



City of Fredericksburg

CITY COUNCIL WORKSHOP AGENDA MONDAY, NOVEMBER 30, 2020 ~ 8:30 A.M. UNIVERSITY CENTER-HEB ROOM 2818 US 290 FREDERICKSBURG, TEXAS AND VIA ZOOM

The City of Fredericksburg City Council will meet in a workshop session on Monday, November 30, 2020, at 8:30 a.m. **This meeting will be held in person and via Zoom Teleconferencing (see details below).**

Members of the public may attend in person at the address above, or remotely using one of the following:

Computer - Join Zoom Meeting

<https://us02web.zoom.us/j/81093665945?pwd=UTdOemx4MS9rNUEvby8vS3FYTFZwdz09>

Meeting ID: 810 9366 5945

Passcode: 234393

By Telephone:

888 788 0099 US Toll-free

877 853 5247 US Toll-free

Meeting ID: 810 9366 5945

Find your local number: <https://us02web.zoom.us/j/81093665945?pwd=UTdOemx4MS9rNUEvby8vS3FYTFZwdz09>

You may also access this meeting through livestream on the City of Fredericksburg's Facebook page.

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

1. CALL TO ORDER

2. PUBLIC COMMENTS

During the COVID-19 pandemic, the City of Fredericksburg is allowing written or verbal public comments:

Written Comments: to be submitted remotely:

- i. Must be received by 4:30 p.m. on Sunday, November 29, 2020
- ii. Complete the Citizen Comment Form online at www.fbgtx.org; or
- iii. Email your comments to sgoodwin@fbgtx.org; or

Copies of the submitted comments will be provided to the City Council and made public on the City website under the "**November 30, 2020**, City Council Regular Meeting" tab.

Verbal Comments:

- i. Must submit your name, address and contact information to sgoodwin@fbgtx.com by 4:30 p.m. on Sunday, November 29, 2020.
- ii. Please log on to the meeting 15 minutes early.
- iii. Set your name in the ID on the Zoom Meeting

- iv. Wait for your name to be called.
- v. OR Sign up between 8:00 a.m. and 8:30 a.m. at the University Center for in-person comments.
- vi. You will be limited to 3 minutes to speak.

3. WORKSHOP ITEMS – The following items will be considered, discussed, and take appropriate action on:

A. Report on City Annexation Plan and the Annexation of the Cherry Street/Post Oak Road area (Brian Jordan, Development Services Director).

(Agenda Packet Pages 7-20)

B. Report on possible changes to Short-Term Rental (STR) Regulations (Kent Myers, City Manager).

(Agenda Packet Pages 21-28)

C. Report on the Status of City Noise Ordinance (Steve Wetz, Police Chief)

(Agenda Packet Pages 29-49)

D. Report on Strategic Issues to Address in City Five-Year Financial Plan (Kent Myers, City Manager).

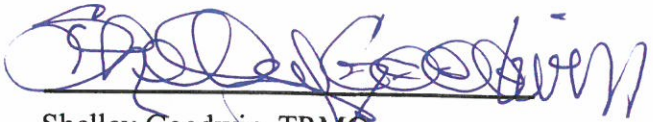
(Agenda Packet Pages 50-68)

E. Report on Employee Salaries and Benefits (Kent Myers, City Manager).

(Agenda Packet Pages 69-77)

4. ADJOURN

This is to certify that I, Shelley Goodwin, posted this Agenda at 12:15 p.m. on November 24, 2020, at the entrance and on the bulletin board of the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.



Shelley Goodwin, TRMC
City Secretary

City Council Work Session

November 30, 8:30 A.M.

Cardinal Room-Lady Bird Johnson Golf Course

	<u>Estimated Time</u>
1. Call Meeting to Order	8:30 a.m.
2. Consider Report and Discussion on City Annexation Plan and the Annexation of the Cherry Street/Post Oak Road Area	8:30-9:00 a.m.
3. Consider Report and Discussion on Possible Changes to Short-Term Rental (STR) Regulations	9:00 -10:00 a.m.
4. Consider Report and Discussion on the Status of City Noise Ordinance	10:00-10:30 a.m.
5. Consider Report and Discussion on Strategic Issues to Address in City Five-Year Financial Plan	10:30-11:00 a.m.
6. Consider Report and Discussion on Employee Salaries and Benefits	11.00 a.m.-Noon
7. Adjournment	Noon



Date: November 24, 2020

To: Mayor and City Council

From: Kent Myers, City Manager *KM*

Subject: November 30 City Council Work Session

The next City Council Work Session is scheduled for this Monday, November 30 at 8:30 a.m. in the HEB Room at the University Center. We will be serving a light breakfast prior to the meeting starting at 8:00 a.m. if you would like to join us. This meeting will be a combination in-person and Zoom meeting. All CDC guidelines will be followed for the in-person meeting including the wearing of masks, social distancing and temperature checks.

Attached to this memo is the agenda for the meeting and various reports on each agenda item. This memo serves to summarize the five items that are included on the agenda. As a reminder, no final decisions are made at City Council Work Sessions. Instead the Council normally provides direction on the agenda items following your discussion. For example, your direction might include placing a certain item on a future Council agenda to consider formal action in the future.

The first item on the agenda is a report and discussion on the annexation plan that the City Council approved earlier this year. This includes the possible annexation of the area along S. Cherry Street and Post Oak Road prior to initiating improvements to the roadways in this area. Brian Jordan has prepared the attached report explaining this agenda item. The direction that we need from the City Council is whether you want to proceed with the various steps necessary to consider the annexation of this area. Also, do you want us to continue to follow the annexation plan previously approved by the City Council?

The second agenda item scheduled for discussion at Monday's Work Session is the current status of our short-term rental (STR) ordinance and whether changes are needed to this ordinance. Attached is a report that I prepared which identifies the changes to our STR ordinance that City staff would like for the Council to consider at this time. Also attached is a copy of our current STR ordinance for your review. Council direction is needed on whether you would like for staff

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to prepare an amendment to the current ordinance for your formal consideration in the next 30-60 days.

The third item on the agenda is an update on our noise ordinance including how noise complaints are currently being handled by the Police Department. Attached is a copy of the power point presentation that the Police Department will present at Monday's meeting.

The fourth agenda item is a discussion on strategic issues that should be included in the City's five-year financial plan which is currently being developed. We need Council input on which strategic issues you believe that the City will be facing over the next five years which could have a significant impact on the City's budget. I have prepared the attached memo covering this agenda topic and attached a copy of the New Braunfels Financial Forecast that includes the strategic financial issues that were identified in this community.

The final topic that will be discussed at our meeting on Monday is employee salaries and benefits. Attached to this agenda is my summary memo along with five different reports that cover this topic. Once again, no final decisions are requested on this agenda item. However, following discussion you may want to discuss when you want the Council to consider action on this item.

Have a great Thanksgiving! I will be around during the holiday. So, please let me know if you have any questions prior to Monday's meeting or whether you would like to meet to discuss any of these agenda items prior to our meeting.

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CITY COUNCIL MEMO

DATE: November 30, 2020

TO: Mayor and City Council

FROM: Brian Jordan, AICP

SUBJECT: Consider the annexation of the area located along the Post Oak Road/Cherry Street extension.

Summary:

The proposed annexation includes all 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. The attached map shows the properties in question. Resolution 2019-06R, adopted by the City Council on May 14, 2019, identified the properties in question as Area 6A and 6B. While it is likely the final area will be refined, area 6A included approximately 46.9 acres and area 6B approximately 65.5 acres. A map of the area and the resolution are attached. The property is characterized by residences, vacant land, and some commercial businesses.

Recommendation:

Discuss the proposed annexation and give staff direction on whether to proceed.

Background / Analysis:

At the retreat in January, 2018, the City Council prioritized areas of the community for annexation. After the U.S. Highway 290 East corridor and the W. Live Oak Street area, the Post Oak Road/Cherry Street extension was determined as the next highest priority. In addition, the City Council identified the extension of Cherry Street and improvements to Post Oak Road as one of four roadway priority projects in the Transportation Master Plan and associated Traffic Impact Study. The Council adopted Resolution

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2019-06R because the legislature has changed the regulations for annexation, and it is no longer possible for the City to initiate annexation without the consent of the property owners.

If the Council decides to proceed with this annexation, staff will prepare an updated schedule. In doing so, there are several procedural items that must be completed within a very specific time frame to meet the statutory requirements of the law. We also intend to have a meeting with property owners prior to the official start of the process. We would use this opportunity to explain the purpose of the annexation and what it means to the property owners.

Attachments:

Map of proposed annexation area, resolution, list of property owners within the subject area.



Department Approval



City Attorney Approval



City Manager Approval

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Label	PROP_ID	ST_NUM	ST_NAME	ST_SUFI Name	Addr2	Addr_Cty	Addr_St
A	24060	911 CREEK	ST	PERRY DISTRIBUTION TRUST	PO BOX 669	FREDERICKSBURG	TX
AA	13954	662 POST OAK	RD	ALLEN, STEVE & BEVERLY REVOCABLE TRUST	662 POST OAK RD	FREDERICKSBURG	TX
AA	85589	702 LIVE OAK	ST	ALLEN, STEVE & BEVERLY REVOCABLE TRUST	662 POST OAK RD	FREDERICKSBURG	TX
AA	90351	662 POST OAK	RD	ALLEN, STEVE & BEVERLY REVOCABLE TRUST	662 POST OAK RD	FREDERICKSBURG	TX
B	28292	812 BOWIE	ST	KING, J CRAIG & SUSAN	812 S BOWIE ST	FREDERICKSBURG	TX
BB	1948	0 POST OAK	RD	BERNHARD, ADOLPH G JR	1327 ECKERT RD	WILLOW CITY	TX
C	11370	804 BOWIE	ST	HUTSON, JEFFREY & KATHERINE	311 CORDELL ST	HOUSTON	TX
CC	3034	618 LIVE OAK	ST	KLAERNER, YVONNE B	701 W LIVE OAK	FREDERICKSBURG	TX
E	33023	712 BOWIE	ST	712 S BOWIE LLC	6115 OWENS ST STE 113	DALLAS	TX
F	14122	704 PEACH	ST	WENGER, STANLEY R & JANELLE S	704 W PEACH	FREDERICKSBURG	TX
G	23844	406 POST OAK	RD	MASON, CHARLOTTE SCHOOLS INTERNATIONAL INC	406 POST OAK RD	FREDERICKSBURG	TX
H	5503	421 POST OAK	RD	GARY FAMILY TRUST	421 POST OAK RD	FREDERICKSBURG	TX
H	14125	421 POST OAK	RD	GARY FAMILY TRUST	421 POST OAK RD	FREDERICKSBURG	TX
I	1108	510 POST OAK	RD	AVERY MANAGEMENT TRUST	510 POST OAK RD	FREDERICKSBURG	TX
J	178352	510 POST OAK	RD	AVERY, KEVIN MATTHEW	448 POST OAK	FREDERICKSBURG	TX
K	26556	103 SMITH	RD	GONZALES, JESSE & SUSAN	103 SMITH	FREDERICKSBURG	TX
L	26559	620 POST OAK	RD	SMITH, JAMES W & MARY LOU	620 POST OAK RD	FREDERICKSBURG	TX
L	180729	620 POST OAK	RD	SMITH, JAMES W & MARY LOU	620 POST OAK RD	FREDERICKSBURG	TX
M	26588	622 POST OAK	RD	SMITH, ROY	PO BOX 1472	BURNET	TX
M	180730	622 POST OAK	RD	SMITH, ROY A & BARBARA	PO BOX 1472	BURNET	TX
N	26545	624 POST OAK	RD	SMITH, DORAN D	624 POST OAK RD	FREDERICKSBURG	TX
N	180731	624 POST OAK	RD	SMITH, DORAN D & JOYCE	624 POST OAK RD	FREDERICKSBURG	TX
O	21396	627 POST OAK	RD	LEHNE, SANDRA & JAMES A LEHNE	1186 L BAR RANCH RD	WILLOW CITY	TX
O	21397	627 POST OAK	RD	LEHNE, SANDRA & JAMES A LEHNE	1186 L BAR RANCH RD	WILLOW CITY	TX
O	21398	627 POST OAK	RD	LEHNE, SANDRA & JAMES A LEHNE	1186 L BAR RANCH RD	WILLOW CITY	TX
P	19562	630 POST OAK	RD	AGUIRRE, AURORA	630 POST OAK RD	FREDERICKSBURG	TX
Q	19555	632 POST OAK	RD	MD GATHERING HOLDINGS LLC-SERIES 632 POST OAK	632 POST OAK RD	FREDERICKSBURG	TX
R	19556	633 POST OAK	RD	OCHOA, VICTOR HUGO	633 POST OAK RD	FREDERICKSBURG	TX
R	93233	633 POST OAK	RD	OCHOA, VICTOR HUGO	633 POST OAK RD	FREDERICKSBURG	TX
S	17917	638 POST OAK	RD	BOGDAN-HILDEBRANDT FAMILY TRUST	5212 CARFAX	LAKEWOOD	CA
T	3039	639 POST OAK	RD	JENSCHKE, NORMAGENE	639 POST OAK RD	FREDERICKSBURG	TX
T	19188	639 POST OAK	RD	JENSCHKE, NORMAGENE	639 POST OAK RD	FREDERICKSBURG	TX
T	19189	639 POST OAK	RD	JENSCHKE, NORMAGENE	639 POST OAK RD	FREDERICKSBURG	TX

T	19189	639 POST OAK	RD	JENSCHKE, NORMAGENE	639 POST OAK RD	FREDERICKSBURG	TX
U	5647	610 BLACKWATER	RD	DELAFUENTE, JUAN & LIZABETH	610 BLACKWATER RD	FREDERICKSBURG	TX
V	19560	644 POST OAK	RD	BROWN, JAMES LOYD	644 POST OAK RD	FREDERICKSBURG	TX
W	19697	651 POST OAK	RD	KELLER, KEITH & JAMES KEMP	PO BOX 393	FREDERICKSBURG	TX
X	85590	648 POST OAK	RD	ALLEN, STEVE & BEVERLY REVOCABLE TRUST	662 POST OAK RD	FREDERICKSBURG	TX
X	178381	648 POST OAK	RD	ALLEN, STEVE & BEVERLY REVOCABLE TRUST	662 POST OAK RD	FREDERICKSBURG	TX
Y	19695	651 POST OAK	RD	KELLER, KEITH & JAMES KEMP	PO BOX 393	FREDERICKSBURG	TX
Z	92657	714 LIVE OAK	ST	BOBO, TIMOTHY M & LARA	714 W LIVE OAK	FREDERICKSBURG	TX

RESOLUTION 2019-06R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, DIRECTING THE CITY MANAGER TO PREPARE A SERVICE PLAN FOR CERTAIN AREAS, RELATED TO FUTURE ANNEXATION.

WHEREAS, the City Council has determined that the prosperous and orderly growth of the City may necessitate that one or more areas of land be annexed by the City; and

WHEREAS, the City Council has previously identified tracts of land for future annexation, which the City Council considers to be located in areas that are significant to the City's continued development.

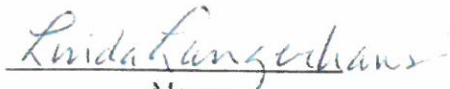
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS:

Section 1. That the City Council adopts the findings and recitals set forth in the preamble of this Resolution.

Section 2. That the City Council hereby directs the City Manager to prepare a service plan for the areas identified in Exhibit "A", a copy of which is attached hereto and incorporated herein by reference.

Section 3. That the City Council intends for this Resolution to be adopted in conformance with the proposed Section 4.01(b) of H.B. No. 347 (2019), as said legislation is proposed on the date of adoption of this Resolution.

PASSED AND APPROVED this 14th day of May, 2019.


Mayor

ATTEST:

City Secretary

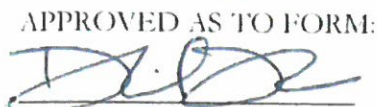
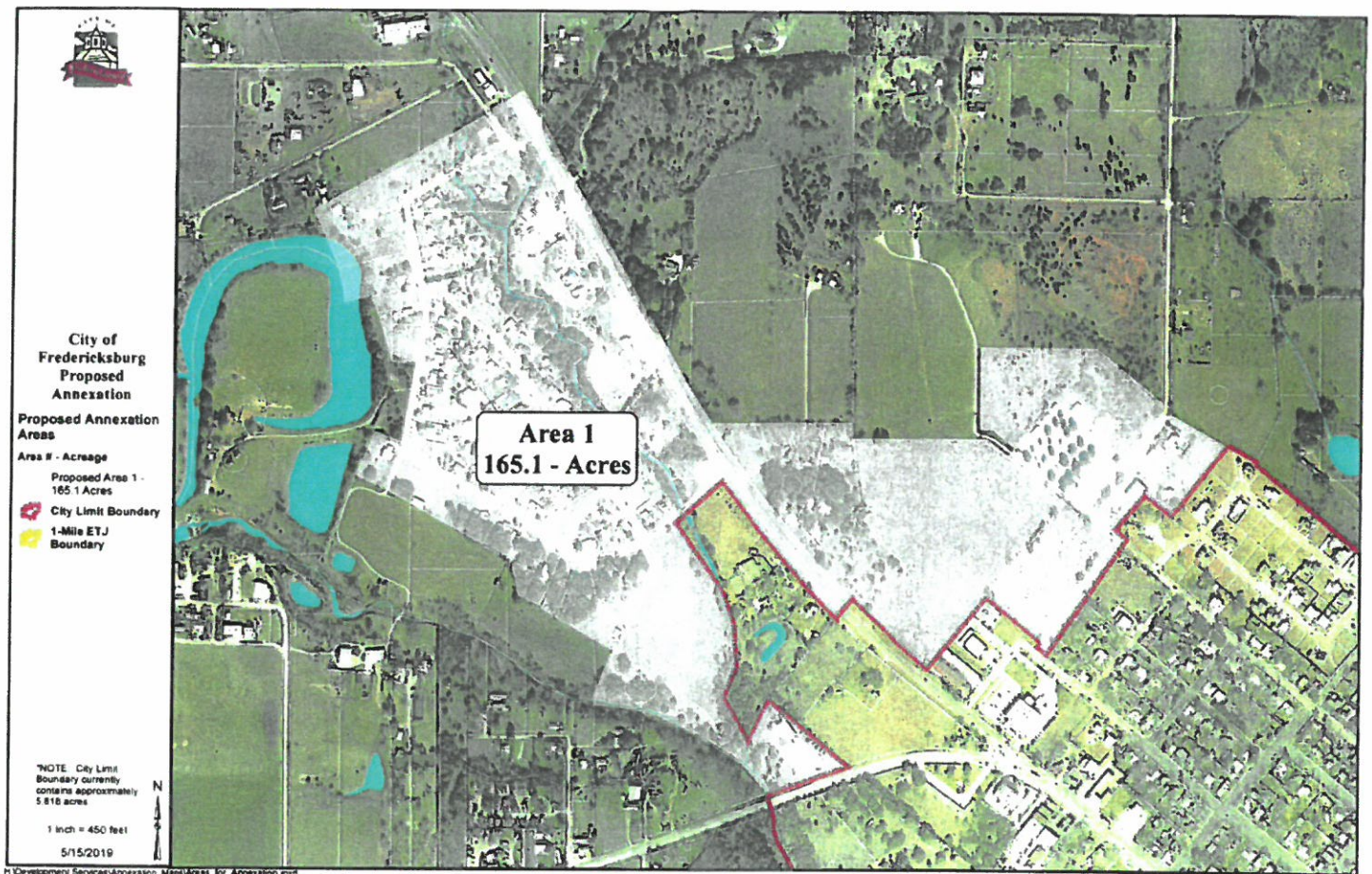
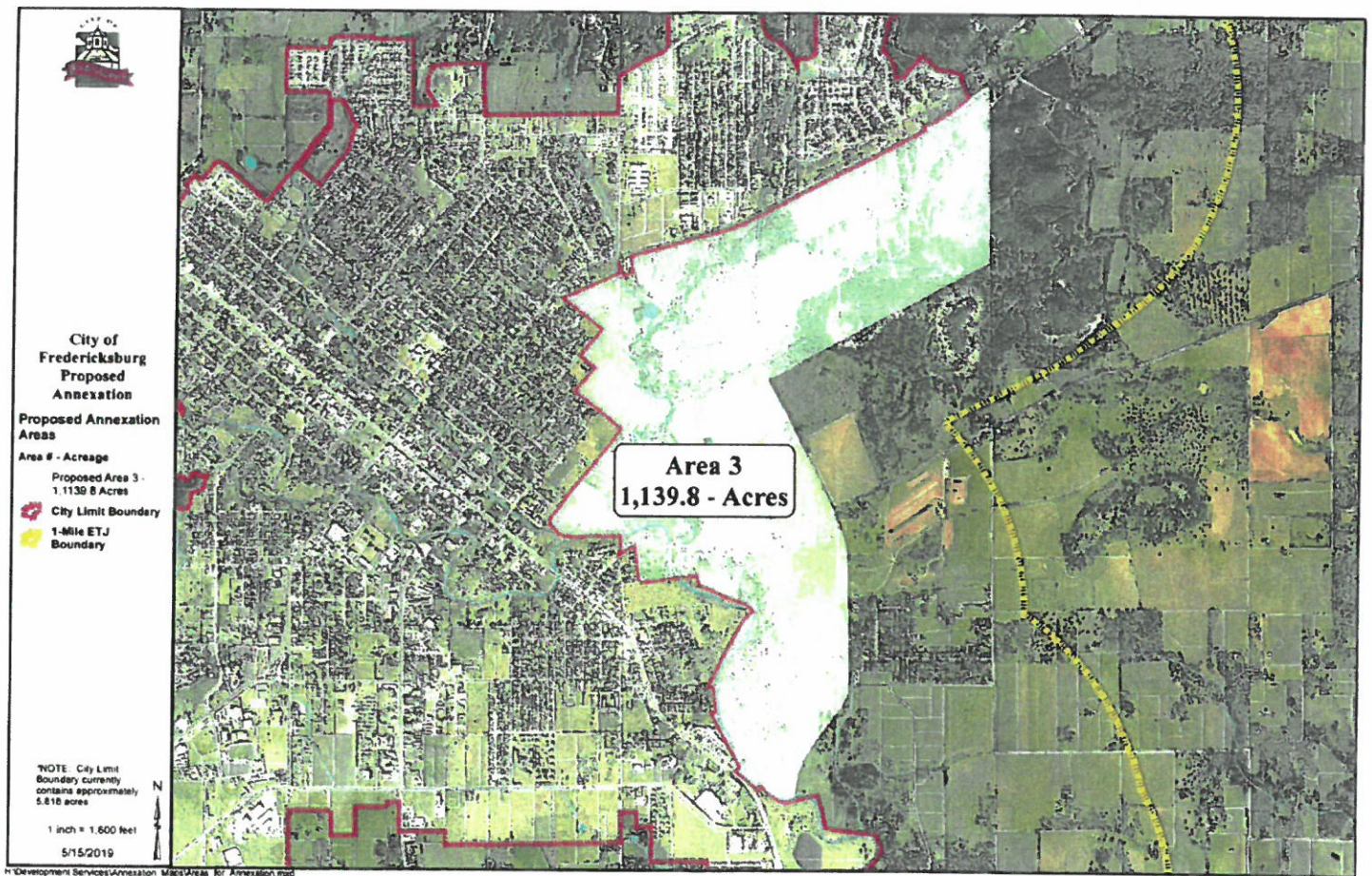
APPROVED AS TO FORM:

City Attorney

Exhibit A

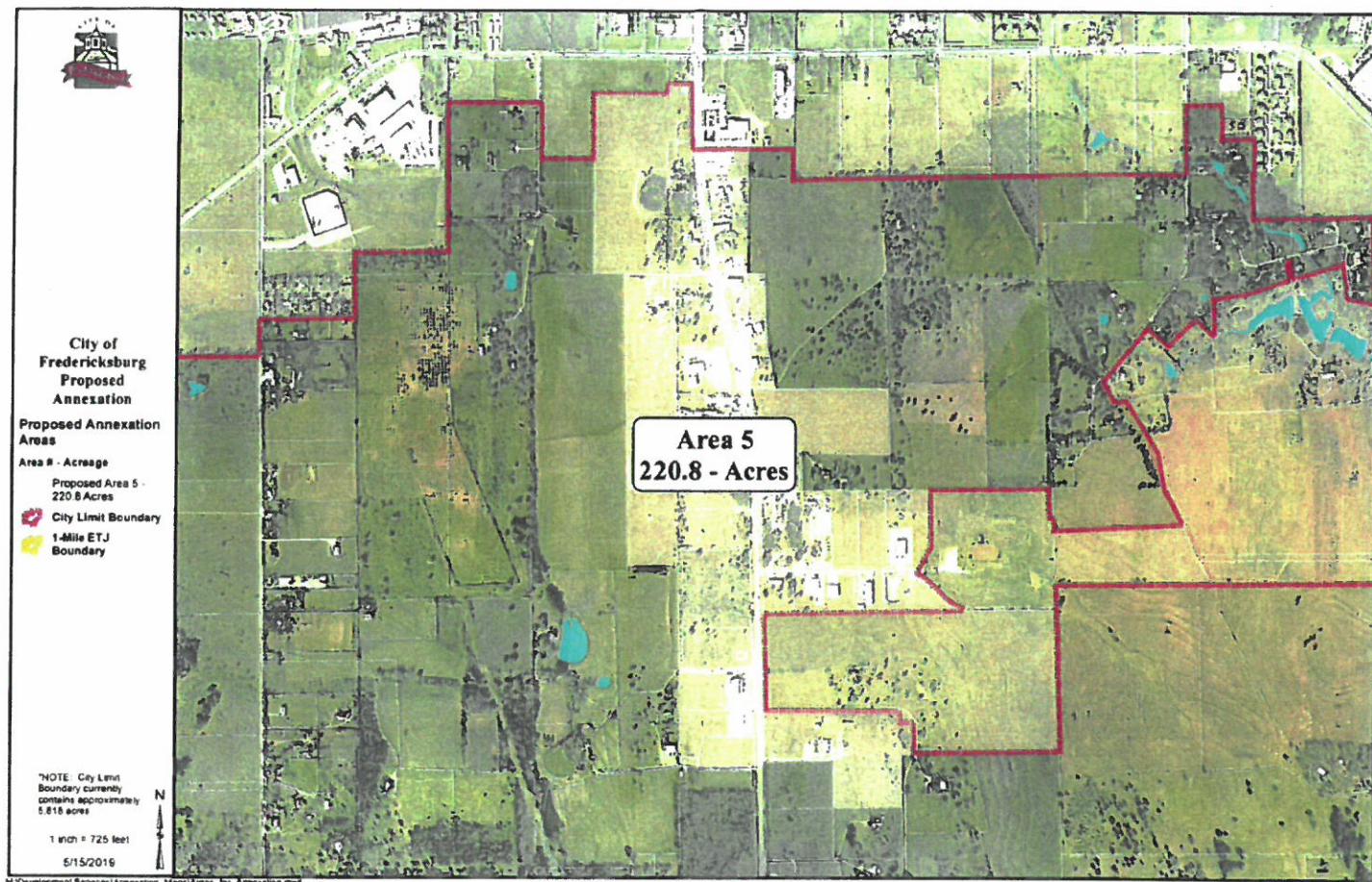
Maps of:

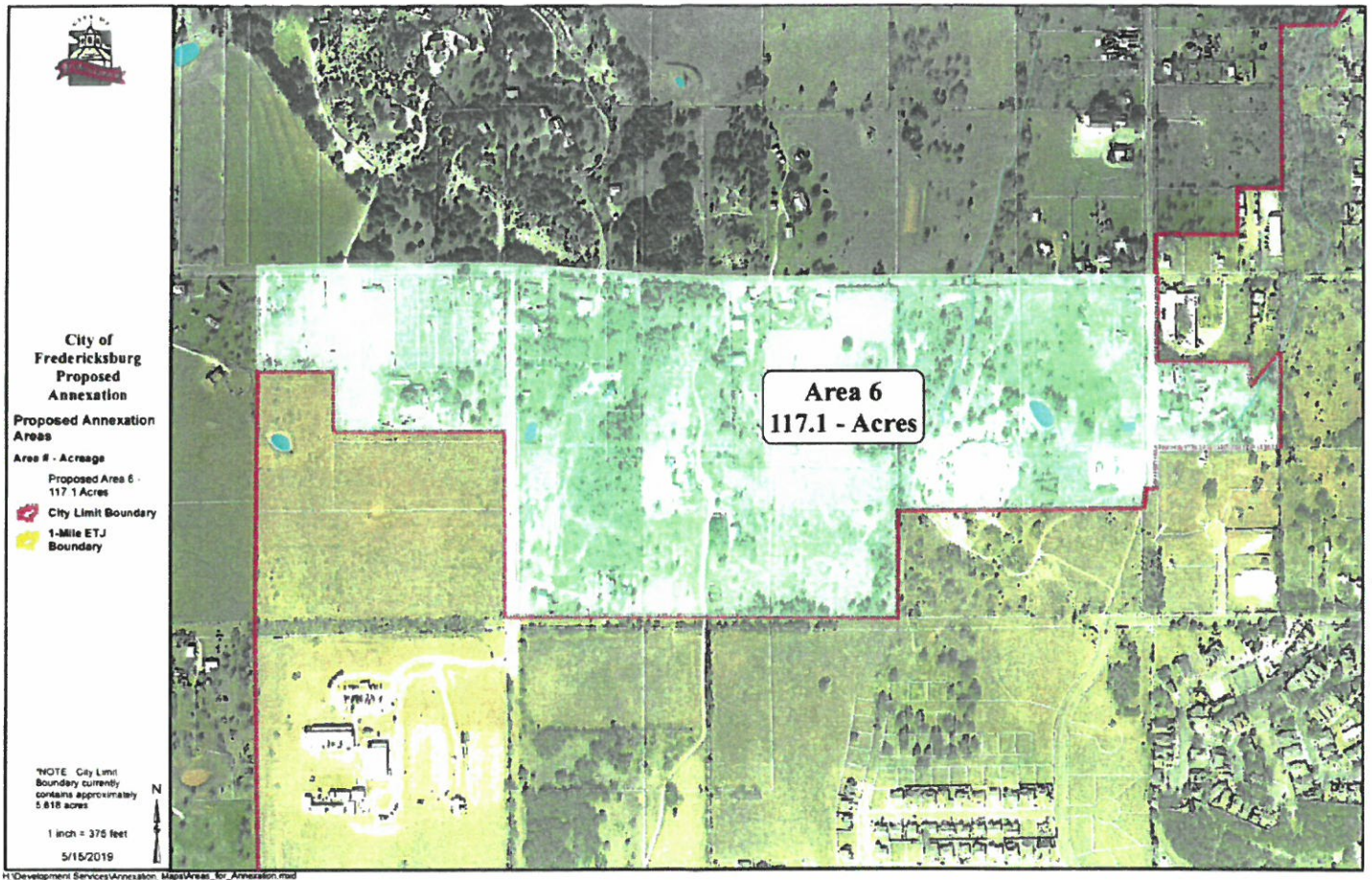
- 1) Area 1
- 2) Area 3
- 3) Area 4A
- 4) Area 5
- 5) Area 6
- 6) Area 6A
- 7) Area 6B

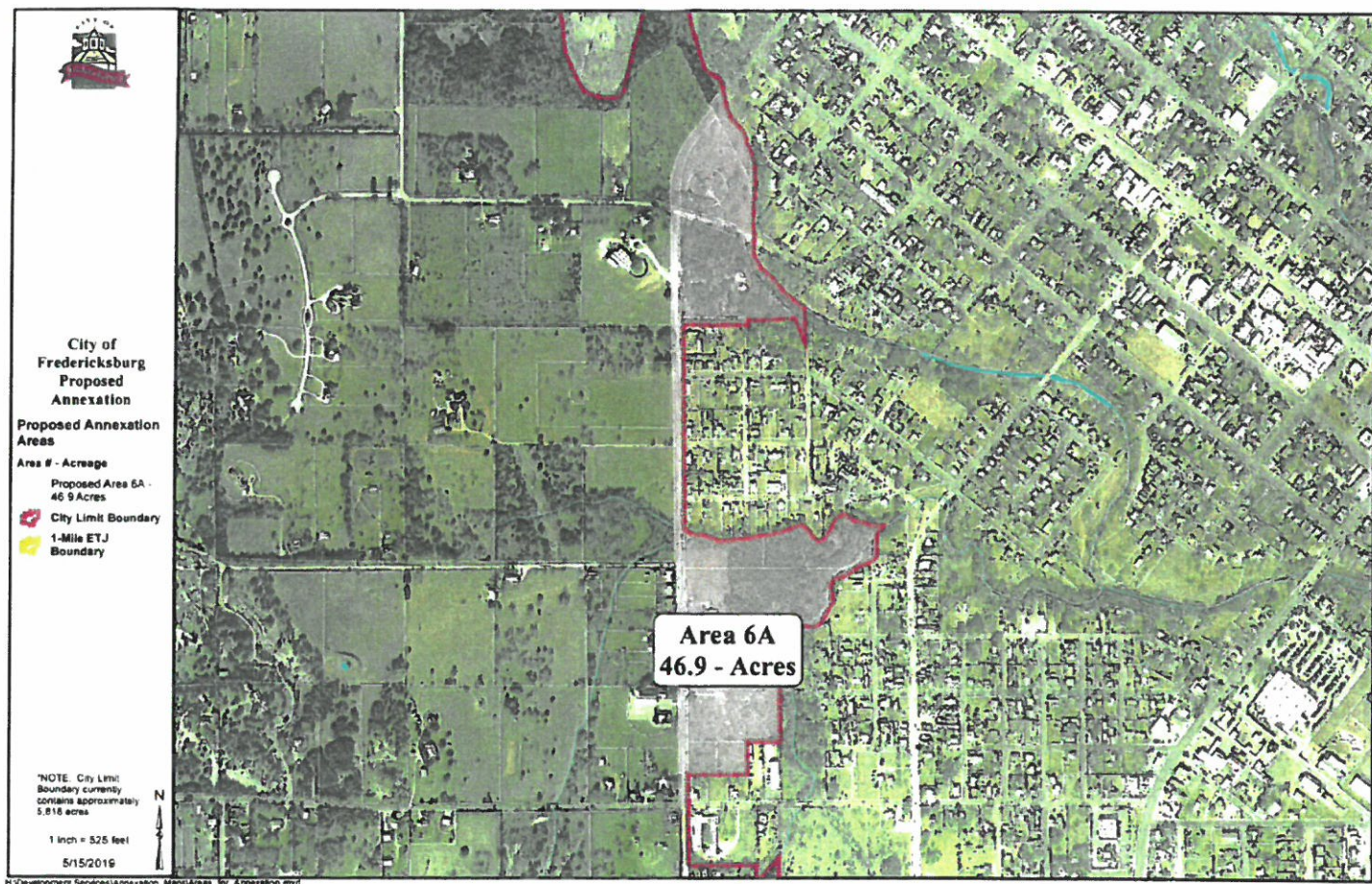


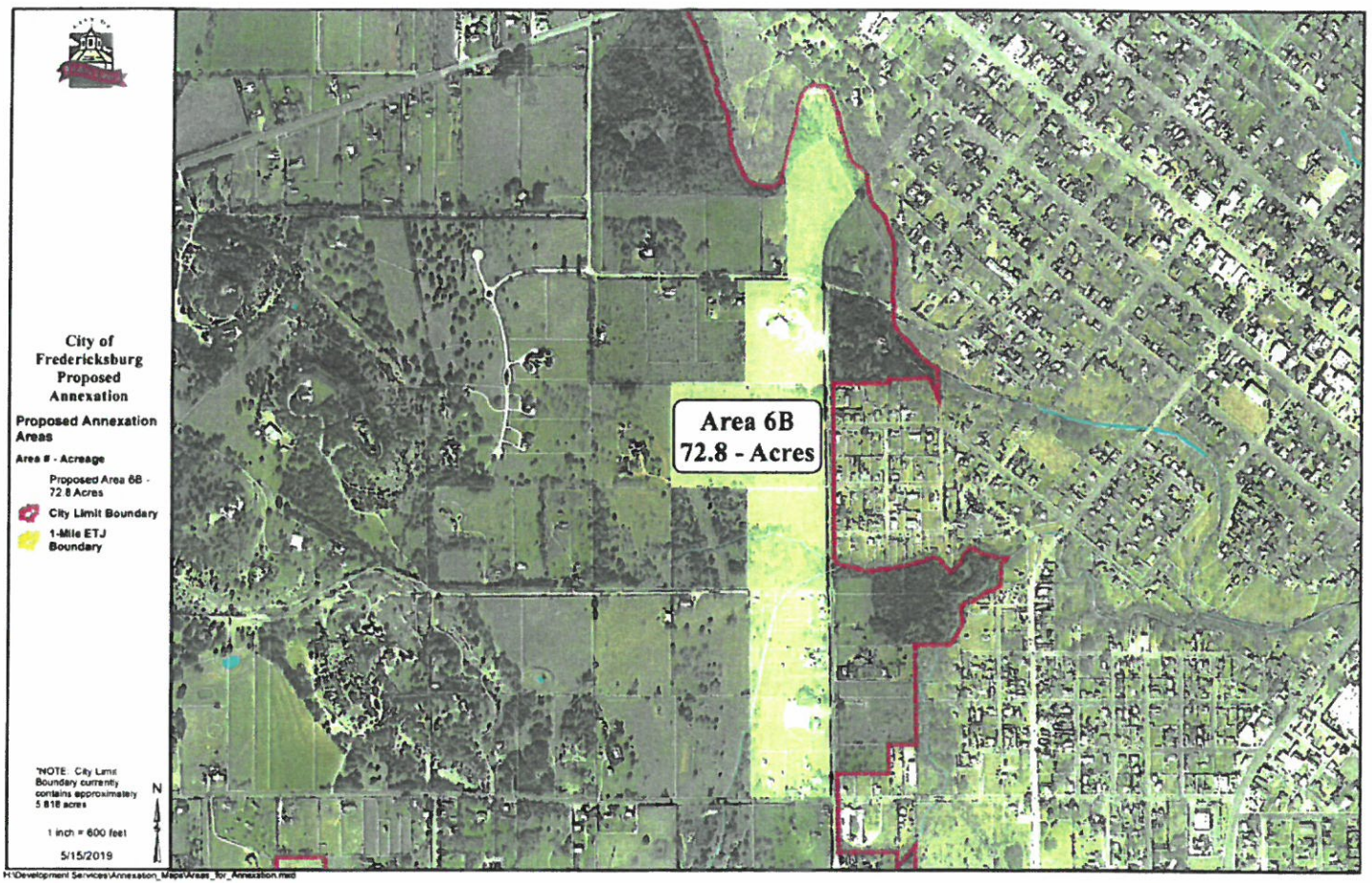


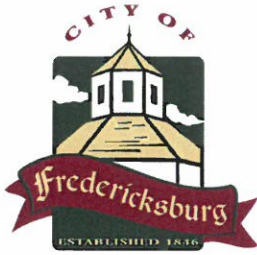












Date: November 23, 2020

To: Mayor and City Council

From: Kent Myers, City Manager *ZM*

Subject: Short-Term Rental (STR) Regulations

At next Monday's Council Work Session we have scheduled a discussion on STRs including possible changes to our current STR regulations. This item is for discussion only and no decisions are requested at the Work Session. If there is consensus that our current regulations need to be revised, City staff will prepare an amendment to our ordinance based upon comments made at the Work Session. We will then schedule this amendment for your consideration at one of the January Council meetings.

Our current STR ordinance was adopted almost three years ago in January 2018 (see attached ordinance). The ordinance was the outcome of concerns raised at community visioning meetings about the increase in STRs in residential neighborhoods. The ordinance has generally served us well with an overall reduction in the number of complaints we received 3 to 4 years ago. In addition, our ordinance has been requested by several other cities that have modeled their ordinance after our regulations.

As you know, STRs have a positive economic impact on our community. The 617 units currently permitted by the City generate additional HOT revenues for the City. They also attract visitors that increase sales tax revenues and mixed drink tax revenues. During the current pandemic they have been the preferred choice of lodging in our community. In addition, many of our property owners have renovated their buildings to accommodate short-term rentals which adds to both the attractiveness and our property tax base.

The primary concern that has been expressed by our citizens is how STRs impact residential neighborhoods. This includes concerns related to trash, parking, noise and the overall quality of life in these neighborhoods. Other concerns have focused on how the owners of certain STRs promote their establishments as "party houses" which are not conducive to R-1 areas.

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This week City staff met to discuss recent citizen concerns and what changes might be recommended to update our ordinance. We have identified the following items for discussion and Council direction at Monday's Work Session:

1. Noise issues (NOTE: the noise ordinance is included on the Work Session as a separate agenda item)
2. Parking issues in R-1 areas
3. Permitting and inspections changed to 24 months rather than 12 months
4. Allowing for third-party inspections
5. Redefining permit fee as permit application fee
6. Establishing 60-day deadline for renewal of permit and completion of inspection with late fees applying after 60 days
7. Allowing for small (no more than 4 square feet) signs with the name and address of the STR
8. Requiring the posting of the STR permit, with the local contact person, both inside and outside of the STR
9. Eliminating the prohibition against notifications of weddings and parties based upon recent Court decision
10. Eliminating the required conviction in Municipal Court before a STR permit can be revoked
11. Regulate use of hot tubs in R-1 areas
12. Restrict the number of STRs that can be permitted in R-1 areas.

Please let me know if you have other issues and concerns that need to be addressed in an amendment to our STR ordinance. Thanks for your consideration.

ORDINANCE NO. 28-001

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, CREATING ARTICLE V. - SHORT TERM RENTALS, OF CHAPTER 23 - PLANNING - OF THE CODE OF ORDINANCES, ESTABLISHING REGULATIONS AND A PERMITTING REQUIREMENT FOR OPERATION OF A SHORT TERM RENTAL, AND PROVIDING A PENALTY CLAUSE FOR VIOLATIONS.

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

Section 1. That, ARTICLE V. - SHORT TERM RENTALS, of Chapter 23 - PLANNING, of the Code of Ordinances, is hereby created and adopted as follows:

Chapter 23 – Planning
Article V. SHORT TERM RENTALS

Sec. 23-100. Purpose.

The purpose of this Article is to establish regulations for the use of privately owned dwellings as Short Term Rentals, to minimize negative ancillary impact on surrounding properties, and to ensure the collection and payment of Hotel Occupancy Tax.

Sec. 23-101. Definitions.

As used in this Article, the following terms shall have the following meanings:

- A. City - The City of Fredericksburg, Texas.
- B. Guest - The overnight occupants renting a Short Term Rental Unit for a specified period and the daytime visitors of the overnight occupants.
- C. Local Contact Person - The Owner, Operator, or person designated by the Owner or the Operator, who shall be available twenty-four (24) hours per day for the purpose of responding to concerns or requests for assistance related to the Owner's Short Term Rental.
- D. Operator - The Owner or the Owner's authorized representative who is responsible for compliance with this Article while advertising and/or operating a Short Term Rental.
- E. Owner - The person or entity that holds legal or equitable title to the Short Term Rental property.
- F. Short Term Rental - A privately owned dwelling, including but not limited to, a single family dwelling, multiple family attached dwelling, apartment house, condominium,

duplex, mobile home, or any portion of such dwellings, rented by the public for consideration, and used for dwelling, lodging or sleeping purposes for any period less than thirty (30) consecutive days.

The following are exempt from the regulations under this Article: hotel, motel, dormitory, public or private club, recreational vehicle park, hospital and medical clinic, nursing home or convalescent home, foster home, halfway house, transitional housing facility, any housing operated or used exclusively for religious, charitable or educational purposes, and any housing owned by a governmental agency and used to house its employees or for governmental purposes.

- G. Short Term Rental Permit - A permit issued by the City authorizing the use of a privately owned dwelling as a Short Term Rental.
- H. Short Term Rental Unit - One or more habitable rooms forming a single habitable division within a Short Term Rental, or an entire undivided Short Term Rental, which is advertised to be occupied, is occupied, or is intended to be occupied by a single party of Guests under a single reservation and/or single rental payment.

Sec. 23-102. Short Term Rental Permit required.

It shall be unlawful for any person or entity to rent, or offer to rent, any Short Term Rental without a valid Short Term Rental Permit issued under this Article.

Sec. 23-103. Short Term Rental Permit registration fee and application.

- A. An applicant shall submit an application for a Short Term Rental Permit using a format and method promulgated by the City Manager or his/her designee. The application form shall require, at a minimum, the following information from applicants:
 - 1. The name, address, email and telephone number of the Owner of the Short Term Rental.
 - 2. The name, address, email and telephone number of the Operator of the Short Term Rental.
 - 3. The name, address, email and twenty-four (24) hour telephone number of the Local Contact Person.
 - 4. The name and address of the Short Term Rental.
 - 5. The number of bedrooms and the proposed overnight and daytime occupancy limit of the Short Term Rental.
 - 6. A diagram showing the proposed layout of the property use and any on-site parking available for the Short Term Rental.

7. A general description of any food service to be offered to Guests of the Short Term Rental.
- B. An applicant for a Short Term Rental Permit shall pay to the City a permit fee of one hundred fifty dollars (\$150.00).
- C. A separate Short Term Rental Permit application and permit fee must be submitted for each individual Short Term Rental Unit. Each individual Short Term Rental Unit shall be assigned a unique permit number upon permit issuance by the City.
- D. Prior to issuance of a Short Term Rental Permit, the Operator shall allow an on-site inspection of the Short Term Rental Unit by a City Code Enforcement officer, to ensure compliance with the following:
 1. The requirements set forth in Section 23-104(A) of this Article; and
 2. The requirements set forth in Sections 23-104(B)1 through 23-104(B)3 of this Article.
- E. A Short Term Rental Permit issued under this Article shall be valid for a period of one calendar year from the date of issuance. The Short Term Rental Permit shall expire immediately upon any change in Owner of the Short Term Rental Unit.
- F. The Owner has a duty to notify the City within twenty (20) calendar days, in writing, of any changes to information submitted as part of a Short Term Rental Permit application under this Article.
- G. An application for Short Term Rental Permit may be denied if the Owner has had a Short Term Rental Permit suspended or revoked during the previous 365 calendar days.

Sec. 23-104. Short Term Rental operational requirements.

- A. The Operator shall post the following information in a prominent location within the Short Term Rental Unit, using a form promulgated by the City:
 1. The unique Short Term Rental Permit number assigned to the Short Term Rental Unit;
 2. Operator name and number;
 3. Local Contact Person name and number;
 4. The location of any on-site and off-site parking spaces available for Guests;
 5. The overnight and daytime occupancy limits;
 6. Instructions to Guests concerning disposal of garbage and handling of garbage containers;
 7. Notification that the Guests are responsible for compliance with all applicable laws, rules and regulations pertaining to the use and occupancy of the Short Term Rental, and that Guests may be fined by the City for violations of this Article; and

8. Notification that all functions such as weddings, parties or other gatherings are prohibited at the Short Term Rental, excepting Short Term Rentals located in the Commercial Zoning District.
- B. The Operator shall operate a Short Term Rental in compliance with the following:
1. Zoning regulations prescribed for the zoning district in which such Short Term Rental is located, set forth in Appendix B of the Code of Ordinances.
 2. City of Fredericksburg Sign Ordinance, as applicable, set forth in Chapter 29 of the Code of Ordinances.
 3. Maximum occupancy limits prescribed by the City Fire Marshall, pursuant to the International Fire Code as adopted in Chapter 17 of this Code of Ordinances.
 4. City of Fredericksburg Hotel Occupancy Tax Ordinance, set forth in Chapter 41 of this Code of Ordinances.
 5. City of Fredericksburg Noise and Sound Level Regulation Ordinance, set forth in Chapter 20 of this Code of Ordinances.
 6. City of Fredericksburg Garbage Collection Ordinance, set forth in Chapter 32 of this Code of Ordinances.
 7. During any period when a Short Term Rental is occupied or intended to be occupied by Guests, the Local Contact Person shall be available twenty-four (24) hours per day for the purpose of responding to concerns or requests for assistance related to the condition, operation, or conduct of Guests of the Short Term Rental. The Local Contact Person shall respond within sixty (60) minutes of being notified of concerns or requests for assistance regarding the condition, operation, or conduct of Guests of the Short Term Rental, and shall take immediate remedial action as needed to resolve such concerns or requests for assistance.
- C. Any advertisement that promotes the availability of a Short Term Rental, listed in any medium, including but not limited to newspaper, magazine, brochure, website, or mobile application, shall include the current Short Term Rental Permit number assigned by the City.

Sec. 23-105. Notification of complaints.

Complaints related to the operation of a Short Term Rental, including but not limited to complaints concerning noise, garbage, parking, and disorderly conduct by Guests, shall be reported to the City Code Enforcement office.

Sec. 23-106. Compliance with other law.

The Owner, Operator, Local Contact Person, and Guests shall comply with all applicable laws, rules and regulations pertaining to the operation, use, and occupancy of a Short Term Rental. The Owner shall not be relieved from any civil or criminal liability for a violation of this Article, regardless of whether such violation is committed by the Owner, Operator, Local Contact Person, or Guest of the Owner's Short Term Rental.

Nothing in this Article shall be construed to relieve any person or Owner of any other applicable requirements of federal, state, or local law, rules, or regulations. Nothing in this Article shall be construed to provide any property owner with the right or privilege to violate any private conditions, covenants, and restrictions applicable to the Owner's property that may prohibit the use of such Owner's property as a Short Term Rental as defined in this Article.

Sec. 23-107. Compliance and Penalty provision.

- A. It shall be unlawful for any person or entity to violate any provision of this Article. Proof that a violation of this Article occurred at a Short Term Rental shall create a rebuttable presumption that the Owner of said Short Term Rental committed the violation.
- B. Any violation of this Article is a Class C misdemeanor offense, and upon conviction, shall be punished by a fine as set forth in Section 1-6 of this Code of Ordinances.
- C. Prosecution under this Article shall not require the pleading or proving of any culpable mental state.
- D. Penalties provided for in this Article are in addition to any other criminal or civil remedies that the City may pursue under federal, state, or local law.

Sec. 23-108. Permit suspension or revocation; Appeal.

Upon conviction for a violation of this Article, the City Manager may suspend or revoke any Short Term Rental Permit issued for the same Short Term Rental where the violation occurred. The City Manager shall notify an Owner of a suspension or revocation under this Section in writing, delivered by Certified Mail, Return Receipt Requested, and mailed to the address of the Owner as set forth on the most recent Short Term Rental Permit application submitted to the City.

An Owner may appeal a notice of suspension or revocation under this Section by filing a written appeal with the City Manager within ten (10) business days following the date said notice was deposited in the U.S. Mail. Following a timely filing of an appeal hereunder, the Owner may present evidence to the City Manager related to the suspension or revocation under this Section. Following the City Manager's final decision on appeal, the Owner may appeal an adverse decision of the City Manager by filing a written appeal with the City Council within five (5) business days following the date of the City Manager's final decision.

{End of code text}

Section 2. That, Section 5.402. Bed and breakfast compliance use permit - of Appendix B, ZONING ORDINANCE, of the Code of Ordinances, is hereby repealed and deleted in its entirety.

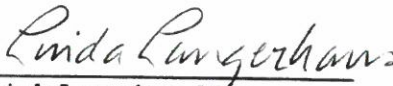
Section 3. Severability or Invalidity. If any provision of this ordinance or the application hereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without defeating the purpose or objective of the provisions, and to this end, the provisions of this ordinance are declared to be severable.

Section 4. Repealer. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

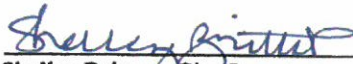
Section 5. Penalty. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-6 of the Code of Ordinances.

Section 6. Effective Date. This ordinance shall be effective on and after April 1, 2018.

PASSED AND APPROVED on this the 2nd day of January, 2018.


Linda Langerhans, Mayor
City of Fredericksburg, Texas

ATTEST:


Shelley Britton, City Secretary

APPROVED AS TO FORM:


Daniel Jones, City Attorney



CITY COUNCIL MEMO

DATE: November 19, 2020

TO: Mayor and City Council

FROM: Steven Wetz, Chief of Police

SUBJECT: Sound Ordinance Discussion

Summary:

The Police Department was requested to share information to the council on previous and present sound complaints specific to our B&B establishments. Also to discuss with council their ideas on educating the citizens on how the ordinance is enforced.

Recommendation:

We do not request any changes in the current ordinance. We have made changes in our Operating Procedures from time to time and we plan to increase social media information to the public on the current ordinance.

Background / Analysis:

Attachments:

Power point slides

The City of Fredericksburg


Department Approval


City Manager Approval

The City of Fredericksburg

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City of Fredericksburg Sound Ordinance Review

The City's sound ordinance has been addressed about every four years since 2008.

Changes have included changing decibel levels from the state mandated 85 dba to lower levels at night. We made changes to Dba levels separating neighborhoods and commercial districts.

Over the years we have changed how we measure those sound levels.

In 2017 there was an outcry from residents in the community about the downtown music venues. At the request of council the Police Department put together a group of people from the community made up of residence, music establishment owners, and musicians to gain a prospective of what the community wanted in a sound ordinance.

The committee created a survey to ask citizens as well as visitors what they thought about sound issues and what they wanted in an ordinance.

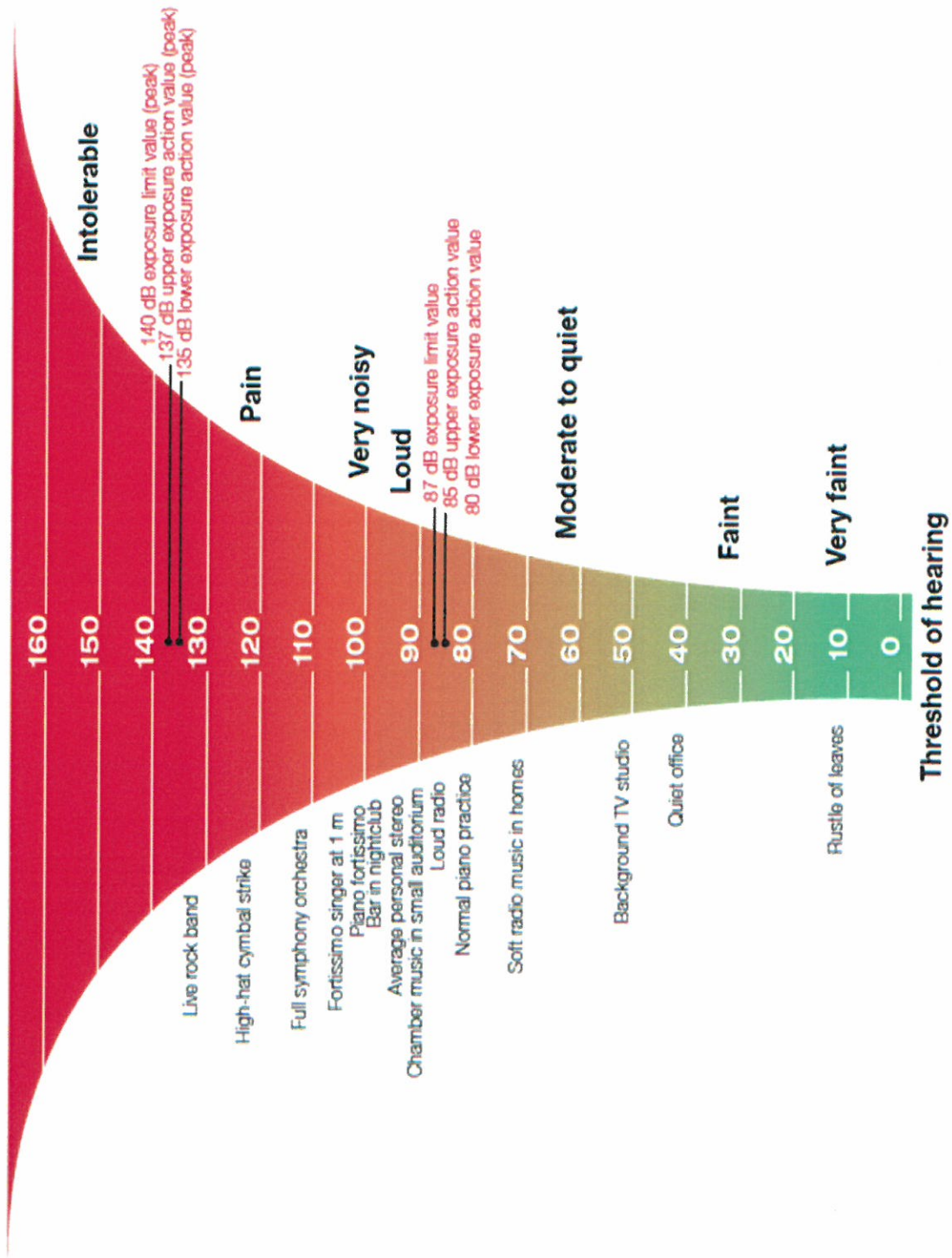
2020 brought shutdowns in the first half of the year closing our rentals and nighttime entertainment venues. The second half as we began to reopen brought an increase in normal visitors, and we have seen an uptick in sound complaints for B&B establishments.

Sound complaints on commercial and B&B establishments are normally repetitive on the same establishment and by the same complainants. Many times not due to a violation but because they are responding to a sound.

Sound measurements can be at a legal level at the 50' but that does not mean that it will not be heard. Sounds can carry large distances and especially at night.

When we discuss how sound carries you must understand how sound reduction works.

For every doubling of distance, the sound level only reduces by **6 decibels (dB)**, (e.g. moving from 50 to 100 feet away from a sound source). But the next 6dB reduction means moving from 100 to 200 feet to see another 6dB reduction.



Police response to sound complaints are completed in the following way.

Officers attempt to arrive at the source of the complaint in a way not draw attention, so that any audible sound may be recorded and measured.

Officers make contact with parties at the source of the reported complainant and advise them of the complaint and the ordinance.

Officers then make contact with the complainant and advise them of the actions that have been observed and the response.

August - October 2018 Total Calls: 40

	Actual	Unfounded	B&B	Residence	Commercial	Warned	Cited
Loud Music	12	16	2	18	8	3	
Loud People	3	1	2		2		
Noise Construction area							
		1			1		
Barking Dog	3			3		1	
Loud Vehicle	1	1		1	1		
Football Game	2				2		
TOTAL	21	19	4	22	14	4	

August - October 2019
Total Calls: 34

	Actual	Unfounded	B&B	Residence	Commercial	Warned	Cited
Loud Music	3	8	1	6	4		1
Loud People	2	6	4	1	3		2
Noise Construction area		1		1			
Barking Dog	10	3		13		2	
Loud Vehicle		1			1		
TOTAL	15	19	5	21	8	2	3

ORDINANCE VIOLATION CALLS

August - October 2020
Total Calls: 57

	Actual	Unfounded	B&B	Residence	Commercial	Warned	Cited
Loud Music	24	7	6	15	10		
Loud People	10	3	12		1		
Noise Construction area	1	1		1	1		
Barking Dog	2	5	1	5	1		
Loud Vehicle	2	1		1	2		
Football Game Loud	1				1		
TOTAL	40	17	19	22	16		

Questions and Discussion

ARTICLE VI. - NOISE AND SOUND LEVEL REGULATION

Footnotes:

--- (3) ---

Editor's note— Ord. No. 27-006, adopted May 15, 2017, amended the former Art. VI, §§ 20-207—20-213, to read as set out herein. The former Art. VI pertained to similar subject matter and derived from Ord. No. 22-030 adopted Nov. 19, 2012.

Sec. 20-207. - Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, unless the context of their usage clearly indicates another meaning:

- (a) *Daytime hours* shall mean the hours from 7:00 a.m. on one day until 8:00 p.m. the same day.
- (b) *dB(A)* shall mean the intensity of a sound expressed in decibels.
- (c) *Emergency* shall mean any occurrence or set of circumstances involving actual or imminent physical trauma or property damage or loss that demands immediate action.
- (d) *Emergency work* shall mean any work performed for the purpose of:
 - (i) Preventing or alleviating the physical trauma or property damage threatened or caused by an emergency;
 - (ii) Restoring property to a safe condition following a fire, accident, or natural disaster;
 - (iii) Protecting persons or property from exposure to danger; or
 - (iv) Restoring public utilities.
- (e) *Evening Hours Commercial* shall mean the hours from 8:00 p.m. on one day until 11:00 p.m. the same day for Sundays through Thursdays of each week. Evening hours shall mean the hours from 8:00 p.m. on one day until 12:00 midnight the same day for Friday and Saturday nights of each week for properties in the following zoning districts: C-1, C-2, CBD, I, M-1, M-2, M-3 or related PUDs.
- (f) *Evening Hours Residential* shall mean the hours from 8:00 p.m. on one day until 10:00 p.m. the same day for properties in the following zoning districts: R-1, R-2, R-3, R-4, R-5, Rural Residential or related PUDs AND for commercial, manufacturing or industrial properties (C-1, C-2, CBD, I, M-1, M-2, M-3 or related PUDs) when measured at a Property line which separates that property from any residentially zoned property (R-1, R-2, R-3, R-4, R-5, Rural Residential or related PUDs).
- (g) *Nighttime Hours Commercial* shall mean the hours from 11:00 p.m. on one day until 7:00 a.m. the following day for Sundays through Thursdays, and 12:00 midnight on one day and 7:00 a.m. the same day on Saturday and Sunday mornings for properties in the following zoning districts: C-1, C-2, CBD, I, M-1, M-2, M-3 or related PUDs.
- (h) *Nighttime Hours Residential* shall mean the hours from 10:00 p.m. on one day until 7:00 a.m. the following day for properties in the following zoning districts: R-1, R-2, R-3, R-4, R-5, Rural Residential or related PUDs AND for commercial, manufacturing or industrial properties (C-1, C-2, CBD, I, M-1, M-2, M-3 or related PUDs) when measured at a Property line which separates that property from any residentially zoned property (R-1, R-2, R-3, R-4, R-5, Rural Residential or related PUDs).
- (i) *Outdoor Amplified Sound* means any sound produced, projected or generated outdoors utilizing speakers or other sound projection or enhancement equipment.
- (j) *Plainly audible* means any sound that can be detected by a person using his or her unaided hearing faculties. For example, if the sound source under investigation is a portable or personal vehicle, a sound level of 42

or reproduction device, the enforcement officer need not determine the name of the song, specific words or the artist performing it. The detection of the rhythmic bass component of the music is sufficient to constitute a plainly audible sound.

- (k) *Property line* shall mean, with respect to single occupancy properties, the line along the ground surface and its vertical extension that separates the real property owned, leased, or occupied by one person from that owned, leased, or occupied by another person. With respect to shared occupancy properties the term shall mean the imaginary line that represents the legal limits of occupancy of any person who owns, leases, or otherwise occupies an apartment, condominium, hotel or motel room, office, or any other type of occupancy from that of other occupants.
- (l) *Responsible Party* shall mean any of the following persons, including entities (including but not limited to corporations, trusts, partnerships, associations and the like), who or which violates the terms of this Article including, as applicable:
 - (1) Any person present at the time of the offense who makes, assists in making or continuing, permits, causes or permits sound in excess of the provisions of this Article to be made or continued;
 - (2) Any person who has the ability to control the level of noise at the time of the offense;
 - (3) Any owner of the property on which the violation occurs, any owner or manager (including an employee in charge at the time of the offense) of the business being conducted on the property on which the violation occurs;
 - (4) Any operator of, or person in charge of the sound generating instrument or equipment at the time of the offense; or
 - (5) Any person who leaves unattended any equipment, machine, instrument, device, child, animal, or any combination of same, which thereafter commences producing noise in violation of this article.
- (m) *Sound* shall include a single source or collective sources emanating from a single property.
- (n) *Zoning Ordinance* shall mean the City of Fredericksburg Zoning Ordinance as the same may be amended from time to time. Any reference to the location of properties or Zoned properties or areas shall be to the zones established in the Zoning Ordinance as may be modified in a specific violation description.

(Ord. No. 27-006, 5-15-2017)

Sec. 20-208. - Prohibitions.

Sounds exceeding, or not complying with, the following under the conditions and measurement criteria set forth in this chapter shall be unlawful and no Responsible Party shall make, assist in making, permit, continue or cause to be made or continued such sounds in any Zoning area except as defined in this Article.

- (a) Sound levels shall not exceed the following:
 - (1) Eight-five db(A) during Daytime Hours; or
 - (2) Seventy-five db(A) during Evening Hours Commercial or Evening Hours Residential as applicable; or
 - (3) Sixty-five db(A) during Nighttime Hours Commercial.
 - (4) Fifty-five db(A) Nighttime Hours Residential.
- (b) Outdoor Amplified sound is prohibited from 10:00 p.m. on any day until 7:00 a.m. the following day in residentially zoned properties (R-1, R-2, R-3, R-4, R-5, Rural Residential or related PUDs).
- (c) The pouring of a slab, demolishing a building, or utilizing any yard tools, mechanically powered saw, drill,

sander, router, grinder, lawn or garden tool, lawnmower, or any other similar device, commercial or industrial power tools is prohibited from 10:00 p.m. on any day until 7:00 a.m. the following day on any residentially zoned property (R-1, R-2, R-3, R-4, R-5, Rural Residential or related PUDs) or commercially zoned property (C-1, C-2, CBD or related PUDs) on any day without first having obtained a permit issued in accordance with section 20-211 below for such work.

- (d) Knowingly making, assisting in making, permitting, continuing, or causing to be made or continued of any unreasonable sound that annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others is prohibited on any residentially zoned property (R-1, R-2, R-3, R-4, R-5, Rural Residential or related PUDs). In determining whether a sound is unreasonable, the following factors shall be considered as applicable to the circumstances:
1. That the sound is loud, unnecessary, or unusual;
 2. That the sound occurs between Midnight and 7:00 a.m.;
 3. That the sound is not compatible with the normal activity of the area in which the property is located at that time of day;
 4. That the sound created at a location where the sound emanates is due to an excessive number of people for that time of day;
 5. That the sound is recurrent, intermittent, or constant;
 6. That the volume and intensity of the sound is excessive;
 7. That the sound has been enhanced in volume or range by any type of electronic, mechanical or other means, and is operated with louder volume than is necessary for convenient hearing of persons who are in the vehicle, or within the property or premises, from which such sound originates and who are voluntary listeners thereto;
 8. That the sound is subject to being controlled without unreasonable effort or expense to the creator thereof;
 9. That the sound is plainly audible or physically detectable at a distance defined in section 20-210(b) below.

Prior to issuance of a complaint the City Police Department and or Municipal Court Prosecutor may require a written complaint from anyone complaining of an excessive noise under this section (d).

Upon receipt of a prior notice or warning, verbal or otherwise, from a peace officer or a code enforcement officer of the City of Fredericksburg, it shall be presumed that the person has knowledge that the sound is unreasonable.

- (e) The use of any motor vehicle so that it creates any loud and unreasonable or unusual sound which is heard above all other vehicles at a distance of 50 feet from the vehicle is prohibited.
- (f) The making, assisting in making, permitting, continuing, causing to be made or continued, or permitting the continuance of Amplified Sound from a motor vehicle on a public roadway that is plainly audible from a distance of 50 feet from the vehicle on abutting streets of, or properties which are zoned PF, R-1, R-2, R-3, R-4, R-5, Rural Residential, C-1, C-2, CBD or related PUDs is prohibited.
- (g) The operation of an engine of any motor vehicle as defined by the Texas Transportation Code so as to "brake" or slow the same through the use of gears (commonly known as "jake braking") or by any other method which produces any noise in addition to the normal operating engine noise is prohibited.
- (h) The operation of or allowing of an engine of any sort of motor vehicle, except emergency equipment at any location or vehicles then located at a permitted public event or parade, to idle for more than one hour is prohibited.

- (i) Reserved.
- (j) The acts enumerated in the foregoing sections of this chapter, among others, are declared to be loud, disturbing, and unnecessary noises and nuisances in violation of this chapter.

(Ord. No. 27-006, 5-15-2017)

Sec. 20-209. - Noisy animals and birds.

- (a) The keeping of any animal or bird that causes or makes frequent or long and continued sound that unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety of ordinary, reasonable persons of normal sensibilities and ordinary tastes, habits, and modes of living who reside in the vicinity thereof is hereby prohibited and declared to be unlawful as a sound nuisance in violation of this chapter, regardless of whether the sound so created by said animal or bird is otherwise within the permissible levels specified in section 20-208(a) above.
- (b) In any prosecution for a violation of this section, the fact that any loud animal noise which disturbed any person and which occurs in residential areas (R-1, R-2, R-3, R-4, R-5, Rural Residential, or related PUDs) either:
 - (1) during Nighttime Hours Residential; or
 - (2) when none of the residents who reside at the place where the animal or bird is being kept are at home shall create a rebuttable presumption that such noise was in violation of this article.
- (c) In any prosecution for a violation of this section, the fact that any animal or bird has been allowed or permitted to persistently and chronically violate this section, as demonstrated by the issuance of two or more citations within a six month period shall create a rebuttable presumption that such noise was in violation of this article.

(Ord. No. 27-006, 5-15-2017)

Sec. 20-210. - Method of sound measurement.

- (a) Whenever portions of this chapter prohibit sound over a certain decibel limit, measurement shall be made with a Type 1 or Type 2 calibrated sound level meter utilizing the A-weighting scale and the slow meter response as specified by the American Standards Association or better. Measurements recorded shall be taken so as to provide a proper representation of the sound being measured. The microphone of the meter shall be positioned so as not to create any unnatural enhancement or diminution of the measured sound. Traffic, aircraft, and other transportation noise shall not be considered in taking measurements except where such background noise interferes with the noise being measured and cannot reasonably be distinguished from the primary noise. Measurements will be made for a duration of no less than 30 seconds. Violations will be based on the highest registered reading within such time period which is attained more than one time in said time period or sustained.
- (b) Measurements of sound shall be taken from either:
 - (1) the property line of the property from which the sound originates but in no event less than 50 feet from the sound source (where the sound is generated), and all measurements shall be taken toward the source of the sound;
 - (2) the property line nearest the sound source of a property occupied by a person who reports a violation of this Chapter to the City but in no event less than 50 feet from the sound source (where the sound is generated); or
 - (3) a minimum of 50 feet from the sound source in the event the sound violation originates from a source where

property lines are not applicable.

(Ord. No. 27-006, 5-15-2017)

Sec. 20-211. - Permit for construction or use of tools, equipment.

- (a) The permit required in section 20-208 (c) shall be issued upon compliance with the requirements of this section. Properties for which a permit is issued for construction or for the use of outdoor tools or equipment (except equipment related to Amplified Sound) may exceed the sound levels of section 20-208(a) above.
- (b) For properties which are commercially zoned (C-1, C-2, CBD or related PUDs) at any time of the year, but may be issued for properties which are residentially zoned (R-1, R-2, R-3, R-4, R-5, Rural Residential or related PUDs) only during the time period from Memorial Day through Labor Day of each year.
- (c) Shall be obtained by making application to the City Police Department or other person or department of the City so designated by the City Manager.
- (d) Upon payment of an administrative fee for the costs of issuing the permit or a sworn statement of inability to pay the fee; and
- (e) Is valid for the requested day between the hours of 5:00 a.m. and 12:00 midnight.
- (f) Shall not be issued to the same or any other person for the same location more than twice nor for more than two consecutive days during any 30 day period.
- (g) Shall not be issued unless the applicant provides proof to the City that he or she has notified all persons who occupy or own properties adjacent to the site for which the permit is sought or the activity/work to be done and the expected duration of the activity/work. Such notice shall be sent in the same manner as set out in the Zoning Ordinance of the City of Fredericksburg, or hand delivered to the properties. Notices shall be sent at least ten days in advance of the proposed activity.
- (h) The permit application required to be filed pursuant to this section shall contain the following information:
 - (1) The date of the application and the date and hours for which the permit is requested.
 - (2) The name and address of the applicant, and the name and address of the person in charge of the activity/work.
 - (3) A description and diagram of the property on which the activity/work will occur.
 - (4) The address and a description of the location where the equipment will be used.
 - (5) A description of the type of equipment, tools or other devices to be used.
- (i) All permits must be posted on site in a clearly visible location. No permit may be issued for a period of one year from the date of the latest conviction for any property which is the subject of two convictions or deferrals of convictions within any twelve month period even if there is a change in ownership or management.

(Ord. No. 27-006, 5-15-2017)

Sec. 20-212. - Exemptions and defenses.

- (a) The following are exemptions from prosecution under this ordinance, but which need not be specifically plead in any complaint or indictment:
 - (1) The sound was generated or produced as a result of an emergency, by an authorized emergency vehicle or due to emergency work to restore utilities or other public works.
 - (2) The sound was generated or produced:

- (i) By any public utility or public works or by governmental authority including, but not limited to, street and road construction and repair, operation of water treatment plants, animal shelters and the like, the alerting persons of the existence of an emergency, danger, or attempted crime;
 - (ii) At a lawfully scheduled stadium event or at the Gillespie County Fair Grounds as currently located at 2000 South US Highway 16;
 - (iii) By a parade and spectators and participants on the parade route during a lawful parade;
 - (iv) By patrons and participants using cannons and gunfire during historical battle re-enactments or demonstrations for which a pyrotechnic permit was obtained and the explosives for which were inspected by the fire marshal provided that such events shall not exceed one weekend in any 30 calendar day period or 12 weekends in any one calendar year;
 - (v) By a pyrotechnic display that was inspected and approved by the fire marshal;
 - (vi) By spectators and participants of any outdoor event, fun run, race, festival, fiesta, or concert that was sponsored or co-sponsored by the City of Fredericksburg, which has received a Special Events review and Permit in accordance with the City's promulgated Special Events policies provided that said permit establishes different standards than are provided for by this chapter, otherwise this exemption does not apply, and is in compliance with any provisions of such permit and otherwise in full compliance with City regulations;
 - (vii) By aircraft, in flight or in operation at an airport, or bus, trolley, or other public transportation equipment in operation on streets or other rights-of-way, if any;
 - (viii) By church bells or church chimes when used as part of a religious observance or service during Daytime Hours or Evening Hours; or
 - (ix) During Daytime Hours by activities conducted on public parks, public playgrounds, and public or private school grounds, including, but not limited to, school athletics, band and school entertainment practice or events.
- (3) The sound emits from or is produced by lawful manufacturing or industrial pursuits on Manufacturing or Industrially zoned property (I, M-1, M-2 or M-3 or an Industrial or manufacturing related PUD) or is the sound of animals emitting from a veterinary business, animal shelter or other animal or livestock related business lawfully located within the City in accordance with the City of Fredericksburg's Zoning Ordinance.
- (4) The following defenses shall apply to any offense established in this chapter, and the same must be specifically plead by anyone charged with a violation, the burden of proof being upon the person claiming such defense:
- (i) The emission of any sound was for the purpose of alerting persons to the existence of an emergency, danger, or attempted crime, or was produced pursuant to any safety rule or regulation of any governmental entity or agency and is not generated by governmental authority;
 - (ii) The sound was produced by or for emergency work not exempted as set forth in (a)(2) above; or
 - (iii) The sound was generated as authorized under the terms of a permit issued under section 20-212 of this Code.
- (b) The regulations hereof are not required for the purpose of regulating speech which is protected speech or to conflict with any law of any superior governmental authority. Any regulation hereof that is in conflict with any such right or authority is hereby declared to be inoperative and severable from the other regulations herein, and is additionally declared to be an exemption.

Sec. 20-213. - Penalty.

(a) The provisions of section 20-208 provide the various violations, and a person or entity may be prosecuted under any or all of the subsections thereto. Any person who violates any provision of this chapter is guilty of an offense and, upon conviction thereof, shall be punished by a fine of not more than that defined in section 1-6 of the Code of Ordinances of the City of Fredericksburg. In addition, following notification by a Police Officer of the City of Fredericksburg or a Code Enforcement officer of the City of Fredericksburg, each 15 minutes in which any violation shall occur shall constitute a separate offense. For purposes of setting fines, violations hereof are declared to be health and safety violations.

(b) Enforcement hereunder shall not require the pleading or proving of any culpable mental state.

(Ord. No. 27-006, 5-15-2017)

Sec. 20-214. - Sunset.

The provisions of this Article shall expire on May 15, 2018 unless specifically continued by the City Council of the City of Fredericksburg.

(Ord. No. 27-006, 5-15-2017)

Editor's note— Per instructions of the City on Sept. 19, 2019, the ordinance from which Ch. 20, Art. VI is derived is continued.

Secs. 20-215—20-216. - Reserved.



Date: November 23, 2020

To: Mayor and City Council

From: Kent Myers, City Manager *KM*

Subject: Strategic Issues-Five Year Financial Plan

Every year the City develops a detailed budget that guides the collection of revenues and incurring of expenses for the next 12 months. This year we want to develop our first five-year financial plan. This plan will help us by providing a more long-term perspective on the financial impact that various programs and major expenditures could have on the City's financial status. The input and recommendations from the City Council represent an important element in developing this plan.

The Plan will include five-year financial forecasts for all the major City funds with a major emphasis on the General Fund. It will also include information on the current and future status of our local economy since our economy directly impacts City revenues. We will be requesting information from the EDC, Chamber and CVB for some of this information. In compiling this information, we will be making certain assumptions such as the estimated timeframe that the current pandemic will impact our local economy.

We will also include information on projected revenues over the next five years and whether the City will need to consider new sources of revenues or increased property taxes to fund certain projects and new programs.

The City Council's input is needed in identifying major strategic issues that will be facing our community over the next five years. I have attached to this report a section from the New Braunfels five-year financial forecast dealing with strategic issues in this community. This information might help you consider strategic issues that will be facing our community over the next five years that might have a significant impact to the City's Budget.

As just one example of a strategic financial issue, the Fire Chief has recently reported that, at some time during the next several years, the City needs to consider adding a third EMS unit due

The City of Fredericksburg

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to the increasing volume of EMS calls. Though these additional expense may be needed, this increase will have a significant impact on both the City and County Budgets. If the Council agrees that this expansion of services should be considered, we will need to plan to address this need in the future and determine how we will fund this added expense.

Another example of a strategic issue that you might want to consider is the need to connect some of our major roadways to provide improved traffic flow and less congestion throughout the City. This will be costly and will likely create the need for bond financing with an increase in property tax rates. This is likely something that the Council will want to plan on proposing to the voters in the next year or two. Therefore, it could be another strategic issue to include in the financial plan.

Other strategic issues that you might want to consider include the following:

- Do we want to plan on funding a new City Hall or Police Station in the next five years?
- Do we want the City to get directly involved in providing affordable housing in the next five years?
- Are maintaining salaries and benefits for City employees over the next five years an important issue that needs to be included in the five-year plan?
- Is the Sports Park a project that we want to identify in the five-year financial plan in terms of a partnership with the County and other local organizations?

Prior to the Council Work Session, please review the attached document from the City of New Braunfels. And please note the major strategic issues that you would like to include in our five-year financial plan. Once the Council agrees on these issues, we will develop the narrative for each of these issues for inclusion in the Plan. And we will bring back the Plan for your adoption later next year.

Finally, I wanted to note that the five-year financial plan is intended to be flexible and will be updated each year. This update will include the inclusion of new strategic issues and the elimination of the issues that have previously been addressed. Also, we will need to update the economic information since some of our assumptions may change due to the uncertainty in our local economy.

Strategic Issue: INFRASTRUCTURE

A. Streets and Traffic

Aging streets infrastructure, accompanied by significant growth in this community, presents challenges for the City. The maintenance and repair of the existing road infrastructure and expansion and construction of new transportation corridors is important to the continued flow of people, goods and services in the community. Traffic generated by new development places added demands on the existing road and transportation network, which results in deterioration of streets along with compounding challenges in how traffic flows efficiently throughout the City.

There are over 923 lane miles of streets currently maintained by the City. Street pavement surfaces typically have a life of 7 to 10 years. Many city streets and drainage facilities are much older, compounding the need for street restoration. The City has made significant increases in the annual funding committed to street repair and maintenance

A new 4-person street crew was added in the FY 2017-18 budget, allowing street maintenance to be performed in house at a lower cost. As a result, staff anticipates completing over 18 lane miles in FY 18-19.

The City of New Braunfels also maintains over 49 signalized intersections, 24 school and other warning flashers and 5 flashing intersections on City and State roadways within the City limits. The City has been awarded funds through Alamo Area Metropolitan Planning Organization to supplement the City's efforts to upgrade traffic communications systems.

Action Items completed/to be completed

- Develop an annual Street Maintenance Plan from allocated budget funding.
- Develop street design for new development as it pertains to soil type and traffic.
- Develop a traffic signal management system.
- Develop a prioritized thoroughfare plan with regional stakeholders to address congestion.

Reference to the 2012-2019 New Braunfels National Citizen Survey

Street Repair	Percent Rating Positively				Comparison to Benchmark Cities			
	2012	2014	2017	2019	2012	2014	2017	2019
	17%	25%	24%	30%	Much Lower	Lower	Lower	Lower

B. Stormwater Management

Successful stewardship of the natural environment to preserve and improve the City's resources for future generations while addressing the community's current and diverse needs requires a comprehensive approach to watershed management. The natural beauty of the

which includes education/training programs for maintenance staff and inspectors, implementation of a public outreach program for community awareness, inspection program for regulatory compliance and development, tracking and reporting processes to document compliance with state and federal regulations. The City is also required to require the treatment of stormwater runoff from both new developments and the redevelopment of existing properties. Throughout the program, City resources will need to be dedicated to this effort to effectively implement the required activities of the permit.

Action Items completed/to be completed

- Sufficient allocation in the annual budget to comply with MS4 requirements.
- Implementation of a watershed protection plan for the Dry Comal Creek and the Comal River.
- Continued participation in the Edwards Aquifer Habitat Conservation Plan program, including annual implementation of restoration and habitat improvement projects in the Comal River system.

2. Flood Control

From the past flooding and other previous high-water events, issues related to drainage control continue to challenge the community. Currently the City is responsible for maintaining approximately nearly 570 acres of drainage ways and associated debris/trimmings. Mitigation measures to minimize flood damage include construction of detention/retention ponds, improved drainage facilities, property acquisition in flood prone areas and the promotion of on-site stormwater quality enhancement to address initial flows from a runoff event. Low impact development (LID) methods are also encouraged and are becoming an accepted option for new and redevelopment to effectively reduce stormwater runoff and enhance water quality. Incorporating LID methods into City projects and new development can be a cost-effective alternative to conventional design.

Within the community, private drainage facilities operate in conjunction with public facilities. Many current owners of private facilities are not adequately maintaining these drainage areas. Because private systems are within the jurisdiction of the City, it may be important to consider assuming management control for some of these private systems to address flood control and water quality issues. As the community grows, to effectively manage stormwater flows, the City could also consider assuming maintenance responsibility for stormwater facilities in new developments.

proactive strategies. Additional officers could be used to meet the objectives described here of increased crime prevention activities to reduce the occurrence of crimes.

Reference to the 2012-2019 New Braunfels National Citizen Survey

Crime Prevention	Percent Rating Positively				Comparison to Benchmark Cities			
	2012	2014	2017	2019	2012	2014	2017	2019
	68%	71%	78%	73%	Similar	Similar	Similar	Similar

B. Police Work from a Programmatic Definition of Service Level

As the demand for New Braunfels Police Department (NBPD) services continues to grow, the approach to the provision of services and the resources needed to effectively provide those services should be looked at programmatically. Prioritizing the services that the NBPD currently provides as well as the expanded services they have identified as needed in the community followed by determining what resources would be required to provide those services is a strategic issue. There are several opportunities to enhance the service level of the New Braunfels Police Department. The following are potential programs and the estimated resources required to deliver them.

1. **School Resource Officer Program** – The NBPD has evaluated the resources needed to implement school resource officers in the New Braunfels Independent School District. The Police Department and NBISD are working on a proposal to place 14 officers in schools, one at each campus. Our first 4 officers started in the schools in the Fall of 2018. Placing officers in all the schools will improve rapport between the students, staff, faculty, and police. Additionally, the level of interaction between the aforementioned groups would grow exponentially, resulting in an increased level of trust. The end result would be a reduction in crime incidents, bullying, and reckless driving around the schools, all resulting in a safer learning environment and school experience.

Action Items completed/to be completed

- We will continue to work with NBISD and maximize safety in our schools. We would look to continue to add School Resource Officers at the request of NBISD if funding was available for both agencies.
2. **Family Violence Initiatives-** New Braunfels has a significant family violence problem. NBPD and the District Attorney have developed initiatives to reach out to victims while holding offenders accountable. A domestic violence investigator grant was funded in FY 2017-18. Also, in FY2015-16 a Victim Advocate position was added, and in 2017-18 grant funding for a second position was obtained. Unfortunately, most of our serious assaults and homicides are family violence related. NBPD has added 2 Crime Scene Technicians to enhance our evidence processing capabilities, increasing the likelihood of

the summer season. One factor in this challenge could be the perception of policing as a career – whether individuals see it as a profession rather than a job.

After difficulty in finding enough qualified candidates with TCOLE certification, NBPD has decided to hire non-certified candidates and send them through the academy. Our first non-certified civil service exam was in March 2019.

The City continues to explore a variety of programs to improve recruitment, such as the \$3,000 signing bonus for new recruits. We also benchmark against our surrounding cities so that we can monitor successful programs, including pay rates so that we can maintain competitiveness. We have also started an Explorer program, which establishes relationships with high school students who are considering a career in law enforcement.

Action Items completed/to be completed

- An Explorer Troop was established in 2018-19 with the goal of building positive relationships with high school students who may be interested in a career in law enforcement.
- In March of 2019 NBPD initiated a pre-certified hiring process with the goal of expanding our pool of quality applicants. This requires that we hire a non TCOLE certified candidate and send them to the academy. This will be more expensive and will take longer but will solve the issues of continuous vacancies among our ranks because of a lack of qualified candidates.

D. The Evolution of the Fire Department

The demand for the diversity of New Braunfels Fire Department's (NBFD) services continues to rise as our population increases. Those demands include responding to and mitigating incidents involving hazardous materials, swift water rescues, dive team responses, motor vehicle accidents with entrapments, technical rescues, fires in the Wildland-Urban Interface (WUI) environment, and the provision of enhanced medical services, to include community paramedicine. About 20 percent of the Fire Department's calls are for fire response; the remaining 80 percent are emergency medical service calls. Shaping the Fire Department's future service provision role and meeting service expectations is a strategic issue.

The Fire Department adopted a comprehensive five-year plan to address the resource needs to meet customer expectations and maintain our Public Protection Classification Class 1 Rating (ISO), which affects residential and commercial properties.

deployment of on-shift EMS officers that can fulfill those requirements is a strategic issue for the City.

In order to adequately plan for the future, the Fire Department must forthrightly and critically evaluate past practices, analyze current data, and effectively assess the needs of those it serves. The Commission on Fire Accreditation International (CFAI) provides an accreditation model that provides the necessary framework to ensure those actions occur, which will lead to continuous improvement through data and community driven fire service planning. Engaging in a forthright and critical self-analysis of fire department operations and service needs analysis is a strategic issue for the City

Action Items completed/to be completed

- Begin construction of Fire Station #2, #3 and #7 and the Fire Training Field. Hire additional firefighters in year two of the Station #77 construction project.
- Order apparatus for Fire Station #7 at least one year prior to the fire station opening.
- Reassign existing staff from across the department to Station #7.
- Reassign existing officers to permit the deployment of EMS officers while maintaining the benefits of all existing programs.
- Begin the 24 to 36 month CFAI Fire Accreditation process.
- Ongoing program of replacing FD Bunker Gear (PPE). Bunker gear has a NFPA mandated lifespan of 10 yrs.

F. Fire Prevention

The Fire Marshal's Office is responsible for fire prevention. The Fire Marshal's Office is meant to fight the fire before it starts. Fire prevention is directly tied to the reduction in the loss of life and property and therefore is a strategic issue. There are various methods that the NBFD can implement to enhance and maintain fire prevention efforts and outreach, all of which are summarized below.

Action Items completed/to be completed

- The majority of fire deaths occur in the home. Implementation of a voluntarily home inspection program will reduce deaths, injuries and property loss from fires.
- Continuation of and expansion of our smoke detector program will aid fire prevention efforts. Expansion of this program can be done by creating partnerships with local businesses, community organizations, and affected stakeholders.
- Community outreach and education to groups such as the elderly, low income and children will assist our efforts. Increased public service announcements as well as

This will include online permit/inspection requests and online payments, including electronic plan review and online payments.

- Developing a plan to implement electronic forms and workflow system to enhance staff efficiency and enhance electronic public forms submission.
- Completed data center refresh; added redundancy to all hardware and virtual servers, increased performance, and provided for future expansion.
- Research and evaluate opportunities to increase availability of city technology resources through implementing redundant services.

B. Securing and Protecting Citizen Information

The city collects and stores tens of thousands of pieces public information each year through our interactions with citizens and other customers. Almost every city department collects some form of Personally Identifiable Information (PII) through their day to day operations; name, address, social security number, driver's license numbers, credit card numbers. Some of this data by itself can pose a risk to individuals if accessed by the wrong person. Additionally, the exposure of multiple pieces of information can place individuals at a higher risk of identity theft and the city at higher risk of liability.

In addition to the data we have within our systems, we must also be concerned with the third parties we work with. We must analyze the type of data we share with them, how we share it, and ensure they are doing everything possible to protect our citizens' personal information.

Properly securing data is an ongoing process. An information technology data governance process needs to be established that identifies the data we have, the value of the data stored and where the data is stored. From there, we can begin to design and prioritize a layered approach to securing the data in an appropriate, cost-effective manner.

There is not a single solution that will protect our data, rather we must evaluate and utilize a combination of hardware and software solutions along with appropriate policies and staff training. By managing the risks of data loss and developing a layered approach to securing our data, we can help maintain the fiscal stability of City operations and help promote positive growth, development, and quality of life by keeping the City out of the headlines.

Action Items Completed/to be completed

- Modernized firewalls at all city internet connections.
- Added employee security awareness training for all staff.
- Developed data security and classification policy.
- Deployed an email encryption service to protect employee and public data in transit.
- Developed and implemented end-user cyber security awareness training.

When combined with the 2013 bond program, the capital investment by the City of New Braunfels from 2004-2020 will total over \$220 million. With the recent approval of the 2019 bond program, this level of investment will continue over the next 5-6 years. However, there remains over \$500 million in identified projects that are currently unfunded.

The Debt Service Fund section of this document includes information on the timing of the bond issuances stemming from the 2019 bond program. Among other findings, the forecast projects that the next opportunity for a bond program or other major capital investment opportunities supported by property taxes does not occur until approximately 2025-2028. Therefore, alternative funding strategies and sources should be thoroughly evaluated to support any critical capital investments that may arise prior to the next bond program opportunity. Because the Capital investment needs have been so vast, the City has been able to utilize the 2012 Adopted CIP and various master plans, studies, etc. as the primary resources for selecting projects for the 2013 and 2019 bond programs. However, a formal CIP should be developed prior to the next bond program (2025-2028). This resource will provide elected and appointed officials with an official framework for prioritizing projects and creating bonding scenarios.

E. Increased Operating and Maintenance Costs Associated with Capital Projects

As capital improvement/bond projects are completed, the City needs to evaluate the service demands that are required to effectively operate and maintain the new and/or improved assets. Service and maintenance demands will have an impact on resource needs. How the City evaluates and provides service and maintenance resource requirements associated with capital improvement/bond projects is a strategic issue.

In some instances, such as street projects, the level of services and resources required to maintain the asset will initially decrease after a project is completed. Other projects include landscaping, and other amenities that require upkeep, maintenance and repair. Still others require staff to provide services to the citizens taking advantage of the new infrastructure. The City will need to evaluate and work to provide the resources needed to meet all these demands. Establishing the resource requirements associated with new capital assets will be important to developing an *ongoing program of infrastructure construction, operations and maintenance*, a strategic priority adopted by City Council.

Resource and service requirements/needs should be prioritized and evaluated to determine, based on financial feasibility, what services and maintenance efforts will be incorporated into the operation of new capital infrastructure. Moreover, the City should evaluate alternative service delivery opportunities to ensure that efficiency is maximized, and service quality is maintained when adding resources. If adequate resources are not provided to

- In FY 2017-18, the City Council approved an increase to parking fees at Prince Solms Park and established parking fees at Elizabeth Street to reduce the dependency on the General Fund.
- A comprehensive market analysis of all user based fees should be completed FY 2019-20. Moreover, a council retreat should be dedicated to recommendations for fee increases and establishment as a means of mitigating future impact from the property tax revenue capping legislation.

G. Talent Attraction, Retention and Development – Remaining Competitive in the Market for Talent

With historically low unemployment rates, coupled with employment and job creation projections, the competition for talent will continue to intensify and strain employers of all types. This may be especially true for the City as we compete for talent against other industries and between two major metropolitan areas: Austin and San Antonio. Studies show that establishing competitive salaries and benefits are basic requirements of attracting and retaining talent. The consequences for those that fail to demonstrate employee value include increased turnover rates, increased training costs, and knowledge gaps, as well as degraded levels of customer service. The City's turnover rate for fiscal year 2018 was 6.54%, a 13% decrease since 2016. A review of the City's 2018 exit interview data showed that 55% of those employees leaving the organization left for "a better professional opportunity and/or compensation." As outlined by the mission statement, *to be responsive for those we serve*, investment in recruiting initiatives, competitive pay programs, leadership development, succession planning and career path programs are critical for the City to maintain and attract a talented workforce to serve internal and external customers. Therefore, how the City plans and implements these types of programs to attract, retain and develop our workforce is a strategic issue.

A comprehensive program for talent sourcing, career development and recognition, and skills training must be implemented to attract, retain and develop a highly qualified workforce. While there are several essential employee retention factors, the following are the most influential: a productive relationship with direct supervisor/manager; skill development and advancement opportunities; flexible work arrangements; quality of work-life; recognition and rewards programs; and competitive market-level wages and health and wellness benefits. Therefore, our employee-focused program should take these factors into consideration. To remain competitive in the market for talent, the City will continue its focus on the following three areas:

1. Attracting/Sourcing Talent

As an organization, we will continue to focus on how we can better develop and challenge our workforce at all levels in the organization to maintain job satisfaction and engagement. Strategies implemented in the last few fiscal years are aiding in employee retention, with full-time employee turnover reduced from 7.55% in 2016 to 6.54% in 2017 and 2018. In 2018, the City began to formalize leadership development programming, aimed at developing talent at all levels, building a pipeline for succession. These initiatives are outlined below with the potential to expand.

Action Items completed/to be completed

- The New Braunfels Leadership Academy was initiated in 2018 and focuses on retaining and growing our next generation of talent from within the organization. This program is inclusive to employees at all levels in the organization, with or without supervisory responsibility, focusing on the concept that employees in all roles in the organization are leaders. This program will be held annually and expanded based on participant feedback and best practices in leadership development, i.e. 360 assessments, a formal mentoring program and individual development plans.
- New Braunfels Impact Committee (NBIC) was initiated in 2018. The goal of the NBIC is to encourage open communication, a positive work culture, and an engaged organization while also allowing employees to develop and contribute outside their normal scope of work. NBIC is tasked with matters of organizational significance from the City Manager's Office as well as soliciting topics and input from co-workers for discussion.
- Beginning in 2018, the City has committed to sending two employees annually to the University of Virginia's Weldon Cooper School for Public Service LEAD (Learning, Educating and Developing) program.
- Develop a talent review process and succession plan for key/critical leadership roles.

Career pathing and other Strategies to grow and development employees throughout the City:

The City has begun to add organizational stratification to departments to allow for additional career pathing within divisions and job families. The first implementation of this strategy was in 2018 at the Library with the addition of Librarian I, II and III positions. These positions have requirements, that when met, bring the employee to the next level of the position within the same job family, giving the employee additional responsibilities and a corresponding pay increase. With this stratification strategy, the employee does not have to wait for a vacancy and the responsibility for growth is placed in the hands of the employee, thereby giving them more ownership over their careers. The future of this program would be to expand stratification to multiple positions across the City to create opportunities for a larger number of employees to grow into different roles. The program will also provide an avenue for departments to develop succession plans, pooling from their own internal pipelines. A formal reclassification process was also developed in 2019 for departments to

H. Benefits – Sustainability of the Self Insurance Fund

Competitive health and wellness benefit programs are essential employee attraction and retention factors. At the same time, effectively managing and reducing healthcare costs is a critical aspect of being fiscally responsible. City leadership has an ongoing challenge of striking the right balance of these objectives to maintain the sustainability of the self-insurance fund. To remain competitive in the market for talent while demonstrating sound stewardship the City will continue its focus on the follow two areas:

1. Providing Market Competitive Benefits

When looking at FY 2019-20 and beyond, the impact to employee attraction and retention should be considered when creating various types of new benefits, evaluating plan design and employee premium increases. The City's healthcare consultant will continue assisting City staff in ensuring that our full suite of benefit offerings remain competitive and affordable.

2. Reducing Healthcare Costs

Although healthcare continues to rise along with the aggressively rising pharmaceutical cost, the City's expenditures to the Self Insurance Fund came in underbudget for the FY 2017-2018. We attribute the savings to favorable pharmacy contract negotiations along with innovative plan designs by our consultants. During the RFP process we will continue to negotiate pharmaceutical costs as it has proven to be effective and create plan benefit plan designs that encourage disease management and wellness. We continue to educate our employees on how to be better consumers of healthcare and recently began providing them with onsite access to our healthcare company account manager, onsite customer service by the HR Traveling Help Desk, and healthcare concierge services. In 2018 with the opening of Das Rec, employees were offered discounts on their memberships in order to promote activity and healthy habits, which is the beginning of a formal wellness program. Human Resources staff will continue to work with its health insurance consultants to develop innovative savings designs and cost controls (i.e. a Wellness Program) that will assist in ensuring the sustainability of the Self Insurance Fund while offering market competitive benefits to attract and retain talent.

I. Risk and Safety – Establishing a Safety Culture

In November 2018, the U.S. Bureau of Labor Statistic published the 2017 Survey of Occupational Injuries & Illnesses, specifically the nonfatal occupational injury and illnesses

preserving natural resources and wildlife habitat, protecting clean water and clean air, and providing open space for current and future generations. In addition, *protecting and improving our open space*, and *community connectivity and mobility* (through trails) are strategic priorities adopted by City Council.

Conservation of natural resources requires a multifaceted approach. Parks staff will need to be trained to implement sustainable maintenance practices. A system-wide needs analysis and development of criteria for acquisition of new land and facilities was completed as a part of the 2017 Parks and Recreation Strategic Plan. Implementation of a devoted water source, even in time of drought, to irrigate parks will assist with sustainability of open space. Riparian zones should be established, where appropriate, for sediment filtration along waterways. As the city continues to grow and develop neighborhoods promoting connectivity between existing parks and neighborhoods through a trail system as well as the increased acquisition of parkland will be important.

Action Items completed/to be completed

- Parkland Dedication Ordinance updates were adopted in May of 2018 by Council.
- Parks, Recreation and Open Space Strategic Master Plan completed and approved by City Council January 2018. The plan identifies levels of service for the community as well as standard operating procedures for maintenance and operations.
- Riparian areas were established in Landa Park continue to be expanded through the Edwards Aquifer Authority Habitat Conservation Plan in FY2018-19.
- Riparian areas were established on Landa Park Golf Course during course renovation.
- Market Plaza Master Plan completed in FY 2015-16. New Braunfels Parks Foundation currently raising funds for implementation with Phase one to be completed in 2019.
- Guadalupe River Properties Master Plan completed and approved by City Council March 2017.
- Landa Park Master Plan developed and adopted by City Council August 2017.
- Mission Hill Park Master Plan completed and approved by City Council August 2016.
- Joint effort with NBU to implement future Aquifer Storage Recovery (ASR) on airport property.
- Joint effort with NBU and Cemex to provide dedicated water for park irrigation year-round.

B. Improving Health and Wellness in the Community

As is the rest of the nation, New Braunfels is facing growing health and wellness challenges. The cost of sedentary lifestyles and related health issues can affect an entire community. The annual health care costs in the United States associated with obesity currently total \$190

- The Fischer Park Nature Center continues to implement additional grant funded programs for youth in FY 2017-18.
- Recreation staff will incorporate outdoor recreation programming into offerings due to the high demand in the Parks Strategic Master Plan and the Citizen Survey.

Reference to the 2012-2019 New Braunfels National Citizen Survey

	Percent Rating Positively				Comparison to Benchmark Cities			
	2012	2014	2017	2019	2012	2014	2017	2019
Health and Wellness	N/A	76%	81%	78%	N/A	Similar	Similar	Similar
Recreational Opportunities	74%	72%	80%	79%	Much Higher	Similar	Similar	Similar
Fitness Opportunities	N/A	64%	77%	72%	N/A	Similar	Similar	Similar

C. Parks Infrastructure

The parks system in New Braunfels is aging, much like other city facilities. 15 of the 31 parks in the city were developed prior to 1975. This equates to over 200 acres of parkland that is 40 years old or more. Facilities including Landa Haus are past or nearing life expectancies for their equipment and systems. The Landa Haus was last updated in 1998 and has various structural deficiencies. Meeting the public's expectation for the upkeep of existing parkland and infrastructure as well as maintaining safe facilities is a strategic issue.

The high use of parks and facilities makes the continued evaluation, repair and replacement of structures, equipment and mechanical systems a challenge. As facilities and other infrastructure age, preventative and on-going maintenance becomes critical to providing access to citizens and park visitors. If aging infrastructure is not inspected, maintained, and replaced in accordance with a recommended schedule, there are various safety and liability issues that arise.

The Parks and Recreation Department has over \$49 million in identified improvements to existing park infrastructure. The list of identified improvements needs to be updated and evaluated annually. Resources should be evaluated to determine if they are appropriate to provide ongoing maintenance and repair of existing infrastructure. This evaluation should take into consideration strategies such as contracting opportunities, existing staffing levels, as well as an analysis of the efficiency of maintenance equipment – i.e. hours of use, technology advances and repair costs.

Action Items completed/to be completed

- The Parks and Recreation Strategic Master Plan was adopted by City Council in January 2018 and includes recommendations for park operations and maintenance.
- In 2018 the City Council approved adjustments to certain park and pool user fees which will be utilized for maintenance for those park and pool facilities.
- Landa Park Master Plan developed and adopted by City Council August 2017 and includes an ADA inspection/recommendation and operations analysis.

and training. The number and complexity of the literacy components are difficult for staff to keep current on. Customer service suffers when only a small subset of library staff can assist a patron.

The library as an industry is also moving into other literacy areas in addition to traditional reading, printed materials and technology. Cultural, financial and health literacy are becoming a part of the services provided by libraries. Literacy education in these areas include but is not limited to: assisting individuals to utilize technology effectively, understanding what resources are available in a given community, bringing an awareness of the arts opportunities in the community, education about and hands on learning opportunities for fitness and nutrition, and empowering people to make educated lifestyle and financial decisions.

As library services expand from the traditional role, the resources needed by the Library will change. Computers now compete with bookshelves and for library space. Program/activity areas are needed along with reading corners. Staff needs to be competent in different areas and arenas – for example computer technology and software and how to access community resources for various assistance programs. The changing resource requirements impact the Library in their planning for the next five years. The Library needs to evaluate their staffing requirements and the skills needed from staff as they work to meet the patrons' service demands and implement the Library Master Plan recommendations.

Reference to the 2012-2019 New Braunfels National Citizen Survey

	Percent Rating Positively				Comparison to Benchmark Cities			
	2012	2014	2017	2019	2012	2014	2017	2019
Public Libraries	90%	88%	90%	89%	Much Higher	Similar	Similar	Similar
Adult Education	N/A	42%	54%	48%	N/A	Lower	Similar	Similar

F. Library Infrastructure Positioning and Development

Current library facilities are inadequate to serve the library needs of the community as it grows. The library system is now a zero-growth system, meaning that the maximum number of physical items that can be housed in existing facilities has been reached. The Library Master Plan addresses the short and long-term infrastructure needs to provide ongoing library services. The challenge is also to predict the future usage patterns for the facilities and plan facilities that will be able to be repurposed easily and effectively as the types of library services asked for and provided changes. Stand-alone facilities are also no longer necessary. City services are increasingly overlapping, and library services can be provided from other City facilities for some economy of staffing, as has happened with the RIOmobile visiting other city locations and the new library kiosk located in the lobby of the city recreation center – Das Rec.

in where people want to live, and limitations on annexation the state has and will likely continue to impose on Texas cities. The costs to the City associated with growth are driven by demands in services from infrastructure and code enforcement to police and fire.

Balanced growth requires recognizing the costs of growth and attempting to balance them with corresponding revenue generation. Commercial and industrial developments generate more revenue per acre than homesites. The City has recognized these differences and approaches development with a goal of managed growth. This is evidenced by the Comprehensive Plan's emphasis on maintaining quality of life for citizens and guidance regarding redevelopment and densification. And further evidenced by the Economic Development Strategic Plan's priority in encouraging office growth and partnering in quality of life projects. On the other side, changes to the land development codes including an increase in development-related fees, are an attempt to assess the true cost of increased development and ensure that development is paying for itself rather than being subsidized by the existing taxpayer.

The City needs a development and growth model that creates more value out of its places. Ultimately, the City should deploy an investment model that leverages the most private investment relative to the public's and considers the actual long-term costs of owning and maintaining the various infrastructure (physical and human) in its development process. The City should maintain this approach and continue to reevaluate priorities and practices with the cost of growth in mind.

B. Development Services

Population growth in the region is driving tremendous increases in commercial and residential development in the city and ETJ. Subdivision platting, rezoning requests, building and sign permitting, building inspections, health inspections, animal service calls, and code compliance have all experienced significant increases. Ensuring effective and efficient development services while continuously improving service delivery is a strategic issue.

As the second fastest growing city in the nation (U.S. Census Bureau estimate, 2018), New Braunfels has and expects to continue to experience multiple impacts from the growth. Additionally, development of Veramendi, the 2,400 acre master planned community in the ETJ, has begun and is bringing with it requirements for development services not typically conducted outside the city limits: land entitlements, building permitting, plan review, zoning review against the development agreement and special requirements of Veramendi's own development code, and street and building inspections.

- In 2018-2019, the Planning and Community Development Department implemented a new initiative to ensure code interpretations are consistent, formal, informative to customers, and result in recommended ordinance edits to codify.

D. Implementing Development Process Improvements

The City conducted a benchmark study of development related fees in 2016. The study recommended increases in existing fees that were much lower than the comparable comparison cities. Such fees include those for zoning verification letters, re-inspections, and building permit applications, just to name a few. Some fees had not been increased even for inflation in over 20 years, nor had the building permit cost multiplier included in the International codes ever been updated.

City Council approved changes to the development related fees in 2018. Utilization of the new fees for process improvements through new staff, third-party consultant assistance, new equipment and enhanced technology is a strategic issue for the coming year and beyond. Continuous evaluation of efficiencies gained and the capacity to track those efficiencies is critical to the effort's success.

Action Items completed/to be completed

- Implementation of new fees including development of new SOPs, contract services, process revisions, performance metrics and annual review.
- In FY 2018-2019 began training and implementation of the new permitting/plan review software CityWorks.
- Implement an online payment system as part of CityWorks.
- Implement digital plan submission, electronic plan review, and comments digitally "pushed" to applicants to eliminate paper, saving the taxpayers and customers time and money.
- Create more opportunities for citizens to access information on their own through enhancements to the online portal and public, self-service computers at the front counter.

E. Code Compliance

Code Enforcement in New Braunfels was initially established as a unit in the late 1990s to address nuisance code issues (junk cars, weedy lots, bandit signs, etc.). It began and continues to function mostly complaint-driven. However, increased population and the aging of the built environment is increasing calls for more code enforcement to ensure compliance with regulations and improved community appearance.

The City contracts with the New Braunfels Humane Society for use of the animal shelter. The agreement includes monetary contributions to assist with building costs, administrative use, and payment for each animal delivered to the shelter by City Animal Control Officers, citizens and others. This partnership ensures efficient use of taxpayer dollars for a service needed in most, if not all communities.

The agreement with the Humane Society was amended in FY 2018-2019 to increase the amount paid per animal. The increases were intended to address rising costs in humane animal care as well as increased efforts by the Humane Society to control disease outbreak and improve safety. The Humane Society also has agreements with Comal County and the City of Marion.

The City sees the financial health of the Humane Society as critical and is committed to collaborating with the Humane Society to ensure the partnership's long term success.

Action Items completed/to be completed

- Quarterly financial meetings with the Humane Society and Animal Shelter Director

G. Long Range Planning

The development of long term, community-wide planning is critical for all municipalities, especially those that are growing at the current pace of New Braunfels. Department or initiative specific planning and strategizing occurs within the organization. However, the development and periodic update – with active and robust community participation – of a long range community vision for growth that specifically addresses the needs and desires of the citizens, which in-turn guides the direction of elected officials, is a strategic issue.

A broad, community-driven comprehensive plan is effective in assisting with: zoning case decision making; future public facility and park locations; capital improvement and bond project prioritization; establishment of policies for economic development, corridor redevelopment; housing strategies; annexation; mobility improvements; urban design; historic preservation; and improved community health. Using our updated comprehensive plan, Envision New Braunfels, staff in all departments can provide recommendations and elected and appointed officials can render decisions in the context of a cohesive, community-driven strategy that addresses all components of development.

Envision New Braunfels won the 2018 award for best comprehensive plan in the state of Texas. This was due in large part to the amount of community outreach and innovative methods used to gather that public input from a large cross-section of the community, including traditionally under-represented populations. That input resulted in almost 300

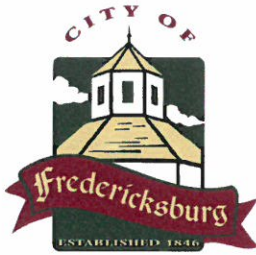
capacity increase, as well as additional aprons and taxiways. With TxDOT, the City invests only \$1 for every \$9 contributed by TxDOT. The New Braunfels Economic Development Corporation has also worked with the City to invest in Airport business development and infrastructure improvements. The U.S. military is now actively using the Airport facilities and their presence and use is expected to grow. Managing the Airport's growth and associated need for new infrastructure and maintenance of existing infrastructure is a strategic priority.

Significant investment has been applied to the existing hangars and other buildings that compose the entire NB Aero leasehold. The Airport has completed renovation of these hangars to bring them to par with other Airport facilities that are available for lease. Maintained, safe, and aesthetically pleasing facilities are essential to marketing hangar space at the Airport. If the airport infrastructure is not maintained and held to a certain standard, liability and operational issues will arise, negatively impacting the financial position and solvency of the Airport.

The Airport is a significant resource and economic development opportunity for the City. Providing and maintaining infrastructure is key to continued Airport growth. Maintaining the City's current excellent relationship with TxDOT is an important component of that growth. Attracting and retaining businesses located at the Airport is another key factor as those tenants and users generate revenue. The objective for the Airport is to become completely self-supporting with revenue paying all operating costs as well as all debt service associated with Airport improvements. Growth is the key to meeting this objective.

Action Items completed/to be completed

- Runway 13-31 extension has been completed.
- The North Ramp hangars 1806, 1746, and 1654 have been renovated. Hangar 1746 renovations were completed fall 2018
- New apron space for future construction of hangars was completed.
- Construction of Hangar 2613 and 2281 was completed the end of 2016.
- Construction of Hangar 2337 was completed early 2016.
- Canyon Aviation completed construction of an additional two new 11,000 sf hangars bringing their complex to three.
- Taxi-lane extension is 95% complete. Expected opening April 2019.
- A new 7,000 sf hangar was completed March 2019 along the East Ramp near the National Flight hangar.
- Negotiations underway for projected construction of a new 12,000 sf hangar along new taxi-lane extension.



Date: November 23, 2020

To: Mayor and City Council

From: Kent Myers, City Manager *KM*

Subject: Employee Salaries and TMRS Benefits

One of the items scheduled for discussion at Monday's Work Session is employee salaries and benefits. This item is included for discussion only, and no action should be taken at this Work Session. At the conclusion of the discussion, the City Council is requested to provide direction on whether you would like to schedule formal action on employee salaries and/or TMRS benefits on a future City Council agenda.

As you will recall, this year's Budget did not include any increase in employee salaries or benefits. This was primarily due to the uncertainty of our financial situation that resulted from the slowdown of local economic activity caused by COVID-19. Instead the Council agreed to revisit this matter once we had a better handle on our financial situation later in the fiscal year. At the last City Council meeting I provided the Council with an update on our financial status which has improved significantly over the past several months. Following this presentation, several Council members agreed to add employee salaries and TMRS benefits as a discussion topic for this Work Session.

The reason that this discussion is scheduled at this time is that, if the City Council wants to consider an increase in TMRS benefits in 2021, this action needs to take place prior to the end of the calendar year. The changes to TMRS benefits are the only decision that needs to be made prior to the end of this year in order to be effective in 2021. If it is your intent to consider a salary increase only, then you can make this decision at any time during the coming months.

One factor I recommend that you consider is most of our employees have served as essential workers since the pandemic started last March. They have worked throughout this time in providing public services without interruption. In the case of several departments such as the Police, Fire/EMS, Finance and Health Departments, their workload has increased as a result of responding during the pandemic. In providing these essential services, some of these employees

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have also risked being exposed to the virus. As you know, several of our employees recently tested positive for COVID-19 though it is unknown whether they were exposed while on the job for the City.

The information listed below is included in your agenda packet to help the Council consider your position on this agenda item. Also, a representative from TMRS will be available at Monday's Work Session to respond to any additional questions about our retirement program. Several reports are attached to this memo including the following:

1. History of TMRS Benefits

This report shows the history of our benefits since TMRS was approved for City employees in 1952. For example, in 2014 benefits were reduced for the updated service credits from 100% to 50% service credits. This was primarily due to some financial challenges that the City was facing at the time. However, as shown in 2019 these service credits were increased back to 100%. In addition, you will note that effective on January 1, 2020 the deposit rate for TMRS increased from 5% to 6% with the City providing a 2 to 1 match to the employees' deposits.

2. TMRS Plan Change Study

This report shows the impact to our total retirement rate if the City retirement deposit rate increased from 6% to 7%. As shown on this report, the total retirement rate charged to the City would increase from 16.92% of payroll to 21.87% of payroll. This would represent a 4.95% cost increase in benefits provided to the employees.

3. Budget Impact

This spread sheet shows the budget impact to each City fund from an increase in our TMRS deposit rate to 7%. As shown, this would impact the General Fund by \$228,954 in the current fiscal year. However, since this increase would be effective on January 1 it would only impact our current fiscal year for nine months. The annualized impact of this increase to the General Fund, without any changes in our payroll, would be about \$286,000. This spread sheet also includes information on the budget impact from salary increases of 1%, 2%, 3% and 4% for this fiscal year if the increases became effective on January 1.

4. Comparison of Retirement Benefits

This report shows how our retirement benefits compare to other cities in this area. We oftentimes compete in our recruitment efforts for police officers and other City employees with these cities.

5. Questions from Councilman Musselman

The last report included in your packet is a response to various questions which were recently sent to the City by Councilman Musselman about the cost impact from increasing our retirement rates and other concerns.

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I do not plan on going anywhere for the Thanksgiving holiday. So, I will be around the next several days to provide any additional information that you need. Please give me a call on Friday if you have additional questions or if you would like to meet to discuss employee salaries and benefits prior to Monday's Council Work Session.

History of TMRS Retirement Benefits for the City of Fredericksburg

Date	Changes
01-20	Deposit rate changed from 5% to 6% 50% annuity increase adopted, annually repeating 100%(T) USC adopted, annually repeating
01-19	50% annuity increase adopted, annually repeating 100%(T) USC adopted, annually repeating Stat Max removed
01-14	SDB adopted for actives and retirees 50% annuity increase adopted, annually repeating 50%(T) USC adopted, annually repeating
01-10	Annually repeating annuity increase discontinued Annually repeating USC discontinued
01-05	50% annuity increase adopted, annually repeating 100%(T) USC adopted, annually repeating
01-02	5 year vesting adopted 50% annuity increase adopted 100%(T) USC adopted
12-98	20 year any age retirement adopted
01-98	50% annuity increase adopted 100%(T) USC adopted
06-95	Restricted Prior Service Credit adopted
01-91	SB 505 adopted 40% annuity increase adopted 100%(T) USC adopted
05-90	Military Service Credit adopted
02-80	10 year vesting adopted
01-75	Special Prior Service adopted Antecedent Service set to 2.0:1 Matching ratio set to 2:1
01-61	Deposit rate changed from 3% to 5%
01-56	Deposit rate changed from 5% to 3%
08-52	Prior Svc percent - See Notes Deposit rate set to 5%



Plan Change Study

00480 Fredericksburg

Proposed Plans

GRID 2021

For Informational Purposes Only

Effective Date - January 1, 2021

Report Date - October 8, 2020

Plan Provisions	Current	1
Deposit Rate	6.00%	7.00%
Matching Ratio	2 to 1	2 to 1
Updated Service Credit	100% (Repeating)	100% (Repeating)
Transfer USC **	Yes	Yes
Annuity Increase	50% (Repeating)	50% (Repeating)
20 Year/Any Age Ret.	Yes	Yes
Vesting	5 years	5 years
Contribution Rates	2021	2021
Normal Cost Rate	8.58%	10.15%
Prior Service Rate	8.34%	11.72%
Retirement Rate	16.92%	21.87%
Supplemental Death Rate	0.24% (A & R)	0.24% (A & R)
Total Rate	17.16%	22.11%
Unfunded Actuarial Liability	\$11,423,345	\$16,355,717
Amortization Period	20 years	20 years
Funded Ratio	79.2%	72.7%
Phase-In Total Rate	N/A	N/A

**This is the addition to the Initial Prior Service Rate for USC for transfers. There were 12 eligible transfer employees on the valuation date.

FY 2021 Wages
Wages, Benefits, Longevity, Overtime, ERI, PTO, SS, TMRS

	0% Wage Increase			1% Wage Increase			2% Wage Increase			3% Wage Increase			4% Wage Increase		
	6% TMRS	7% TMRS	Increase	6% TMRS	7% TMRS	Increase	6% TMRS	7% TMRS	Increase	6% TMRS	7% TMRS	Increase	6% TMRS	7% TMRS	Increase
Administration	577,928	595,178	17,250	583,174	600,580	17,407	588,418	605,981	17,563	593,664	611,384	17,720	598,908	616,785	17,876
Police	3,496,568	3,600,935	104,367	3,527,364	3,632,650	105,286	3,558,160	3,664,366	106,205	3,588,956	3,695,081	106,124	3,619,754	3,727,797	108,044
Fire	714,010	735,322	21,312	718,759	740,212	21,454	723,507	745,103	21,595	728,255	749,993	21,737	733,004	754,883	21,879
Street	888,117	914,626	26,509	895,951	922,694	26,743	903,787	930,763	26,977	911,621	938,831	27,210	919,457	946,901	27,444
Parks	912,856	940,103	27,247	921,163	948,658	27,495	929,469	957,212	27,743	937,777	965,768	27,991	946,084	974,323	28,239
Development Services	617,846	636,287	18,442	623,585	642,198	18,613	629,324	648,108	18,784	635,065	654,020	18,956	640,804	659,931	19,127
Health	181,353	186,766	5,413	183,133	188,599	5,466	184,911	190,430	5,519	186,690	192,262	5,572	188,468	194,093	5,625
Municipal Court	123,606	127,295	3,689	124,829	128,555	3,726	126,053	129,816	3,762	127,276	131,075	3,799	128,500	132,335	3,836
Engineering	158,290	163,015	4,725	159,853	164,624	4,771	161,415	166,233	4,818	162,976	167,841	4,865	164,539	169,450	4,911
General Fund	7,670,574	7,899,528	228,954	7,737,811	7,968,771	230,961	7,805,045	8,038,012	232,968	7,872,280	8,107,255	234,975	7,939,517	8,176,498	236,981
Electric	1,359,747	1,400,333	40,586	1,372,165	1,413,122	40,957	1,384,584	1,425,912	41,328	1,397,004	1,438,702	41,698	1,409,422	1,451,491	42,069
Water & Wastewater	1,787,993	1,841,362	53,369	1,803,873	1,857,716	53,843	1,819,754	1,874,070	54,317	1,835,634	1,890,425	54,791	1,851,514	1,906,779	55,265
Golf	19,179	19,752	572	19,371	19,949	578	19,562	20,146	584	19,753	20,342	590	19,943	20,539	595
Solid Waste	1,224,983	1,261,547	36,564	1,235,962	1,272,853	36,891	1,246,941	1,284,160	37,219	1,257,918	1,295,465	37,547	1,268,897	1,306,771	37,874
EWS	1,509,624	1,554,684	45,060	1,519,420	1,564,773	45,352	1,529,216	1,574,861	45,645	1,539,011	1,584,948	45,937	1,548,807	1,595,036	46,229
Tourism	104,774	107,901	3,127	105,797	108,955	3,158	106,822	110,010	3,188	107,846	111,065	3,219	108,871	112,120	3,250
Drainage/Vegetation Mgt	166,342	171,307	4,965	167,996	173,011	5,014	169,651	174,715	5,064	171,305	176,418	5,113	172,959	178,122	5,163
Emergency Management	136,859	140,944	4,085	138,081	142,203	4,121	139,305	143,463	4,158	140,528	144,722	4,195	141,752	145,983	4,231
Animal Shelter	48,972	50,434	1,462	49,436	50,911	1,476	49,901	51,390	1,489	50,365	51,869	1,503	50,830	52,348	1,517
Total - All funds	14,029,048	14,447,792	418,744	14,149,913	14,572,265	422,352	14,270,781	14,696,740	425,959	14,391,644	14,821,211	429,567	14,512,512	14,945,686	433,175
			418,744			422,352			425,959			429,567			433,175

- * Wages includes regular wages, benefits, longevity, overtime, ERI, PTO Payments, SS, & TMRS
- * Benefits include uniform allowance, gym dues, cell phone stipends, police on all pay stipend, police night pay, & certification/education/bilingual pay
- * Wage increase and TMRS increase beginning January 2021

Comparison of Retirement Benefits

Organization	City of Bastrop	City of Boerne	City of Brenham	City of Buda	City of Georgetown	City of Kerrville	City of Marble Falls	City of New Braunfels	City of San Marcos	City of Seguin	City of Fbg	Gillespie County
Employee Contribution Rate	6%	7%	5%	7%	7%	7%	7%	7%	7%	7%	6%	7
Employer Match	2 to 1	2 to 1	2 to 1	2 to 1	2 to 1	2 to 1	2 to 1	2 to 1	2 to 1	2 to 1	2 to 1	235%
COLA increase-retirees	70%	70%	70%	70%	30%	50%	-	70%	70%	70%	50%	

1. What is the current total payroll of the City of Fredericksburg?

Current total payroll including wages, benefits, longevity, overtime, early retirement pay for retirees, pto pay out for retirees, probation increases for new employees, social security, and TMRS is \$14,029,048. Approximately \$218,500 is ERI and PTO pay outs due to the large number of retirements this fiscal year.

2. How much of the increase in TMRS will affect the General Fund?

Below is the total payroll increase, which includes wages, benefits, overtime, payroll taxes, TMRS, early retirement incentives, and pto payouts.

If TMRS is increased to 7% and,

0% wage increase, \$228,954

1% wage increase, \$279,553

2% wage increase, \$330,155

3% wage increase, \$380,755

4% wage increase, \$431,358

Below is the total TMRS increase to the General Fund.

6% vs 7% - TMRS increase in the General Fund

0% wage increase, \$228,954 increase in GF TMRS

1% wage increase, \$230,421 increase in GF TMRS

2% wage increase, \$231,887 increase in GF TMRS

3% wage increase, \$233,354 increase in GF TMRS

4% wage increase, \$234,820 increase in GF TMRS

3. How much additional money will the City spend on payroll expense if we go from the current 6% to 7%?

Below is it total payroll increase, which includes wages, benefits, overtime, payroll taxes, TMRS, early retirement incentives, and pto payouts.

If the City increases the TMRS benefit from 6% to 7% and,

0% wage increase, \$418,744 total increase from current budget

1% wage increase, \$509,705 total increase from current budget

2% wage increase, \$600,664 total increase from current budget

Councilman Tom Musselman: 11-30-2020 City of Fredericksburg Workshop Questions

3% wage increase, \$691,628 total increase from current budget

4% wage increase, \$782,594 total increase from current budget

4. I assume the City match will go from 12 to 14%. Therefore, how much additional in 2021 if going from 6 to 7%?

The increase in our total retirement rate from an increase from 6% to 7% will represent an increase in the total retirement rate of 16.92% to 21.87% (4.95%)

5. How much additional in 2022 and beyond? –

The rate that the city has to contribute each year is set by TMRS and is based on an actuarial calculation completed by TMRS actuaries.

6. What is the estimated additional revenue the City will receive next year if the property tax rate is increased the maximum of 3 1/2%?

The 2020 Voter Approval tax rate of .241311, would have provided an additional \$380,373 in property tax revenue for maintenance and operations for FY 2021. Additional information is needed to project for next year.

7. What percent of this added revenue will be used up by this TMRS increase?

It depends on the % wage increase, if any, and the property tax levy the City will receive next July. However, wages should be less next fiscal year based on the assumption that there won't be so many retirements that will receive early retirement incentives, and pto payouts.