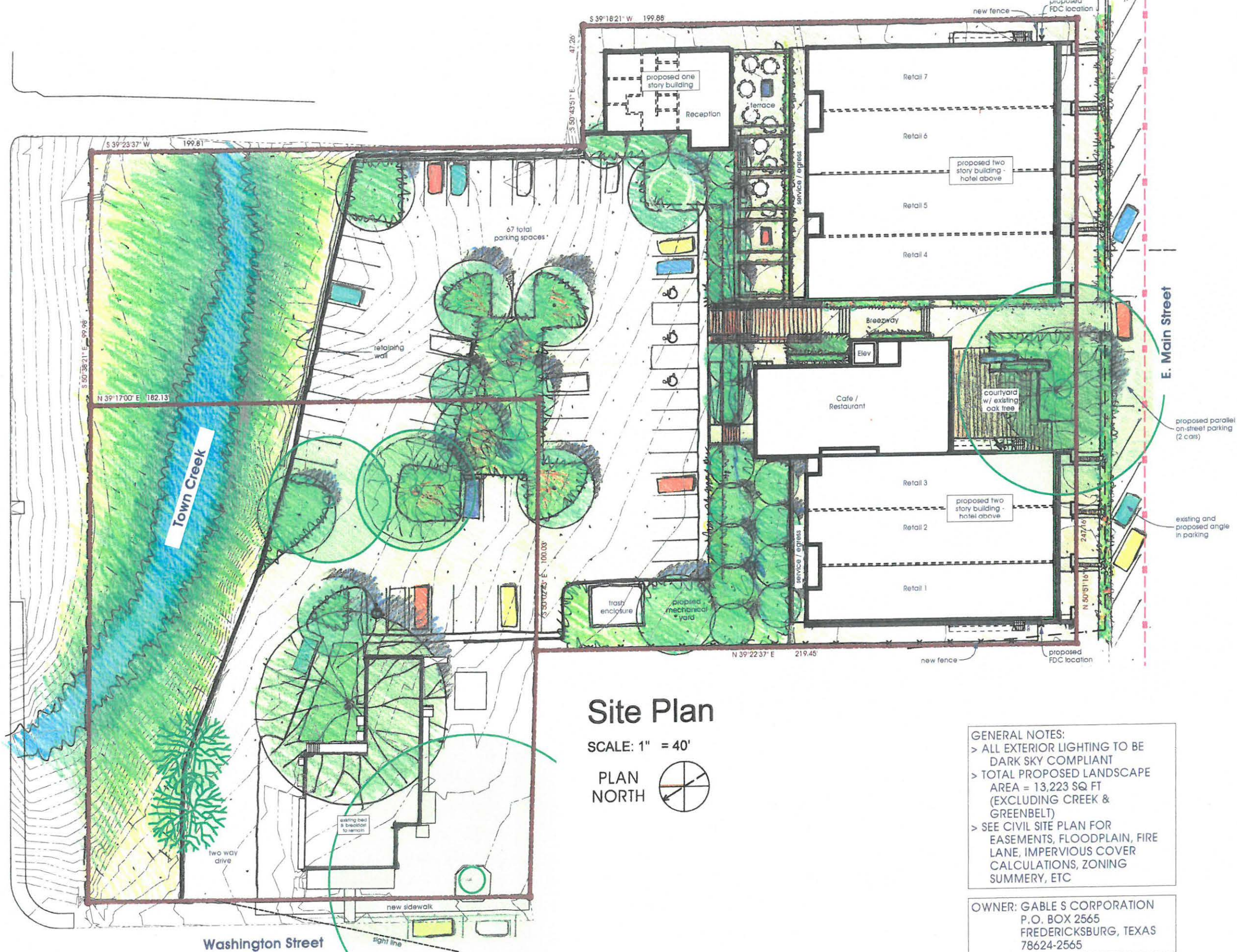
GABLE S CORPORATION
MAIN STREET RETAIL AND HOTEL
SITE PARKING / FIRE / DRIVEWAY LOCATION

SHEET NO.

RECEIVED

13

E. Austin Street



Site Plan

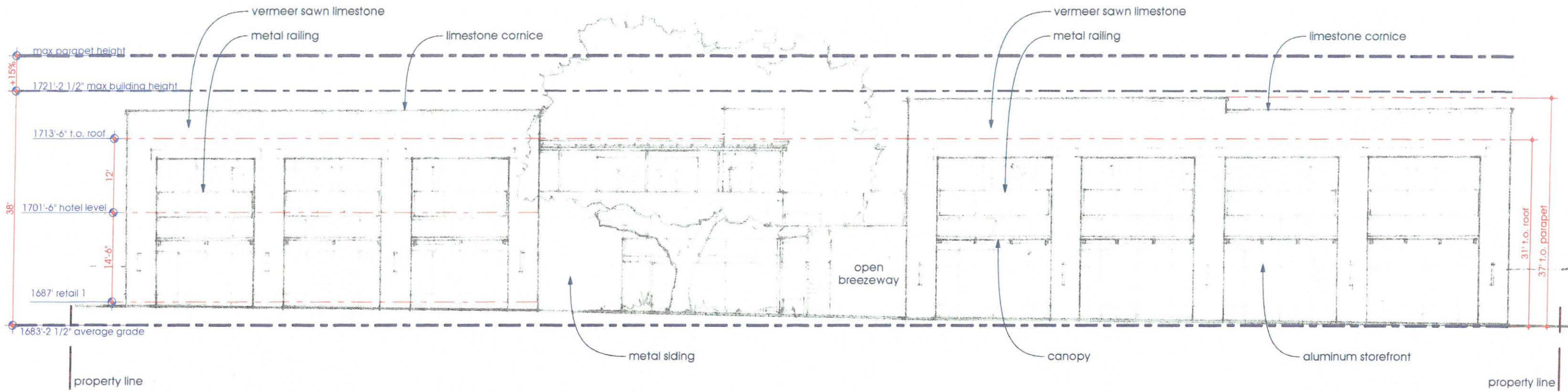
SCALE: 1" = 40'

PLAN
NORTH

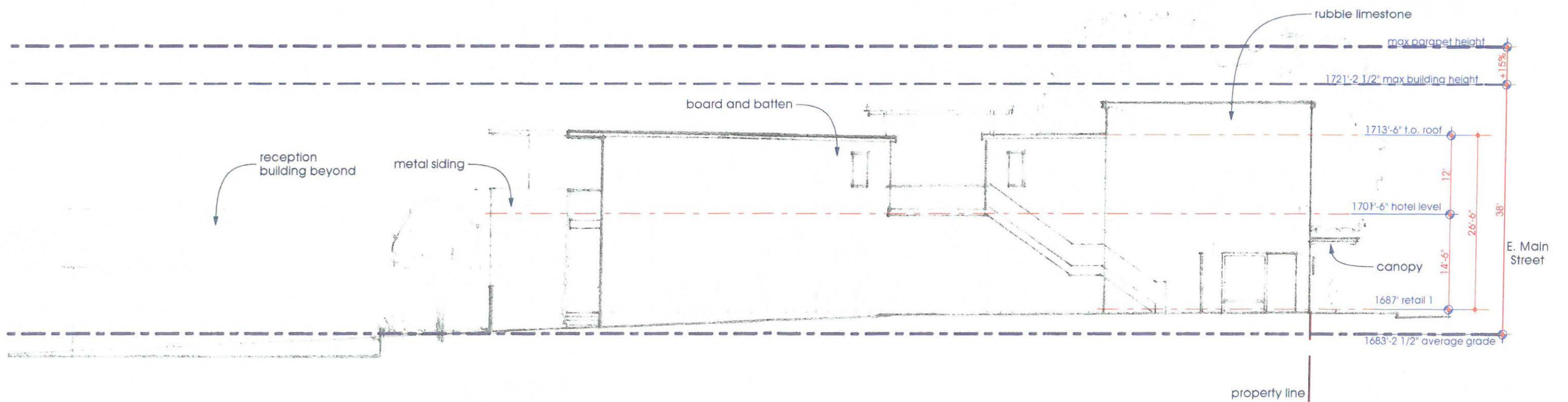


- GENERAL NOTES:
- > ALL EXTERIOR LIGHTING TO BE DARK SKY COMPLIANT
 - > TOTAL PROPOSED LANDSCAPE AREA = 13,223 SQ FT (EXCLUDING CREEK & GREENBELT)
 - > SEE CIVIL SITE PLAN FOR EASEMENTS, FLOODPLAIN, FIRE LANE, IMPERVIOUS COVER CALCULATIONS, ZONING SUMMARY, ETC

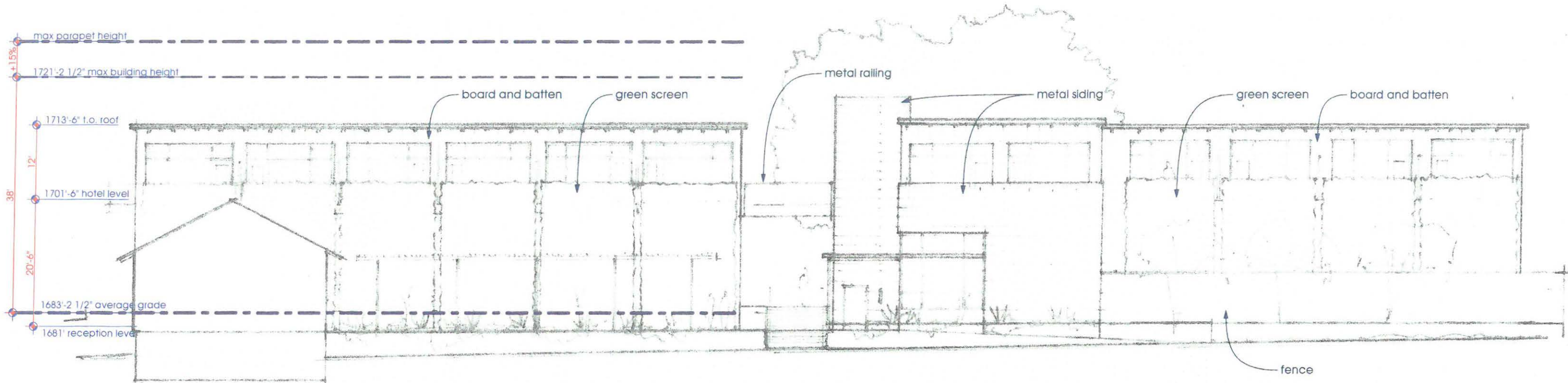
OWNER: GABLE S CORPORATION
P.O. BOX 2565
FREDERICKSBURG, TEXAS
78624-2565



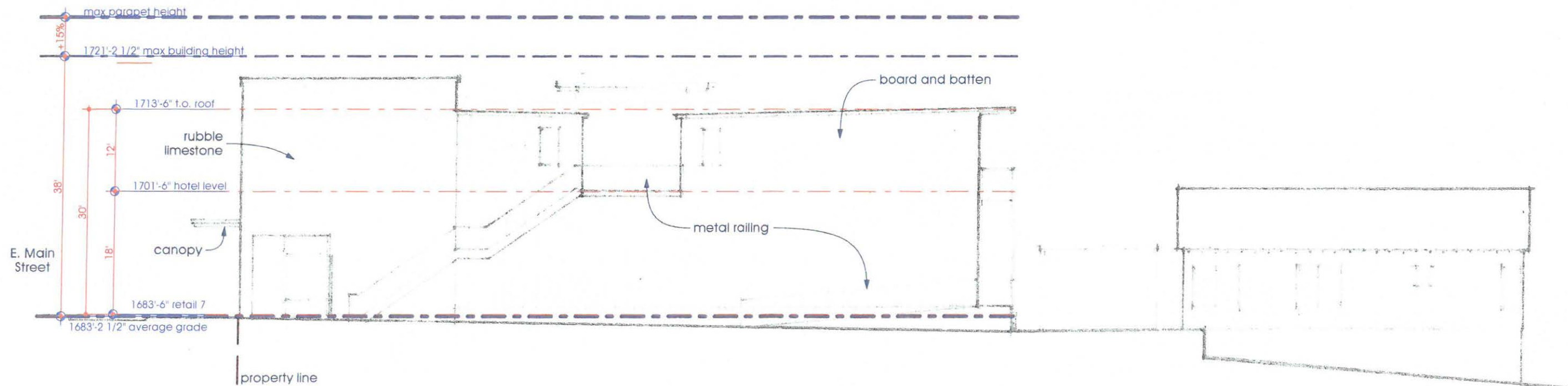
Main Street Elevation
1/16" = 1'-0"



West Elevation
1/16" = 1'-0"



Rear Elevation
1/16" = 1'-0"



East Elevation
1/16" = 1'-0"

TRAFFIC REPORT
Main Street Hotel
Main Street & N. Washington Street
Fredericksburg, Texas

PROJECT SCOPE

The purpose of this traffic report is to provide the City of Fredericksburg with the anticipated traffic generated by the most revised plan for the Main Street Hotel development. The Main Street Hotel development is to be located on 1.635 acres between Main Street and Austin Street, east of N. Washington Street.



Trip Analysis

The current development plan consists of a hotel with 22 guest rooms, retail lease space of 16,800 square feet, and a restaurant with seating for 100. The access would be an improved shared access with the *Inn On The Creek* onto Washington Street.

The ITE *Trip Generation*, Eighth Edition, reference was used to determine the anticipated trips to be generated by the land use plan. The average peak hour trips rates for each of the land uses would be as follows:

	<u>Weekday 7-9 AM Peak</u>		<u>Weekday 4-6 PM Peak</u>	
Hotel (ITE Code 310)	0.56 trips per hour per room		0.59 trips per hour per room	
	61% enter	39% exit	53% enter	47% exit
Specialty Retail (ITE Code 819)	6.84 trips per hour per 1,000 sf		5.02 trips per hour per 1,000 sf	
	48% enter	52% exit	56% enter	44% exit
Restaurant (ITE Code 932)	0.47 trips per hour per seat		0.41 trips per hour per seat	
	52% enter	48% exit	57% enter	43% exit

The anticipated trips to be generated by the land use plan, including the *Inn On The Creek* with 6 guest rooms, would be as follows:

Land Development Plan

	<u>Weekday 7-9 AM Peak</u>		<u>Weekday 4-6 PM Peak</u>	
Hotel (22 + 6 rooms)	16		17	
	10 enter	6 exit	9 enter	8 exit
Specialty Retail (16,800 sf)	115		84	
	55 enter	60 exit	47 enter	37 exit
Restaurant (100 seats)	47		41	
	24 enter	23 exit	23 enter	18 exit
Total	178		142	
	89 enter	89 exit	79 enter	63 exit

The development is subject to internal capture of trips. Some trips generated by one use on the property would be shared by another associated use. The *ITE Trip Generation* reference suggests that a hotel with a restaurant and retail space would have internal capture of trips. The use with the smaller trip rate would usually be discounted in association with the use with the larger rate. For this site, the number of trips generated by the hotel that would be expected to utilize the restaurant would be discounted 50%. Similarly the number of trips generated by the specialty retail use would utilize the restaurant and the hotel on the same vehicle trip would be discounted 50%.

In consideration of the location of the property, being on the east side of the central business district where vehicles are typically parked for the duration of the trip downtown and the patrons walk to the various developments, the retail parking (and vehicle trips) is allowed to be discounted 50%. The resultant number of trips generated by the land plan, discounted for the internal capture trips and the site location, would be:

	<u>Weekday 7-9 AM Peak</u>		<u>Weekday 4-6 PM Peak</u>	
Revise Land Plan	89		71	
	45 enter	44 exit	39 enter	32 exit

Washington Street

The peak period trips from and onto Washington Street would be relatively few; an average of less than one vehicle per minute entering from Washington Street and less than one vehicle per minute exiting onto Washington Street every minute.

Washington Street, north of Main Street, has two travel lanes with on-street parking on each side of the street. The intersection of Washington Street with Austin Street has an all-way stop control. The proposed shared driveway to serve the development would be approximately 50 feet south of Austin Street. A queue of 3 or more vehicles on Washington Street stopped at Austin Street would block the shared driveway.

Exiting vehicles from the shared driveway would need an intersection sight distance of at least 120 feet to have adequate sight clearance of on-coming northbound traffic on Washington Street. Two on-street parking spaces on the east side of Washington Street, in front of the *Inn On The Creek*, should be removed to provide the appropriate sight clearance for the shared driveway.

Recommendation

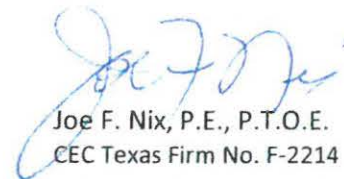
The anticipated trips using the shared driveway onto Washington Street should not be a problem to traffic on Washington Street. In consideration that parking for the Nimitz Museum on the west side of Washington Street is located on Austin Street, traffic generated by the Museum could provide queues at any time on Washington Street at Austin Street. During peak activity times during the museum operation, traffic exiting the shared driveway may be limited to make right turns only due to the

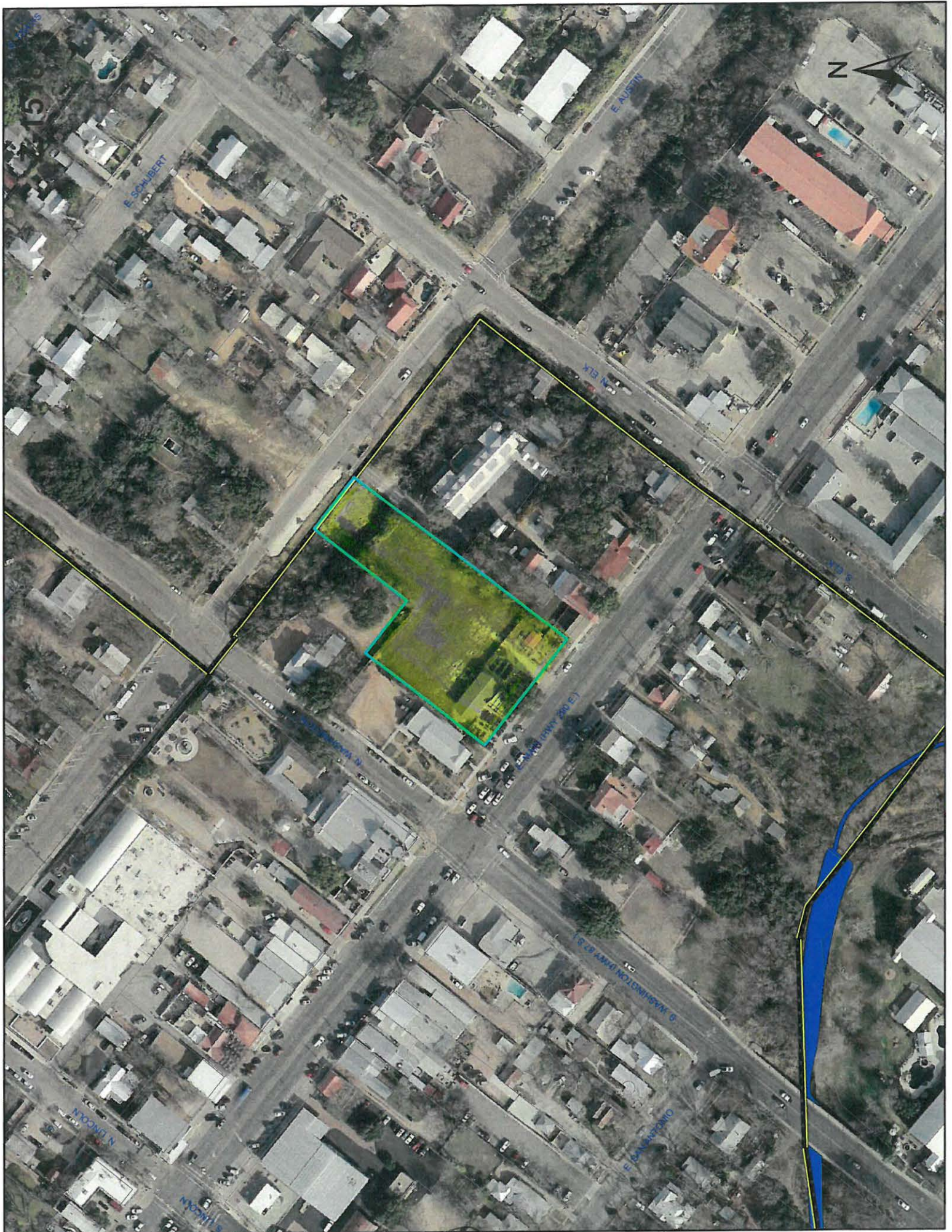
northbound queue of vehicles at Austin Street. Vehicles entering the shared driveway could be limited to right turns to avoid vehicles trying to make a left turn from blocking southbound traffic on Washington Street while waiting for a break in the northbound queue.

Therefore, the mitigation recommended for the shared driveway on Washington Street would be to remove two on-street parking spaces just south of the shared driveway and to restrict the movements of the shared driveway to right turns only. With the vehicular access to the mixed-use development being restricted to Washington Street, the existing driveways along Main Street would be closed, allowing the street frontage to be configured for additional on-street parking. The approximately 190 feet of street frontage currently utilized by driveways could yield as many as 6 additional angled parking spaces, consistent with the angled parking on either side of the driveways, and two parallel parking spaces designated for loading and unloading only.



Prepared by:


Joe F. Nix, P.E., P.T.O.E.
CEC Texas Firm No. F-2214





CITY COUNCIL MEMO

DATE: November 9, 2015

TO: City Council

FROM: Kelli Olfers

SUBJECT: Adoption of new Texas Food Establishment Rules

Summary:

The new Texas Food Establishment Rules (TFER) went into effect on October 11, 2015. This document is the basis of our local food establishment regulation ordinance. The document has been assigned a new chapter number, so therefore the updated TFER needs to be adopted by reference with the new chapter numbers.

Recommendation:

Staff recommends the adoption of the new TFER found in the Texas Administrative Code chapter 228.1 through 228.278.

Background / Analysis:

The old TFER which was passed back in September of 2006 was based on the 2001 FDA food code. The new TFER is based on the most recent, 2013 FDA food code. The Gillespie County Health Division is in the process of updating this information on our website, as well as our inspection forms and applications. In addition, the health division will actively educate our food establishments on changes, including temporary food establishments and mobile food establishments.

(21)

The City of Fredericksburg

ORDINANCE NO _____

AN ORDINANCE AMENDING CHAPTER 8- BUSINESSES ARTICLE V, ENTITLED FOOD ESTABLISHMENT REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG TO UPDATE STATE LAW REFERENCES THE TO THE TEXAS ADMINISTRATIVE CODE, CORRECTING A NUMBERING ERROR AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council has become aware that the Texas Administrative Code, as it relates to Food Establishment Regulations, has been amended and that the references thereto in the existing City of Fredericksburg's Code of Ordinances should be amended; and

WHEREAS, the State of Texas has instituted new requirements for food establishments handlers, and the same should be adopted by the City Council for implementation within the City of Fredericksburg, and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG that Chapter 8 - BUSINESSES, ARTICLE V of the Code of Ordinances of the City of Fredericksburg be and is hereby amended as follows:

CHAPTER 8 - BUSINESSES
ARTICLE V. - FOOD ESTABLISHMENT REGULATIONS

Sec. 8-109. - Adoption of Texas food establishment rules.

(a) The city adopts by reference the provisions of the current rules or regulations as may be amended from time to time by the State Board of Health found in 25 Tex. Admin. Code §§ 228.1 through 228.278 regarding the regulation of food establishments in this jurisdiction (TAC).

(b) Unless amended by this article, all definitions and requirements will be the same as the TAC, or state rules, as the same may be amended from time to time. If a provision in this Article is more strict than the comparable provision of the TAC, the provision of this Article will be applicable.

All existing definitions shall remain as written except:

Certified Food Protection Manager and Food Handler shall have the same meaning as found in Tex. Admin. Code, title 25, Rule §228.33 A person holding a certificate issued to him or her who successfully completes an examination approved by the State Department of Health shall be accepted as meeting the training and testing

requirements under the Health and Safety Code of the State of Texas and the Texas Administrative Code.

Food establishment. See Tex. Admin. Code, title 25, § 228.2 (57).

State rules means the state rules found at Tex. Admin. Code, title 25, Part 1 Chapter 228. These rules are also known as the Texas food establishment rules.

Sec. 8-117. - Mobile Food Establishments.

This Section will remain as written and as currently codified in the City of Fredericksburg Code of Ordinances except for subsection (a) Permit Application (7) which is amended to read as follows:

(7)

a notarized statement from the owner of a Central Preparation Facility, when the same is required by the TAC, stating the Mobile Food Establishment uses the facility as its base of operation. For the purposes hereof a Central Preparation Facility is a facility that is an approved and permitted retail food establishment at which food is prepared, stored, and wrapped; and the Mobile Food Establishment is supplied with fresh water and ice; and emptied of waste water into a proper waste disposal system, and cleaned, including washing, rinsing, and sanitizing of those food-contact surfaces or items not capable of being immersed in the Mobile Food Establishment utensil-washing sink. Use of a private residence as a Central Preparation Facility is prohibited, however, when a Central Preparation Facility is not required, water may be supplied from a public water system as defined by the TAC rules.

Sec. 8-118. - Posting Requirements for Permits, Inspection Reports and Certified Food Protection Manager certificates.

The name and number of this Section is hereby changed as shown above, and any reference to Food Managers certificates is hereby changed to Certified Food Protection Manager certificates. Otherwise, the provisions of Ordinance No. 25-022 will remain as written.

-----END OF CODE TEXT-----

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.

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

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

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

PASSED AND APPROVED this the 16th nd day of November, 2015.

Linda Langerhans, Mayor
City of Fredericksburg, Texas

ATTEST:

Shelley Britton, City Secretary

APPROVED:

Pat McGowan, City Attorney



CITY COUNCIL MEMO

DATE: 10/27/2015

TO: Mayor, City Council

FROM: Jimmy Alexander, Director of Parks & Recreation

SUBJECT: Dog Park agreement

Summary:

The Fredericksburg Dog Park Association (FDPA) is requesting additional time to raise the funding necessary to build the Dog Park on the City owned land adjacent to Lady Bird Park.

Recommendation:

Consider the request.

Background / Analysis:

The original agreement between the FDPA and the City allowed them two years to raise the funds. The two year time frame ends in January 2016. Jody Donovan will be making a presentation and request additional time to be added to the agreement.

Attachments:

License Agreement For Dog Park Facility, Fredericksburg Tx.

25

The City of Fredericksburg



Department Approval



City Manager Approval

26

The City of Fredericksburg

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

01/06/2014

LICENSE AGREEMENT
FOR DOG PARK FACILITY
FREDERICKSBURG, TEXAS

This Agreement is entered into this the 6th day of January, 2014 between the City of Fredericksburg, Texas, hereinafter referred to as "City", and the Fredericksburg Dog Park Association, a Texas non-profit corporation, hereinafter referred to as "FDPA".

In consideration of the terms herein, the City and FDPA hereby recite, covenant and agree as follows:

- I. As a public service, for the benefit and improvement of the community, FDPA intends to design and construct fences and other amenities and facilities for the use of a Dog Park which shall include landscaping in accordance with the City's landscape ordinances. It is anticipated that the items to be constructed are: perimeter and interior fencing, watering and waste removal stations, grading, signage, landscaping, irrigation shade structures and trees. The facility field and the improvements to be made collectively may hereafter be referred to as "the Facility". Once the Facility is constructed, the City will maintain and manage the Facility in cooperation with the FDPA. FDPA offers the construction of the Facility to the City as a donation.
- II. Subject to the terms and conditions of this agreement, the City hereby grants FDPA a revocable exclusive license to construct the Facility on that certain 5.77 acre tract of land more or less (described by metes and bounds on

Exhibit "A" attached hereto) of the undeveloped part of City owned land at Lady Bird Johnson Park. This license may be revoked as provided in Section XV below. Upon completion of the Facility, the City shall accept the donation of the Facility from FDPA.

III. Terms and Conditions Relating to Construction of the Facility:

A. The City agrees that it shall:

1. Provide construction oversight assistance at its discretion under the direction of the Director of Parks and Recreation for the City or his or her designee; and
2. Provide, at the City's expense electricity and water to the site during construction of the Facility; and
3. Advise FDPA if it finds any conditions at the Facility before or during construction which may be unsatisfactory and in need of change or correction; and
4. Allow FDPA freedom of design in the facility, provided that said design complies with generally accepted standards of the industry; and
5. Allow FDPA to engage contractors and subcontractors to build the Facility; and
6. Allow FDPA to place and maintain recognition signs in the Facility area following the completion of construction, and one temporary recognition sign during construction. It is understood that the permanent signs shall be small

dedication plaques acknowledging the contributions of sponsors and donors. Further, all such signs shall be subject to provisions of applicable City sign ordinances and construction codes, and subject to prior approval by the Director of Development Services for the City, or his or her designee. The City retains the right, in consultation with FDPA, to name the project and determine the number, placement, size, content and materials for permanent signage to be erected following completion of construction; and

7. Prior to the beginning of construction, allow FDPA to terminate this agreement upon sixty days written notice, without penalty. After the commencement of construction, allow FDPA to terminate without notice, provided the construction of the Facility becomes cost prohibitive and FDPA agrees, upon request of the City, if it decides not to complete the structure, to remove the Facility, or any portions of the facility that have been constructed, and to restore the property to its original condition or better as it existed prior to any construction associated with the Facility.

B. FDPA agrees it shall:

1. Raise all funds deemed by FDPA to be necessary for the construction hereby contemplated within two (2) years of the

date of this agreement, and then actually construct the Facility within one (1) year following the completion of the fundraising. Additions to the Facility, upon approval by the City, may be constructed after the Facility has proven to be useful to the citizens and visitors. This agreement will terminate at the option of the City in the event the funds are not timely raised; and

2. Not have any ownership interest of any kind in the approved location, and not exclude the City from entering the location at any time and for any reason; and
3. At its expense, design, engineer and construct the Facility on the designated property to meet all requirements as set forth by the City approved plan and specifications which plans and specifications shall include all necessary site fixtures; and
4. Place safety, use and warning signs, the number and placement of which have been approved by the City within the Property; and
5. Contract with a qualified professional contractor(s) or builder(s) as may be approved by the City who will construct the Facility, and provide a copy of such contract to the City; and
6. During site preparation and construction, require the contractor (s) to secure, protect and maintain the site until it is

completely finished, and at a minimum, the contractor(s) shall be required to place fencing and signs around the site to keep the public away during construction; and

7. Require the engineer or architect to prepare as-built drawings of the Facility and a maintenance manual or maintenance routine, which shall be delivered to the City when the City accepts the Facility; and
8. Require the transfer of any and all warranties provided for materials or workmanship to the City; and
9. Include in the construction contract indemnification language favorable to the City and to the FDPA. Additionally, the Contractor(s) will be required to carry insurance and the City and the FDPA will be named as additional insureds for liability purposes as described below; and
10. Clean or require the contractor(s), to clean the area used in construction of the Facility to the satisfaction of the Director of Parks and Recreation, or his or her designee, during and following construction; and
11. Pay all expenses directly incurred by FDPA in connection with the Facility in a timely manner; and
12. Indemnify, defend, and hold the City harmless from all claims, loss, injury, and damage arising during construction of the Facility except for the sole negligence of the City; and

13. During construction, and until the Facility is accepted by the City, require the Contractor to provide workers compensation insurance which meets the State of Texas requirements, Commercial General Liability insurance written on an occurrence basis with limits not less than \$1,000,000 combined single limit per occurrence, per location and \$2,000,000 aggregate for personal injury, bodily injury, and property damage, with coverage to include but not be limited to: blanket contractual; products/completed operations; broad form property damage; explosion, collapse and underground (XCD) if applicable; and employer's liability if and when an employee is hired by FDPA; the City shall be named as an additional insured on the insurance policy, and a copy of the endorsement naming the City as additional insured shall be attached to the Certificate of Insurance; and such certificate shall contain a clause stating that coverage shall apply separately to each insured against whom claim is made or suit is brought, except with respects to the limits of the insurer's liability. The Contractor's insurance shall be primary insurance with respect to the City, and the City shall be given thirty (30) days prior written notice of any cancellation, suspension or material change in coverage. Failure to maintain acceptable insurance will result in the termination of

this use agreement.

- IV. The construction of the Facility shall be performed as set forth in the approved plans and specifications. Before proceeding with construction, the Contractor shall provide to the City Manager, or his or her designee, a construction schedule.
- V. FDPA shall not construct or allow construction of any improvements or structures except as approved by the City.
- VI. The City shall establish the opening date for the Facility with input from FDPA.
- VII. Record Keeping and Reporting.
 - A. FDPA shall maintain accounts and records which accurately reflect the details of construction, costs, and design of the facility. These and all records relating to the performance of this Agreement shall be available for City inspection.
 - B. FDPA shall provide the City with proof that the funds for construction of the Facility are secured on or before two years from the date hereof and prior to commencement of construction, and thereafter, FDPA shall provide monthly expenditure reports during construction fully describing what work has been performed pursuant to this Agreement and the anticipated date of substantial completion of the Facility. The final report shall include a complete report detailing the project from the commencement of construction.

VIII. The relationship created by this Agreement is that of independent contracting entities. FDPA is not an agent or employee of the City. FDPA , as an independent contractor, shall control and direct the performance of the details of the work to be provided.

IX. FDPA shall protect, defend, save harmless, and indemnify the City, its officers, agents and employees from and against any and all claims, damages, losses and expenses, including reasonable attorney fees, occurring, arising or resulting from the performance of this Agreement.

X. Breach.

In addition to all other rights and remedies available at law or in equity:

A. In the event FDPA fails to abide by any of the terms of this Agreement, the City may send notice of breach of this Agreement and demand FDPA cure such breach within sixty (60) days. If the breach is not cured, the City can either (1) correct such breach and charge FDPA for any cost incurred; or (2) terminate this Agreement under XV below.

B. Should the City fail to abide by any of its obligations under this Agreement, FDPA, after sixty (60) days' written notice of breach may (1) terminate this Agreement according to XV below; or (2) bring suit for return of any funds actually expended in connection with the project anticipated by this agreement as its only legal remedy, waiving all other damages.

XI. Contractual Requirements

FDPA shall assure that all work done in furtherance of the agreement shall provide fair, equal and non-discriminatory treatment of all persons, without respect to race, creed or national origin, and, in particular:

- A. The Contractor(s) shall maintain open hiring and employment practices and will welcome applications for employment in all positions from qualified individuals who are members of minorities protected by federal equal opportunity/affirmative action requirements; and
 - B. The Contractor(s) shall comply with all requirements of applicable federal, state or local laws or regulations issued pursuant thereto, relating to the establishment of non-discriminatory requirements in hiring and employment practices and assuring the services of all persons without discrimination as to any person's race, color, religion, sex, Vietnam era veteran's status, disabled veteran condition, physical or mental handicap, or national origin.
- XII. The rights under this Agreement shall not be assigned and the duties under this Agreement shall not be delegated by either the City or FDPA.
- XIII. The signatories to this Agreement hereby represent that they have full legal authority to execute this Agreement on behalf of their respective entities.
- XIV. The parties agree that this Agreement is the complete expression of the terms hereto and any oral representation or understanding not incorporated herein is excluded. Further, any modification of this Agreement shall be in writing and signed by both parties.

XV. Termination.

- A. FDPA may terminate this Agreement by giving to the City written notice of intent to terminate sixty (60) days prior to termination date. In that event, if so directed by The City, FDPA shall return to its original condition any portion of the property that was disturbed by any work done in furtherance of this Agreement.
- B. In the event FDPA does not comply with and fulfill its obligations under this agreement, the City may terminate this Agreement by giving FDPA written notice and opportunity to cure of sixty (60) days prior to terminating this Agreement.
- C. Upon termination of this agreement after the successful completion of the Facility, it is understood and agreed by the parties, that the City intends to maintain and utilize the Facility as a recreational area which permits dogs to be unleashed for a minimum of five (5) years. It is agreed and understood that the needs of the City with regard to recreational needs or the need to use the property on which the Facility is located in ways more advantageous to the citizens may change over time, and in the event the City desires to utilize the property of the Facility in a different manner at any time, the City will be entitled to do so upon ninety (90) days notice to FDPA. In such event, FDPA shall be permitted to remove any improvements except landscaping. Provided, however, if the City's termination is within the first five (5) years of operation, the City agrees to relocate the Facility

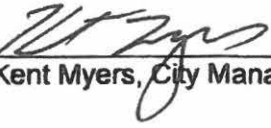
to another location at the City's expense using any existing improvements which are able to be relocated. The City will set all operating times and policies with regard to the Facility based on usage of similar municipal park facilities in central Texas. It is understood, however, that nighttime use of the property shall not be permitted, and no lighting shall be installed or used at the Facility.

IN WITNESS WHEREOF, the parties hereto have caused this License Agreement to be executed the day and year first hereinabove written.

FREDERICKSBURG DOG PARK
ASSOCIATION

By: 
Joseph Donovan, President

CITY OF FREDERICKSBURG

BY: 
Kent Myers, City Manager



CITY COUNCIL MEMO

DATE: November 10, 2015

TO: Mayor and City Council

FROM: Kent Myers, City Manager

SUBJECT: CVB Board Nominations

Summary:

There are currently four positions open on the Convention and Visitors Bureau (CVB) Board.

Recommendation:

Based upon nominations from the CVB, it is recommended that the City Council approve the reappointment to 3-year term Eric Bryla (Burger Bureger), Bobbi McDaniel (Luckenbach, Texas) and Kathy Gutierrez (The Secret Garden).

Background / Analysis:

CVB Board members are appointed to three-year terms. Four of their current members have terms that expire the end of this year. If these appointments are approved, this will leave one additional vacancy. The nomination for this vacancy will be provided to you at a later date.

Attachments:

None.



Department Approval

City Manager Approval

39

The City of Fredericksburg

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CITY COUNCIL MEMO

DATE: November 9, 2015

TO: City Council

FROM: Kelli Olfers

SUBJECT: Gillespie County Health Board Appointments

Summary:

We currently have three positions that need to be filled on the Gillespie County Health Board. Board terms are 3 years and start in January 2016.

Recommendation:

It is recommended that council approve the following two new applicants: David Kemp and Brett Beyer as well as reappoint Cynthia England to another term.

Background / Analysis:

The Gillespie County Health Board is a county board that advises the City Council and Commissioners Court on items dealing with the general health and safety of Gillespie County residents. We had two applicants for the board and had one current board member that is interested in serving a second term.

Attachments:

40

The City of Fredericksburg

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Kelli Olsen

Department Approval

[Signature]

City Manager Approval

(41)

The City of Fredericksburg

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City of Fredericksburg

Application for Consideration of Appointment

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

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

Name: MR BRETT A BEYER Date: 10/27/15
(Title) (First) (M.I.) (Last)

Home Address: 2594 RANCH ROAD 965 830-997-8287
(Street) (Home Phone Number)

Mailing Address: 830-997-8058
(Street or Post Office Box #) (Business Phone Number)

Fax Number: 830-997-8200 E-mail Address: babeyer@dutchmansmarket.com

Employer: DUTCHMAN'S MARKET INC.
(Name / Address)

Occupation: OWNER

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

Are you a City of Fredericksburg resident? Yes ☒ No How Long? _____

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

Education: MASTERS - GRADUATE SCHOOL OF BANKING @ LSU - BACHELORS MARKETING TEXAS TECH

Volunteer Experience / Community Service: LAND VISTA CHAMBER OF COMMERCE V.P., PRESIDENT NORTHSHORE EDC, PRESIDENT CASA OF THE HIGHLAND LAKES, LUISIS ETC.

Areas of Interest: FOOD INDUSTRY, HUNTING, FISHING, ANYTHING OUTDOORS

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

CURRENT PRESIDENT ZION LUTHERAN CHURCH, BOARD MEMBER OF FFA BOOSTER CLUB

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

(Resumé or additional information may be attached.)

TO ENSURE FOOD SAFETY FOR OUR RESIDENTS AND VISITORS OF BURNSIDE COUNTY.

[Signature]
 Signature

10/27/15
 Date

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



City of Fredericksburg

Application for Consideration of Appointment

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

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

Name: MR. DAVID M KEMP JR. Date: 10-11-2015
(Title) (First) (M.I.) (Last)

Home Address: 8177 WENDOL RD, HARPER, 78631 830-866-4063
(Street) (Home Phone Number)

Mailing Address: SAME CELL 830-739-7579
(Street or Post Office Box #) (Business Phone Number)

Fax Number: _____ E-mail Address: DAVIDMKEMPJR@HCTC.NET

Employer: _____
(Name / Address)

Occupation: RETIRED

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

Are you a City of Fredericksburg resident? _____ Yes ✓ No How Long? _____

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

Education: BS IN BUSINESS MANAGEMENT, LITOURNERU U.

Volunteer Experience / Community Service: FORMER SENIOR & JUNIOR WARDEN, LAY MINISTER
ST. PAULS, NAVASOTA, EMT & FIREFIGHTER PLANTHILL VFD, HARPER VFD

Areas of Interest: COMMUNITY HEALTH & SAFETY

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

FORMER TREASURER (4.5 YEARS) HARPER VFD, EXECUTIVE COMMITTEE
HVFD

Please provide a brief narrative outlining your reasons for seeking appointment to a board or commission.
(Resumé or additional information may be attached.)

I AM SEEKING OPPORTUNITIES TO SERVE MY
COMMUNITY/FELLOW MAN

DAVID KEMP JR 10-11-2015
Signature Date

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

(43)



CITY COUNCIL MEMO

DATE: November 10, 2015

TO: Mayor and City Council

FROM: Kent Myers, City Manager

SUBJECT: Votes for Gillespie County Central Appraisal District Board of Directors

Summary:

The City of Fredericksburg is entitled to cast 361 votes for one or more of the nominees for the Gillespie County Central Appraisal District Board of Directors.

Recommendation:

It is recommended that the City Council designate how you would like to allocate your votes to the five nominees who are listed in the attached.

Background / Analysis:

The five nominees for the Gillespie County Central Appraisal District Board of Directors are listed on the attached ballot. The City Council should decide how you would like to allocate your 361 votes for one or more of these nominees

Attachments:

Letter from Appraisal District
GCAD Ballot

44

The City of Fredericksburg



Department Approval



City Manager Approval

45

The City of Fredericksburg

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GILLESPIE CENTRAL APPRAISAL DISTRICT

101 W. Main, #11
Gillespie County Courthouse
Fredericksburg, TX 78624
Phone (830) 997-9807
Fax (830) 990-0860

November 4, 2015

Mr. Kent Myers
City Manager
City of Fredericksburg
126 West Main Street
Fredericksburg, TX 78624

RE: Gillespie Central Appraisal District Board of Director's Election

Dear Mr. Myers,

The terms of the current Directors of the Gillespie Central Appraisal District will expire on December 31, 2015. The governing bodies of voting taxing units within the appraisal district have nominated the attached list of candidates. The Gillespie CAD Board of Directors has five elected positions.

Enclosed with your entity manager's letter you will find the ballot of nominees. Under the column Total Votes is the number of votes that your entity is allowed to cast. You can split your votes however your entity decides. Please write the number of votes that you wish to cast under the name of each candidate.

Each voting entity must then notify the Gillespie CAD by **December 15, 2015**, after casting their allotted votes per candidate by written resolution. The chief appraiser will then notify the entities of the outcome.

For your information, the following is a list of the current board members.

Tim Dooley, Chairman
James McAfee, Vice-Chairman
Tony Klein, Secretary
Donald Davis
Wayne Harrell

If you should have any questions on the process, please do not hesitate to contact me.

Sincerely;

David D. Oehler, RPA
Chief Appraiser

GCAD BOD BALLOT 2016-2017 RESULTS		Nominated by: FISD DCCSD	Nominated by: FISD DCCSD	Nominated by: FISD DCCSD	Nominated by: FISD DCCSD GILLES CO	Nominated by: FISD DCCSD
Voting Entities	Total Votes	Don Davis	Tim Dooley	Wayne Harrell	Tony Klein	Jim McAfee
		Place # of Votes under corresponding nominee				
Doss CCSD	30					
Harper ISD	316					
City of Fredericksburg	361					
(47) Gillespie County	1,227					
Fredericksburg ISD	3,066					
TOTAL	5,000					

Please complete and return to GCAD by December 15, 2015.

Entity Name: _____

Signature: _____

Date: _____



CITY COUNCIL MEMO

DATE: November 16, 2015

TO: Mayor and City Council

FROM: Kris Kneese, P.E. Assistant Director of Public Works and Utilities

SUBJECT: Professional Services Contract - TDS and Chloride Study

Summary:

This item is for the Professional services proposal from HDR to develop a Total Dissolved Solids and Chloride Source Identification and Reduction Study Work Plan, as well as an Instream Monitoring Plan for Barons Creek to comply with the terms stated in the TCEQ Discharge Permit.

Recommendation:

City staff recommends approval of the Professional Services Contract with HDR Engineering to perform professional services outlined in the "Scope of Services" of the attached agreement which includes compiling and reviewing reference data, drafting and submitting TDS Source Identification and Reduction Study Work Plan to TCEQ and drafting and submitting an Instream Monitoring Plan for Barons Creek to TCEQ for a fee of \$43,200.00.

Background / Analysis:

48

The City of Fredericksburg

The City received their Wastewater Treatment Plant Discharge Permit from TCEQ on June 26, 2015. As part of the new permit, TCEQ included the following two additional requirements:

- 1) To submit a total dissolved solids (TDS) source identification and reduction study work plan within 180 days of permit issuance. The work plan shall include the identification of influent TDS and chloride, control options, best management practices, influent and effluent sampling frequency, reduction goals, and annual progress reporting.
- 2) To submit an instream monitoring plan for Barons Creek within 180 days of permit issuance. Plan shall address monitoring protocol and include one sample 100 feet upstream of the discharge point and 300 feet downstream of the discharge point. Monitoring shall be collected at a frequency of once per month.

The City has solicited HDR to provide these professional services since HDR worked with the City and TCEQ to renew the discharge permit earlier this year and thus are very familiar with the WWTP and working with TCEQ on this matter.

HDR is proposing to complete these professional services for \$43,200.00, which will be funded from the Water Department Budget.

After review of the draft professional services contract by City Staff, HDR prepared and submitted a revised Professional Services Contract which staff is recommending for approval by City Council.

Attachments:

Professional Engineering Services Proposal from HDR


Department Approval


City Manager Approval

(49)

The City of Fredericksburg



November 9, 2015

Mr. Kris Kneese
Assistant Director of Public Works & Utilities
City of Fredericksburg
126 West Main Street
Fredericksburg, TX 78624

RE: Total Dissolved Solids Source Identification and Reduction Study Work Plan and
Instream Monitoring Plan for Barons Creek

Dear Mr. Kneese,

HDR Engineering, Inc. (HDR) submits this proposal for professional engineering services to the City of Fredericksburg (City) for the development of a Total Dissolved Solids Source Identification and Reduction Study Work Plan (TDS Plan) and an Instream Monitoring Plan for Barons Creek (Monitoring Plan) to comply with the terms stated in the Texas Commission on Environmental Quality (TCEQ) Discharge Permit No. WQ0014969001 for domestic wastewater treatment operations. Other Requirement No. 8 and No. 9 of this permit require the submittal of the TDS Plan and the Monitoring Plan within 180 days of permit issuance. The permit was issued June 26, 2015.

TDS Plan Background

The TDS Plan will include:

- Identification of influent TDS and chloride sources;
- Control options (e.g., best management practices [BMPs], pretreatment requirements);
- Influent and effluent sampling at a minimum frequency of once per week;
- Reduction goals; and
- Annual progress reporting.

Sampling will be conducted during periods representative of the presence of influent/effluent TDS and chloride. The duration of the study will be 3 years from the date of implementation. Annual progress reports will be submitted to TCEQ by December 31st of each year. Based on the technical review of the reports submitted to TCEQ, an amendment may be initiated by TCEQ staff to include additional effluent limitation and/or monitoring requirements.

Monitoring Plan Background

The Monitoring Plan will be conducted to collect representative values of ambient total dissolved solids (TDS) and chloride.

According to Other Requirement No. 9, the monitoring will occur at:

- A minimum of one sampling station on Barons Creek located at least 100 feet upstream of the discharge point (i.e. outside of the mixing zone) in an area unimpacted by other wastewater discharges.
- A minimum of one sampling station on Barons Creek at least 300 feet downstream of the discharge point.

Other Requirement No. 9 also states that monitoring will be completed at a minimum frequency of once per month until the permit is reissued and that the data should reflect baseline conditions as best as possible. In addition, data collection and analytical methods must conform to the guidelines set in the Surface Water Quality Monitoring Procedures, Volume 1 (RG-145, revised August 2012).

In support of the preparation of the TDS Plan and the Monitoring Plan, HDR will provide the professional engineering services described below.

Task 1: Total Dissolved Solids Source Identification and Reduction Study Work Plan

TASK 1A: COMPILE AND REVIEW REFERENCE DATA AND DOCUMENTATION

HDR will compile and review existing project documentation, including but not limited to the most recently approved permits, monitoring reports, and existing water quality. Anticipated principal sources of data for preparation of the Plan include TCEQ, water quality data and reports from the Texas Water Development Board (TWDB), data and reports from City staff, and other data from publicly available sources.

TASK 1B: DRAFT AND SUBMIT TOTAL DISSOLVED SOLIDS SOURCE IDENTIFICATION AND REDUCTION STUDY WORK PLAN

HDR will prepare a draft Total Dissolved Solids Source Identification and Reduction Study Work Plan. Based on Other Requirement No. 8 of Permit No. WQ0014969001 for domestic wastewater treatment operations and coordination and communication with TCEQ, the Plan will address the following tasks to be completed in the three-year timeframe after implementation of the Plan.

- Identification of influent TDS and chloride sources;
- Control options (e.g., BMPs, pretreatment requirements);
- Influent and effluent sampling at a minimum frequency of once per week;
- Reduction goals; and
- Annual progress reporting.

As part of this scope of work, HDR will submit the draft Total Dissolved Solids Source Identification and Reduction Study Work Plan to City staff for review, address City staff comments, submit the TDS Plan to TCEQ's Standards Implementation Team, and assist the City in responding to TCEQ comments and requests. The TDS Plan will be submitted before December 23, 2015, or 180 days after permit issuance as required in Other Requirement No. 8 of Permit No. WQ0014969001.

The above services include preparation and submittal of the Total Dissolved Solids Source Identification and Reduction Study Work Plan to TCEQ. The proposed services do not include travel to Fredericksburg for meetings or site visits; evaluation of the condition of the existing wastewater treatment system; or sampling and laboratory analysis of any water quality sample.

Task 2: Instream Monitoring Plan for Barons Creek

TASK 2A: COMPILE AND REVIEW REFERENCE DATA AND DOCUMENTATION

HDR will compile and review existing project documentation, including but not limited to the most recently approved permits, monitoring reports, and existing water quality data collection efforts in the vicinity. Anticipated principal sources of data for preparation of the Plan include TCEQ's Clean Rivers Program data and Quality Assurance Project Plan (QAPP), and data and reports from City staff.

TASK 2B: DRAFT AND SUBMIT INSTREAM MONITORING PLAN FOR BARONS CREEK

HDR will prepare a draft Instream Monitoring Plan for Barons Creek. Based on Other Requirement No. 9 of Permit No. WQ0014969001 for domestic wastewater treatment operations, the Monitoring Plan will address the following items.

- The monitoring will occur at:
 - A minimum of one sampling station on Barons Creek located at least 100 feet upstream of the discharge point (i.e. outside of the mixing zone) in an area unimpacted by other wastewater discharges.
 - A minimum of one sampling station on Barons Creek at least 300 feet downstream of the discharge point.
- Monitoring will be completed at a minimum frequency of once per month until the permit is reissued.
- Data should reflect baseline conditions as best as possible.
- Data collection and analytical methods must conform to the guidelines set in the Surface Water Quality Monitoring Procedures, Volume 1 (RG-145, revised August 2012).

As part of this scope of work, HDR will submit the draft Instream Monitoring Plan for Barons Creek to City staff for review, address City staff comments, submit the plan to TCEQ's Standards Implementation Team, and assist the City in responding to TCEQ comments and requests. The Monitoring Plan will be submitted before December 23, 2015, or 180 days after permit issuance as required in Other Requirement No. 9 of Permit No. WQ0014969001.

The above services include preparation and submittal of the Instream Monitoring Plan for Barons Creek to TCEQ. The proposed services do not include travel to Fredericksburg for meetings or site visits; field evaluation of the condition of the existing wastewater treatment system, Barons Creek, or the Barons Creek watershed; or sampling and laboratory analysis of any water quality sample.

Budget

We propose to provide the services described above for a lump sum fee of **\$43,200**.

Schedule

We anticipate a four-week project duration from the date of agreement with the City until submission of the draft TDS Plan and the draft Monitoring Plan to the City for review, and one week to respond to the City's comments.

The following additional services will be provided by HDR at the City's request and are not part of the basic services of this proposal.

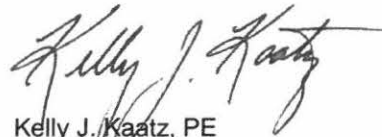
1. Significant modifications to the Total Dissolved Solids Source Identification and Reduction Study Work Plan or the Instream Monitoring Plan for Barons Creek to address TCEQ review comments, including but not limited to requests for information related to the condition or operability of the existing wastewater treatment system, Barons Creek, or the Barons Creek watershed, or sampling and laboratory analysis of any water quality samples.
2. Testing or certification of any kind required by the Total Dissolved Solids Source Identification and Reduction Study Work Plan or the Instream Monitoring Plan for Barons Creek or required for the Total Dissolved Solids Source Identification and Reduction Study Work Plan or Instream Monitoring Plan for Barons Creek submittals.
3. Continuation of services to assist the City with reporting requirements per the terms of the permit after December 23, 2015.
4. Any other service not specifically included in the basic services.

Please review this proposal at your convenience and contact me at 210-841-2807 if you have any questions or comments. If this proposal is acceptable to the City, we will prepare an agreement for the services described herein. We look forward to working with you on this project!

Sincerely,
HDR Engineering, Inc.



Alberto Rodriguez, PE
Senior Project Manager



Kelly J. Kaatz, PE
Senior Vice President