



**CITY OF FAIR OAKS RANCH
AGENDA – CITY COUNCIL REGULAR MEETING**

September 5, 2019 9:30 AM
City Hall Council Chambers
7286 Dietz Elkhorn, Fair Oaks Ranch

I. OPEN MEETING

- A. Roll Call – Declaration of a Quorum.
- B. Pledge of Allegiance.

II. CONVENE INTO EXECUTIVE SESSION

Pursuant to Section 551.101 of the Open Meetings Act, Texas Gov't Code, a quorum of the governing body hereby convenes into closed session:

- A. 551.071 (Consultation with Attorney) - Cause No. 2018-CI-00202; the City of Fair Oaks Ranch, Texas vs Edward I. Hill, Robert E. Heckendorn, Craig M. Luitjen, Roger Fuentes, Wesley A. Pieper, Esther W. Hicks, William A. McDowell, Yolanda D. Ayala, PG Pfeiffer Ranches LLC, Maureen Pfeiffer Stevenson Family Trust.
- B. 551.071 (Consultation with Attorney) - to receive legal advice regarding claims made on behalf of a real property owner against the City's operation of the K-3 Trinity Glen Rose Water Well.
- C. 551.071 (Consultation with Attorney) – to receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.

III. RECONVENE INTO OPEN SESSION

Discussion and possible action on items discussed in Executive Session.

IV. PUBLIC HEARING

- A. Conduct the first Public Hearing on the Fiscal Year 2019-2020 Proposed Budget and 2019-2020 Tax Rate.
 - 1. Mayor opens the public hearing
 - 2. Staff presentation of the Proposed Budget and Tax Rate
 - 3. City Council receive citizen testimony for/against the Proposed Budget and Tax Rate
 - 4. Mayor closes the public hearing
 - 5. City Council discuss the Proposed Budget and Tax Rate, inclusive of asking questions of staff

Pgs. 4-42

V. CITIZENS and GUEST FORUM / PRESENTATIONS

To address the Council, please sign the Attendance Roster located on the table at the entrance of the Council Chamber. In accordance with the Open Meetings Act, Council may not discuss or take action on any item which has not been posted on the agenda.

- A. Citizens to be heard.
- B. Reading of a Proclamation designating September 16, 2019 as American Legion Centennial Day.

Pg. 43

C. Introduction of new hire, Garrett Lee

D. Legislative Update

City Attorney

VI. CONSENT AGENDA

All of the following items are considered to be routine by the City Council, there will be no separate discussion on these items and will be enacted with one motion. Items may be removed by any Council Member by making such request prior to a motion and vote.

- A. Approval of August 1, 2019 Regular City Council Meeting Minutes. Pgs.44-47
- B. Approval of August 14, 2019 Special Joint City Council and P&Z Meeting Minutes. Pg. 48
- C. Approval of August 14, 2019 Special City Council Meeting Minutes. Pg. 49
- D. Approval of August 15, 2019 Regular City Council Meeting Minutes. Pgs.50-52
- E. Approval of August 29, 2019 Special City Council Meeting Minutes. Pg. 53
- F. Approval of the second reading of an Ordinance approving FY 2018-19 budget amendments. Pgs. 54-57
- G. Approval of the second reading of an Ordinance amending the City of Fair Oaks Ranch Code of Ordinances Chapter 8 "Offenses and Nuisance" by creating an Article for violations of the City Charter. Pgs. 58-61

VII. CONSIDERATION/DISCUSSION ITEMS

- A. Consideration and possible action to approve a Professional Services Agreement for New Internal Controls – R.S.M. Sarah Buckelew, Finance Director Pgs. 62-95
- B. Consideration and possible action approving the first reading of an Ordinance Amending Chapter 4 "Business Regulations", Article 4.02 "Solicitors" of the City of Fair Oaks Ranch Code of Ordinances. Christina Picioccio, City Secretary Pgs. 96-106
- C. Consideration and possible action approving the first reading of an Ordinance amending Chapter 12 "Traffic & Vehicle" Article 12.3 "Trucks" of the City of Fair Oaks Ranch Code of Ordinances regulating the weight load of vehicles on city streets. Chief Rubin Pgs. 107-112
- D. Consideration and possible action on determining method on amending the Home Rule Charter. Carole Vanzant, Assistant City Manager Pgs. 113-120
- E. Discussion regarding transient equipment and material storage on City owned property (Fire Station) located at 30955 Meadow Creek Trail, generally the southwest corner of Meadow Creek Trail at FM 3351. Council Member Hartpence Pg. 121

VIII. REPORTS FROM STAFF/COMMITTEES/COUNCIL

- A. Elevated Storage Tank. Ron Emmons P.E., Public Works Director

IX. ADJOURNMENT

Requests for City topic needing additional information/research; or, potential consideration for a future agenda.

Signature of Agenda Approval: _____



I, Christina Picioccio, City Secretary, certify that the above Notice of Meeting was posted on the outside bulletin board at the Fair Oaks Ranch City Hall, 7286 Dietz Elkhorn, Fair Oaks Ranch, Texas, and on the city's website www.fairoaksranchtx.org, both places being convenient and readily accessible to the general public at all times. Said Notice was posted by 9:30 AM September 2, 2019 and remained so posted continuously for at least 72 hours before said meeting was convened.

The Fair Oaks Ranch City Hall is wheelchair accessible at the side entrance of the building from the parking lot. Requests for special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary's office at (210) 698-0900. Braille is not available. The City Council reserves the right to convene into Executive Session at any time regarding an issue on the agenda for which it is legally permissible; pursuant to *Texas Government Code* Chapter 551. Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
September 5, 2019

AGENDA TOPIC: 1st Public Hearing on the FY 2019 – 2020 Proposed Budget and Tax Rate
DATE: September 5, 2019
DEPARTMENT: Finance
PRESENTED BY: Honorable Mayor and City Council

INTRODUCTION/BACKGROUND:

Conduct the first Public Hearing on the Fiscal Year 2019-2020 Proposed Budget and 2019-2020 Tax Rate.

Sequence for the agenda item is as follows:

- Mayor opens the public hearing
- Staff presentation of the Proposed Budget and Tax Rate
- City Council receive citizen testimony for/against the Proposed Budget and Tax Rate
- Mayor closes the public hearing
- City Council discuss the Proposed Budget and Tax Rate, inclusive of asking questions of staff

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

See attachments:

- Proposed FY 19-20 Budget
- FY 19-20 Tax Notice
- FY 19-20 Budget/Tax Rate Calendar

City of
FAIR OAKS RANCH

**ANNUAL PROPOSED BUDGET
FY 2019-2020**

City of FAIR OAKS RANCH



ANNUAL PROPOSED BUDGET FY 2019-2020

This budget will raise more total property taxes than last year's budget by \$460,556 (8.1%), and of that amount \$162,692 is tax revenue to be raised from new property added to the tax roll this year.

CITY COUNCIL RECORD VOTE

The record vote of each member of the governing body by name voting on the adoption of the budget is as follows:

<u>Governing Body</u>	<u>Record Vote</u>
Mayor Garry Manitzas	
MaryAnne Havard	
Roy Elizondo	
Steve Hartpence	
Laura Koerner	
Snehal Patel	
Greg Maxton	

The Governing Body voted on the proposed budget September 19, 2019.

Fiscal Year	Tax Rate				
	Property Tax Rate	Effective Tax Rate	Effective M&O Tax Rate	Rollback Tax Rate	Debt Rate
2019-20	0.3735	0.3536	0.3269	0.3791	0.0340
2018-19	0.3668	0.3222	0.2860	0.3444	0.0362

Municipal Debt Obligations as of October 1, 2019 - \$6,060,505

ANNUAL PROPOSED BUDGET

City of Fair Oaks Ranch, Texas

FISCAL YEAR

October 1, 2019 through September 30, 2020

THE HONORABLE GARRY MANITZAS

Mayor

COUNCIL MEMBERS

MaryAnne Havard Council Member, Place 1
Roy Elizondo. Mayor Pro-Tem, Place 2
Steve Hartpence Council Member, Place 3
Laura Koerner Council Member, Place 4
Snehal Patel. Council Member, Place 5
Greg Maxton. Council Member, Place 6

CITY MANAGER

Tobin Maples, AICP

ASSISTANT CITY MANAGER

Carole Vanzant, CPM, TRMC, MMC

CHIEF OF POLICE

Scott Rubin

DIRECTOR OF PUBLIC WORKS

Ron Emmons, P.E.

DIRECTOR OF FINANCE

Sarah Buckelew, CPA

**DIRECTOR OF HR &
COMMUNICATIONS**

Joanna Merrill

CITY SECRETARY

Christina Picioccio

Operating Budget

document prepared by the

FINANCE DEPARTMENT



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CONSOLIDATED BUDGET SUMMARY

By Division and Fund

	Government Operations	Government SAP	Government Equip Repl	Government Total	Debt Service	Bond Street Improvements	TOTAL GOVERNMENTAL	Utility Water	Utility Wastewater	Utility Total	GRAND TOTAL
Beginning Fund Balance Projected	3,482,524	955,378	686,396	5,124,298	18,560	181,345	5,324,203			13,749,166	19,073,369
<u>Revenues:</u>											
Taxes	6,277,653			6,277,653	555,431		6,833,084				6,833,084
Franchise Fees	529,700			529,700			529,700				529,700
Interest	115,000			115,000	1,000		116,000	35,000	12,000	47,000	163,000
Permits	252,500			252,500			252,500				252,500
Animal Control	3,400			3,400			3,400				3,400
Fines & Forfeitures	127,570			127,570			127,570				127,570
Fees & Services	243,847			243,847			243,847	3,936,147	1,063,001	4,999,147	5,242,994
Miscellaneous Income	15,100			15,100			15,100				15,100
Transfers from other Funds	154,000	1,199,525	230,492	1,584,017			1,584,017				1,584,017
Total Revenues	7,718,770	1,199,525	230,492	9,148,787	556,431	-	9,705,218	3,971,147	1,075,001	5,046,147	14,751,365
<u>Expenditures:</u>											
Personnel	4,536,909			4,536,909	-		4,536,909	783,911	644,490	1,428,402	5,965,311
Supplies, Maintenance & Operations	644,358			644,358	-		644,358	1,760,076	709,223	2,469,300	3,113,657
Professional Services	994,002	734,000		1,728,002	-		1,728,002	66,138	1,320	67,458	1,795,460
Shared Services	327,617			327,617			327,617			-	327,617
Capital Outlay	216,000	1,050,000		1,266,000	-	181,345	1,447,345	1,181,028	298,978	1,480,006	2,927,351
Debt Service	-			-	551,940		551,940	75,522	14,385	89,907	641,847
Transfers & Non-Cash Adjustments	1,430,017		154,000	1,584,017	-		1,584,017	(555,580)	171,334	(384,246)	1,199,771
Total Expenditures	8,148,903	1,784,000	154,000	10,086,903	551,940	181,345	10,820,188	3,311,096	1,839,731	5,150,827	15,971,015
Transfer to 6 month Reserve	160,597	-	-	160,597			160,597			140,079	300,676
Allocated Fund Balance	-	(584,475)	76,492	(507,983)			(507,983)			75,000	(432,983)
Restricted Fund Balance	9,270			9,270	4,491	(181,345)	(167,584)			(622,528)	(790,112)
Use of Fund Balance	(600,000)			(600,000)			(600,000)			-	(600,000)
Net investment in Capital Assets	-			-			-			648,845	648,845
Change in Unallocated Fund Balance	(0)			(0)		-	(0)	660,051	(764,730)	(346,076)	(346,076)
Total change in Fund Balance	(430,133)	(584,475)	76,492	(938,116)	4,491	(181,345)	(1,114,970)	660,051	(764,730)	(104,678)	(1,219,650)
Ending Fund Balance	3,052,391	370,903	762,888	4,186,182	23,051	-	4,209,233	660,051	(764,730)	13,644,488	17,853,719

CONSOLIDATED GOVERNMENTAL BUDGET SUMMARY

BY DIVISION AND FUND

Consolidated Governmental Budget							
By Division and Fund							
	General Operations	General SAP	General Equip Repl	General Fund Total	Debt Service	Street Bond Improvements	TOTAL GOVERNMENTAL
Beginning Fund Balance Projected	3,482,524	955,378	686,396	5,124,298	18,560	181,345	5,324,203
<u>Revenues:</u>							
Taxes	6,277,653			6,277,653	555,431		6,833,084
Franchise Fees	529,700			529,700			529,700
Interest	115,000			115,000	1,000		116,000
Permits	252,500			252,500			252,500
Animal Control	3,400			3,400			3,400
Fines & Forfeitures	127,570			127,570			127,570
Fees & Services	243,847			243,847			243,847
Miscellaneous Income	15,100			15,100			15,100
Transfers from other Funds	154,000	1,199,525	230,492	1,584,017			1,584,017
Total Revenues	7,718,770	1,199,525	230,492	9,148,787	556,431	-	9,705,218
<u>Expenditures:</u>							
Personnel	4,536,909			4,536,909	-		4,536,909
Supplies, Maintenance & Operations	644,358			644,358	-		644,358
Professional Services	994,002	734,000		1,728,002	-		1,728,002
Shared Services	327,617			327,617			327,617
Capital Outlay	216,000	1,050,000		1,266,000	-	181,345	1,447,345
Debt Service	-			-	551,940		551,940
Transfers & Non-Cash Adjustments	1,430,017		154,000	1,584,017	-		1,584,017
Total Expenditures	8,148,903	1,784,000	154,000	10,086,903	551,940	181,345	10,820,188
Transfer to 6 month Reserve	160,597	-	-	160,597			160,597
Allocated Fund Balance	-	(584,475)	76,492	(507,983)			(507,983)
Restricted Fund Balance	9,270			9,270	4,491	(181,345)	(167,584)
Use of Fund Balance	(600,000)			(600,000)			(600,000)
Change in Unallocated Fund Balance	(0)			(0)		-	(0)
Total change in Fund Balance	(430,133)	(584,475)	76,492	(938,116)	4,491	(181,345)	(1,114,970)
Ending Fund Balance	3,052,391	370,903	762,888	4,186,182	23,051	-	4,209,233

GENERAL FUND REVENUES (DETAIL)

General Fund Revenue Detail				
Revenue Type	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
Taxes				
General Property	4,109,977	4,999,835	5,099,835	5,452,281
Delinquent Property	37,759	30,000	15,000	30,000
Penalty & Interest	21,267	15,000	39,500	25,000
Mixed Beverage	23,814	20,000	21,800	25,000
Local Sales	485,691	450,000	485,000	505,000
Street Maintenance	121,266	112,500	121,490	120,186
Property Reduction	121,266	112,500	121,490	120,186
Total Taxes	4,921,041	5,739,835	5,904,115	6,277,653
Franchise Fees				
Time Warner Cable	65,618	62,000	62,000	31,000
GVTC Cable/Telephone	71,040	72,000	72,000	36,000
AT&T Cable/Telephone	20,138	21,000	21,000	10,500
Miscellaneous	979	1,500	750	1,500
City Public Service	336,432	330,000	358,000	370,000
Pedernales Electric Company	42,597	41,000	41,000	41,000
Grey Forest Utilities	12,216	10,500	15,500	10,500
Garbage Regular	24,822	27,000	27,000	27,000
Garbage Recycling	2,339	1,500	2,189	2,200
Total Franchise Fees	576,181	566,500	599,439	529,700
Interest				
Bank/Investment Interest	73,833	63,500	113,500	115,000
Total Interest	73,833	63,500	113,500	115,000
Permits				
New Residential Permits	151,033	200,200	200,200	180,000
New Commerical Permits	3,803	2,600	-	2,600
Remodeling/Additions	30,454	31,200	31,200	31,200
Other BC and Permits	21,836	26,000	26,000	26,000
Contractor Registration	9,450	10,000	10,000	10,000
Food/Health	2,415	2,700	4,145	2,700
Total Permits Costs	218,990	272,700	271,545	252,500

Revenue Type	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
Animal Control				
Pet Licenses	2,595	1,500	1,990	1,500
Pet Impound/Quarantine	2,295	1,900	1,500	1,900
Animal Traps	-	-	-	-
Total Animal Control	4,890	3,400	3,490	3,400
Fines & Forfeitures				
Municipal Court Fines	118,822	120,000	129,000	120,000
Municipal Court Security	3,123	3,200	3,456	3,200
Municipal Court Technology	4,166	4,300	4,644	4,300
Municipal Court Efficiency	41	70	76	70
Total Fines & Forfeitures	126,152	127,570	137,176	127,570
Fees & Services				
FORU Management	205,959	194,884	168,103	202,017
Special Fees	8,645	4,900	13,400	10,480
FORMDD Management	10,000	26,750	26,750	26,750
Credit Card Service Fee	3,177	3,500	4,600	4,600
Total Fees & Services	227,782	230,034	212,853	243,847
Miscellaneous				
Miscellaneous	8,225	4,000	8,754	4,000
City Event Sponsorships	19,720	-	2,230	2,000
Street Bond Reimbursements	-	-	-	-
Sale of Assets	28,197	7,000	7,000	-
Donations/Grants	29,108	-	500	-
School Guard Crossing Fund	7,752	7,400	7,400	7,400
Lease Proceeds	1,785	1,700	1,825	1,700
Police Seized Proceeds	5,136	-	396	-
Total Miscellaneous	94,787	20,100	28,105	15,100
Total Revenue	6,243,656	7,023,639	7,270,222	7,564,770
Transfers				
Fund Balance	-	-	-	-
Court Technology	-	11,500	-	-
Court Security Building	-	-	-	-
Capital Replacement	-	256,750	227,706	154,000
Court Efficiency	-	-	-	-
Lease Training Funds	-	-	-	-
Committed Contracts	-	-	-	-
Total Transfers	-	268,250	227,706	154,000
Total Resources	6,243,656	7,291,889	7,497,928	7,718,770

GENERAL FUND EXPENDITURES (DETAIL)

	Mayor & Council	City Administration	City Secretary	HR and Communications	Finance	Municipal Court	Public Safety and Emergency	Maintenance
Personnel								
Salaries	-	343,694	144,697	117,603	231,250	103,468	1,625,186	286,552
Overtime	-	-	235	-	231	458	24,722	1,002
Taxes - Social Security	-	21,309	8,986	7,291	14,352	6,443	102,294	17,828
Taxes - Medicare	-	4,984	2,102	1,705	3,356	1,507	23,924	4,170
Taxes SUTA/FUTA	-	675	675	450	675	450	6,300	1,688
Retirement	-	1,409	624	512	1,000	439	69,329	23,518
Health Insurance	-	40,736	17,178	13,939	27,436	12,318	195,555	34,082
Workmans' Compensation	-	31,107	27,704	16,385	21,693	14,447	243,435	62,677
Uniform Allowance	-	-	-	-	-	-	20,800	-
Car Allowance	-	7,200	-	-	-	-	-	-
Relocation Allowance	-	-	-	-	-	-	-	-
Total Personnel Costs	-	451,114	202,200	157,885	299,993	139,531	2,311,545	431,517
Supplies, Maintenance & Operations								
Supplies and Consumables	-	450	1,350	1,700	1,425	2,200	4,000	6,100
Minor Equipment and Furniture	-	300	2,800	200	600	1,400	22,950	10,800
Fuel	-	300	-	-	-	-	30,000	10,200
Uniforms	350	150	200	100	300	100	12,000	6,275
Miscellaneous	-	-	481	-	-	-	-	200
Vehicle Maintenance/Repairs	-	-	-	-	-	-	17,000	12,000
Equipment Maintenance/Repairs	-	-	-	-	-	-	-	5,580
Building Maintenance/Repairs	-	-	-	-	-	-	-	15,480
Landscaping & Greenspace Maintenance	-	-	-	-	-	-	-	5,000
Street Maintenance	-	-	-	-	-	-	-	31,000
Drainage Work	-	-	-	-	-	-	-	5,000
Committees - Other	2,000	-	-	-	-	-	-	-
Committees - Planning & Zoning	1,000	-	-	-	-	-	-	-
Committee - Board of Adj	1,000	-	-	-	-	-	-	-
Urban Wildlife	1,000	-	-	-	-	-	-	-
Donations & Grants	1,000	-	-	-	-	-	-	-
Total Supplies, Maintenance & Operations	6,350	1,200	4,831	2,000	2,325	3,700	85,950	107,635
Services								
Professional Services	-	100,000	5,000	-	78,835	58,230	518,767	-
Dues/Subscriptions	2,800	2,370	932	1,755	1,430	800	4,100	600
Training/Seminars & Related Travel	7,000	14,920	7,189	13,663	10,900	2,000	14,000	8,541
Elections	-	-	10,000	-	-	-	-	-
Investigations	-	-	-	-	-	-	12,000	-
Lease Training	-	-	-	-	-	-	1,700	-
K-9 Program	-	-	-	-	-	-	-	-
Public Relations	8,000	-	-	30,200	-	-	6,000	-
Employee Appreciation	-	150	200	8,370	300	100	1,400	400
Employment Costs	-	-	-	3,000	-	-	-	-
Recording/Reporting/History	-	-	3,000	-	-	-	-	-
Meetings and Related Travel	6,200	5,345	1,326	300	500	500	2,500	100
Total Services Costs	24,000	122,785	27,647	57,288	91,965	61,630	560,467	9,641
Shared Services								
Facility Contracts & Services	-	-	-	-	-	-	-	-
Tech/Internet/Software Maintenance	-	-	-	-	-	-	-	-
Postage	-	-	-	-	-	-	-	-
General Liability Insurance	-	-	-	-	-	-	-	-
Electricity	-	-	-	-	-	-	-	-
Phone/Cable/Alarms	-	-	-	-	-	-	-	-
Total Shared Services Costs	-	-	-	-	-	-	-	-
Capital Outlay								
Land/Land Improvement	-	-	-	-	-	-	-	-
Building/Building Improvement	-	-	-	-	-	-	-	-
Infrastructure	-	-	-	-	-	-	-	-
Furniture, Fixtures, Equipment & Vehicle	-	-	-	-	-	-	216,000	-
Capital Projects	-	-	-	-	-	-	-	-
Total Capital Outlay Costs	-	-	-	-	-	-	216,000	-
Transfers								
Transfer to Intergov Fund 06	-	-	-	-	-	-	-	-
Transfer to Cap Improv Fund 02	-	-	-	-	-	-	-	-
Transfer to GF Veh/Equip F. 31	-	-	-	-	-	-	-	-
Total Transfers Costs	-	-	-	-	-	-	-	-
Total General Fund Budget by Department	30,350	575,099	234,678	217,172	394,284	204,861	3,173,962	548,793

GENERAL FUND EXPENDITURES (DETAIL)

	Building Codes and Permits	Engineering and Planning	Non-Departmental & Shared	Total General Operations	SAP	Equip Replacement	Grand Total
Personnel							
Salaries	174,828	226,787	-	3,254,065	-	-	3,254,065
Overtime	173	1,058	-	27,881	-	-	27,881
Taxes - Social Security	10,850	14,126	-	203,481	-	-	203,481
Taxes - Medicare	2,538	3,304	-	47,588	-	-	47,588
Taxes SUTA/FUTA	675	788	-	12,375	-	-	12,375
Retirement	1,511	2,451	-	100,793	-	-	100,793
Health Insurance	20,742	27,005	-	388,993	-	-	388,993
Workmans' Compensation	25,290	30,998	-	473,734	-	-	473,734
Uniform Allowance	-	-	-	20,800	-	-	20,800
Car Allowance	-	-	-	7,200	-	-	7,200
Relocation Allowance	-	-	-	-	-	-	-
Total Personnel Costs	236,608	306,516	-	4,536,909	-	-	4,536,909
Supplies, Maintenance & Operations							
Supplies and Consumables	450	6,495	6,000	30,170	-	-	30,170
Minor Equipment and Furniture	2,200	950	-	42,000	-	-	42,000
Fuel	1,300	1,301	-	43,101	-	-	43,101
Uniforms	530	1,140	-	21,145	-	-	21,145
Miscellaneous	-	-	-	681	-	-	681
Vehicle Maintenance/Repairs	-	-	-	29,000	-	-	29,000
Equipment Maintenance/Repairs	-	-	-	5,580	-	-	5,580
Building Maintenance/Repairs	-	-	-	15,480	-	-	15,480
Landscaping & Greenspace Maintenance	-	-	-	5,000	-	-	5,000
Street Maintenance	-	410,000	-	441,000	-	-	441,000
Drainage Work	-	-	-	5,000	-	-	5,000
Committees - Other	-	-	-	2,000	-	-	2,000
Committees - Planning & Zoning	-	-	-	1,000	-	-	1,000
Committee - Board of Adj	-	-	-	1,000	-	-	1,000
Urban Wildlife	-	-	-	1,000	-	-	1,000
Donations & Grants	-	-	-	1,000	-	-	1,000
Total Supplies, Maintenance & Operations Costs	4,480	419,887	6,000	644,158	-	-	644,158
Services							
Professional Services	9,560	15,000	-	785,392	734,000	-	1,519,392
Dues/Subscriptions	290	333	-	15,410	-	-	15,410
Training/Seminars & Related Travel	4,075	7,323	-	89,010	-	-	89,010
Elections	-	-	-	10,000	-	-	10,000
Investigations	-	-	-	12,000	-	-	12,000
Lease Training	-	-	-	1,700	-	-	1,700
K-9 Program	-	-	-	-	-	-	-
Public Relations	-	-	-	44,200	-	-	44,200
Employee Appreciation	150	350	-	11,420	-	-	11,420
Employment Costs	-	-	-	3,000	-	-	3,000
Recording/Reporting/History	-	-	-	3,000	-	-	3,000
Meetings and Related Travel	600	900	-	18,271	-	-	18,271
Total Services Costs	14,675	23,905	-	993,402	734,000	-	1,727,402
Shared Services							
Facility Contracts & Services	-	-	51,577	51,577	-	-	51,577
Tech/Internet/Software Maintenance	-	-	156,481	156,481	-	-	156,481
Postage	-	-	9,500	9,500	-	-	9,500
General Liability Insurance	-	-	51,418	51,418	-	-	51,418
Electricity	-	-	32,700	32,700	-	-	32,700
Phone/Cable/Alarms	-	-	26,742	26,742	-	-	26,742
Total Shared Services Costs	-	-	328,417	328,417	-	-	328,417
Capital Outlay							
Land/Land Improvement	-	-	-	-	-	-	-
Building/Building Improvement	-	-	-	-	-	-	-
Infrastructure	-	-	-	-	-	-	-
Furniture, Fixtures, Equipment & Vehicles	-	-	-	216,000	-	-	216,000
Capital Projects	-	-	-	-	1,050,000	-	1,050,000
Total Capital Outlay Costs	-	-	-	216,000	1,050,000	-	1,266,000
Transfers							
Transfer to Intergov Fund 06	-	-	-	-	-	-	-
Transfer to Cap Improv Fund 02	-	-	1,199,525	1,199,525	-	-	1,199,525
Transfer to GF Veh/Equip F 31	-	-	230,492	230,492	-	154,000	384,492
Total Transfers Costs	-	-	1,430,017	1,430,017	-	154,000	1,584,017
Total General Fund Budget by Department	255,763	750,308	1,764,434	8,148,903	1,784,000	154,000	10,086,903

MAYOR & CITY COUNCIL OPERATIONAL BUDGET

Expenditure Type	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
Personnel				
Salaries	-	-	-	-
Overtime	-	-	-	-
Taxes - Social Security	-	-	-	-
Taxes - Medicare	-	-	-	-
Taxes SUTA/FUTA	-	-	-	-
Retirement	-	-	-	-
Health Insurance	-	-	-	-
Workmans' Compensation	-	-	-	-
Uniform Allowance	-	-	-	-
Car Allowance	-	-	-	-
Relocation Allowance	-	-	-	-
Total Personnel Costs	-	-	-	-
Supplies, Maintenance & Operations				
Supplies and Consumables	-	200	200	-
Minor Equipment and Furniture	-	-	-	-
Fuel	-	-	-	-
Uniforms	-	-	225	350
Miscellaneous	-	-	-	-
Vehicle Maintenance/Repairs	-	-	-	-
Equipment Maintenance/Repairs	-	-	-	-
Building Maintenance/Repairs	-	-	-	-
Landscaping & Greenspace Maintenance	-	-	-	-
Street Maintenance	-	-	-	-
Drainage Work	-	-	-	-
Committees - Other	4,909	1,000	500	2,000
Committees - Planning & Zoning	94	1,000	1,000	1,000
Committee - Board of Adj	-	1,000	1,000	1,000
Urban Wildlife	17,402	1,500	1,500	1,000
Donations & Grants	-	-	-	1,000
Court Technology	-	-	-	-
Total Supplies, Maintenance & Operations Costs	22,405	4,700	4,425	6,350
Services				
Professional Services	-	-	-	-
Dues/Subscriptions	-	-	-	2,800
Training/Seminars & Related Travel	-	3,000	3,000	7,000
Meetings and Related Travel	-	4,796	4,796	6,200
Elections	-	-	-	-
Investigations	-	-	-	-
Lease Training	-	-	-	-
Asset Forfeiture	-	-	-	-
Public Relations	-	4,504	6,758	8,000
Employee Appreciation	-	-	-	-
Employment Costs	-	-	-	-
Recording/Reporting/History	-	-	-	-
Total Services Costs	-	12,300	14,554	24,000
Shared Services				
Facility Contracts & Services	-	-	-	-
Tech/Internet/Software Maintenance	-	-	-	-
Postage	-	-	-	-
General Liability Insurance	-	-	-	-
Electricity	-	-	-	-
Phone/Cable/Alarms	-	-	-	-
Total Shared Services Costs	-	-	-	-
Capital Outlay				
Land/Land Improvement	-	-	-	-
Building/Building Improvement	-	-	-	-
Infrastructure	-	-	-	-
Furniture, Fixtures, Equipment & Vehicles	-	-	-	-
Transfer to Intergov Fund 06	-	-	-	-
Transfer to Cap Improv Fund 02	-	-	-	-
Transfer to GF Veh/Equip F 31	-	-	-	-
Fund Balance	-	-	-	-
Total Capital Outlay Costs	-	-	-	-
Total Departmental Budget	22,405 *	17,000	18,979	30,350

* See Appendix A regarding prior year budget amounts

ADMINISTRATION OPERATIONAL BUDGET

Expenditure Type	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
Personnel				
Salaries	511,106	271,306	265,703	343,694
Overtime	849	-	-	-
Taxes - Social Security	29,965	18,681	15,723	21,309
Taxes - Medicare	7,165	4,369	3,993	4,984
Taxes SUTA/FUTA	1,097	675	27	675
Retirement	765	1,356	791	1,409
Health Insurance	63,511	35,976	32,568	40,736
Workmans' Compensation	59,806	30,690	22,150	31,107
Uniform Allowance	-	-	-	-
Car Allowance	-	7,200	7,200	7,200
Relocation Allowance	-	-	-	-
Total Personnel Costs	674,264	370,253	348,156	451,114
Supplies, Maintenance & Operations				
Supplies and Consumables	6,152	550	550	450
Minor Equipment and Furniture	12,224	2,290	2,290	300
Fuel	281	200	200	300
Uniforms	557	150	150	150
Miscellaneous	1,754	200	200	-
Vehicle Maintenance/Repairs	-	-	-	-
Equipment Maintenance/Repairs	-	-	-	-
Building Maintenance/Repairs	-	-	-	-
Landscaping & Greenspace Maintenance	-	-	-	-
Street Maintenance	-	-	-	-
Drainage Work	-	-	-	-
Committees - Other	-	-	-	-
Committees - Planning & Zoning	-	-	-	-
Committee - Board of Adj	-	-	-	-
Urban Wildlife	-	-	-	-
Donations & Grants	-	-	-	-
Court Technology	-	-	-	-
Total Supplies, Maintenance & Operations Costs	20,968	3,390	3,390	1,200
Services				
Professional Services	252,020	128,199	128,199	100,000
Dues/Subscriptions	6,423	3,580	3,580	2,370
Training/Seminars & Related Travel	15,806	18,443	10,700	14,920
Meetings and Related Travel	1,412	1,475	1,775	5,345
Elections	-	-	-	-
Investigations	-	-	-	-
Lease Training	-	-	-	-
Asset Forfeiture	-	-	-	-
Public Relations	-	-	-	-
Employee Appreciation	-	-	-	150
Employment Costs	-	-	-	-
Recording/Reporting/History	-	-	-	-
Total Services Costs	275,661	151,697	144,254	122,785
Shared Services				
Facility Contracts & Services	-	-	-	-
Tech/Internet/Software Maintenance	-	-	-	-
Postage	-	-	-	-
General Liability Insurance	-	-	-	-
Electricity	-	-	-	-
Phone/Cable/Alarms	-	-	-	-
Total Shared Services Costs	-	-	-	-
Capital Outlay				
Land/Land Improvement	-	-	-	-
Building/Building Improvement	-	-	-	-
Infrastructure	-	-	-	-
Furniture, Fixtures, Equipment & Vehicles	15,908	-	-	-
Transfer to Intergov Fund 06	-	-	-	-
Transfer to Cap Improv Fund 02	-	-	-	-
Transfer to GF Veh/Equip F 31	-	-	-	-
Fund Balance	15,908	-	-	-
Total Capital Outlay Costs	15,908	-	-	-
Total Departmental Budget	986,801 *	525,340	495,800	575,099

* See Appendix A regarding prior year budget amounts

CITY SECRETARY OPERATIONAL BUDGET

Expenditure Type	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
Personnel				
Salaries	-	129,390	93,226	144,697
Overtime	-	100	100	235
Taxes - Social Security	-	8,028	5,605	8,986
Taxes - Medicare	-	1,878	1,311	2,102
Taxes SUTA/FUTA	-	675	27	675
Retirement	-	583	337	624
Health Insurance	-	15,461	11,136	17,178
Workmans' Compensation	-	27,397	18,235	27,704
Uniform Allowance	-	-	-	-
Car Allowance	-	-	-	-
Relocation Allowance	-	-	-	-
Total Personnel Costs	-	183,513	129,977	202,200
Supplies, Maintenance & Operations				
Supplies and Consumables	-	1,000	1,000	1,350
Minor Equipment and Furniture	-	2,000	2,000	2,800
Fuel	-	-	-	-
Uniforms	-	200	130	200
Miscellaneous	-	250	250	481
Vehicle Maintenance/Repairs	-	-	-	-
Equipment Maintenance/Repairs	-	-	-	-
Building Maintenance/Repairs	-	-	-	-
Landscaping & Greenspace Maintenance	-	-	-	-
Street Maintenance	-	-	-	-
Drainage Work	-	-	-	-
Committees - Other	-	-	-	-
Committees - Planning & Zoning	-	-	-	-
Committee - Board of Adj	-	-	-	-
Urban Wildlife	-	-	-	-
Donations & Grants	-	-	-	-
Court Technology	-	-	-	-
Total Supplies, Maintenance & Operations Costs	-	3,450	3,380	4,831
Services				
Professional Services	-	7,000	7,000	5,000
Dues/Subscriptions	-	2,940	2,940	932
Training/Seminars & Related Travel	-	3,555	3,555	7,189
Meetings and Related Travel	-	1,676	1,076	1,326
Elections	3,038	19,300	2,000	10,000
Investigations	-	-	-	-
Lease Training	-	-	-	-
Asset Forfeiture	-	-	-	-
Public Relations	-	-	-	-
Employee Appreciation	-	-	-	200
Employment Costs	-	-	-	-
Recording/Reporting/History	4,159	3,000	3,000	3,000
Total Services Costs	7,198	37,471	19,571	27,647
Shared Services				
Facility Contracts & Services	-	-	-	-
Tech/Internet/Software Maintenance	-	-	-	-
Postage	-	-	-	-
General Liability Insurance	-	-	-	-
Electricity	-	-	-	-
Phone/Cable/Alarms	-	-	-	-
Total Shared Services Costs	-	-	-	-
Capital Outlay				
Land/Land Improvement	-	-	-	-
Building/Building Improvement	-	-	-	-
Infrastructure	-	-	-	-
Furniture, Fixtures, Equipment & Vehicles	-	-	-	-
Transfer to Intergov Fund 06	-	-	-	-
Transfer to Cap Improv Fund 02	-	-	-	-
Transfer to GF Veh/Equip F 31	-	-	-	-
Fund Balance	-	-	-	-
Total Capital Outlay Costs	-	-	-	-
Total Departmental Budget	7,198 *	224,434	152,928	234,678

* See Appendix A regarding prior year budget amounts

HUMAN RESOURCES AND COMMUNICATIONS OPERATIONAL BUDGET

Expenditure Type	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
Personnel				
Salaries	-	78,376	55,662	117,603
Overtime	-	-	-	-
Taxes - Social Security	-	5,473	3,528	7,291
Taxes - Medicare	-	1,280	825	1,705
Taxes SUTA/FUTA	-	450	18	450
Retirement	-	397	230	512
Health Insurance	-	10,540	6,644	13,939
Workmans' Compensation	-	15,056	5,828	16,385
Uniform Allowance	-	-	-	-
Car Allowance	-	-	-	-
Relocation Allowance	-	-	-	-
Total Personnel Costs	-	111,572	72,735	157,885
Supplies, Maintenance & Operations				
Supplies and Consumables	-	1,118	1,118	1,700
Minor Equipment and Furniture	-	3,400	3,400	200
Fuel	-	-	-	-
Uniforms	-	100	100	100
Miscellaneous	-	-	-	-
Vehicle Maintenance/Repairs	-	-	-	-
Equipment Maintenance/Repairs	-	-	-	-
Building Maintenance/Repairs	-	-	-	-
Landscaping & Greenspace Maintenance	-	-	-	-
Street Maintenance	-	-	-	-
Drainage Work	-	-	-	-
Committees - Other	-	-	-	-
Committees - Planning & Zoning	-	-	-	-
Committee - Board of Adj	-	-	-	-
Urban Wildlife	-	-	-	-
Donations & Grants	-	-	-	-
Court Technology	-	-	-	-
Total Supplies, Maintenance & Operations Costs	-	4,618	4,618	2,000
Services				
Professional Services	-	13,000	13,752	-
Dues/Subscriptions	-	275	1,044	1,755
Training/Seminars & Related Travel	-	14,025	14,025	13,663
Meetings and Related Travel	-	-	-	300
Elections	-	-	-	-
Investigations	-	-	-	-
Lease Training	-	-	-	-
Asset Forfeiture	-	-	-	-
Public Relations	55,689	10,000	11,042	30,200
Employee Appreciation	6,262	4,750	4,750	8,370
Employment Costs	-	1,600	1,950	3,000
Recording/Reporting/History	-	-	-	-
Total Services Costs	61,950	43,650	46,563	57,288
Shared Services				
Facility Contracts & Services	-	-	-	-
Tech/Internet/Software Maintenance	-	-	-	-
Postage	-	-	-	-
General Liability Insurance	-	-	-	-
Electricity	-	-	-	-
Phone/Cable/Alarms	-	-	-	-
Total Shared Services Costs	-	-	-	-
Capital Outlay				
Land/Land Improvement	-	-	-	-
Building/Building Improvement	-	-	-	-
Infrastructure	-	-	-	-
Furniture, Fixtures, Equipment & Vehicles	-	-	-	-
Transfer to Intergov Fund 06	-	-	-	-
Transfer to Cap Improv Fund 02	-	-	-	-
Transfer to GF Veh/Equip F 31	-	-	-	-
Fund Balance	-	-	-	-
Total Capital Outlay Costs	-	-	-	-
Total Departmental Budget	61,950 *	159,840	123,916	217,172

* See Appendix A regarding prior year budget amounts

FINANCE OPERATIONAL BUDGET

Expenditure Type	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
Personnel				
Salaries	-	150,964	146,004	231,250
Overtime	-	166	21	231
Taxes - Social Security	-	12,470	9,083	14,352
Taxes - Medicare	-	2,916	2,124	3,356
Taxes SUTA/FUTA	-	675	27	675
Retirement	-	905	524	1,000
Health Insurance	-	24,015	17,231	27,436
Workmans' Compensation	-	21,336	10,608	21,693
Uniform Allowance	-	-	-	-
Car Allowance	-	-	-	-
Relocation Allowance	-	-	-	-
Total Personnel Costs	-	213,447	185,622	299,993
Supplies, Maintenance & Operations				
Supplies and Consumables	-	1,027	1,027	1,425
Minor Equipment and Furniture	-	3,520	3,520	600
Fuel	-	-	-	-
Uniforms	-	-	105	300
Miscellaneous	-	-	-	-
Vehicle Maintenance/Repairs	-	-	-	-
Equipment Maintenance/Repairs	-	-	-	-
Building Maintenance/Repairs	-	-	-	-
Landscaping & Greenspace Maintenance	-	-	-	-
Street Maintenance	-	-	-	-
Drainage Work	-	-	-	-
Committees - Other	-	-	-	-
Committees - Planning & Zoning	-	-	-	-
Committee - Board of Adj	-	-	-	-
Urban Wildlife	-	-	-	-
Donations & Grants	-	-	-	-
Court Technology	-	-	-	-
Total Supplies, Maintenance & Operations Costs	-	4,547	4,652	2,325
Services				
Professional Services	-	109,845	111,845	78,835
Dues/Subscriptions	-	403	653	1,430
Training/Seminars & Related Travel	-	6,200	5,700	10,900
Meetings and Related Travel	-	-	-	500
Elections	-	-	-	-
Investigations	-	-	-	-
Lease Training	-	-	-	-
Asset Forfeiture	-	-	-	-
Public Relations	-	-	-	-
Employee Appreciation	-	-	-	300
Employment Costs	-	-	-	-
Recording/Reporting/History	-	-	-	-
Total Services Costs	-	116,448	118,198	91,965
Shared Services				
Facility Contracts & Services	-	-	-	-
Tech/Internet/Software Maintenance	-	-	-	-
Postage	-	-	-	-
General Liability Insurance	-	-	-	-
Electricity	-	-	-	-
Phone/Cable/Alarms	-	-	-	-
Total Shared Services Costs	-	-	-	-
Capital Outlay				
Land/Land Improvement	-	-	-	-
Building/Building Improvement	-	-	-	-
Infrastructure	-	-	-	-
Furniture, Fixtures, Equipment & Vehicles	-	-	-	-
Transfer to Intergov Fund 06	-	-	-	-
Transfer to Cap Improv Fund 02	-	-	-	-
Transfer to GF Veh/Equip F 31	-	-	-	-
Fund Balance	-	-	-	-
Total Capital Outlay Costs	-	-	-	-
Total Departmental Budget	- *	334,442	308,472	394,284

* See Appendix A regarding prior year budget amounts

MUNICIPAL COURT OPERATIONAL BUDGET

Expenditure Type	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
Personnel				
Salaries	56,470	97,552	93,045	103,468
Overtime	33	440	-	458
Taxes - Social Security	3,378	6,076	5,901	6,443
Taxes - Medicare	790	1,421	1,380	1,507
Taxes SUTA/FUTA	333	450	18	450
Retirement	225	441	326	439
Health Insurance	7,017	11,700	11,097	12,318
Workmans' Compensation	7,584	16,911	12,776	14,447
Uniform Allowance	-	-	-	-
Car Allowance	-	-	-	-
Relocation Allowance	-	-	-	-
Total Personnel Costs	75,830	134,991	124,542	139,531
Supplies, Maintenance & Operations				
Supplies and Consumables	1,899	2,000	2,000	2,200
Minor Equipment and Furniture	1,836	-	-	1,400
Fuel	-	-	-	-
Uniforms	88	100	96	100
Miscellaneous	128	100	100	-
Vehicle Maintenance/Repairs	-	-	-	-
Equipment Maintenance/Repairs	-	-	-	-
Building Maintenance/Repairs	-	-	-	-
Landscaping & Greenspace Maintenance	-	-	-	-
Street Maintenance	-	-	-	-
Drainage Work	-	-	-	-
Committees - Other	-	-	-	-
Committees - Planning & Zoning	-	-	-	-
Committee - Board of Adj	-	-	-	-
Urban Wildlife	-	-	-	-
Donations & Grants	-	-	-	-
Court Technology	-	11,500	11,500	-
Total Supplies, Maintenance & Operations Costs	3,951	13,700	13,696	3,700
Services				
Professional Services	30,636	61,000	33,000	58,230
Dues/Subscriptions	1,653	400	400	800
Training/Seminars & Related Travel	2,770	2,000	2,000	2,000
Meetings and Related Travel	-	-	-	500
Elections	-	-	-	-
Investigations	-	-	-	-
Lease Training	-	-	-	-
Asset Forfeiture	-	-	-	-
Public Relations	-	-	-	-
Employee Appreciation	-	-	-	100
Employment Costs	-	-	-	-
Recording/Reporting/History	-	-	-	-
Total Services Costs	35,058	63,400	35,400	61,630
Shared Services				
Facility Contracts & Services	-	-	-	-
Tech/Internet/Software Maintenance	-	-	-	-
Postage	-	-	-	-
General Liability Insurance	-	-	-	-
Electricity	-	-	-	-
Phone/Cable/Alarms	-	-	-	-
Total Shared Services Costs	-	-	-	-
Capital Outlay				
Land/Land Improvement	-	-	-	-
Building/Building Improvement	-	-	-	-
Infrastructure	-	-	-	-
Furniture, Fixtures, Equipment & Vehicles	-	-	-	-
Transfer to Intergov Fund 06	-	-	-	-
Transfer to Cap Improv Fund 02	-	-	-	-
Transfer to GF Veh/Equip F 31	-	-	-	-
Fund Balance	-	-	-	-
Total Capital Outlay Costs	-	-	-	-
Total Departmental Budget	114,839	212,091	173,638	204,861

PUBLIC SAFETY OPERATIONAL BUDGET

Expenditure Type	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
Personnel				
Salaries	1,330,442	1,493,278	1,480,700	1,625,186
Overtime	16,360	10,246	27,538	24,722
Taxes - Social Security	81,312	97,302	95,074	102,294
Taxes - Medicare	19,016	22,756	22,235	23,924
Taxes SUTA/FUTA	3,917	6,300	252	6,300
Retirement	27,700	69,418	41,100	69,329
Health Insurance	169,492	187,385	180,155	195,555
Workmans' Compensation	203,533	238,031	210,963	243,435
Uniform Allowance	16,000	19,200	16,400	20,800
Car Allowance	-	-	-	-
Relocation Allowance	-	-	-	-
Total Personnel Costs	1,867,772	2,143,916	2,074,417	2,311,545
Supplies, Maintenance & Operations				
Supplies and Consumables	3,276	3,100	3,700	4,000
Minor Equipment and Furniture	74,429	70,600	40,600	22,950
Fuel	33,862	30,000	33,500	30,000
Uniforms	8,614	12,025	12,025	12,000
Miscellaneous	2,667	2,000	2,000	-
Vehicle Maintenance/Repairs	11,861	20,000	20,000	17,000
Equipment Maintenance/Repairs	-	-	-	-
Building Maintenance/Repairs	-	-	-	-
Landscaping & Greenspace Maintenance	-	-	-	-
Street Maintenance	-	-	-	-
Drainage Work	-	-	-	-
Committees - Other	-	-	-	-
Committees - Planning & Zoning	-	-	-	-
Committee - Board of Adj	-	-	-	-
Urban Wildlife	-	-	-	-
Donations & Grants	-	-	-	-
Court Technology	-	-	-	-
Total Supplies, Maintenance & Operations Costs	134,708	137,725	111,825	85,950
Services				
Professional Services	452,534	514,816	514,816	518,767
Dues/Subscriptions	1,171	4,100	4,100	4,100
Training/Seminars & Related Travel	26,780	14,000	14,000	14,000
Meetings and Related Travel	-	2,000	2,000	2,500
Elections	-	-	-	-
Investigations	10,218	7,000	9,000	12,000
Lease Training	-	7,600	-	1,700
Asset Forfeiture	-	-	-	-
Public Relations	-	6,000	4,900	6,000
Employee Appreciation	-	-	-	1,400
Employment Costs	-	-	-	-
Recording/Reporting/History	-	-	-	-
Total Services Costs	490,702	555,516	548,816	560,467
Shared Services				
Facility Contracts & Services	-	-	-	-
Tech/Internet/Software Maintenance	-	-	-	-
Postage	-	-	-	-
General Liability Insurance	-	-	-	-
Electricity	-	-	-	-
Phone/Cable/Alarms	-	-	-	-
Total Shared Services Costs	-	-	-	-
Capital Outlay				
Land/Land Improvement	-	-	-	-
Building/Building Improvement	-	-	-	-
Infrastructure	-	-	-	-
Furniture, Fixtures, Equipment & Vehicles	-	74,100	56,792	216,000
Transfer to Intergov Fund 06	-	-	-	-
Transfer to Cap Improv Fund 02	-	-	-	-
Transfer to GF Veh/Equip F 31	-	-	-	-
Fund Balance	-	-	-	-
Total Capital Outlay Costs	-	74,100	56,792	216,000
Total Departmental Budget	2,493,183 *	2,911,257	2,791,850	3,173,962

* See Appendix A regarding prior year budget amounts

MAINTENANCE OPERATIONAL BUDGET

Expenditure Type	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
Personnel				
Salaries	371,339	257,876	230,776	286,552
Overtime	5,437	955	1,555	1,002
Taxes - Social Security	22,344	16,048	14,415	17,828
Taxes - Medicare	5,226	3,753	3,371	4,170
Taxes SUTA/FUTA	1,635	1,575	64	1,688
Retirement	9,707	22,956	15,066	23,518
Health Insurance	46,717	30,904	27,070	34,082
Workmans' Compensation	69,300	50,667	51,022	62,677
Uniform Allowance	-	-	-	-
Car Allowance	-	-	-	-
Relocation Allowance	-	-	-	-
Total Personnel Costs	531,705	384,734	343,339	431,517
Supplies, Maintenance & Operations				
Supplies and Consumables	4,213	3,500	3,500	6,100
Minor Equipment and Furniture	12,622	8,560	8,560	10,800
Fuel	10,124	10,200	10,200	10,200
Uniforms	4,681	7,359	7,359	6,275
Miscellaneous	484	700	700	200
Vehicle Maintenance/Repairs	11,811	7,159	7,159	12,000
Equipment Maintenance/Repairs	12,408	6,580	6,580	5,580
Building Maintenance/Repairs	14,550	14,500	14,500	15,480
Landscaping & Greenspace Maintenance	3,505	1,000	2,096	5,000
Street Maintenance	255,291	-	-	31,000
Drainage Work	3,256	213	213	5,000
Committees - Other	-	-	-	-
Committees - Planning & Zoning	-	-	-	-
Committee - Board of Adj	-	-	-	-
Urban Wildlife	-	-	-	-
Donations & Grants	-	-	-	-
Court Technology	-	-	-	-
Total Supplies, Maintenance & Operations Costs	332,946	59,772	60,867	107,635
Services				
Professional Services	-	-	-	-
Dues/Subscriptions	494	600	-	600
Training/Seminars & Related Travel	8,699	4,509	4,509	8,541
Meetings and Related Travel	-	750	750	100
Elections	-	-	-	-
Investigations	-	-	-	-
Lease Training	-	-	-	-
Asset Forfeiture	-	-	-	-
Public Relations	-	-	-	-
Employee Appreciation	-	-	-	400
Employment Costs	-	-	-	-
Recording/Reporting/History	-	-	-	-
Total Services Costs	9,192	5,859	5,259	9,641
Shared Services				
Facility Contracts & Services	-	-	-	-
Tech/Internet/Software Maintenance	-	-	-	-
Postage	-	-	-	-
General Liability Insurance	-	-	-	-
Electricity	-	-	-	-
Phone/Cable/Alarms	-	-	-	-
Total Shared Services Costs	-	-	-	-
Capital Outlay				
Land/Land Improvement	-	-	-	-
Building/Building Improvement	-	-	-	-
Infrastructure	-	-	-	-
Furniture, Fixtures, Equipment & Vehicles	-	218,473	245,681	-
Transfer to Intergov Fund 06	-	-	-	-
Transfer to Cap Improv Fund 02	-	-	-	-
Transfer to GF Veh/Equip F 31	-	-	-	-
Fund Balance	-	-	-	-
Total Capital Outlay Costs	-	218,473	245,681	-
Total Departmental Budget	873,843 *	668,837	655,146	548,793

* See Appendix A regarding prior year budget amounts

BUILDING CODES OPERATIONAL BUDGET

Expenditure Type	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
Personnel				
Salaries	136,665	167,727	162,948	174,828
Overtime	233	171	248	173
Taxes - Social Security	8,257	10,410	10,252	10,850
Taxes - Medicare	1,931	2,435	2,398	2,538
Taxes SUTA/FUTA	491	675	27	675
Retirement	635	1,512	915	1,511
Health Insurance	17,073	20,047	19,478	20,742
Workmans' Compensation	16,853	24,337	24,200	25,290
Uniform Allowance	-	-	-	-
Car Allowance	-	-	-	-
Relocation Allowance	-	-	-	-
Total Personnel Costs	182,137	227,313	220,465	236,608
Supplies, Maintenance & Operations				
Supplies and Consumables	1,270	600	600	450
Minor Equipment and Furniture	1,248	1,180	1,180	2,200
Fuel	1,127	1,300	1,300	1,300
Uniforms	66	280	280	530
Miscellaneous	102	150	150	-
Vehicle Maintenance/Repairs	-	-	-	-
Equipment Maintenance/Repairs	-	-	-	-
Building Maintenance/Repairs	-	-	-	-
Landscaping & Greenspace Maintenance	-	-	-	-
Street Maintenance	-	-	-	-
Drainage Work	-	-	-	-
Committees - Other	-	-	-	-
Committees - Planning & Zoning	-	-	-	-
Committee - Board of Adj	-	-	-	-
Urban Wildlife	-	-	-	-
Donations & Grants	-	-	-	-
Court Technology	-	-	-	-
Total Supplies, Maintenance & Operations Costs	3,813	3,510	3,510	4,480
Services				
Professional Services	-	9,200	8,130	9,560
Dues/Subscriptions	405	290	265	290
Training/Seminars & Related Travel	2,223	3,555	3,555	4,075
Meetings and Related Travel	-	200	200	600
Elections	-	-	-	-
Investigations	-	-	-	-
Lease Training	-	-	-	-
Asset Forfeiture	-	-	-	-
Public Relations	-	-	-	-
Employee Appreciation	-	-	-	150
Employment Costs	-	-	-	-
Recording/Reporting/History	-	-	-	-
Total Services Costs	2,628	13,245	12,150	14,675
Shared Services				
Facility Contracts & Services	-	-	-	-
Tech/Internet/Software Maintenance	-	-	-	-
Postage	-	-	-	-
General Liability Insurance	-	-	-	-
Electricity	-	-	-	-
Phone/Cable/Alarms	-	-	-	-
Total Shared Services Costs	-	-	-	-
Capital Outlay				
Land/Land Improvement	-	-	-	-
Building/Building Improvement	-	-	-	-
Infrastructure	-	-	-	-
Furniture, Fixtures, Equipment & Vehicles	-	-	-	-
Transfer to Intergov Fund 06	-	-	-	-
Transfer to Cap Improv Fund 02	-	-	-	-
Transfer to GF Veh/Equip F 31	-	-	-	-
Fund Balance	-	-	-	-
Total Capital Outlay Costs	-	-	-	-
Total Departmental Budget	188,578	244,068	236,125	255,763

ENGINEERING SERVICES OPERATIONAL BUDGET

Expenditure Type	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
Personnel				
Salaries	-	198,573	186,988	226,787
Overtime	-	-	102	1,058
Taxes - Social Security	-	12,945	11,314	14,126
Taxes - Medicare	-	3,027	2,646	3,304
Taxes SUTA/FUTA	-	788	32	788
Retirement	-	2,380	1,420	2,451
Health Insurance	-	24,929	22,320	27,005
Workmans' Compensation	-	31,973	25,267	30,998
Uniform Allowance	-	-	-	-
Car Allowance	-	-	-	-
Relocation Allowance	-	-	-	-
Total Personnel Costs	-	274,615	250,089	306,516
Supplies, Maintenance & Operations				
Supplies and Consumables	-	4,654	4,654	6,495
Minor Equipment and Furniture	-	2,786	2,786	950
Fuel	-	1,859	1,859	1,301
Uniforms	-	815	815	1,140
Miscellaneous	-	200	200	-
Vehicle Maintenance/Repairs	-	-	-	-
Equipment Maintenance/Repairs	-	-	-	-
Building Maintenance/Repairs	-	-	-	-
Landscaping & Greenspace Maintenance	-	-	-	-
Street Maintenance	-	-	-	410,000
Drainage Work	-	-	-	-
Committees - Other	-	-	-	-
Committees - Planning & Zoning	-	-	-	-
Committee - Board of Adj	-	-	-	-
Urban Wildlife	-	-	-	-
Donations & Grants	-	-	-	-
Court Technology	-	-	-	-
Total Supplies, Maintenance & Operations Costs	-	10,314	10,314	419,887
Services				
Professional Services	-	-	-	15,000
Dues/Subscriptions	-	363	885	333
Training/Seminars & Related Travel	-	8,138	8,138	7,323
Meetings and Related Travel	-	500	500	900
Elections	-	-	-	-
Investigations	-	-	-	-
Lease Training	-	-	-	-
Asset Forfeiture	-	-	-	-
Public Relations	-	-	-	-
Employee Appreciation	-	-	-	350
Employment Costs	-	-	-	-
Recording/Reporting/History	-	-	-	-
Total Services Costs	-	9,001	9,523	23,905
Shared Services				
Facility Contracts & Services	-	-	-	-
Tech/Internet/Software Maintenance	-	-	-	-
Postage	-	-	-	-
General Liability Insurance	-	-	-	-
Electricity	-	-	-	-
Phone/Cable/Alarms	-	-	-	-
Total Shared Services Costs	-	-	-	-
Capital Outlay				
Land/Land Improvement	-	-	-	-
Building/Building Improvement	-	-	-	-
Infrastructure	-	-	-	-
Furniture, Fixtures, Equipment & Vehicles	-	-	-	-
Transfer to Intergov Fund 06	-	-	-	-
Transfer to Cap Improv Fund 02	-	-	-	-
Transfer to GF Veh/Equip F 31	-	-	-	-
Fund Balance	-	-	-	-
Total Capital Outlay Costs	-	-	-	-
Total Departmental Budget	- *	293,930	269,925	750,308

* See Appendix A regarding prior year budget amounts

NON-DEPARTMENTAL OPERATIONAL BUDGET

Expenditure Type	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
Personnel				
Salaries	-	-	-	-
Overtime	-	-	-	-
Taxes - Social Security	-	-	-	-
Taxes - Medicare	-	-	-	-
Taxes SUTA/FUTA	-	-	-	-
Retirement	-	-	-	-
Health Insurance	-	-	-	-
Workmans' Compensation	-	-	-	-
Uniform Allowance	-	-	-	-
Car Allowance	-	-	-	-
Relocation Allowance	-	-	-	-
Total Personnel Costs	-	-	-	-
Supplies, Maintenance & Operations				
Supplies and Consumables	-	6,000	6,000	6,000
Minor Equipment and Furniture	-	-	-	-
Fuel	-	-	-	-
Uniforms	-	-	-	-
Miscellaneous	-	-	-	-
Vehicle Maintenance/Repairs	-	-	-	-
Equipment Maintenance/Repairs	-	-	-	-
Building Maintenance/Repairs	-	-	-	-
Landscaping & Greenspace Maintenance	-	-	-	-
Street Maintenance	-	-	-	-
Drainage Work	-	-	-	-
Committees - Other	-	-	-	-
Committees - Planning & Zoning	-	-	-	-
Committee - Board of Adj	-	-	-	-
Urban Wildlife	-	-	-	-
Donations & Grants	-	-	-	-
Court Technology	-	-	-	-
Total Supplies, Maintenance & Operations Costs	-	6,000	6,000	6,000
Services				
Professional Services	-	-	-	-
Dues/Subscriptions	-	-	-	-
Training/Seminars & Related Travel	-	-	-	-
Meetings and Related Travel	-	-	-	-
Elections	-	-	-	-
Investigations	-	-	-	-
Lease Training	-	-	-	-
Asset Forfeiture	-	-	-	-
Public Relations	-	-	-	-
Employee Appreciation	-	-	-	-
Employment Costs	-	-	-	-
Recording/Reporting/History	-	-	-	-
Total Services Costs	-	-	-	-
Shared Services				
Facility Contracts & Services	33,264	28,839	28,839	51,577
Tech/Internet/Software Maintenance	140,327	252,810	252,810	156,481
Postage	5,354	7,500	5,500	9,500
General Liability Insurance	48,838	51,000	49,586	51,418
Electricity	31,135	32,700	32,700	32,700
Phone/Cable/Alarms	21,547	24,743	24,743	26,742
Total Shared Services Costs	280,465	397,592	394,178	328,417
Capital Outlay				
Land/Land Improvement	-	-	-	-
Building/Building Improvement	-	-	-	-
Infrastructure	-	-	-	-
Furniture, Fixtures, Equipment & Vehicles	-	12,750	12,750	-
Transfer to Intergov Fund 06	-	-	-	-
Transfer to Cap Improv Fund 02	527,890	972,571	972,571	1,199,525
Transfer to GF Veh/Equip F 31	703,781	160,503	160,503	230,492
Fund Balance	-	-	-	-
Total Capital Outlay Costs	1,231,671	1,145,824	1,145,824	1,430,017
Total Departmental Budget	1,512,136 *	1,549,416	1,546,002	1,764,434

* See Appendix A regarding prior year budget amounts

Strategic Projects Fund				
	Actual	Budget	Estimated	Budget
	2017-18	2018-19	2018-19	2019-20
Beginning Fund Balance	-	223,508	223,508	955,378
Revenues:				
Transfer from General Fund	527,890	979,571	979,571	1,199,525
Total Revenue	527,890	979,571	979,571	1,199,525
Financial Integrity				
Revenue Projections	-	-	-	10,000
Internal Controls Framework	-	-	-	20,000
Stormwater Funding	-	-	-	120,000
Debt Review and Policy Implementation	-	-	-	15,000
Grants and Utilities Reporting Requirements	-	-	-	10,000
Financial Management Policy Review	-	-	-	15,000
Stormwater Utility cost center set-up	-	-	-	50,000
Responsible Growth Management				
Comprehensive Plan and Unified Development Code	-	-	-	50,000
FM 3351 Owners Representative and Project Manager	-	-	-	75,000
Project Development and Funding Plan for Drainage	-	-	-	50,000
Municipal Separate Storm Sewer System (MS4)	-	-	-	5,000
Reliable and Sustainable Infrastructure				
City Hall Building Renovation	-	-	-	600,000
City Campus Outbuilding Renovation	-	-	-	450,000
Long-term road condition analysis (traffic studies and PCI, etc)	-	-	-	80,000
Public Health, Safety, and Welfare				
Public Safety Command Structure Program Review	-	-	-	25,000
Fire Services Program Review	-	-	-	25,000
Emergency Medical Services Program Review	-	-	-	25,000
Operational Excellence				
Compensation and Benefit Plan Study	-	-	-	50,000
Employee Handbook	-	-	-	5,000
HR Technology Upgrade	-	-	-	32,000
Learning and Development Training Program	-	-	-	5,000
Communications and Marketing Strategy	-	-	-	5,000
Records Management	-	-	-	12,000
IT Risk Analysis and Vulnerability Assessment	-	-	-	50,000
Prior Year Projects				
Professional Services	-	-	-	-
Update Subdivision Regulations	1,782	-	-	-
Master Land Use Plan	34,706	60,000	60,000	-
Annexation Plan	29,805	-	-	-
Master Drainage Plan	89,177	-	7,679	-
Zoning Regulations	29,805	-	-	-
Development Handbook	12,919	-	-	-
Master Roadway	587	-	-	-
MS4 and SSO Permitting	43,745	-	34,492	-
Capital Improvement				
Land/Land Improvement	-	-	-	-
Bldg/Bldg Improvement	61,855	488,149	23,670	-
Infrastructure	-	121,860	121,860	-
Personal Property	-	-	-	-
Total Expenditures	304,383	670,009	247,701	1,784,000
Use of Fund Balance	-	(38,149)	-	584,475
Ending Fund Balance	223,508	494,921	955,378	370,903

GENERAL VEHICLE/EQUIPMENT REPLACEMENT FUNDS

Equipment and Vehicle Replacement				
	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
<u>Revenues:</u>				
Transfer from General Fund	380,701	160,503	160,503	230,492
Transfer from Capital Improvement Fund	-	-	-	-
Transfer from other General Fund Departments	323,080	-	-	-
Interest Income on Investments	-	-	-	-
Total Revenue	703,781	160,503	160,503	230,492
<u>Professional and Contractual Services</u>				
Maintenance Furniture	9,176	-	-	-
Maintenance Equipment	201,430	-	-	-
Patrol Vehicle	86,498	-	-	-
Transfer to General Fund for Purchases	-	263,750	234,706	154,000
Fund Balance	-	-	-	-
Total Professional and Contractual Services Costs	<u>297,104</u>	<u>263,750</u>	<u>234,706</u>	<u>154,000</u>
Net Budget	406,677	(103,247)	(74,203)	76,492

STREET BOND DEBT SERVICE FUND

Street Bond Debt Service Fund				
	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
<u>Revenues:</u>				
General Property-I & S	545,358	552,409	554,703	550,931
Delinquent Property	4,010	3,000	2,000	3,000
Penalty & Interest	2,578	1,500	4,361	1,500
Interest Income on Investments	1,691	1,000	1,300	1,000
Miscellaneous Income	-	-	-	-
Total Revenue	553,637	557,909	562,364	556,431
<u>Expenditures:</u>				
Bond Principal	430,000	435,000	435,000	440,000
Bond Interest Payable	121,878	117,009	117,009	111,540
Bond Agent Fees	400	400	400	400
Transfer to Fund Balance	-	-	-	-
Total Departmental Budget	552,278	552,409	552,409	551,940

2015 GENERAL OBLIGATION BOND FUND

Street Bond Program				
	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
<u>Revenues:</u>				
Interest Income on Investments	19,033	-	9,000	-
Transfer from Equipment Replacement Fund	-	-	-	-
Transfer from Fund Balance	-	449,344	456,344	-
Total Revenue	19,033	449,344	465,344	-
<u>Expenditures:</u>				
Professional Services	36,253	-	-	-
Land/Land Improvement	-	-	-	-
Construction Costs	1,846,305	456,344	283,999	181,345
Total Departmental Budget	1,882,558	456,344	283,999	181,345

Street Bond Program Amortization of Bond Proceeds							
	Actual 2014-15	Actual 2015-16	Actual 2016-17	Actual 2017-18	Estimated 2018-19	Budget 2019-20	Cumulative 5-year total
<u>Revenues:</u>							
Bond Proceeds	7,000,000	-	-	-	-	-	7,000,000
Bond Premium	100,090	-	-	-	-	-	100,090
Miscellaneous	90	-	-	-	-	-	90
Interest Income on Investments	17,250	19,126	30,437	19,033	9,000	-	94,846
Transfer from Equipment Replacement Fund	-	-	-	-	-	-	-
Total Revenue	7,117,430	19,126	30,437	19,033	9,000	-	7,195,026
<u>Expenditures:</u>							
Bond Issuance Costs	100,090	-	-	-	-	-	100,090
Professional Services	98,147	685,378	172,794	36,253	-	-	992,572
Land/Land Improvement	-	-	17,000	-	-	-	17,000
Construction Costs	-	-	3,773,714	1,846,305	283,999	181,345	6,085,363
Total Expenditures	198,237	685,378	3,963,508	1,882,558	283,999	181,345	7,195,025
Net Budget	6,919,193	(666,252)	(3,933,071)	(1,863,525)	(274,999)	(181,345)	0

CONSOLIDATED UTILITY FUND BUDGET

Consolidated Utility Fund Budget Summary			
	Water	Wastewater	Utility Fund Total
Utility Revenues	3,971,147	1,075,001	5,046,147
Utility Operating Expenses			
Personnel	783,911	644,490	1,428,402
Supplies, Maintenance & Operations	1,760,076	709,223	2,469,300
Services	66,138	1,320	67,458
Debt Service Costs	75,522	14,385	89,907
Total Utility Operating Expenses	2,685,648	1,369,418	4,055,067
Operating Income/(Loss)	1,285,499	(294,417)	991,080
Capital Outlay	1,181,028	298,978	1,480,006
Non Cash Adjustments	(555,580)	171,334	(384,246)
Net Income/(Loss)	660,051	(764,730)	(104,679)

UTILITY FUND WATER REVENUES

(DETAIL)

Water Utility Operations Revenue Detail				
	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
Water Revenues				
Water Revenue Residential	2,972,996	2,766,817	2,216,817	2,883,483
Rebate Program	-	-	-	-
Water Debt Service	189,735	297,785	297,785	304,738
Water Capital	236,492	237,082	237,082	244,420
Water Revenue Commercial	168,772	135,475	149,842	152,657
Water Contract Commercial	152,653	158,268	158,268	158,268
Water Revenue Non Potable	29,660	10,960	10,960	10,960
Water Service Connect Fees	25,150	34,810	34,810	34,810
Water Penalties	34,997	28,440	34,235	28,440
Water Impact Fees	105,830	83,640	126,620	107,290
Water Impact Fees - Stone Creek	-	9,340	-	-
Water Impact Fee-S Bar Ranch	-	12,710	-	-
Water Impact Fee-Oak Bend	-	-	-	-
Water Impact Fee-Enclave	-	1,600	-	-
Water Interest Income	39,982	16,000	45,904	35,000
Water-Bad Debts	(1,494)	(3,000)	(945)	(3,000)
Water Grant Revenue	-	-	-	-
SECO EECBG	-	-	-	-
Misc./Special Requests	629	3,710	3,010	3,710
Developers Contributions	-	-	-	-
Third Party Reimbursement	-	-	5,278	-
Permits/Variances	375	370	500	370
Credit Card Service Fee	11,092	10,000	10,000	10,000
Sale of Assets	-	-	-	-
Fund Balance Transfer In	-	-	-	-
Total Water Revenues	3,966,868	3,804,008	3,330,167	3,971,147

UTILITY FUND WATER EXPENDITURES (DETAIL)

Water Utility Fund Operating Expense Detail				
	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
Operating Expenses				
Service Salaries	233,405	272,713	230,526	265,777
Service Overtime	9,391	1,929	7,523	2,627
Service Taxes - FICA	14,035	18,093	14,322	16,641
Service Taxes - MEDICARE	3,282	4,231	3,350	3,892
Service Workers' Comp	5,083	16,663	10,446	13,376
Service Texas Workforce Commission	794	1,490	56	1,350
Service Retirement	24,165	34,843	28,265	31,813
Service Insurance	45,282	53,301	53,381	52,649
Administration Salaries	722	-	-	-
Administration Overtime	162,067	233,679	226,350	294,818
Administration Taxes - FICA	147	152	79	762
Administration Taxes - MEDICARE	9,632	14,498	14,060	18,326
Administration Workers' Comp	2,253	3,391	3,289	4,286
Administration Texas Workforce Commission	380	1,052	1,052	2,616
Administration Retirement	507	911	64	1,069
Administration Insurance	16,379	27,919	27,015	35,034
Water Admin OPEB	23,315	32,532	29,665	38,875
Uniforms	489	-	-	-
Power	4,764	5,953	5,953	5,750
Maintenance of Plants/Lines	135,083	126,050	126,050	135,000
Cost of Meters	100,941	135,140	100,000	115,000
Analysis Fees	6,300	-	-	-
Chemicals	4,540	5,750	5,750	7,400
City Management Fee	5,250	5,090	5,090	5,090
Equipment Maintenance	166,204	153,576	126,794	160,268
Equipment Gas & Oil	9,805	4,110	10,583	12,110
GBRA Water Fees	9,822	11,010	11,010	11,010
Equipment Lease	1,044,497	1,097,699	1,097,699	1,097,699

UTILITY FUND WATER EXPENDITURES

(DETAIL) CONT.

	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
Tools & Minor Equipment	6	690	690	690
Training	9,889	23,457	23,457	10,000
Utilities & Radio	7,798	10,250	10,250	9,460
Signal & Telemetry	15,425	19,389	19,389	19,328
Water Building Maintenance	162	162	162	162
Supplies & Consumables	9,799	10,000	10,000	12,250
Vehicle Maintenance/Repair	1,631	1,340	1,340	1,340
Capital	4,092	5,656	5,656	6,500
Water Inventory Adjustment	2,402	-	-	-
Utilities & Telephone	4,924	5,527	5,527	6,309
Dues & Publications	775	1,102	1,402	1,056
Water Professional Services	58,241	47,081	172,797	66,138
Permits & Licenses	7,992	8,461	8,461	8,741
General Liability Insurance	11,733	12,320	11,917	25,709
Office Supplies	3,292	5,814	5,814	4,616
Travel & Meetings	3,140	7,750	7,750	6,500
Software & Computer	54,230	56,627	57,127	70,218
Recording/Reporting	71	100	100	100
Mileage	206	-	-	-
Copier Lease	1,322	-	-	-
Postage	353	850	850	850
Building/Equip Maintenance	1,088	1,100	1,100	150
Conservation Ed & Newsletter	840	250	250	250
Billing Statement Charges	3,548	3,360	3,360	3,360
Billing Postage	7,867	8,100	8,100	8,100
Water Miscellaneous	273	600	600	7,800
Credit Card Service Fee	7,638	7,260	7,260	7,260
Total Operating Expenses	<u>2,257,271</u>	<u>2,499,022</u>	<u>2,501,730</u>	<u>2,610,126</u>

UTILITY FUND WASTEWATER REVENUES

(DETAIL)

Wastewater Utility Fund Revenue Detail				
	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
Wastewater Revenues				
Sewer Revenue Residential	791,058	822,004	822,004	830,798
Sewer Debt Service	36,298	56,721	56,721	57,327
Sewer Capital	87,472	88,250	88,250	89,190
Sewer Revenue Commercial	4,045	4,166	4,166	4,166
Sewer Service Connect Fee	17,000	23,670	23,670	23,670
Sewer Penalties	7,644	5,270	9,901	5,270
Sewer Impact Fee	38,760	45,710	52,420	45,710
Sewer Impact Fee-S Bar Ranch	-	6,710	-	6,710
Sewer Impact Fee-<2004	-	-	-	-
Sewer Interest Income	38,254	12,000	47,116	12,000
Sewer Bad Debt	(238)	(400)	(200)	(400)
Sewer Grant Revenue	-	-	-	-
SECO EECBG	-	560	-	560
Misc/Special Requests	-	-	-	-
Fund Balance Transfer In	-	-	-	-
Total Wastewater Revenues	1,020,293	1,064,661	1,104,047	1,075,001

UTILITY FUND WASTEWATER EXPENDITURES

(DETAIL)

Wastewater Utility Fund Operating Expense Detail				
	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
Operating Expenses				
Service Salaries	195,955	198,086	189,780	199,331
Service Overtime	5,020	1,414	3,159	2,392
Service Taxes - FICA	11,943	12,369	12,312	12,507
Service Taxes - Medicare	2,793	2,893	2,879	2,925
Service Workers' Comp	3,913	11,391	7,678	10,404
Service Taxes - SUTA/FUTA	745	956	39	900
Service Retirement	20,088	23,820	23,024	23,909
Service Insurance	34,483	29,864	28,428	30,566
Administration Salaries	599	-	-	-
Administration Overtime	147,385	245,170	204,651	270,387
Administration Taxes - FICA	45	152	79	762
Administration Taxes - Medicare	8,785	15,210	12,654	16,811
Administration Workers' Comp	2,054	3,557	2,959	3,932
Administration Taxes - SUTA/FUTA	324	1,216	704	1,295
Administration Retirement	426	956	59	956
Administration Insurance	14,924	29,291	24,422	32,138
Administration OPEB	445	-	-	-
Uniforms	21,309	35,474	26,388	35,276
Power	4,333	5,953	5,953	4,150
Maintenance Of Plant/ Lines	35,938	35,140	35,140	36,350
Sludge Hauling	39,161	50,280	50,280	40,000
Analysis Fees	282,734	330,000	330,000	350,000
Chemicals	26,910	21,330	23,330	26,000
City Management Fee	5,740	6,280	7,680	7,240
Equipment Maintenance	39,755	41,308	41,308	41,748
Equipment Gas & Oil	5,273	2,860	7,860	6,860
Equipment Lease	9,738	6,820	6,820	9,180

UTILITY FUND WASTEWATER EXPENDITURES

(DETAIL) CONT.

	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
Tools & Minor Equipment	8,306	3,090	6,240	4,500
Training	6,508	16,123	16,123	5,500
Utilities & Radios	6,576	9,250	9,250	8,380
Signal & Telemetry	14,331	18,127	18,127	18,056
Building Maintenance	461	461	461	461
Supplies & Consumables	6,577	10,330	10,330	9,080
Vehicle Maintenance & Repairs	1,409	1,120	1,120	1,120
Capital	2,913	2,500	2,600	5,000
Inventory Adjustment	(759)	-	-	-
Utilities/Telephone	5,308	5,006	5,006	6,098
Dues & Publications	1,032	1,162	1,162	1,320
Professional Fees	26,625	26,004	26,004	30,804
Permits & Licenses	3,286	1,718	1,718	1,718
Liability Insurance	11,733	12,320	11,917	25,709
Office Supplies	3,001	4,194	4,194	4,181
Travel & Meetings	2,589	4,800	4,800	4,800
Software & Computers	34,690	34,193	34,193	44,640
Recording/Reporting	25	100	100	100
Sewer Postage	307	438	438	438
Adm Bldg/Equip. Maintenance	1,088	1,100	1,100	150
Billing Statement Charges	3,796	3,360	3,360	3,360
Billing Postage	7,567	8,100	8,100	8,100
Copier Lease	1,322	-	-	-
Miscellaneous	169	600	600	5,500
Total Operating Expenses	<u>1,069,680</u>	<u>1,275,887</u>	<u>1,214,529</u>	<u>1,355,033</u>

Water Utility Fund Summary

	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
Water Revenues	3,966,868	3,804,008	3,330,167	3,971,147
Water Operating Expenses				
Personnel	551,327	717,398	649,441	783,911
Supplies, Maintenance & Operations	1,647,703	1,734,543	1,679,492	1,760,076
Services	58,241	47,081	172,797	66,138
Total Water Operating Expenses	2,257,271	2,499,022	2,501,730	2,610,126
Operating Income	1,709,597	1,304,986	828,437	1,361,021
Lease Interest Expense	89,776	82,729	82,729	75,522
Capital Outlay	426,534	615,038	172,102	1,181,028
Non Cash Adjustments	123,282	480,243	307,649	(555,580)
Net Income/(Loss)	1,070,004	126,976	265,957	660,050

Wastewater Utility Fund Summary

	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
Wastewater Revenues	1,020,293	1,064,661	1,104,047	1,075,001
Wastewater Operating Expenses				
Personnel	471,238	611,820	539,214	644,490
Supplies, Maintenance & Operations	597,410	662,906	674,153	709,223
Services	1,032	1,162	1,162	1,320
Total Wastewater Operating Expenses	1,069,680	1,275,887	1,214,529	1,355,033
Operating Income	(49,387)	(211,226)	(110,481)	(280,032)
Lease Interest Expense	16,471	15,758	15,758	14,385
Capital Outlay	77,310	773,038	519,479	298,978
Non-Cash Adjustments	279,003	(338,237)	(225,928)	171,334
Net Income/(Loss)	(422,170)	(661,785)	(419,790)	(764,730)

UTILITY FUND CAPITAL PROJECTS

Water Utility Fund Capital Outlays, Debt and Non-Operating Detail				
	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
Operational Capital Outlays				
Water Operational Capital Outlays	96,703	143,038	53,029	5,000
Water Equipment Replacement Purchases	-	-	-	15,000
Total Operational Capital Outlays	96,703	143,038	53,029	20,000
Strategic Action Plan Capital Outlays				
Elevated Storage Tower	-	247,000	99,296	628,528
Master Water Plan	33,209	-	19,777	-
Project Development	-	-	-	50,000
Plant 2 Hydro Tank	-	-	-	45,000
Water Rate Study	-	200,000	-	-
Impact Rate Study	-	25,000	-	37,500
Capital Improvement Plan	33,209	-	-	-
Intrepid/Silver Spur Water line	53,799	-	-	-
Meadow Creek water line	160,728	-	-	-
Water Distribution Interconnect	48,886	-	-	-
Creek Crossing West Water Line	-	-	-	400,000
				-
				-
Total Strategic Action Plan Capital Outlays	329,831	472,000	119,073	1,161,028
Total Capital Outlays	426,534	615,038	172,102	1,181,028
Lease Interest Expense				
Bond Principal	-	-	-	-
Bond Water Issuance Fees	-	-	-	-
Bond Interest Cost	-	-	-	-
Tax Exempt Lease Interest	89,776	82,729	82,729	75,522
Total Lease Interest Expense	89,776	82,729	82,729	75,522
Non-Cash Adjustments				
Transfer to Vehicle/Equip Replacement Fund	63,081	39,423	39,423	30,000
Transfer from Water Operations	-	(39,423)	(39,423)	(30,000)
Water Service Depreciation	420,317	470,281	469,974	532,948
Transfer of Assets to Balance Sheet	(360,116)	(790,038)	(162,325)	(1,088,528)
Transfer to Water CIP	89,303	400,000	-	-
Transfer from Water Operations	(89,303)	(400,000)	-	-
Total Non-Cash Adjustments	123,282	(319,757)	307,649	(555,580)
Total Non-Operating Expenses	639,592	378,010	562,481	700,970

Wastewater Utility Fund Capital, Debt, and Non-Cash Expenditures

	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Budget 2019-20
Operational Capital Outlays				
Wastewater Operational Capital Outlays	10,910	353,038	306,802	30,000
Wastewater Equipment Purchases				
	10,910	353,038	306,802	30,000
Strategic Action Plan Capital Outlays				
Solids Handling and Digester Planning	-	100,000	-	100,000
Impact Fee Study	-	25,000	-	37,500
Project Development	-	-	-	50,000
Future Wastewater Treatment Plant	-	-	-	81,478
Master Wastewater Plan	66,400	125,000	19,805	-
Collection Systems repairs	-	170,000	192,872	-
Utility Rate Analysis	-	-	-	-
	66,400	420,000	212,677	268,978
Total Capital Outlays	77,310	773,038	519,479	298,978
Lease Interest Expense				
Water Bond Principal	-	-	-	-
Bond Issuance Costs	-	-	-	-
OB Bond Interest Cost	-	-	-	-
Tax Exempt Lease Interest	16,471	15,758	15,758	14,385
Total Lease Interest Expense	16,471	15,758	15,758	14,385
Non-Cash Adjustments				
Transfer To Vehicle Repl. Fund	63,081	39,423	39,423	45,000
Transfer from Wastewater Operations	-	(39,423)	(39,423)	(45,000)
Sewer Service Depreciation	226,831	284,801	273,746	301,334
Asset Transfer to Balance Sheet	(10,910)	(623,038)	(499,674)	(130,000)
Transfer to Wastewater CIP	21,723	-	-	-
Transfer from Wastewater Operations	(21,723)	-	-	-
Total Non-Cash Adjustments	279,003	(338,237)	(225,928)	171,334
Total Capital, Debt, and Non-Cash	372,783	450,558	309,309	484,698

APPENDIX A

Effective Fiscal Year 2018-19 the City has changed the Departmental Structure of the General Fund by splitting the Administration Department into the following new departments: Mayor and City Council, City Administration, City Secretary, HR & Communications, and Finance. The City has also added the Engineering Services Department which was previously reported in Maintenance, and Non-Departmental & Shared Services which was previously allocated across multiple departments. The Public Safety department now includes both police and fire, which were previously two separate departments. Comparability of budgets between fiscal years prior to 2018-19 and those after might be challenging for the newly created departments, or those affected by the Accounting change.

NOTICE OF 2019 TAX YEAR PROPOSED PROPERTY TAX RATE FOR THE CITY OF FAIR OAKS RANCH

A tax rate of \$0.3735 per \$100 valuation has been proposed for adoption by the governing body of the City of Fair Oaks Ranch. This rate exceeds the lower of the effective or rollback tax rate, and state law requires that two public hearings be held by the governing body before adopting the proposed tax rate.

The governing body of the City of Fair Oaks Ranch proposes to use revenue attributable to the tax rate increase for the purpose of progressing certain Strategic Action Plan Projects, Campus Renovations, and advancing City Council's policy to adequately fund reserves.

PROPOSED TAX RATE	\$0.3735 per \$100
PRECEDING YEAR'S TAX RATE	\$0.3668 per \$100
EFFECTIVE TAX RATE	\$0.3536 per \$100
ROLLBACK TAX RATE	\$0.3791 per \$100

The effective tax rate is the total tax rate needed to raise the same amount of property tax revenue for the City of Fair Oaks Ranch from the same properties in both the 2018 tax year and the 2019 tax year.

The rollback tax rate is the highest tax rate that Fair Oaks Ranch, City of may adopt before voters are entitled to petition for an election to limit the rate that may be approved to the rollback rate.

YOUR TAXES OWED UNDER ANY OF THE ABOVE RATES CAN BE CALCULATED AS
FOLLOWS:

$$\text{property tax amount} = (\text{rate}) \times (\text{taxable value of your property}) / 100$$

For assistance or detailed information about tax calculations, please contact:
The Office of the Bexar County Tax Assessor-Collector Albert Uresti, MPA, PCC

Carlos Gutierrez, PCC
Property Tax Division Director
233 N. Pecos-La Trinidad, San Antonio, TX 78207
210-335-6600
taxoffice@bexar.org
home.bexar.org/tax

You are urged to attend and express your views at the following public hearings on the proposed tax rate:

First Hearing: September 5, 2019 at 9:30 AM at Fair Oaks Ranch City Hall, 7286 Dietz Elkhorn, Fair Oaks Ranch, TX.

Second Hearing: September 12, 2019 at 6:30 PM at Fair Oaks Ranch City Hall, 7286 Dietz Elkhorn, Fair Oaks Ranch, TX.

FY 2019-20 BUDGET CALENDAR

Budget Presentation, Consideration, and Adoption	✓	July 25	Deadline for chief appraiser to certify rolls to taxing units and certification of anticipated collection rate by tax collector.
	✓	July 26	Calculation of effective and rollback rates.
	✓	July 26	Finance Director delivers proposed budget City Manager
	✓	July 29	City Manager delivers proposed budget to Council
	✓	August 8	Final Budget workshop with Council to present proposed budget; submit effective and rollback tax rates; and to propose tax rate to support the budget.
	✓	August 15	At regular City Council meeting, City Council confirms proposed tax rate. If exceeds the rollback rate or the effective tax rate (whichever is lower), Council takes record vote and schedules two public hearings (September 5 and 12) and adoption date (September 19).
	✓	August 19	City Manager files budget with City Secretary (LGC102.005).
	✓	August 23	Finance Director publishes <i>Notice of Proposed Property Tax Rate</i> in August 23rd edition of Boerne Star and posts on the City's website (LGC 140.010e). City Secretary publishes <i>Notice of Budget Availability</i> and <i>Notice of Public Hearing</i> in the August 23rd edition of Boerne Star and posts on city's website (LGC 102.0065 and Tax Code)
		September 5 9:30 am	City Council holds 1st Public Hearing and 1st reading of Budget and Tax Rate ordinances; announces 2nd Public Hearing date (September 12) and Adoption date of Budget and Tax Rate (September 19). (LGC 102.007)
		September 12 6:30 pm	City Council holds 2nd Public Hearing (may not be earlier than 3 days after first public hearing) and 2nd reading of Budget and Tax Rate ordinances; announces September 19 as adoption date to adopt budget and tax rate (LGC 102.007 - must be 3-14 days from this date)
		September 19 6:30 pm	City Council adopts tax rate before the later of September 30 or the 60th day after the date the certified appraisal roll was received (Tax Code 26.05).

PROCLAMATION

City of Fair Oaks Ranch

Whereas, The American Legion has been a staunch advocate for veterans and their families since 1919; and,

Whereas, The American Legion was founded on the four pillars of care for veterans and their families, a strong national defense, Americanism, children and youth; and,

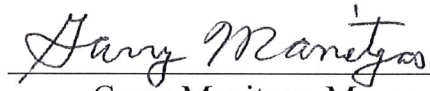
Whereas, The American Legion has played a leading role in initiatives and breakthroughs that have affected the lives of Americans in every community, from the U. S. Flag Code to the GI Bill; and,

Whereas, THE AMERICAN LEGION CAPTAIN MARK “TYLER” VOSS POST 313 “A CENTENNIAL POST” having been formally established and founded upon the four pillars of care for veterans and their families, a strong national defense, Americanism, children and youth of the local Bexar, Comal and Kendall County area; and,

Whereas, The American Legion is celebrating its centennial during 2019;

Now Therefore, I Garry Manitzas, Mayor of the City of Fair Oaks Ranch do hereby proclaim September 16, 2019 as “**American Legion Centennial Day.**”

WITNESS MY HAND AND SEAL THIS 30th DAY OF August, 2019.


Garry Manitzas, Mayor


Christina Picioccio, City Secretary



**CITY OF FAIR OAKS RANCH
CITY COUNCIL MEETING MINUTES
August 1, 2019
7286 Dietz Elkhorn
Fair Oaks Ranch, TX 78015**

I. OPEN MEETING

A. Roll Call – Declaration of a Quorum

Present: Mayor Manitzas, Mayor Pro Tem Elizondo
Council Members: Hartpence, Havard, Koerner, and Maxton

Absent: Council Member Patel

B. The pledge of allegiance was led by Citizen Bob Singh.

With a quorum present, the Mayor called the City Council meeting to order at 9:32 AM.

Mayor Manitzas announced that to address Council, two guest sign in sheets were available; one for general comments (IIA) and one for the discussion regarding development of 344.65-acre property commonly known as the Pfeiffer Tract/The Reserve (IV D).

II. CITIZENS and GUEST FORUM / PRESENTATIONS

A. No citizens were heard on general matters.

B. Mayor Manitzas presented a 5 year service award to Police Sergeant Christopher Griffin.

C. Mayor Manitzas introduced the city's newest employee, Liliana Calvo who will be serving as the Police Administrative Clerk.

D. Mayor Manitzas presented the Employee of the Quarter Award to Police Officer Lacey Gonzalez.

E. Debbie Landrum, Court Administrator was recognized in achieving the Level III Certification; one of 100 Court Administrator's in the state.

III. CONSENT AGENDA

A. Approval of July 18, 2019 Special City Council Meeting Minutes.

B. Approval of July 18, 2019 Regular City Council Meeting Minutes.

C. Approval of Council Member Patel's absence for the August 1, 2019 council Meeting.

D. Approval of the second reading of an Ordinance repealing and replacing Appendix A "Master Fee Schedule" Article A2.000 "Development/Building Fees; of the City's Code of Ordinances.

E. Approval of the second reading of an Ordinance amending various provisions in the Code of Ordinances to comply with the Home Rule Charter.

The Mayor presented the Consent Agenda and with no discussion, the Consent Agenda was approved by unanimous consent.

IV. DISCUSSION/CONSIDERATION ITEMS

A. Discussion and possible action on donating educational gifts to the Fair Oaks Ranch and the Van Raub Elementary Schools.

MOTION: Made by Council Member Koerner, seconded by Council Member Havard to approve the purchase, not to exceed \$700, for wildlife education materials and gift them to the Fair Oaks Ranch Elementary and Van Raub Elementary Schools. .

VOTE: 6-0; Motion Passed

B. Discussion and possible action to approve the proposed 2019-2020 Municipal Development District (MDD) budget.

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Hartpence to approve the FY 2019-2020 MDD Budget as presented.

VOTE: 6-0; Motion Passed.

C. Consideration and possible action on appointing members to the Boerne-Fair Oaks Ranch-Kendall County Transportation Planning Committee.

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Havard to approve a Resolution appointing Dan Banks and Marcus Garcia as members to the Boerne-Fair Oaks Ranch-Kendall County Transportation Planning Committee.

VOTE: 6-0; Motion Passed.

D. Discussion regarding the Development of the approximately 344.65-acre property commonly known as the Pfeiffer Tract/The Reserve.

Rob Killen, Land Use Attorney representing developers interested in developing the approximate 344.65 –acre property commonly known as the Pfeiffer Tract/The Reserve brought preliminary plans for council, staff and the community to review and to provide input. The plan presented calls for 585 lots as well as a 30 bed assisted living facility, preschool, and age targeted sections of the city. Discussion encompassed: definition of “high density residential, size of lot frontage, Kendall County subdivision regulations, ground water from site requirement, density restrictions, and impacts on roadways.

Citizen Comments:

Teal Harris, citizen, spoke in opposition to dense development citing its’ negative impacts on water & home values and called for the city “to be good stewards of the land”.

Rich Nichols, citizen, indicated that greater than 114 homes will be unacceptable to Fair Oaks Ranch citizens. He encouraged the developer to stay within Cow Creek and Kendall County regulations and come back with a low density development plan.

Frank Trapasso, citizen, recounted the history of the previous attempt to develop this property and the resulting opposition which put the Mayor and many of the current council members in their seats. He recommended not approving any plan that exceeds 86 homes and for the city to have legal representation.

M.E. Paulson, citizen, noted concern about decreasing home values, especially in Stone Creek.

Bob Singh, citizen expressed concern with Stone Creek Ranch property values and requested that the water tower be moved to down the road.

Donna Taylor, citizen and environmental research scientist, spoke of the Cow Creek Groundwater Conservation district limitations on the availability of ground water to 34 AF/Year before

negatively impacting others which is equivalent to 86 homes. She expressed concerns whether Cow Creek wells will support a high density development now and in the future.

James Chism, citizen, signed up to speak, but left the meeting prior to being called on.

The following citizens were present and signed up regarding this agenda item, but did not wish to speak: Bill Scorpio, Hank Hattoy, Mark Barronton, Jasen Lopez, Theresa Pappall, Hardy Bass, Carolyn Knopf, Amy Higgins, Shirley Wolfe, Alex Dean, George Zachery, Amancio Cantu, Bobbie French, Nicole Gallegos, Ken Nichols, Susan Mullins, Jim Jeffery, Ana Forster, and David Pappal.

E. Consideration and possible action authorizing the City Manager to sign a Professional Services Agreement with Freese and Nichols, Inc. for engineering and consulting services for Water and Wastewater System Capital Improvement Plan and Maximum Impact Fees Update.

MOTION: Made by Council Member Maxton, seconded by Mayor Pro Tem Elizondo to authorize the City Manager to sign a professional Services Agreement with Freese and Nichols, Inc., for engineering consulting services for Water and Wastewater System Capital Improvement Plan and Maximum Impact Fees Update.

VOTE: 6-0; Motion Passed.

F. Discussion and possible action regarding council chamber's sound system and recording capabilities.

Council Member Hartpence questioned the status of the council chamber sound system and recording capabilities noting that action minutes do not provide enough details of the meetings. Council expressed desire for transparency for citizens unable to attend meetings as well as integration of upgrades within the scope of the campus renovations instead of a separate project. Assistant City Manager Vanzant noted that sound and recording improvements are included within campus upgrade scope and will include recording, speakers, and microphones to capture public comments.

V. REPORTS FROM STAFF/COMMITTEES/COUNCIL

- A. Carole Vanzant, Assistant City Administrator, presented Council the Penalty Clause Committee Report and resulting Ordinance to enforce a criminal penalty for violations of provisions of the City Charter. Council directed staff to move forward with presenting the Ordinance to Council at a future meeting.
- B. Ron Emmons P.E., Public Works Director, provided an update on the FY 2018-19 capital improvement projects schedule.
- C. Director of Finance, Sarah Buckelew, provided the quarterly financial and investment reports. The next budget workshop meeting is scheduled for August 8, 2019 at 3:00 PM.

VI. CONVENE INTO EXECUTIVE SESSION

City Council did not convene into Executive Session regarding:

- A. 551.071 (Consultation with Attorney) - Cause No. 2018-CI-00202; the City of Fair Oaks Ranch, Texas vs Edward I. Hill, Robert E. Heckendorn, Craig M. Luitjen, Roger Fuentes, Wesley A. Pieper, Esther W. Hicks, William A. McDowell, Yolanda D. Ayala, PG Pfeiffer Ranches LLC, Maureen Pfeiffer Stevenson Family Trust.
- B. 551.071 (Consultation with Attorney) - to receive legal advice regarding claims made on behalf of a real property owner against the City's operation of the K-3 Trinity Glen Rose Water Well.
- C. 551.071 (Consultation with Attorney) - to receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.

VII. RECONVENE INTO OPEN SESSION

Not applicable.

VIII. ADJOURNMENT

Mayor Pro Tem Elizondo requested that a Legislative Update be scheduled at a future meeting.

Mayor Manitzas requested that Council Member Patel report to the Council on the Texas Environmental Superconference she attended.

Council Member Koerner requested an update on the TxDOT/Ralph Fair Road timeline.

Mayor Manitzas adjourned the meeting at 11:53 AM.

Garry Manitzas, Mayor

ATTEST:

Christina Picioccio, City Secretary

**CITY OF FAIR OAKS RANCH
CITY COUNCIL MEETING MINUTES
JOINT WORKSHOP
CITY COUNCIL and PLANNING AND ZONING COMMISSION
AUGUST 14, 2019
7286 Dietz Elkhorn
Fair Oaks Ranch, TX 78015**

I. OPEN MEETING

A. Roll Call – Declaration of a Quorum

Council Present: Mayor Manitzas and Mayor Pro Tem Elizondo

Council Members: Koerner, Patel and Maxton

Council Absent: Council Members Hartpence and Havard

P&Z Present: Chairperson Rey and Vice Chairperson Trapasso

Commission Members: Horwath, Leonard, and Pearson.

P&Z Absent: Commission Member Barnes

With both quorums present, the Special Joint Workshop was called to order at 6:30 PM.

Council Member Hartpence arrived at 6:31 PM.

B. The Pledge of Allegiance was led by P&Z Vice Chairperson Frank Trapasso.

II. CITIZENS TO BE HEARD

There were no citizens to be heard.

III. PURPOSE OF THE JOINT WORKSHOP

A. Interview Planning and Zoning Commission Applicants:

The City Council and Planning and Zoning Commission conducted interviews of the following candidates to fill the unexpired term on the Planning and Zoning Commission: Arthur Waterman, Charles Pool and Linda Tom.

B. Discussion and information exchange regarding Planning and Zoning Commission Applicant interview.

The City Council and Planning and Zoning Commission discussed the merits of each applicant.

IV. ADJOURNMENT

Mayor Manitzas adjourned the meeting at 7:13 PM.

ATTEST:

Garry Manitzas, Mayor

Christina Picioccio, City Secretary

**CITY OF FAIR OAKS RANCH
CITY COUNCIL SPECIAL MEETING MINUTES
AUGUST 14, 2019
7286 Dietz Elkhorn
Fair Oaks Ranch, TX 78015**

I. OPEN MEETING

A. Roll Call – Declaration of a Quorum

Council Present: Mayor Manitzas and Mayor Pro Tem Elizondo

Council Members: Hartpence, Koerner, Maxton, and Patel

Council Absent: Council Member Havard

With a quorum present, the Mayor called the meeting to order at 7:15 PM.

II. CITIZENS TO BE HEARD

There were no citizens to be heard.

III. PURPOSE OF THE WORKSHOP

A. Discussion and possible action regarding a Resolution to fill the Place 1 unexpired term on the Planning and Zoning Commission.

MOTION: Made by Council Member Maxton, seconded by Council Member Patel to approve a resolution appointing Linda Tom to fill the Place 1 unexpired term on the Planning and Zoning Commission.

VOTE: 6-0; Motion Passed.

IV. ADJOURNMENT

Mayor Manitzas adjourned the meeting at 7:17 PM.

ATTEST:

Garry Manitzas, Mayor

Christina Picioccio, City Secretary

**CITY OF FAIR OAKS RANCH
CITY COUNCIL MEETING MINUTES
August 15, 2019
7286 Dietz Elkhorn
Fair Oaks Ranch, TX 78015**

I. OPEN MEETING

A. Roll Call – Declaration of a Quorum

Present: Mayor Manitzas and Mayor Pro Tem Elizondo
Council Members: Hartpence, Havard, Koerner, Maxton, and Patel

With a quorum present, the Mayor called the City Council meeting to order at 6:30 PM.

B. The Pledge of Allegiance was led by Boy Scout Kevin Land.

II. CITIZENS and GUEST FORUM / PRESENTATIONS

A. There were no citizens to be heard.

B. Mayor Manitzas presented a 5 year service award to Police Sergeant Richard Gonzalez and Adrian Garcia, Manager of Engineering Services.

C. Mayor Manitzas and Police Chief Rubin presented Life Saving Awards to Officers Allen Paz and Riley Gobeil.

III. CONSENT AGENDA

A. Approval of August 8, 2019 Special City Council Meeting Minutes.

B. Approval of declaring excess city-owned personal property as surplus and authorizing disposal of surplus.

The Mayor presented the Consent Agenda and commented that scribbler errors were discovered and corrected on the August 8th minutes and with no discussion, the Consent Agenda was approved by unanimous consent.

IV. CONSIDERATION/DISCUSSION ITEMS

A. Consideration and possible action on approving a proposal for Professional Engineering Services to remediate an exposed water line and authorizing the City Manager to sign an agreement.

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Koerner to approve the proposal for Professional Engineering Services to remediate an exposed water line and authorize the City Manager to sign an agreement with Garza EMC, LLC in an amount not to exceed \$3,265.

VOTE: 7-0; Motion Passed.

B. Consideration and possible action on the first reading of an Ordinance approving FY 2018-19 budget amendments.

MOTION: Made by Council Member Havard, seconded by Mayor Pro Tem Elizondo to approve the first reading of the budget amendment ordinance.

VOTE: 7-0; Motion Passed.

C. Consideration and possible action setting:

1. The proposed Fiscal Year 2019-2020 Property Tax Rate.
2. September 5, 2019, 9:30 AM and September 12, 2019, 6:30 PM as Public Hearing Dates on the proposed Fiscal Year 2019-2020 Budget and 2019 Tax Rate.
3. September 19, 2019, 6:30 PM as the date to adopt the Fiscal Year 2019-2020 Budget and 2019 Tax Rate.

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Hartpence to propose using a total property tax rate of \$.3735 per \$100, to hold the proposed Fiscal Year 2019-20 Budget and 2019 tax rate public hearings on September 5 at 9:30 AM and on September 12 at 6:30 PM, and to adopt said budget and tax rate on September 19 at 6:30 PM.

VOTE: 7-0; Motion Passed as recorded:

Mayor Manitzas – Aye; Mayor Pro Tem Elizondo – Aye; Council Member Hartpence – Aye; Council Member Havard – Aye; Council Member Koerner – Aye; Council Member Maxton – Aye; and Council Member Patel – Aye.

D. Consideration and possible action to approve the first reading of an Ordinance amending various provisions in the Code of Ordinances to comply with the Home Rule Charter.

MOTION: Made by Council Member Koerner, seconded by Council Member Maxton to approve the first reading of an Ordinance amending the City of Fair Oaks Ranch Code of Ordinances Chapter 8 “Offenses and Nuisance” by creating an Article for violations of the City Charter.

VOTE: 7-0; Motion Passed.

E. Discussion of a proposed Ordinance establishing City Council Meeting Rules and Procedures.

Council discussed the proposed Ordinance establishing meeting rules and procedures and requested that this topic be brought back as a workshop item at a future meeting.

V. REPORTS FROM STAFF / COMMITTEES / COUNCIL

- A. Council Member Patel provided an overview of the Texas Environmental Conference she attended.

VI. CONVENE INTO EXECUTIVE SESSION

City Council did not convene into closed session regarding:

- A. 551.071 (Consultation with Attorney) - Cause No. 2018-CI-00202; the City of Fair Oaks Ranch, Texas vs Edward I. Hill, Robert E. Heckendorn, Craig M. Luitjen, Roger Fuentes, Wesley A. Pieper, Esther W. Hicks, William A. McDowell, Yolanda D. Ayala, PG Pfeiffer Ranches LLC, Maureen Pfeiffer Stevenson Family Trust.

- B. 551.071 (Consultation with Attorney) – to receive legal advice regarding claims made on behalf of a real property owner against the city’s operation of the K-3 Trinity Glen Rose Water Well.
- C. 551.71 (Consultation with Attorney – to receive legal advice from Special Counsel and the City Attorney regarding the City’s ground water rights.

City Council convened into Executive Session at 7:30 PM regarding:

- D. 551.074 (Personnel Matters) – to evaluate submission of qualifications and select finalist for the City’s Municipal Court Judges and City Prosecutors.
- E. 551.074 (Personnel Matters) – to perform annual evaluations of the City Manager and the City Secretary.

Council Member Havard left the Executive Session at 8:52 PM.

VII. RECONVENE INTO OPEN SESSION

Mayor Manitzas reconvened into open session at 9:23 PM and gave instructions for city staff to set up interviews for the Municipal Court Judge and City Prosecutor positions.

VIII. ADJOURNMENT

Requests for City topic needing additional information/research; or, potential consideration for a future agenda.

Mayor Manitzas adjourned the meeting at 9:24 PM.

ATTEST:

Garry Manitzas, Mayor

Christina Picioccio, City Secretary

**CITY OF FAIR OAKS RANCH
CITY COUNCIL SPECIAL MEETING MINUTES
AUGUST 29, 2019
7286 Dietz Elkhorn
Fair Oaks Ranch, TX 78015**

I. OPEN MEETING

A. Roll Call – Declaration of a Quorum

Council Present: Mayor Manitzas and Mayor Pro Tem Elizondo

Council Members: Hartpence, and Maxton

Council Absent: Council Member Havard, Koerner, and Patel

With a quorum present, the Mayor called the meeting to order at 3:00 PM.

II. CITIZENS TO BE HEARD

There were no citizens to be heard.

III. CONVENE INTO EXECUTIVE SESSION

City Council convened into Executive Session at 3:02 PM regarding:

A. 551.074 (Personnel Matters) – to interview candidates, individually, for the city’s municipal court judge, alternate municipal court judge, city prosecutor and alternate city prosecutor.

IV. RECONVENE INTO OPEN SESSION

Mayor Manitzas reconvened into open session at 5:59 PM.

A. Consideration and possible action appointing a municipal court judge, alternate municipal court judge, city prosecutor and alternate city prosecutor.

MOTION: Made by Council Member Maxton, seconded by Mayor Pro Tem Elizondo to name Kill Keller as the Municipal Court Judge and Melanie Castillo as the Alternate Municipal Court Judge.

VOTE: 4-0; Motion Passed.

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Hartpence to name Denton Navarro firm as the City Prosecutor and Roxann Controneo as the Alternate City Prosecutor.

VOTE: 4-0; Motion Passed.

IV. ADJOURNMENT

Mayor Manitzas adjourned the meeting at 6:01 PM.

ATTEST:

Garry Manitzas, Mayor

Christina Picioccio, City Secretary



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
August 15, 2019

AGENDA TOPIC: Approval of the second reading of an Ordinance approving Fiscal Year 2018-19 budget amendments

DATE: September 5, 2019

DEPARTMENT: Finance

PRESENTED BY: Sarah Buckelew

INTRODUCTION/BACKGROUND:

The purpose of this agenda item is to bring forward for consideration and possible approval two budget amendments for Fiscal Year 2018-19. This represents the first reading of a proposed ordinance approving the two budget amendments as discussed further below:

Proposed Budget Adjustment #1 – Usage of General Fund Surplus

As of July 31st, the General Fund is projected to have approximately \$690k of budget surplus. The surplus is due primarily to a savings in personnel cost due to the delay in the renovations of City Hall. Other factors leading to the surplus include the following:

Revenues Projected to Exceed Budget

Local Sales tax	\$50,000
Franchise Fees	\$45,000
Interest Earnings	\$50,000

Expenses projected below budget

Personnel	\$440,000
Professional Services	\$50,000

Staff has recommended the use of \$174,860 of the budget surplus for the road maintenance, road construction, and IT architecture upgrades listed below. Per City Council guidance during the budget workshop on August 8th, any remaining general governmental surplus would be closed out to the 6-month operating reserve account after the year-end close process.

Budget Adjustments Pending Approval		
Current projected surplus		691,052
<u>Potential Budget Adjustments:</u>		
1) Remaining Road Maintenance		
Saddle Song	40,512	
Dietz (in progress)	13,025	
PD chip seal	10,000	
Street signs	5,000	
Prep for Chip Seal	5,000	
Ammann Road	8,000	
Remaining general maintenance	3,000	
		84,537
2) Bond Roadwork in excess of bond surplus		30,323
3) IT Server Upgrade in excess of budget		60,000
Projected Surplus remaining after proposed budget adjustments		516,192

Proposed Budget Adjustment #2 – Utility Fund, Creek Crossing West Waterline

With the budget year three-fourths through, the Finance Director met with all budget owners to discuss the state of their budgets, and whether adjustments were needed. One requested budget adjustment required movement of amounts between budget funds. Ordinance 2018-09, which adopted the Fiscal Year 18-19 budget, stated that the City Manager may move amounts within the same fund, but budget amendments between funds must be approved by City Council Ordinance.

The exposed waterline at Creek Crossing West will likely not be completed during the budget year 18-19. Staff recommends that the budget of \$400,000, which represents a full funding of the project, be moved from the Water Operational Budget to the Water Strategic Action Plan Fund so that the project can be better managed across budget years. Once the budget is moved to the Capital Improvement Fund, any unspent budget from fiscal year 18-19 will be allocated in future years to the completion of the pipeline project rather than closed out to Fund Balance in the Utility operational fund balance.

The first reading of this Ordinance was approved at the August 15, 2019 Council Meeting.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Continued funding of the exposed waterline across budget years will help this project advance towards completion rather than be delayed during the 2019-20 financial close process.

Funding the upgraded IT infrastructure components will advance other priority projects that have been on hold or delayed due to insufficient IT infrastructure and storage capacity.

LONG-TERM FINANCIAL & BUDGETARY IMPACT:

See attachments to the Budget Amendment Ordinance

LEGAL ANALYSIS:

Not applicable.

RECOMMENDATION/PROPOSED MOTION:

Consent Agenda – I move to approve the second reading of the budget amendment ordinance.

AN ORDINANCE

AMENDING THE BUDGET OF THE CITY OF FAIR OAKS RANCH, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019

WHEREAS, the budget for the City of Fair Oaks Ranch, Texas for FY 2018- 2019 has heretofore been approved as provided by law and filed with the City Secretary under Ordinance 2018-09

WHEREAS, per above said Ordinance 2018-09 The City Manager may move amounts within the same fund but budget amendments between funds must be approved by City Council by ordinance; and,

WHEREAS, pursuant to Texas LGC §102.010, budget amendments shall be passed and approved by City Council; and,

WHEREAS, staff recommends making the attached budget amendments as shown in Exhibit A; and,

WHEREAS, the City Council finds the budget amendments as detailed in the attachment are warranted

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS:

1. That the City Secretary is hereby directed to file this ordinance as an Amendment to the original budget.
2. That the Finance Director is hereby directed to amend the original budget with the amendments listed in the attachment Exhibit A.

PASSED and APPROVED on first reading the 15th day of August, 2019.

PASSED, APPROVED AND ADOPTED on second reading this 5th day of September, 2019

Garry Manitzas, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, City Secretary

Denton Navarro Rocha Bernal & Zech, P.C.,
City Attorney



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

September 5, 2019

AGENDA TOPIC: Approval of the second reading of an Ordinance amending the City of Fair Oaks Ranch Code of Ordinances Chapter 8 "Offenses and Nuisance" by creating an Article for violations of the City Charter

DATE: September 5, 2019

DEPARTMENT: Administration

PRESENTED BY: Carole Vanzant, Assistant City Manager

INTRODUCTION/BACKGROUND:

On May 2 of this year, City Council appointed members to the Home Rule Charter Penalty Clause Committee to:

1. Discuss criminal penalties for charter violations in relation to the US Constitution, Texas Statutes, and the City Charter and,
2. To advance an actionable recommendation to the Council no later than October 30.

On July 8, the Committee reviewed and determined the inclusion or exclusion of City Charter prohibitions and, changes or no changes to the Charter Penalty Clause. At the August 1, 2019 City Council meeting, the Committee's final report was filed with the City Council which included a proposed ordinance incorporating their recommendations.

City Council, at their August 15th meeting, passed and approved the first reading of the Ordinance.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

1. Complies with the requirement of the City Charter, Section 7.15A in developing an ordinance to enforce a criminal penalty for violation of provisions of the City Charter.
2. Complies with the City Charter requirement of two readings of an Ordinance
3. Complied with the City Council's desire to have a citizen review committee in the process.

LONG-TERM FINANCIAL & BUDGETARY IMPACT:

N/A

LEGAL ANALYSIS:

Ordinance is approved as to form.

RECOMMENDATION/PROPOSED MOTION:

Consent Agenda – I move to approve the second reading of an Ordinance amending Chapter 8 "Offenses and Nuisance" of the Code of Ordinances by creating an Article for violations of the City Charter.

AN ORDINANCE

OF THE CITY OF FAIR OAKS RANCH AMENDING THE CITY OF FAIR OAKS RANCH CODE OF ORDINANCES CHAPTER 8 “OFFENSES AND NUISANCES” BY ADDING ARTICLE 8.04 “VIOLATIONS OF THE CITY CHARTER”; AND PROVIDING FOR A PENALTY OF UP TO \$500.00 PER VIOLATION

WHEREAS, on May 6, 2017 the City of Fair Oaks Ranch held an election on the adoption of a Home Rule Charter and the Home Rule Charter was adopted by the citizens of the City of Fair Oaks Ranch; and

WHEREAS, the City Charter includes a criminal provision for violation of any provision of the Charter;

WHEREAS, the Texas Government Code Section 29.003 provides for the original and concurrent jurisdiction of municipal courts; and

WHEREAS, the original and concurrent jurisdiction of a municipal court does not include violations of a City’s Charter; and

WHEREAS, the City’s municipal court does have original jurisdiction over ordinances adopted by the municipality punishable consistent with Section 29.003; and

WHEREAS, on February 7, 2019, the City Council established a citizen advisory committee to review the criminal penalties for city charter violations in relation to the U.S. Constitution, Texas Statutes, and provisions of the Home Rule City Charter; and

WHEREAS, on July 8, 2019, the Home Rule Charter Penalty Clause Committee met to review the matter and on August 1, 2019, advanced their recommendations to City Council; and,

WHEREAS, the City Council hereby finds and deems it necessary to adopt an ordinance to enforce certain provisions of the City Charter consistent with the City Charter and Texas and federal law.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH:

Section 1. The City of Fair Oaks Ranch Code of Ordinances Chapter 8 is amended as follows:

Article 8.04 Violations of the City Charter

Sec. 8.04.001 – Definitions

1. “City Council Member” and “Member of City Council” means the Mayor and Council Members.
2. The gender of the wording throughout this Article shall always be interpreted to mean either sex.

Sec. 8.04.002 – Specific Acts Prohibited

The following acts are specifically prohibited from being intentionally and knowingly violated:

1. Holding other office. Except where authorized by law, no Member of City Council shall hold any other City office or employment by the City during the term for which he was elected to the City Council, and no former Member of City Council shall hold any compensated appointive city office or employment until one (1) year after the expiration of the term for which he was elected to the City Council.
2. Appointments and Removals. Neither the City Council nor any City Council Member shall in any manner dictate the appointment or removal of any city administrative officers or employees whom the City Manager or any of his subordinates are empowered to appoint, unless otherwise provided in the City Charter.
 - a. Exception. The City Council may, at a properly noticed meeting, express its views and fully and freely discuss with the City Manager anything pertaining to appointment and removal of such officers and employees.
3. Interference with Administration. Except for the purpose of inquiries, unless otherwise provided for in the City Charter, City Council Members shall deal with City officers and employees who are subject to the direction and supervision of the City Manager solely through the City Manager, and neither the City Council nor City Council Members shall give orders to any such officer or employee, either publicly or privately.

Sec. 8.04.003 – Penalties

1. Any individual who violates any provision of this Ordinance, as it exists or may be amended, shall be deemed guilty of a class C misdemeanor, and upon conviction thereof, shall be fined a sum not exceeding Five Hundred Dollars (\$500.00). Each continuing day's violation under this Ordinance shall constitute a separate offense.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 3. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 4. That all rights and privileges of the City are expressly saved as to any and all violations of the provision of any ordinances repealed by this ordinance which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violation and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 5. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to

other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 7. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

PASSED and APPROVED on the first reading this 15th day of August, 2019.

PASSED, APPROVED and ADOPTED on the second reading this 5th day of September, 2019.

CITY OF FAIR OAKS RANCH, TEXAS

Garry Manitzas, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, City Secretary

Denton Navarro Rocha Bernal & Zech, P.C.,
City Attorney



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

September 5, 2019

AGENDA TOPIC: Consideration and possible action authorizing the City Manager to sign a Professional Services Agreement for Internal Control Services with RSM US LLP

DATE: September 5, 2019

DEPARTMENT: Finance

PRESENTED BY: Sarah Buckelew

INTRODUCTION/BACKGROUND:

The City Council has stated that Financial Integrity is a top priority in the City's Strategic Plan over the next several years. An effective internal control framework is an essential part of the financial integrity of an organization. The most recent financial statement audits identified significant deficiencies in the internal control of the City. To address this risk, Council approved and authorized the project to design and implement a comprehensive internal control framework.

The project kicked off in November of 2018 with the audit firm of ABIP, LP. An engagement letter was signed for an engagement in the amount of \$47,000. It was determined during the course of project planning that the City would need to engage a different service provider. A letter of mutual understanding was sent to ABIP, and no fees were billed to the City for work performed.

The Professional Services Agreement attached is for a new engagement with the firm RSM US LLP, in the amount not to exceed \$50,000.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

In this last year, the scope of the financial audit has been expanded from prior years to include a more comprehensive analysis of the City's financial internal controls.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A significant deficiency is a deficiency, or combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

The auditors identified certain deficiencies in internal control that are considered significant, and others that are not considered significant or material but still warrant communication to the City's governance and management.

These findings will serve as guidelines for the City as it strives to place a greater focus on risk mitigation.

LONG-TERM FINANCIAL & BUDGETARY IMPACT:

The fees for the Internal Control Services, \$47,000, are included in the FY 2018-19 Budget. To address this budget overrun of \$3,000, staff will utilize an underrun in other professional services agreements budgeted in the same expenditure line-item FY 2018-19. Because this engagement will cross budget years, but will be fully funded from the FY 18-19 budget, Finance will close any unused budget to the Strategic Project Fund reserve account during year-end close.

On-going maintenance costs of the internal control framework include annual assessments to be performed. The on-going assessments would not begin until FY 19-20.

LEGAL ANALYSIS:

Legal review has been performed, and acceptance of the engagement is subject to RSM US LLP's acceptance of the City's standard services agreement.

Texas law specifically exempts contracts for professional services from competitive bidding, when the professional service is intellectual or mental rather than physical. Based on this, it is recommended that the City contract with RSM US LLP for the internal control services.

RECOMMENDATION/PROPOSED MOTION:

I move to authorize the City Manager to sign the Professional Services Agreement ("Engagement Letter") with RSM US LLP for internal control services at a cost not to exceed \$50,000.

CITY OF FAIR OAKS RANCH
STANDARD PROFESSIONAL SERVICES AGREEMENT

THE STATE OF TEXAS §
 §
BEXAR COUNTY §

This Professional Services Agreement ("Agreement") is made and entered by and between the City of Fair Oaks Ranch, Texas, (the "City") a Texas municipality, and RSM US LLP ("Professional").

Section 1. Duration. This Agreement shall become effective upon execution by the City and shall remain in effect until satisfactory completion of the Scope of Work unless terminated as provided for in this Agreement.

Section 2. Scope of Work.

(A) Professional shall perform the Services as more particularly described in the Scope of Work attached hereto as Exhibit "A". The work as described in the Scope of Work constitutes the "Project". Unless otherwise provided in the Scope of Work, the anticipated submittal of all Project deliverables is immediately upon completion of the Project.

(B) The Quality of Services provided under this Agreement shall be performed with the professional skill and care ordinarily provided by competent Professionals practicing in the same or similar locality and under the same or similar circumstances and professional license, and as expeditiously as is prudent considering the ordinary professional skill and care of a competent Professional holding the same professional license.

(C) The Professional shall perform its Services for the Project in compliance with all statutory, regulatory and contractual requirements now or hereafter in effect as may be applicable to the rights and obligations set forth in the Agreement.

(D) The Professional may rely upon the accuracy of reports and surveys provided to it by the City except when defects should have been apparent to a reasonably competent professional or when it has actual notice of any defects in the reports and surveys.

Section 3. Compensation.

(A) The Professional shall be paid in the manner as provided herein.

(B) *Billing Period:* The Professional may submit monthly, or less frequently, an invoice for payment based on the estimated completion of the described tasks and approved work schedule. Subject to Chapter 2251, Texas Government Code (the "Prompt Payment Act"), payment is due within thirty (30) days of the City's receipt of the Professional's invoice. Interest on overdue payments shall be calculated in accordance with the Prompt Payment Act.

(C) *Reimbursable Expenses:* Any and all reimbursable expenses related to the Project shall be included in the scope of services (Exhibit A). If these items are not specifically accounted for in Exhibit A they shall be considered subsidiary to the total contract amount.

Section 4. Changes to the Project Work; Additional Work.

(A) *Changes to Work:* Professional shall make such revisions to any work that has been completed as are necessary to correct any errors or omissions as may appear in such work. If the City finds it necessary to make changes to previously satisfactorily completed work or parts thereof, the Professional shall make such revisions if requested and as directed by the City and such services will be considered as additional work and paid for as specified under following paragraph.

(B) *Additional Work:* The City retains the right to make changes to the Scope of Work at any time by a written order. Work that is clearly not within the general description of the Scope of Work and does not otherwise constitute special services under this Agreement must be approved in writing by the City by supplemental agreement before the additional work is undertaken by the Professional. If the Professional is of the opinion that any work is beyond that contemplated in this Agreement and the Scope of Work governing the project and therefore constitutes additional work, the Professional shall promptly notify the City of that opinion, in writing. If the City agrees that such work does constitute additional work, then the City and the Professional shall execute a supplemental agreement for the additional work and the City shall compensate the Professional for the additional work on the basis of the rates contained in the Scope of Work. If the changes deduct from the extent of the Scope of Work, the contract sum shall be adjusted accordingly. All such changes shall be executed under the conditions of the original Agreement. Any work undertaken by Professional not previously approved as additional work shall be at risk of the Professional.

Section 5. Time of Completion.

The prompt completion of the services under the Scope of Work is critical to the City. Unnecessary delays in providing services under a Scope of Work shall be grounds for dismissal of the Professional and termination of this Agreement without any or further liability to the City other than a prorated payment for necessary, timely, and conforming work done by Professional prior to the time of termination. The Scope of Work shall provide, in either calendar days or by providing a final date, a time of completion prior to which the Professional

shall have completed all tasks and services described in the Scope of Work.

Section 6. Insurance.

Before commencing work under this Agreement, Professional shall obtain and maintain the liability insurance provided for in attached Exhibit B throughout the term of this Agreement and thereafter as required herein.

In addition to the insurance provided for in Exhibit B, Professional shall maintain the following limits and types of insurance:

Professional Liability Insurance: professional errors and omissions liability insurance with limits of liability not less than \$1,000,000 per occurrence covering all work performed by the Professional, its employees, sub-contractors, or independent contractors. If this coverage can only be obtained on a "claims made" basis, the certificate of insurance must clearly state coverage is on a "claims made" basis and coverage must remain in effect for at least two years after final payment with the Professional continuing to furnish the City certificates of insurance.

Workers Compensation Insurance: The Professional shall carry and maintain during the term of this Agreement, workers compensation and employers liability insurance meeting the requirements of the State of Texas on all the Professional's employees carrying out the work involved in this contract.

General Liability Insurance: The Professional shall carry and maintain during the term of this Agreement, general liability insurance on a per occurrence basis with limits of liability of \$1,000,000 for each occurrence and for fire damage. For Bodily Injury and Property Damage, coverage shall be \$1,000,000. As a minimum, coverage for Premises, Operations, Products and Completed Operations shall be \$2,000,000. This coverage shall protect the public or any person from injury or property damages sustained by reason of the Professional or its employees carrying out the work involved in this Agreement. The general aggregate shall be \$2,000,000.

Automobile Liability Insurance: Professional shall carry and maintain during the term of this Agreement, automobile liability insurance with either a combined limit of \$1,000,000 per occurrence for bodily injury and property damage or split limits of \$1,000,000 for bodily injury per person per occurrence and \$1,000,000 for property damage per occurrence. Coverage shall include all owned, hired, and non-owned motor vehicles used in the performance of this contract by the Professional or its employees.

Subcontractor: In the case of any work sublet, the Professional shall require subcontractor and independent contractors working under the direction of either the Professional or a

subcontractor to carry and maintain the same workers compensation and liability insurance required of the Professional unless waived or modified in writing by City.

Qualifying Insurance: The insurance required by this Agreement shall be written by non-assessable insurance company licensed to do business in the State of Texas and currently rated "B+" or better by the A.M. Best Companies. All policies shall be written on a "per occurrence basis" and not a "claims made" form.

Evidence of such insurance shall be attached as Exhibit "B".

Section 7. Miscellaneous Provisions.

(A) *Subletting.* The Professional shall not sublet or transfer any portion of the work under this Agreement or any Scope of Work issued pursuant to this Agreement unless specifically approved in writing by the City, which approval shall not be unreasonably withheld. Subcontractors shall comply with all provisions of this Agreement and the applicable Scope of Work. The approval or acquiescence of the City in the subletting of any work shall not relieve the Professional of any responsibility for work done by such subcontractor.

(B) *Ownership of Documents.* Upon completion or termination of this Agreement, all documents furnished to the Professional by the City shall be delivered to and become the property of the City. Copies of deliverables that may include drawings, charts, calculations, plans, specifications and other data, including electronic files and raw data provided by the City, prepared under or pursuant to this Agreement shall be made available, upon request, to the City without restriction or limitation on the further use of such materials PROVIDED, HOWEVER, THAT SUCH MATERIALS ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY THE CITY OR OTHERS. ANY REUSE WITHOUT PRIOR VERIFICATION OR ADAPTATION BY THE PROFESSIONAL FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT THE CITY'S SOLE RISK AND WITHOUT LIABILITY TO THE PROFESSIONAL. Where applicable, Professional shall retain all pre-existing proprietary rights in the materials provided to the City but to the extent such materials are part of a deliverable, shall grant to the City a non-exclusive, perpetual, royalty-free license to use such proprietary information solely for the purposes for which the information was provided. The Professional may, at Professional's expense, have copies made of the documents or any other data furnished to the City under or pursuant to this Agreement. For clarity, all work papers created by Professional in the delivery of services hereunder, shall be the sole property of the Professional.

(C) *Professional's Seal.* To the extent that the Professional has a professional seal it shall be placed on all documents and data furnished by the Professional to the City. All work and services provided under this Agreement will be performed in a good and workmanlike fashion and shall conform to the accepted standards and practices of the Professional's industry. The plans, specifications and data provided by Professional shall be adequate and sufficient to

enable those performing the actual work to perform the work as and within the time contemplated by the City and Professional. The City acknowledges that Professional has no control over the methods or means of work nor the costs of labor, materials or equipment. Unless otherwise agreed in writing, any estimates of costs by the Professional are for informational purposes only and are not guarantees.

(D) *Compliance with Laws.* The Professional shall comply with all federal, state and local laws, statutes, ordinances, rules and regulations, and the orders and decrees of any courts, administrative, or regulatory bodies in any matter affecting the performance of this Agreement, including, without limitation, worker's compensation laws, minimum and maximum salary and wage statutes and regulations, and licensing laws and regulations. When required, the Professional shall furnish the City with satisfactory proof of compliance.

(E) *Independent Contractor.* Professional acknowledges that Professional is an independent contractor of the City and is not an employee, agent, official or representative of the City. Professional shall not represent, either expressly or through implication, that Professional is an employee, agent, official or representative of the City. Income taxes, self-employment taxes, social security taxes and the like are the sole responsibility of the Professional.

(F) *Non-Collusion.* Professional represents and warrants that Professional has not given, made, promised or paid, nor offered to give, make, promise or pay any gift, bonus, commission, money or other consideration to any person as an inducement to or in order to obtain the work to be provided to the City under this Agreement. Professional further agrees that Professional shall not accept any gift, bonus, commission, money, or other consideration from any person (other than from the City pursuant to this Agreement) for any of the services performed by Professional under or related to this Agreement. If any such gift, bonus, commission, money, or other consideration is received by or offered to Professional, Professional shall immediately report that fact to the City and, at the sole option of the City, the City may elect to accept the consideration for itself or to take the value of such consideration as a credit against the compensation otherwise owing to Professional under or pursuant to this Agreement.

(G) *Force Majeure.* If the performance of any covenant or obligation to be performed hereunder by any party is delayed as a result of circumstances which are beyond the reasonable control of such party (which circumstances may include, without limitation, pending litigation, acts of God, war, cyberattacks, acts of civil disobedience, fire or other casualty, shortage of materials, adverse weather conditions [such as, by way of illustration and not of limitation, severe rain storms or below freezing temperatures, or tornados] labor action, strikes or similar acts, moratoriums or regulations or actions by governmental authorities), the time for such performance shall be extended by the amount of time of such delay, but no longer than the amount of time reasonably occasioned by the delay. The party claiming delay of performance as a result of any of the foregoing force majeure events shall deliver written

notice of the commencement of any such delay resulting from such force majeure event not later than seven (7) days after the claiming party becomes aware of the same, and if the claiming party fails to so notify the other party of the occurrence of a force majeure event causing such delay and the other party shall not otherwise be aware of such force majeure event, the claiming party shall not be entitled to avail itself of the provisions for the extension of performance contained in this subsection.

(H) In the case of any conflicts between the terms of this Agreement and wording contained within the Scope of Services, this Agreement shall govern. The Scope of Services is intended to detail the technical scope of services, fee schedule, and contract time only and shall not dictate Agreement terms.

Section 8. Termination.

(A) This Agreement may be terminated:

(1) By the mutual agreement and consent of both Professional and City;

(2) By either party, upon the failure of the other party to fulfill its obligations as set forth in either this Agreement or a Scope of Work issued under this Agreement;

(3) By the City, immediately upon notice in writing to the Professional, as consequence of the failure of Professional to perform the services contemplated by this Agreement in a timely or satisfactory manner;

(4) By the City, at will and without cause upon not less than thirty (30) days written notice to the Professional.

(B) If the City terminates this Agreement pursuant to Section 5 or subsection 8(A)(2) or (3), above, the Professional shall not be entitled to any fees or reimbursable expenses other than the fees and reimbursable expenses then due and payable as of the time of termination and only then for those services that have been timely and adequately performed by the Professional considering the actual costs incurred by the Professional in performing work to date of termination, the value of the work that is nonetheless usable to the City, the cost to the City of employing another Professional to complete the work required and the time required to do so, and other factors that affect the value to the City of the work performed at time of termination. In the event of termination that is not the fault of the Professional, the Professional shall be compensated for all basic, special, and additional services actually performed prior to termination, together with any reimbursable expenses then due.

Section 9. Indemnification. Professional shall indemnify, defend and hold harmless the City of Fair Oaks Ranch, Texas and its officials, employees and agents (collectively referred to as "Indemnitees") and each of them from and against all loss, costs, penalties, fines, damages, claims, expenses (including reasonable attorney's fees) or

liabilities (collectively referred to as “Liabilities”) by reason of any physical injury to or death of any person or damage to or destruction or loss of any property arising out of, resulting from, or in connection with (i) the performance or non-performance of Services contemplated by this Agreement but only to the extent caused by the negligent acts, errors or omissions, intentional torts, intellectual property infringement, or a failure to pay a sub-contractor or supplier committed by Professional or Professional’s agent, consultant under contract, or another entity over which Professional exercises control (whether active or passive) of Professional or its employees, agents or sub-contractors (collectively referred to as “Professional”) (ii) the failure of Professional to comply with any of the paragraphs herein or the failure of Professional to conform to statutes, ordinances, or other regulations or requirements of any governmental authority, federal, state or local, in connection with the performance of this Agreement. Professional expressly agrees to indemnify and hold harmless the Indemnitees, or any one of them, from and against all liabilities which may be asserted by an employee or former employee of Professional, or any of its sub-contractors, as provided above, for which Professional’s liability to such employee or former employee would otherwise be limited to payments under State Workers’ Compensation or similar laws. Nothing herein shall require Professional to indemnify, defend, or hold harmless any Indemnitee for the Indemnitee’s own negligence or willful misconduct. Any and all indemnity provided for in this Agreement shall survive the expiration of this Agreement and the discharge of all other obligations owed by the parties to each other hereunder and shall apply prospectively not only during the term of this Agreement but thereafter so long as any liability could be asserted in regard to any acts or omissions of Professional in performing Services under this Agreement.

For Professional Liability Claims, Professional shall be liable for reasonable defense costs incurred by Indemnitees but only after final adjudication and to the extent and percent that Professional or Professional’s agents are found negligent or otherwise at fault. As used in this Agreement, final adjudication includes any negotiated settlement and release of claims, without limitation as to when a negotiated settlement and release of claims occurs.

NOTWITHSTANDING THE PRECEDING, THE TOTAL LIABILITY OF PROFESSIONAL FOR ALL CLAIMS HEREUNDER, INCLUDING REASONABLE ATTORNEYS’ FEES AND COSTS, SHALL NOT EXCEED GREATER OF 3X THE FEES UNDER THE SCOPE OF WORK GIVING RISE TO THE CLAIM OR \$250,000.

Section 10. Notices. Any notice required or desired to be given from one party to the other party to this Agreement shall be in writing and shall be given and shall be deemed to have been served and received (whether actually received or not) if (i) delivered in person to the address set forth below; (ii) deposited in an official depository under the regular care and custody of the United States Postal Service located within the confines of the United States of America and sent by certified mail, return receipt requested, and addressed to such party at

the address hereinafter specified; or (iii) delivered to such party by courier receipted delivery. Either party may designate another address within the confines of the continental United States of America for notice, but until written notice of such change is actually received by the other party, the last address of such party designated for notice shall remain such party's address for notice.

Section 11. No Assignment. Neither party shall have the right to assign that party's interest in this Agreement without the prior written consent of the other party.

Section 12. Severability. If any term or provision of this Agreement is held to be illegal, invalid or unenforceable, the legality, validity or enforceability of the remaining terms or provisions of this Agreement shall not be affected thereby, and in lieu of each such illegal, invalid or unenforceable term or provision, there shall be added automatically to this Agreement a legal, valid or enforceable term or provision as similar as possible to the term or provision declared illegal, invalid or unenforceable.

Section 13. Waiver. Either City or the Professional shall have the right to waive any requirement contained in this Agreement that is intended for the waiving party's benefit, but, except as otherwise provided herein, such waiver shall be effective only if in writing executed by the party for whose benefit such requirement is intended. No waiver of any breach or violation of any term of this Agreement shall be deemed or construed to constitute a waiver of any other breach or violation, whether concurrent or subsequent, and whether of the same or of a different type of breach or violation.

Section 14. Governing Law; Venue. This Agreement and all of the transactions contemplated herein shall be governed by and construed in accordance with the laws of the State of Texas. The provisions and obligations of this Agreement are performable in Bexar County, Texas such that exclusive venue for any action arising out of this Agreement shall be in Bexar County, Texas.

Section 15. Paragraph Headings; Construction. The paragraph headings contained in this Agreement are for convenience only and shall in no way enlarge or limit the scope or meaning of the various and several paragraphs hereof. Both parties have participated in the negotiation and preparation of this Agreement and this Agreement shall not be construed either more or less strongly against or for either party.

Section 16. Binding Effect. Except as limited herein, the terms and provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, devisees, personal and legal representatives, successors and assigns.

Section 17. Gender. Within this Agreement, words of any gender shall be held and construed to include any other gender, and words in the singular number shall be held and construed to include the plural, unless the context otherwise requires.

Section 18. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, and all of which shall constitute but one and the same instrument.

Section 19. Exhibits. All exhibits to this Agreement are incorporated herein by reference for all purposes wherever reference is made to the same.

Section 20. Entire Agreement. It is understood and agreed that this Agreement contains the entire agreement between the parties and supersedes any and all prior agreements, arrangements or understandings between the parties relating to the subject matter. No oral understandings, statements, promises or inducements contrary to the terms of this Agreement exist. This Agreement cannot be changed or terminated orally.

Section 21. Relationship of Parties. Nothing contained in this Agreement shall be deemed or construed by the parties hereto or by any third party to create the relationship of principal and agent or of partnership or of joint venture or of any association whatsoever between the parties, it being expressly understood and agreed that no provision contained in this Agreement nor any act or acts of the parties hereto shall be deemed to create any relationship between the parties other than the relationship of independent parties contracting with each other solely for the purpose of effecting the provisions of this Agreement.

Section 22. Right To Audit. City shall have the right to examine and audit time, billing and reimbursable expense records ("Records") of Professional with regards to the work described in Exhibit A, or any subsequent changes, at any reasonable time. Such books and records will be maintained in accordance with generally accepted principles of accounting and will be adequate to enable determination of: (1) the substantiation and accuracy of any payments required to be made under this Agreement; and (2) compliance with the provisions of this Agreement.

23. Dispute Resolution. In accordance with the provisions of Subchapter I, Chapter 271, TEX. LOCAL GOV'T CODE, the parties agree that, prior to instituting any lawsuit or other proceeding arising from a dispute under this agreement, the parties will first attempt to resolve the dispute by taking the following steps: (1) A written notice substantially describing the nature of the dispute shall be delivered by the dissatisfied party to the other party, which notice shall request a written response to be delivered to the dissatisfied party not less than 5 days after receipt of the notice of dispute. (2) If the response does not reasonably resolve the dispute, in the opinion of the dissatisfied party, the dissatisfied party shall give notice to that effect to the other party whereupon each party shall appoint a person having authority over the activities of the respective parties who shall promptly meet, in person, in an effort to resolve the dispute. (3) If those persons cannot or do not resolve the dispute, then the parties shall each appoint a person from the highest tier of managerial responsibility within each respective party, who shall then promptly meet, in person, in an effort to resolve the dispute.

24. Disclosure of Business Relationships/Affiliations; Conflict of Interest Questionnaire. Professional represents that it is in compliance with the applicable filing and disclosure requirements of Chapter 176 of the Texas Local Government Code.

EXECUTED, by the City on this the _____ day of _____, 2019.

CITY:

By: _____
Name: Tobin Maples
Title: City Manager

PROFESSIONAL:

By: _____
Name: _____
Title: _____

ADDRESS FOR NOTICE:

CITY

City of Fair Oaks Ranch
Attn: City Secretary
7286 Dietz Elkhorn
Fair Oaks Ranch, TX 78015

PROFESSIONAL

Exhibits A & B



RSM US LLP

19026 Ridgewood Pkwy
Suite 400
San Antonio, TX 78259

T +1 210 828 6281
F +1 210 826 8606

www.rsmus.com

June 26, 2019

City Manager
City of Fair Oaks Ranch
7286 Dietz Elkhorn
Fair Oaks Ranch, Texas 78015

Dear City Manager:

We appreciate the opportunity to present you with our proposal to serve the internal audit needs of City of Fair Oaks Ranch. The following proposal reflects our understanding of your needs and illustrates the approach we will take in providing these services to City of Fair Oaks Ranch.

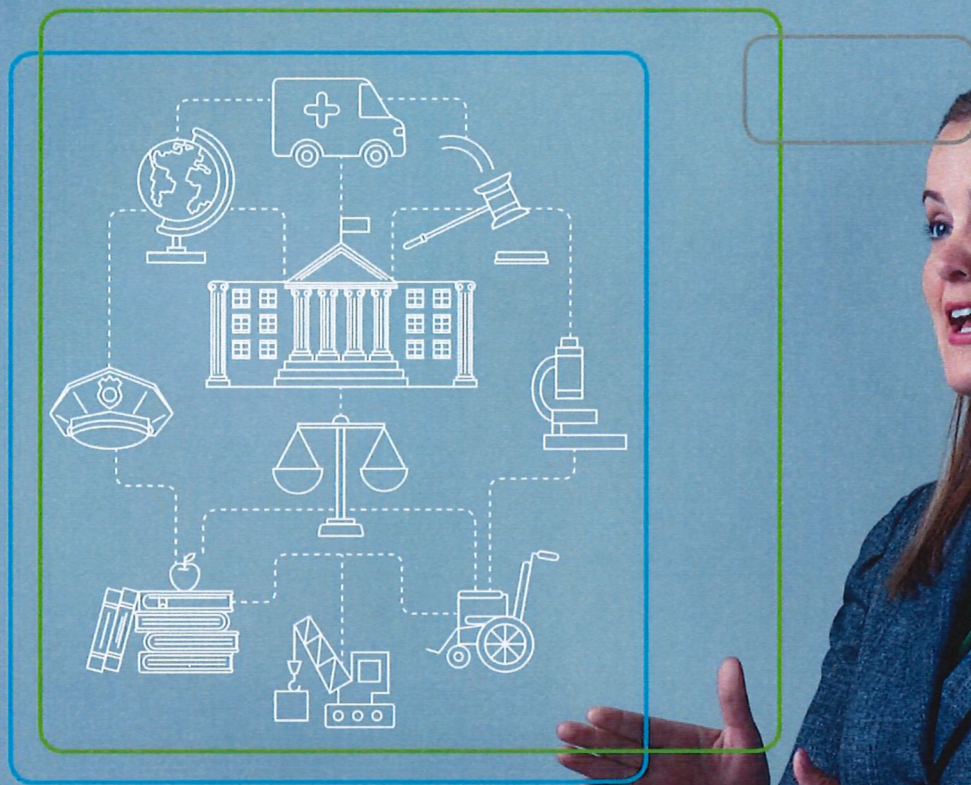
Your RSM US LLP (RSM) engagement team looks forward to building our relationship with City of Fair Oaks Ranch by delivering value for your company now and well into the future.

Once you have had the opportunity to review this proposal, we would be pleased to discuss your needs in greater detail or make a presentation to your team. In the meantime, please feel free to contact us with any questions.

Sincerely,

Joshua Kettler, Principal
Risk Consulting
RSM US LLP
+1 512 539 5797

THE POWER OF BEING UNDERSTOOD
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Work with an advisor
Who thinks like a local government entity

PROPOSAL TO PROVIDE INTERNAL AUDIT SERVICES

City of Fair Oaks Ranch

June 26, 2019

THE POWER OF BEING UNDERSTOOD
AUDIT | TAX | CONSULTING





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EXECUTIVE SUMMARY

City of Fair Oaks Ranch shared with us the qualities you value in a professional services relationship. Based on our understanding of your expectations, we are confident that RSM US LLP (RSM) has the right capabilities, qualifications and client-centric culture to serve you.

Resources to meet your needs

City of Fair Oaks Ranch deserves a service provider that understands your business and the environment in which you operate. RSM has a qualified team of internal audit professionals uniquely equipped to develop and execute an effective internal audit strategy that helps address your specific risk challenges and enhance business performance.

RSM has an extensive national internal audit practice with an expansive global reach. As the sixth largest global firm and a leading provider of audit, tax and consulting services, RSM touts nearly 11,000 advisors in 87 cities in the U.S. and four cities in Canada, and has access to over 41,000 professionals in 116 countries worldwide. On an annual basis, within our risk consulting practice, more than 800,000 U.S.-based hours are dedicated to internal audit or Sarbanes-Oxley (SOX) services. As a principle partner with the Institute of Internal Auditors, RSM is truly dedicated to internal audit as a profession.

An experienced team dedicated to your needs

We are committed to serving your organization and its needs fully. With a mix of senior-level professionals, our proposed engagement team will address your unique internal audit challenges through effective, transparent communication with your team. Our partners and directors have an average of 20+ years of internal audit experience and maintain ongoing training standards to enhance their qualifications to deliver an efficient and comprehensive internal audit.

A methodology and client service that revolves around you

Realizing that each company has unique challenges and needs, we developed a methodology that allows us to tailor and scale our approach to what is beneficial for City of Fair Oaks Ranch. This customization gives us a deeper understanding of your issues and a more responsive approach as to how to address them.

We are more than just control testers. Our auditors do not simply execute against a script and tell you in a binary manner whether a control is working or not. Our professionals go beyond the basics and determine the reasons why controls are not working and provide insights to enhance your control environment and process efficiencies. We will identify process and control improvement opportunities by establishing a deep understanding of City of Fair Oaks Ranch's objectives and the processes designed to meet them. Your team will find the root cause of issues through our thorough understanding of your business and by leveraging what we have learned through our local government industry experience. Our resulting recommendations for improvement will consider City of Fair Oaks Ranch's unique circumstances with an end goal of reducing risk and improving performance.

Additionally, through our extensive experience serving clients similar to City of Fair Oaks Ranch, we have the qualifications and means to provide meaningful analysis of your business metrics, assess your IT control environment and help ensure compliance with pertinent regulatory requirements.

However, advice is not the only measurement of value. You can measure the difference in our methodology by the number of improvements that we recommend and suggest, which ones you choose to implement, and, in the long-term, you can measure the improvements contribution to the overall health of your organization. We will provide City of Fair Oaks Ranch with a customized approach, experienced professionals and unique insights, in order to find the most effective solutions for you.

Why RSM?

RSM will provide the hands-on service that has driven our firm's growth. We provide internal audit services to numerous clients similar to City of Fair Oaks Ranch and have assembled a team with significant expertise. Our approach is focused to ensure controls are optimized for the most efficient compliance effort, including maximizing reliance on the testing by the independent auditors. If you were to choose RSM to team with you on your internal audit needs, we believe you will receive the following:

- **Proactive insights**—Our proposed team knows your industry, as well as regulatory hot buttons, and will, therefore, be able to guide you through the audit of controls proactively versus reactionary.
- **Focus and attention**—City of Fair Oaks Ranch fits squarely in our focus and will be an important client for our firm. We will strive to exceed your client service expectations.
- **Value**—We believe that our approach and fee estimate combine to maximize quality and effectiveness at a reasonable price point.
- **Unique perspective**—Several members of our proposed team not only provide internal audit and controls services on behalf of their clients, but also act as SOX subject matter experts on RSM Securities and Exchange Commission (SEC) audit engagement teams. This affords them the perspective to truly understand what the auditors need to be able to maximize their reliance on our work and also helps us provide better advice regarding design of controls, acceptable levels of documentation, etc.

HELPING YOU NAVIGATE BUSINESS CHALLENGES

INTERNAL AUDIT METHODOLOGY

The RSM methodology

RSM has a comprehensive internal audit methodology with a holistic approach to assessing your most critical risks. We understand that there is no one-size-fits-all internal audit project; therefore, we have a flexible methodology that helps internal audit evolve from a necessary process to assume a more strategic role within your organization.

We leverage proven processes and advanced technology to help you mitigate risk, monitor compliance and add value to your organization. Our methodology is grounded in understanding your needs and working with you to develop a responsive approach to meet and exceed your expectations. In addition, we integrate powerful quality assurance and project management resources to increase visibility into your internal audit project, providing real-time results and insight into progress.





A proactive framework

Our internal audit methodology is designed to help you address potential concerns before they can harm your organization. It focuses on root cause analysis, helping you gain insights, rather than just a scorecard of potential risks. Therefore, in addition to increasing internal audit efficiency and effectiveness, our methodology often brings issues to light that may have been developing lower in your business.

Greater insight and visibility from the start

Your experienced RSM internal audit team will begin your engagement with client needs assessments. These help our team go beyond simply getting to know your expectations, to understand your risk tolerance, motivations and what you need the audit to focus on. During these processes, we co-develop metrics to measure our performance against your expectations, positioning you to obtain optimal value during your audit cycle.

Our continuous investments in technology, including our proprietary Auditor Assistant audit management software, increase efficiency and provide enhanced visibility into every step of the audit process.

Great advice by itself does not necessarily translate to value. Our advice is given in the context of your company, with solutions that fit your reality. We help you make informed, effective decisions by taking the time to help you understand your issues and why they need to be addressed.

In addition, our internal audit methodology includes several key facets, including:

- **A global focus:** RSM has adopted a consistent global methodology worldwide, meaning that no matter where you operate, we have internal audit resources to meet your needs. You receive consistent, effective internal audit services to help alleviate both your domestic and international risks.
- **Timely, efficient processes:** RSM will hit the ground running, initiating benchmarking reports, assessments and other key tools and activities to prepare your audit team members before they enter the field, saving you time and delivering results quicker.
- **Comprehensive project management:** RSM integrates project management and quality assurance processes directly into the methodology, rather than bolting those key processes on. Auditor Assistant has built-in quality assurance functionality and provides you real-time status updates to monitor progress anywhere at any time.
- **A focused approach:** Our focused risk assessment helps to target your most pressing issues and risk exposures. We utilize an automated, customizable risk model, augmented by other automated accelerators and tools that are specific to your industry to efficiently identify your vulnerabilities.
- **Alignment with leading practices:** To provide you with consistent, effective audit service, our internal audit methodology aligns with the guidelines from the Institute of internal Auditors' (IIA's) *International Professional Practices Framework (IPPF)* and the *Interagency Policy Statement on the Internal Audit Function and Its Outsourcing*, as well as its supplemental policy statement.



Methodology elements

The RSM methodology is built upon the following key components, working together to provide effective risk identification, mitigation processes and enhanced value to your business:

- **Planning:** We understand your business and needs, developing key reporting and project management strategies.
- **Risk assessment:** Our team evaluates and prioritizes your critical risks.
- **Strategy:** We establish an effective internal audit plan, leveraging industry knowledge and technology to properly scope your project.
- **Execution:** RSM advisors evaluate your key processes to assess compliance and analyze data.
- **Reporting:** We communicate what we have learned, comparing results to the plan, identifying root causes and providing steps for remediation.
- **Close-out:** We conclude your project, demonstrating benefits with our value scorecard and begin planning for next year's audit.

Our Customized Approach for City of Fair Oaks Ranch

Based on our discussions with City of Fair Oaks Ranch, we understand the City wishes to document processes and key controls around the following areas:

- Preparation of court (tickets, fee collections and recording of dismissals)
- Accounts payable
- Cash and cash disbursements (including general ledger reporting and bank reconciliations)
- Human resources
- Payroll
- Procurement
- Equipment and consumables
- Inventory
- Utility billing and receivables

In addition to documenting the key controls related to the areas above, RSM anticipates spending one to two hours with the owners of each process to educate them on the importance of controls, documentation requirements and establishing a testing procedure for each key control.

Our deliverables for key control documentation will be:

- Process flow charts
- Risk and control matrices (with proposed testing procedures)
- Gap analysis (detailing any gaps in internal controls identified)
- Identification of key information systems (tied to processes above)

At the conclusion of this phase of work, RSM will provide the City of Fair Oaks Ranch an estimate (by process) for the testing of the operating effectiveness for those controls identified based on the discounted rates by level included in the fee section below.



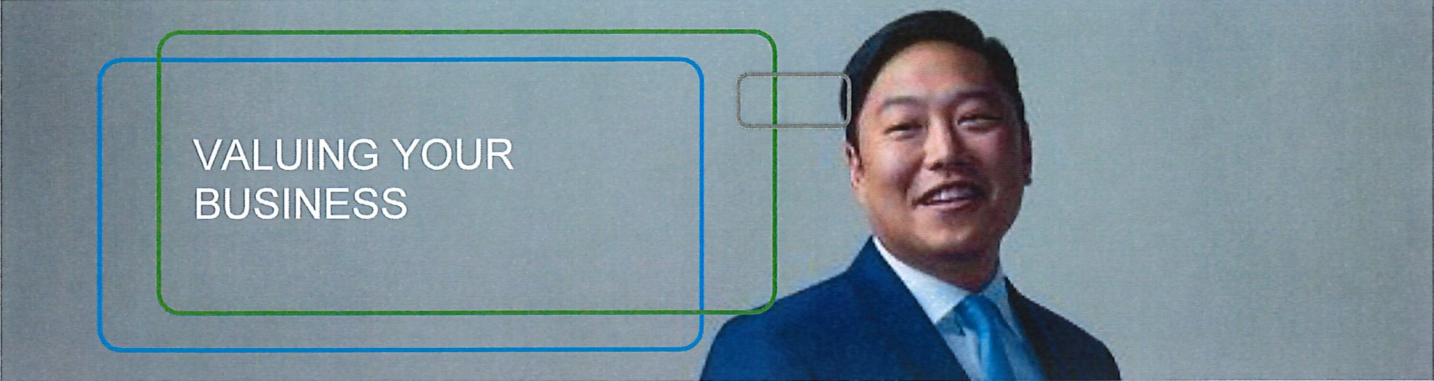
GUIDING YOU
THROUGH A
SEAMLESS
TRANSITION

TRANSITION PLAN

City of Fair Oaks Ranch wants the transition to RSM to be smooth and orderly—resulting in as little distraction as possible. Your team will draw on vast experience in establishing internal audit functions or in succeeding other firms to streamline the process. When transitioning to a new service provider, some concerns may arise.

Over the past fiscal year, RSM has on-boarded more than 460 risk consulting clients. Our experience working with clients similar to City of Fair Oaks Ranch, coupled with our strong understanding of major concerns for organizations similar to yours, gives RSM a unique perspective on how to structure and execute a successful transition plan. We understand that critical elements for a successful transition include early detailed planning and clear, consistent communication. RSM has an established transition methodology and the accompanying tools to ease any transition and to get the team up and running.

Additionally, key members of your engagement team have successfully transitioned a number of internal audit clients to RSM.



VALUING YOUR BUSINESS

FEES THAT ARE TRANSPARENT

RSM is committed to our relationship with City of Fair Oaks Ranch and, as such, we understand that fees are an important aspect in any professional services relationship.

We strive to provide fees that are transparent, fair and reflect the guiding principles of our firm. RSM will provide pragmatic, accessible professionals who genuinely value your business. We will utilize innovative technologies and practices that translate into effective service for City of Fair Oaks Ranch. We will employ a service approach that puts you at the center, allowing us to deliver the power of being understood. City of Fair Oaks Ranch will receive high-value service provided by professionals who understand the challenges of your business in an effective manner.

Our estimated hours and fees for the control identification, process owner training and mapping are as follows:

Services	Estimated hours	Estimated fees
Control identification, training and process mapping (for those areas identified above)	200–250	\$40,000–\$50,000

We will bill for actual hours incurred for control testing by staff level based on the rate card below. These rates are discounted from our standard hourly rates.

Level	Rates and mix by level and location	
	IA	IT
Partner/Principal	\$400	\$425
Director	\$300	\$350
Manager	\$250	\$295
Supervisor	\$200	225
Senior	\$155	175
Associate	\$125	130



Fee assumptions

- The fees quoted in this proposal will remain valid for 90 days from the date of issuance. If, during the course of this project, the nature or scope of our work should change, we will discuss such matters with you and any expected effect on our fee estimate.
- This is a good faith estimate based upon our understanding of the engagement assumptions and the facts and circumstances we are aware of at this time. If the basis of our estimates is inaccurate, the fees and expenses may be different.
- City of Fair Oaks Ranch resources will be available for the project meetings, walk-throughs and follow up questions

Our acceptance of this engagement is subject to completion of our acceptance procedures.

Expenses

As evidence of our commitment to a lasting, transparent relationship with City of Fair Oaks Ranch, our rates are exactly as outlined above. City of Fair Oaks Ranch will be billed directly for travel, meals and fees for services from other professionals, as well as a charge of 5% of fees for all other expenses, including indirect administrative expenses such as technology, research and library databases and clerical assistance. In an effort to remain transparent with you and avoid unexpected surprises, our administrative expense provides us a consistent way to manage these costs while continuing to provide exceptional service to you with state-of-the-art technology and tools.

Value in our fees

City of Fair Oaks Ranch deserves reliable client service, experienced resources and quality results at a fair and competitive fee.

Because we want to invest in a relationship with City of Fair Oaks Ranch, you can expect the following value in the fees for your internal audit services:

- Transparency in agreed-upon fees and billing—no surprises
- A direct investment into creating a more efficient service relationship, which includes database communications and clerical assistance—more streamlined communication translates into better service
- A direct investment into creating and improving innovative technologies, resulting in efficiency that means lower fees

APPENDIX-ENGAGEMENT TEAM BIOGRAPHIES



Joshua Kettler

Principal, Risk Consulting
RSM US LLP
Austin, Texas
joshua.kettler@rsmus.com
+1 512 539 5797

Summary of experience

With over 18 years of consulting experience, Joshua Kettler has provided consulting services to clients in a variety of industries, including financial services, manufacturing, energy, transportation, technology, construction and engineering. Joshua serves on the firm's National Committee for Enterprise Risk Management (ERM), which focuses on scaling the application ERM projects to meet needs of middle market clients. In addition, he serves as the regional leader of the firm's financial institutions practice, focused on driving value through internal audit and loan review.

During his tenure with RSM, Joshua has served as the project lead on numerous internal audit outsourcing and Sarbanes-Oxley (SOX) engagements. Relevant project experience includes:

- Lead project manager for numerous internal audit engagements with financial services companies ranging in size from \$100 million to approximately \$2.5 billion
- Co-project leader on SOX engagement with a financial services company with revenues in excess of \$5 billion
- Lead project manager for internal audit outsourcing of a \$500 million ethanol and food ingredient manufacturer
- Key team member managing tasks related to key processes on a SOX consulting project for a \$3 billion construction equipment company with both domestic and international locations
- Served as a co-project leader for SOX project at a \$1.7 billion global customer service firm, including international locations
- Project manager on a SOX consulting project for a \$2 billion manufacturing company, including international locations

Prior to joining the RSM, Joshua served as a senior-in-charge at two of the nation's largest accounting firms, specializing in engagement team supervision on several financial audit and consulting projects. Joshua has assisted many clients with the implementation of new audit methodologies. Prior to joining the public sector, Joshua spent five years working within a community bank serving in various roles including that of assistant controller.



Professional affiliation

- The Institute of Internal Auditors (IIA), Austin—Chapter President 2017/2018

Community involvement

- Big Brothers/Big Sisters volunteer and contributor
- United Way Contributor and Day of Caring participant
- Developmental Pathways contributor
- Food Bank of the Rockies volunteer

Education

- Bachelor of Science, accounting, University of Kansas



Anne Slattery

Director, Risk Consulting
RSM US LLP
Houston, Texas
anne.slattery@rsmus.com
+1 713 625 3500

Summary of experience

Anne has more than 12 years of experience that includes extensive know-how that she gained by leading in-house internal audit teams, particularly in the areas of Sarbanes-Oxley (SOX) 404 implementation and maintenance, internal audit outsourcing and co-sourcing, organizational risk assessment, internal audit plan development and enterprise risk management. She has served in progressive roles from senior auditor to director of internal audit and applies that experience to internal control environments in service delivery.

Anne's internal audit experience is primarily focused in the oil and gas, manufacturing and petrochemical industries. Her background includes extensive in-house internal audit experience with both an upstream oil and gas company and a petrochemicals company, including leading their co-sourced SOX and internal audit functions. Anne has led and managed SOX 404 compliance efforts, developed and executed internal audit plans and co-chaired an enterprise risk management (ERM) process.

Anne has served as a senior manager for risk advisory services at a professional services consulting firm, facilitating internal audit outsourcing and co-sourcing services by performing organizational risk assessments, process reengineering in both operational and financial cycles, leading SOX 404 implementation and maintenance engagements, managing System and Organization Controls (SOC) 1, SOC 2, and SOC 3 examinations and assisting clients with their enterprise risk management programs.

In addition, Anne spent four years as internal audit director overseeing and managing a \$750K budget and establishing key performance indicators to measure performance and establish goals for continuous improvement. She developed and executed a full audit program, led and managed SOX 404 compliance efforts, and co-developed an ERM program, including developing the ERM framework, facilitating annual framework updates and serving on the committee to provide critical risk oversight to identify, manage and proactively address current risks of the organization.

Professional affiliations and credentials

- Certified public accountant (CPA)
- Certified Internal Auditor (CIA)
- American Institute of Certified Public Accountants (AICPA)
- Texas Society of Certified Public Accountants (TSCPA)

- 
- Institute of Internal Auditors (IIA), Houston Chapter, Vice President of Seminars
 - United Way Leadership Circle
 - Society of Certified Public Accountants

Education

- Bachelor of Business Administration, University of Mississippi
- Master of Science, accounting, Trinity University



Jonathan Crouch

Manager, Risk Consulting
RSM US LLP
Dallas Texas
jonathan.crouch@rsmus.com
+1 972 629 7992

Summary of experience

Jonathan has more than 15 years of audit, risk advisory, accounting and business experience, primarily in global Fortune 500 manufacturing and retail companies. In addition, he has served clients in a variety of industries including energy services, financial services, healthcare, real estate and construction.

Jonathan has multinational experience in Sarbanes-Oxley compliance reviews, having performed and managed engagements in over 20 countries. In addition, he has extensive knowledge of international financial and operational audits, foreign corrupt practices reviews and other fraud investigations. Jonathan has also developed enterprise risk management assessments, data analytics, standard operating procedures, and audit programs for various corporate functions including procurement, sales, human resources, inventory/production, reporting, and fixed assets.

Jonathan joined RSM with prior internal audit and internal control experience in the consulting field, as well as industry experience in business analysis, project management, Securities and Exchange Commission (SEC) reporting, consolidations and month-end reporting. He is a certified public accountant and Certified Internal Auditor.

Professional affiliations and credentials

- Certified public accountant (CPA)
- Certified Internal Auditor (CIA)
- American Institute of Certified Public Accountants (AICPA)
- Texas Society of Certified Public Accountants (TSCPA)
- Institute of Internal Auditors (IIA), Dallas Chapter

Education

- Master of Accountancy, University of Tennessee, Knoxville
- Bachelor of Science, business administration, accounting, Concord University



Cristina Winters

Supervisor, Risk Consulting
RSM US LLP
Austin, Texas
cristina.winters@rsmus.com
+1 832 341 5210

Summary of experience

Cristina has provided auditing and consulting services to clients in a variety of industries, including oil and gas exploration and production, oilfield services, manufacturing, construction and higher education. Prior to joining the RSM, Cristina served as a senior-in-charge at two national accounting firms, specializing in engagement team supervision on numerous internal audit, Sarbanes-Oxley and consulting projects. Cristina has also assisted many clients with the implementation of new audit methodologies. Her experience includes the following:

- Executed and managed Sarbanes-Oxley audits for oil and gas companies with greater than \$200 million in revenue
- Executed and managed grant-monitoring audits, which resulted in \$1,000+ collections from grantee for misuse of funds
- Executed and managed construction audits, which resulted in \$40,000+ collections from the contractor due to incorrect billings
- Performed vendor audits for oil and gas exploration and production companies, which resulted in \$800,000+ collections from the vendor due to incorrect billings
- Experienced in designing and implementing the account reconciliation process for building/lumber companies with greater than \$1.5 billion in revenue

Professional affiliation

- The Institute of Internal Auditors (IIA), Austin

Community involvement

- Addi's Faith Foundation Volunteer, Contributor and Participant
- Ronald McDonald House Volunteer

Education

- Bachelor of Business Administration, accounting, University of Houston



Benjamin McDuff

Senior Associate, Risk Consulting
RSM US LLP
Austin, Texas
ben.mcduff@rsmus.com
+1 760 877 5158

Summary of experience

Ben is responsible for the planning and execution of audit and consulting engagements for private and publicly held clients. He has performed audit and consulting services for companies in a variety of industries, specializing in financial institutions/services. Ben has experience assisting clients develop, enhance and evaluate business process controls related to Federal Deposit Insurance Corporation Improvement Act (FDICIA)/AT501 and Sarbanes-Oxley (SOX) readiness and compliance reviews.

Prior to working at RSM, Ben held a position in assurance with a Big Four firm, where his experience included the following:

- Auditing the financial statements of banks and financial institutions
- Auditing credit and loan portfolios, including charge-offs, impaired loans, nonaccrued loans and allowances
- Auditing the financial statements of industry-leading Securities and Exchange Commission (SEC) and non-SEC clients, pre-engagement planning, engagement execution and reporting in conformity with generally accepted accounting principles
- Performing inventory observations and completing agreed-upon procedure
- Conducting quarterly audits of Fortune 500 companies

Education

- Master of Accountancy, Abilene Christian University
- Bachelor of Science, accounting, Abilene Christian University



www.rsmus.com

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
07/01/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Aon Risk Services Northeast, Inc. One Liberty Plaza, 165 Broadway, Suite 3201 New York, N.Y. 10006	CONTACT NAME:	FAX (A/C, No): 312-381-7007
	PHONE (A/C, No, Ext): 312-381-1000	
INSURED RSM US LLP 331 West Third Street, Suite 200 Davenport, IA 52801	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A: North American Capacity Insurance Company	
	INSURER B:	
	INSURER C:	
	INSURER D:	
INSURER E:		
INSURER F:		
NAIC #		

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE \$
	☐ CLAIMS-MADE ☐ OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$
							MED EXP (Any one person) \$
							PERSONAL & ADV INJURY \$
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$
	☐ POLICY ☐ PRO-JECT ☐ LOC						PRODUCTS - COMP/OP AGG \$
	OTHER:						\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	☐ ANY AUTO						BODILY INJURY (Per person) \$
	☐ ALL OWNED AUTOS	☐ SCHEDULED AUTOS					BODILY INJURY (Per accident) \$
	☐ HIRED AUTOS	☐ NON-OWNED AUTOS					PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB	☐ OCCUR					EACH OCCURRENCE \$
	EXCESS LIAB	☐ CLAIMS-MADE					AGGREGATE \$
	DED ☐ RETENTION \$						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						☐ PER STATUTE ☐ OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	☐ Y ☐ N					E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below	N/A					E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$
A	Miscellaneous Professional Liability Insurance			FIP 0008227-06	01-Jul-19	01-Jul-20	Not less than US \$1,000,000 any one claim and in the aggregate.

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

RSM US LLP
331 West Third Street, Suite 200
Davenport, IA 52801

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Aon Risk Services Northeast, Inc.



CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY)
08/21/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Aon Risk Services Central, Inc. Chicago IL Office 200 East Randolph Chicago IL 60601 USA	CONTACT NAME:	
	PHONE (A/C. No. Ext): (312) 381-1000	FAX (A/C. No.): (312) 381-7007
	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	NAIC #
INSURED RSM US LLP 331 W. 3rd St., Suite 200 Davenport, IA 52801 USA	INSURER A: Sentry Insurance A Mutual Company	24988
	INSURER B: Federal Insurance Company	20281
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES**CERTIFICATE NUMBER:** 570077910764**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

Limits shown are as requested

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☒ LOC ☐ OTHER:			90-18524-04 General Liability	11/30/2018	11/30/2019	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$1,000,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000
A	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY			90-18524-07 Auto Liability	11/30/2018	11/30/2019	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
B	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTION			9364-18-93 Umbrella Liability	11/30/2018	11/30/2019	EACH OCCURRENCE \$5,000,000 AGGREGATE \$5,000,000
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR / PARTNER / EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			90-18524-01 Workers Compensation	11/30/2018	11/30/2019	☒ PER STATUTE ☐ OTH-ER
A				90-18524-02	11/30/2018	11/30/2019	E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE-EA EMPLOYEE \$1,000,000 E.L. DISEASE-POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER**CANCELLATION**

RSM 1 S. Wacker Drive Chicago IL 60606 USA	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE <i>Aon Risk Services Central, Inc.</i>

Holder Identifier :

Certificate No : 570077910764



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
September 5, 2019

AGENDA TOPIC: Consideration and possible action approving the first reading of an Ordinance amending Chapter 4 "Business Regulations", Article 4.02 "Solicitors" of the City of Fair Oaks Ranch Code of Ordinances.

DATE: September 5, 2019

DEPARTMENT: City Secretary

PRESENTED BY: Christina Picioccio, City Secretary

INTRODUCTION/BACKGROUND:

As the city continues to review our city ordinances it was noted that the current Solicitation Ordinance was adopted in 2007. With recent citizen complaints regarding solicitation and pan handling not being addressed in the current Ordinance, I along with Chief Rubin began to review and update the Ordinance.

Enhancements provided:

- Broadened and clarified definitions
- Comprehensive application process
- Thorough background checks
- Enhanced general prohibitions
- Requirement to display license for resident identification
- Complaint driven revocation of license
- Regulations regarding the distribution of handbills and commercial flyers
- Inclusion of panhandling prohibitions

Tonight's agenda item is being brought to you for your approval. As this is a public health, safety and welfare improvement item we hope that the city council will determine that this Ordinance is warranted.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

1. Further protects public health, safety and welfare of citizens
2. Implements improved administrative permit issuance procedures
3. Provides for enhanced background checks on peddlers, solicitors and itinerant vendors

LONG-TERM FINANCIAL & BUDGETARY IMPACT:

N/A

LEGAL ANALYSIS:

The Ordinance has been reviewed by legal and is approved as to form.

RECOMMENDATION/PROPOSED MOTION:

I move to approve the first reading of an Ordinance amending the City's Code of Ordinances Article 4.02 "Solicitors".

AN ORDINANCE

AN ORDINANCE AMENDING THE CITY OF FAIR OAKS RANCH CODE OF ORDINANCES CHAPTER 4 BUSINESS REGULATIONS, ARTICLE 4.02 REGULATING SOLICITORS; PROVIDING FOR NEW REGULATIONS REGARDING SOLICITORS, CANVASSERS, AND ITINERANT VENDORS AND PANHANDLERS; PROVIDING PENALTIES FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, it is the intent of City Council in enacting this Ordinance to recognize free speech rights for all citizens while at the same time protecting the coexistent rights for all citizens to enjoy the privacy of their homes, safe and convenient travel in public spaces free from intimidation, threats, and harassment that stem from certain types of abusive solicitation, or that may give rise to interference with other's activities if they occur in particular settings and context; and

WHEREAS, the United States Supreme Court has observed that "requests for immediate payment of money create a strong potential for fraud or undue pressure, in part because of lack of time for reflection." Intern. Soc. For *Krisna Consciousness v. Lee*, 112 S.Ct. 2722 (1992) (concurrence by Justice Kennedy); and

WHEREAS, an important part of the freedom enjoyed by all citizens and residents of the United States is the right to speak freely, to express ideas that may be unpopular, and to engage others in debate without government interference; and

WHEREAS, the Supreme Court of the United States has consistently recognized the right and obligation of local governments to protect their citizens from fraud and harassment, particularly when solicitation of money is involved; and

WHEREAS, City Council finds that the presence of panhandlers near banks or automatic teller machines in specified "captive audience locations" or at night can be especially threatening to person; and

WHEREAS, City Council finds that certain solicitation impedes the orderly flow of pedestrian and vehicular traffic that leads to concerns regarding traffic and public safety; and

WHEREAS, this Ordinance is not intended to impermissibly limit an individual's right to exercise free speech associated with panhandling; rather it aims to impose specific time, place, and manner restrictions on solicitation and associated conduct in certain limited circumstances; namely, aggressive panhandling, panhandling at locations or times deemed particularly threatening and dangerous, and/or panhandling in places where people are a "captive audience" and there is a wish to avoid or reduce a threat of inescapable confrontations; and

WHEREAS, this Ordinance is not intended to impermissibly limit an individual's right to exercise free speech associated with solicitation; rather it aims to impose specific time, place, and manner restrictions on solicitation and associated conduct in certain limited circumstances; and

WHEREAS, in promulgating this Ordinance, City Council seeks to impose regulations that are narrowly tailored to serve the aforementioned significant government interests.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS, AS FOLLOWS:

PART 1. That Chapter 4 Business Regulations, Article 4.02 Solicitors, of the City of Fair Oaks Ranch Code of Ordinances is hereby amended as set forth in the attached Exhibit A

PART 2. That the recitals contained in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.

PART 3. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance be severable, and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared invalid by judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance and the remainder of this ordinance shall be enforced as written.

PART 4. That it is officially found, determined and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

PART 5. This ordinance shall take effect immediately from and after its second reading, passage and publication as may be required by governing law.

PART 6. The repeal or amendment of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue or as affecting any rights of the City of Fair Oaks Ranch under any section or provisions of any ordinances in effect at the time of passage of this ordinance.

PART 7. The provisions of this ordinance shall be cumulative of all ordinances not repealed by this ordinance and ordinances governing or regulating the same subject matter as that covered herein.

PASSED AND APPROVED on the first reading on ____ day of _____, 2019.

PASSED, APPROVED, AND ADOPTED on the second reading, this _____ day of _____, 2019.

ATTEST:

Garry Manitzas, Mayor

APPROVED AS TO FORM:

Christina Picioccio, City Secretary

Denton Navarro Rocha Bernal & Zech,
P.C., City Attorney

Exhibit A

The City's Code of Ordinances Chapter 4 Business Regulations, Article 4.02 is hereby repealed in its entirety and replaced as follows:

Division 1. Peddlers, Solicitors, Canvassers, Itinerant Vendors and Panhandlers Regulations

Sec. 4.02.001 Definitions

- A. "Peddler" is a person who attempts to make personal contact with a resident at his/her residence without prior specific invitation or appointment from the resident, for the primary purpose of attempting to sell a good or service.
- B. "Solicitor" is a person who attempts to make personal contact with a resident at his/her residence without prior specific invitation or appointment from the resident, for the primary purpose of: (1) attempting to obtain a donation to a particular personal, patriotic, philanthropic, social service, welfare, benevolent, educational, civic, fraternal, charitable, political or religious purpose, even if incidental to such purpose there is the sale of some good or service, or (2) distributing a handbill or flyer advertising a commercial event, activity, good or service for purchase at a location away from the residence.
- C. "Canvasser" is a person who attempts to make personal contact with a resident at his/her residence without prior specific invitation or appointment from the resident, for the primary purpose of: (1) attempting to enlist support for or against a particular religion, philosophy, ideology, political party, issue or candidate, even if incidental to such purpose the canvasser accepts the donation of money for or against such cause, or (2) distributing a handbill or flyer advertising a non-commercial event or service.
- D. "Itinerant Vendor" is a person who sets up and operates a temporary business on privately owned property in the city, whether improved or unimproved, soliciting, selling, taking orders for, or offering to sell or take orders for any goods or services. A temporary business is one that continues for forty-five days or less; and, exists whether solicitation is from a stand, vehicle, or freestanding.
- E. Panhandler is a person engaged in any personal solicitation made in a public place for an immediate donation of money or any other item of value. This definition applies equally to all persons requesting donations, whether the donation is intended to be used for the panhandler's personal use or on behalf of a religious group or community service organization or for any other reason.
- F. Public place shall mean, for purposes of this Article, an area open to use by the general public, including, but not limited to alleys, bridges, buildings, driveways, parking lots, parks, plazas, sidewalks, and streets open to the general public, public rights of way and the doorways and entrances to buildings and dwellings, and the grounds enclosing them.
- G. Public Rights of Way is any area where an easement or fee simple right has been granted or reserved over land for public transportation purposes.

Sec. 4.02.002. Exceptions.

This ordinance shall not apply to a federal, state or local government employee or a public utility employee in the performance of his/her duty for his/her employer.

Sec. 4.02.003. License Required for Peddlers, Solicitors, and Itinerant Vendors.

No person shall act as a peddler, solicitor or itinerant vendor within the city without first obtaining a "Peddler License" in accordance with this ordinance. A canvasser is not required to have a Peddler License.

Sec. 4.02.004. Fees.

The fee for the issuance of each Peddler License shall be that fee as adopted by City Council pursuant to the then existing and current fee schedule.

Sec. 4.02.005. Application for Peddler License.

Any person or organization (formal or informal) may apply for one or more peddler licenses by completing an application form at the office of the issuing officer, during regular office hours. The peddler license shall be issued promptly after application but in all cases within forty business hours of completion of an application and submittal of background check to third party vendor, unless it is determined within that time that:

- A. the applicant has been convicted of a felony or a misdemeanor involving moral turpitude within the past seven years;
- B. with respect to a particular license, the individual for whom a card is requested has been convicted of any felony or a misdemeanor involving moral turpitude within the past seven years; or
- C. any statement upon the application is false, unless the applicant can demonstrate that the falsehood was the result of excusable neglect.

Sec. 4.02.006. Contents of Application.

To obtain a Peddler License, each applicant shall provide the following information on a City application and submit in person.

A. Peddler/Solicitor/Itinerant Vendor:

- 1. Name of applicant.
- 2. Photograph and physical description to include height, weight, and hair color (State ID card, passport, or other US government-issued ID card acceptable.)
- 3. Phone number.
- 4. E-mail address.
- 5. Background check through City's third party vendor. (Form to be provided).

6. The permanent and (if any) local address of the applicant and organization.
7. A brief description of the proposed activity related to this peddler license. (Copies of literature to be distributed may be substituted for this description at the option of the applicant).
8. Date and place of birth.
9. A list of all infraction, offense, misdemeanor and felony convictions of each person for whom a license is requested for the seven years immediately prior to the application.
10. The motor vehicle make, model, year, color, and state license plate number of any vehicle which will be used by each person for whom a license is requested.
11. Proof of motor vehicle insurance; in which applicant is named on the policy.
12. If Peddling pursuant to employment, the name, address and telephone number of the employer; or, if acting as an agent, the name, address and telephone number of the principal who is being represented, with credentials in written form on company letterhead establishing the relationship and authority of the employee or agent to act for the employer or principal, as the case may be.
13. Last 5 cities/towns where applicant has conducted peddling.
14. A copy of the principal's sales tax license as issued by the State of Texas (as applicable).

Sec. 4.02.007. Investigation.

During the time following the application for one or more peddler licenses and its issuance, the city shall investigate as to the truth and accuracy of the information contained in the application. If the city has not completed this investigation within the forty business hours provided in section 4.02.005, the license will nonetheless be issued, subject, however, to administrative revocation upon completion of the investigation.

Sec. 4.02.008. Revocation of license.

A. Grounds.

1. Any license issued hereunder may be revoked if the license holder is convicted of a violation of any provisions of this Ordinance or has knowingly made a false material statement in the application or otherwise becomes disqualified for the issuance of a license under the terms of this Ordinance.
2. If more than one complaint of misconduct by a solicitor or group of solicitors working for the same company is received, the permit may be immediately revoked by the city.

B. Notice. If the issuing officer denies (or upon completion of an investigation revokes) the peddler license to one or more persons he shall immediately convey the decision to the applicant orally and shall within twenty-four working hours after the denial prepare a

written report of the reason for the denial which shall be immediately made available to the applicant.

- C. Appeal. The licensee shall have ten (10) business days from the date of revocation or denial in which to file notice of his appeal to the city council from the date of the order denying or revoking the license. The applicant shall have at his option an appeal of the denial of his application before the city council, at its next regular meeting, if filed before 5 business days of posting the agenda. In the event of the filing of an appeal from a revocation issued under the provisions of this Ordinance, then, until such appeal has been determined by the city council such revocation order shall be stayed.
- D. Hearing. The hearing will be held in accordance with city council rules and procedures. After holding the hearing on the revocation or denial, the city council shall by majority vote either sustain the action or issue an order reinstating the license.

Sec. 4.02.09. Display of Peddler License.

Each City issued peddler license shall be worn on the outer clothing of the individual or otherwise displayed, as so to be reasonably visible to any person who might be approached by said person.

Sec. 4.02.010. Validity of Peddler License.

A peddler license shall be valid within the meaning of this ordinance for a period of no more than 90 days from its date of issuance or the term requested, whichever is less.

Sec. 4.02.011. Distribution of Handbills and Commercial Flyers.

In addition to the other regulations contained herein, the following regulations shall apply to the leaving of handbills or commercial flyers about the community:

- A. No handbill or flyer shall be left at, or attached to any sign, utility pole, transit shelter or other structure within the public right-of-way. The police and/or City's authorized personnel are authorized to remove any handbill or flyer found within the right-of-way.
- B. No handbill or flyer shall be left at, or attached to any privately-owned property in a manner that causes damage to such privately-owned property.
- C. No handbill or flyer shall be left at, or attached to any of the property: (a) listed on the city "No Visit List", or (b) having a "No Solicitor" sign posted.

Sec. 4.02.012. General Prohibitions.

No peddler, Itinerate vendor, solicitor or canvasser shall:

- A. Enter upon any private property where the property has clearly posted in the front yard a sign visible from the right of way (public or private) indicating a prohibition against peddling, soliciting and/or canvassing. Such sign need not exceed one square foot in size and may contain words such as "no soliciting" or "no solicitors" in letters of at least two inches in height.

- B. Remain upon any private property where a notice in the form of a sign or sticker is placed upon any door or entrance way leading into the residence or dwelling at which guests would normally enter, which sign contains the words “no soliciting” or “no solicitors” and which is clearly visible to the peddler, solicitor or canvasser.
- C. Use or attempt to use any entrance other than the front or main entrance to the dwelling, or step from the sidewalk or indicated walkway (where one exists) leading from the right-of-way to the front or main entrance, except by express invitation of the resident or occupant of the property.
- D. Remove any yard sign, door or entrance sign that gives notice to such person that the resident or occupant does not invite visitors.
- E. For a commercial solicitor, peddler, or itinerant vendor to solicit for a purpose other than that set out in the application upon which the license was issued.
- F. Enter a private gated community without first obtaining permission from the appropriate authority at the community.
- G. Any activities authorized by this chapter would be prohibited between the hours of 8:00 PM and 9:00 AM.

Sec. 4.02.014. Panhandling Prohibited.

A. Particular places. The following places of panhandling are expressly prohibited, at any time:

- a. “Areas with heightened personal security concerns” including the following locations:
 - i. Areas within 25 feet of access to building entrances, public events venues, public accommodations or commercial businesses where a reasonable individual would have a reasonable, justified concern for his or her personal security due to congestion and close proximity to others;
 - ii. Areas within a designated commercial or historic district in which a high volume of pedestrian traffic or narrow sidewalks and streets give a reasonable person a justified, reasonable concern about his or her personal security due to congestion and close proximity to others; or
 - iii. Other areas in which congestion could give a reasonable person a reasonable, justified concern for his or her personal security due to congestion and close proximity to others.
- b. “Areas with heightened personal privacy concerns” including the following:
 - i. Locations within 20 feet of an automated teller machine, or financial institution in which an automated teller machine is located, where “financial institution” means any bank, industrial bank, credit union, or savings and loan.

- ii. Locations within 20 feet of a sidewalk café during operating hours unless the presence is authorized by the proprietor;
 - iii. Other locations in which a reasonable person would have a reasonable and justified concern about whether congestion and close proximity to others could compromise his or her interests in privacy.
 - iv. Within one thousand (1,000) feet of any public or private elementary or secondary school between the hours of 7:30 AM and 4:30 PM on days when such school is in session. The measurement of the distance shall be made from the nearest property line of the public or private elementary or secondary school.
 - c. Within one thousand (1,000) feet of the following intersections:
 - i. Fair Oaks Parkway @ IH-10
 - ii. Leslie Pfeiffer Drive @ IH-10
 - iii. Fair Oaks Parkway @ Dietz Elkhorn
 - iv. FM 3351 @ Dietz Elkhorn
- B. Particular Manner. The following manners of panhandling are expressly prohibited, at any time and any manner, because of the coercive nature of each:
- a. Hindrance to traffic.
 - i. Panhandling in any manner which serves to intentionally block, obstruct, or interfere with orderly flow of either vehicles or pedestrians is prohibited.
 - ii. Panhandling in any manner which intentionally and unreasonably causes a pedestrian or vehicle operator to take evasive action to avoid physical contact is prohibited.
 - iii. Panhandling in any manner that violates traffic regulations for pedestrians or vehicles.
 - b. Aggressive panhandling. Panhandling in an aggressive manner is prohibited. Aggressive panhandling shall be defined as:
 - i. Approaching or speaking to a person, or following a person before, during or after panhandling, if that conduct is intended or is likely to cause a reasonable person to fear bodily harm to oneself or to another, or damage to or loss of property or otherwise be intimidated into giving money or any other thing of value;
 - ii. Intentionally touching or causing physical contact with another person without that person's consent in the course of panhandling; or

- iii. Directing violent or threatening gestures toward the subject of the panhandling.
 - iv. Forcing oneself upon the company of another by engaging in any of the following conduct:
 - 1. Continuing to solicit in close proximity to the individual addressed after the person to whom the solicitation is directed has made a negative response, either verbally, by physical sign, by attempting to leave the presence of the person soliciting, or by other negative indication;
 - 2. Blocking the passage of the individual solicited; or
 - 3. Otherwise engaging in conduct that could reasonably be construed as intending to compel or force a person to accede to a solicitation.
 - v. Acting with the intent to intimidate someone into giving money, or
 - vi. Other conduct that a reasonable person being solicited would regard as threatening or intimidating in order to solicit a contribution or donation.
- c. It shall be unlawful for a person younger than eighteen (18) years of age to panhandle in the public right-of-way.

Sec. 4.02.015. Penalties.

Any person violating any part of this Article or failing to observe any provision of this Article shall be subject to the penalties as set forth in Sec. 1.01.009 of this code or the administrative penalties as stated herein.



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

September 5, 2019

AGENDA TOPIC: Consideration and possible action approving the first reading of an ordinance amending Chapter 12 "Traffic & Vehicle", Article 12.03 "Trucks" of the City of Fair Oaks Ranch Code of Ordinances regulating the weight load of vehicles traveling on city streets

START DATE: September 5, 2019

DEPARTMENT: Police

PRESENTED BY: Chief Rubin

INTRODUCTION/BACKGROUND:

In 1988 the Fair Oaks Ranch City Council approved an ordinance (codified in the code of ordinances in Chapter 12 "Traffic & Vehicles", Article 12.03 "Trucks") ordering the prohibition of through truck traffic in the City of Fair Oaks Ranch.

The prohibition did not include Dietz Elkhorn or Amman Road and was effective on all vehicles with a rating of one and a half tons or heavier. With the increase of heavy vehicle traffic utilizing city streets and potential safety issues and damage to city streets, staff believes it is appropriate to amend the ordinance to include all streets maintained by the city and to establish weight load limits of vehicles by classes of vehicles (see attached).

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

1. It is in the best interest of the public health, safety and welfare of our citizens and the public to establish weight load limits of vehicles utilizing City streets by class of vehicles.
2. A reduction in the amount of heavy vehicles utilizing City streets will provide increased safety for non-heavy vehicle and pedestrian traffic.
3. Will reduce noise created by heavy vehicle traffic and will reduce damage to city streets.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

Positive long-term financial impact is anticipated due to less maintenance required on City streets due to decrease of heavy vehicle traffic.

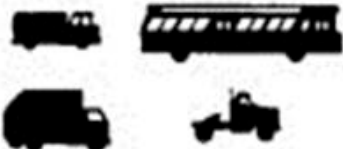
LEGAL ANALYSIS:

Reviewed by Legal and approved as to form.

RECOMMENDATION/PROPOSED MOTION:

I move to approve the first reading of an ordinance amending Chapter 12 "Traffic & Vehicles", Article 12.03 "Trucks".

This ordinance will prohibit Class 7 and 8 vehicles from traveling through the City.

 CLASS 1 6,000 lbs or less	 CLASS 5 16,001–19,500 lbs
 CLASS 2 6,001– 10,000 lbs	 CLASS 6 19,501–26,000 lbs
 CLASS 3 10,001–14,000 lbs	 CLASS 7 26,001–33,000 lbs
 CLASS 4 14,001–16,000 lbs	 CLASS 8 33,000 lbs or more

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 12 “TRAFFIC & VEHICLE”, ARTICLE 12.03 “TRUCKS” OF THE CITY OF FAIR OAKS RANCH CODE OF ORDINANCES OF THE CITY OF FAIR OAKS RANCH, TEXAS; REGULATING THE WEIGHT LOAD OF VEHICLES TRAVELING ON CITY STREETS AND PUBLIC HIGHWAYS; MAKING FINDINGS OF FACT; PROHIBITING TRAVEL THROUGH CITY STREETS OF VEHICLES HAVING A COMBINED GROSS WEIGHT EXCEEDING 26,000 POUNDS; PROVIDING FOR EXCEPTIONS AND CONDITIONS TO SAME; PROVIDING A CRIMINAL FINE NOT TO EXCEED \$500 PER VIOLATION; PROVIDING FOR ENACTMENT, REPEALER, AND SEVERABILITY CLAUSE; PROVIDING FOR EFFECTIVE DATE AND POSTING OF SIGNS; FINDING PROPER NOTICE & MEETING.

WHEREAS, the City of Fair Oaks Ranch is a Home Rule City in the State of Texas; and

WHEREAS, pursuant to Texas Transportation Code Section 311.001, the City of Fair Oaks Ranch (“City”) has exclusive control over and under the streets, alleys and public highways of the municipality (hereinafter, “streets”); and,

WHEREAS, pursuant to Texas Local Government Code Section 51.012, the City has general authority to adopt an ordinance not inconsistent with state law, that is necessary for the government, interest, welfare, or good order of the municipality; and,

WHEREAS, the City Council finds it necessary and proper for the government, interest, welfare, and good order of the City to regulate the streets within the City’s boundaries by preventing heavy vehicles from disturbing communities and excessively damaging the City’s streets; and,

WHEREAS, the City Council wishes to prevent vehicles, and other weighted items having a combined gross weight of more than 26,000 pounds (hereinafter, “Heavy Vehicles”) from traveling through the City of Fair Oaks Ranch; and,

WHEREAS, having carefully evaluated the streets and traffic situation in Fair Oaks Ranch, the City Council finds that there are reasonably available alternate routes outside the City limits for Heavy Vehicles; and,

WHEREAS, pursuant to Texas Local Government Code Section 54.001, the City has general authority to impose a fine or penalty of up to \$500 for violation of an ordinance,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS:

PART 1. Chapter 12 “Traffic & Vehicles”, Article 12.03 “Trucks” is hereby repealed and replaced as set forth in the attached Exhibit A.

PART 2. That the recitals contained in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

PART 3. The City Manager is hereby authorized to procure and have erected appropriate traffic control signs as required by the law of the State of Texas, providing notice of the restrictions imposed by this Ordinance.

PART 4. It shall be unlawful for any person, firm, or corporation to operate a vehicle in violation of this ordinance. Any person, firm or corporation violating any provision of this Ordinance of failing to observe any provision hereof shall upon conviction be guilty of a misdemeanor and shall be fined a sum not more than Five Hundred Dollars (\$500) and each and every day or fraction of a day in which this Ordinance or any part thereof shall be violated shall be deemed a separate offense and punished as such.

PART 5. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance be severable, and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared invalid by judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance and the remainder of this ordinance shall be enforced as written.

PART 6. That it is officially found, determined and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

PART 7. This ordinance shall take effect immediately from and after its second reading, passage and publication as may be required by governing law.

PART 8. The repeal or amendment of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue or as affecting any rights of the City of Fair Oaks Ranch under any section or provisions of any ordinances in effect at the time of passage of this ordinance.

PART 9. The provisions of this ordinance shall be cumulative of all ordinances not repealed by this ordinance and ordinances governing or regulating the same subject matter as that covered herein.

PASSED on first reading this 5th day of September, 2019.

PASSED, APPROVED, and ADOPTED on second reading this 19th day of September, 2019.

Garry Manitzas, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, City Secretary

Denton Navarro Rocha Bernal & Zech, P.C.,
City Attorney

Exhibit A

Chapter 12 "Traffic & Vehicles"; Article 12.03 "Trucks" is hereby repealed and replaced as follows:

[Deletions shown as strikethrough and additions shown as underscore]

Sec. 12.03.001 Through truck traffic prohibited

~~(a) Heavy through truck traffic is damaging the streets of the city and creating noise and disturbances to residents.~~

~~(b) There are alternate routes available to through truck traffic.~~

~~(c) It shall be unlawful for any person, firm or corporation, directly or through an agent, servant or employee, to use or permit the use for through truck traffic on all existing and future streets in the city with the exception of:~~

~~(1) Ralph Fair Road;~~

~~(2) Ammann Road;~~

~~(3) Dietz Elkhorn.~~

~~(d) "Truck" is defined for the purpose of this section as any and every vehicle used or maintained primarily for the transportation of property, rating one and a half tons or heavier weight.~~

~~(e) "Through truck traffic" is defined for the purpose of this section, and with reference to the streets mentioned, as the driving or entry of a truck onto the same at any point and the proceeding of such truck onto the same at any point and leaving of the same by such truck at any point unless the person driving or operating such truck has occasion to and does bring such truck to a stop at the same point, place or location upon the purpose of loading such truck, or for the purpose of rendering a service at such point, place or location in connection with the business for which such truck is used.~~

~~(f) This section shall include the provision of a penalty for violations of this section. The penalty will consist of a fine as provided in [section 1.01.009](#) of this code.~~

- A. Vehicles having a combined gross weight over 26,000 pounds ("Heavy Vehicles") shall not travel within the municipal boundaries of the City of Fair Oaks Ranch, except as may be allowed under the terms of this Ordinance.
- B. A vehicle subject to this Ordinance shall be equipped and maintained as required by Texas Transportation Code Sec. 725.021 to prevent loose material from escaping by blowing or spilling.
- C. The limitations prescribed by this Ordinance shall not apply to:
- 1) Heavy Vehicles traveling or operating upon any street designated as a United States or state highway;
 - 2) Heavy Vehicles making delivery of goods and services within the City;

- 3) Fire trucks or other emergency vehicles or vehicles on emergency business involved in the saving of life or property;
 - 4) Implements of husbandry incidentally moved upon a road;
 - 5) Road repair, construction, or maintenance vehicles while involved in the repair, construction, or maintenance of roads within the City, or
 - 6) Garbage service vehicles while involved in the provision of services to residents of the City.
- D. A Heavy Vehicle which would otherwise be restricted, is permitted to make pick-ups, deliveries, or service calls in the City but shall restrict its' traveling through City streets to a minimum. Said vehicle shall be driven in such a manner as to proceed to its destination or destinations in the City by the most direct route. Upon completion of the pick-ups, deliveries, or service calls, the vehicle shall leave the City by the most direct route. The section shall not be interpreted as permitting a vehicle otherwise restricted from entering or leaving the City.



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

September 5, 2019

AGENDA TOPIC: Consideration and possible action on determining method for amending the Home Rule Charter

START DATE: September 5, 2019

DEPARTMENT: Administration

PRESENTED BY: Carole Vanzant, Assistant City Manager

INTRODUCTION/BACKGROUND:

At the May 6, 2017 General Election a majority of votes were cast for the adoption of the City of Fair Oaks Ranch Home Rule Charter. On May 18, 2017, the City Council, under Resolution 2017-08, declared the City Charter adopted.

Texas Constitution, Article XI, Section 5 (b) states *no city charter shall be altered, amended, or repealed more often than every two years*. Local Government Code, Section 9.004 provides two methods for amending a city charter:

1. *The city council on its own motion may submit a proposed charter amendment to the city's qualified voters for their approval at an election.*
2. *The city council shall submit a proposed charter amendment to the voters for approval at an election if the submission is supported by a petition signed by a number of qualified voters of the city equal to at least five percent of the number of qualified voter of the city.*

The uniform election dates, pursuant to the Texas Election Code, are:

- The first Saturday in May, and
- The first Tuesday after the first Monday in November

Today this presentation will provide information on the two methods for amending the City Charter and the dates for holding a Charter Amendment election allowing the City Council to make an informed decision on how and when to hold such an election, if desired.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

1. To ensure the City Charter continues to properly define the organization, powers, functions and essential procedures of the City of Fair Oaks Ranch government.
2. Affords the opportunity for citizenry voice.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

Special Election Cost for May 2, 2020 - \$6,000

Special Election Cost for November 3, 2020 - \$18,000+ (State law requires we contract with ALL county election offices to run our election). Note: seats in the US House of Representatives, US Senate and the US President will be on the ballot.

LEGAL ANALYSIS:

City Attorney reviewed presentation material.

RECOMMENDATION/PROPOSED MOTION:

If a May election 2020 is desired, either of the following motions would be appropriate for proposing home rule charter amendments:

1. I move Home Rule Charter amendments be proposed by City Council

OR

2. I move to appoint an Ad Hoc Charter Review Commission to propose Home Rule Charter amendments to the City Council for their consideration no later than November 8, 2019

CITY CHARTER AMENDMENT ELECTION

Presentation Outline



1. City Charter History
2. Adoption of Charter Amendments
 - How Often
 - Method to Amend (two different processes)
 - Holding an Election
 - After Amendments are Approved
3. Example Timeline
4. Resources
5. Questions & Answers

September 5, 2019 - City Council Briefing

CITY CHARTER AMENDMENT ELECTION

City Charter History

1. Home Rule Charter Commission appointed June 2016
2. Commission submitted proposed Charter to City Council February 2017
3. City held successful Charter Election May 6, 2017
4. After the Election:
 - Adopted approved charter by ordinance
 - Mayor certified to the Secretary of State a sealed copy of the adopted charter
 - Implementation of the charter – codification, policy updates, website updates

CITY CHARTER AMENDMENT ELECTION

Adoption of Charter Amendments - How Often

1. No city charter shall be altered, amended, or repealed more often than every two years (Texas Constitution, Article XI, Section 5(b))
2. Calculate the full two years from the Charter Election date ($365 \times 2 = 730$ days):

Uniform Election Dates	
05/06/2017	City Charter Election
05/05/2018	365 Days
11/06/2018	550 Days
05/04/2019	729 Days
11/05/2019	First Eligible November Election Date
05/02/2020	First Eligible May Election Date

CITY CHARTER AMENDMENTS ELECTION

Adoption of Charter Amendments – Method #1 to Amend

LGC9.004(a) - Proposed by City Council for approval by voters at an election

1. Either the City Council can propose the charter amendments directly by a motion;
OR
2. They can appoint a Charter Review Commission (CRC) to recommend amendments back to them

CITY CHARTER AMENDMENTS ELECTION

Adoption of Charter Amendments – Method #1 to Amend, Cont'd

- If CRC appointed, Council should determine:
 - Number of individuals serving on CRC
 - The method of member selection
 - The structure (Chair appointed by City Council or by CRC)
 - Items of key interest for the CRC to focus upon
 - Timeframe the CRC has to propose the recommendations
 - Their own method for reviewing the proposed changes
 - Whether or not to have public input
- City Council has no obligation to accept recommendations
- No requirement for a commission

CITY CHARTER AMENDMENTS ELECTION

Adoption of Charter Amendments - Method #2 to Amend, Cont'd

LGC9.004(a) - Proposed by citizen petition, signed by at least five percent of the number of qualified voters in the city

1. City has no authority to supplement, modify, or amend the petition (EC 277.0023)
2. Election Code, Chapter 277 provides petition requirements
3. No statutory deadline for petition to be submitted
4. No statutory timeline for verification of petition

CITY CHARTER AMENDMENTS ELECTION

Adoption of Charter Amendments - Election Process

1. ***When can we vote*** – At the first authorized uniform election date or on the earlier of the date of the next municipal general election or presidential general election:
 - The first Saturday in May (May 2, 2020); or
 - The first Tuesday after the first Monday in November (November 3, 2020)
2. ***Order of Election*** – For the May 2020 election, order of election shall be ordered not later than the 78th day before Election Day (EC 3.005):
 - Deadline to order election - February 14, 2020
 - Order includes the measures (propositions) to be voted on in the order they will appear on the ballot

CITY CHARTER AMENDMENT ELECTION

Adoption of Charter Amendments – Election Process, Cont'd

3. ***Notice of Election in Newspaper*** – Notice must include a substantial copy of the amendments to be voted on and an estimate of financial impact to the city if amendments are approved and be published on the same day in each of the two successive weeks, with the first publication occurring on, or before, the 15th day before the date of the election
4. ***Ballot*** – Amendments are prepared so that each subject may be voted on separately and that each amendment can be approved or disapproved without having to approve/disapprove all of the amendments

CITY CHARTER AMENDMENT ELECTION

Adoption of Charter Amendments - After Amendments Approval

1. ***Adoption of Approved Charter by Ordinance*** – City Council must enter an order in the records of the city declaring the amendment is adopted
2. ***Certification of Charter*** – Mayor shall certify to the Secretary of State an authenticated copy of the amended charter with the City's seal
3. ***Registration of Charter*** – City Secretary shall record the adopted charter amendments in a book kept for that purpose
4. ***Implementation of Charter*** – Codification, policy updates, website updates, etc.

CITY CHARTER AMENDMENTS ELECTION

Questions



CITY CHARTER AMENDMENTS ELECTION

Resources

1. Texas Municipal Election Law Manual, *Analeslie Muncy*, Fifth Edition (TMCCP)
2. Texas Secretary of State (SOS) <http://www.sos.state.tx.us>
3. Texas Constitution and Statutes <http://www.statutes.legis.state.tx.us/Index.aspx>
 - Texas Constitution, Article XI, Section 5
 - Texas Election Law - various chapters including:
 - Chapter 41 - Election Dates and Hours for Voting
 - Chapter 277 - Petition Prescribed by Law Outside Code
 - Local Government Code, Chapter 9 Home Rule Municipality

CITY CHARTER AMENDMENTS ELECTION

STAFF GUIDANCE

Proposal of Home Rule Charter Amendments

- By City Council; or,
- By an Ad Hoc Charter Review Commission, appointed by city resolution

Election Date

- May 2, 2020 (City election)
- November 2, 2020 (Federal/State/County election)



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
September 5, 2019

AGENDA TOPIC: Discussion regarding transient equipment and material storage on City owned property (Fire Station) located at 30955 Meadow Creek Trail, generally the southwest corner of Meadow Creek Trail at FM 3351.

DATE: September 5, 2019

DEPARTMENT: City Council

PRESENTED BY: Council Member Hartpence, Place 3

INTRODUCTION/BACKGROUND:

Councilmember Hartpence requested this agenda item.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

TBD

LONGTERM FINANCIAL & BUDGETARY IMPACT:

TBD

LEGAL ANALYSIS:

N/A

RECOMMENDATION/PROPOSED MOTION:

No formal action is required but the City Manager would appreciate receiving general direction and insight from Council prior to allocating staff resources to this cause.