MEMORANDUM

TO: Mayor and City Council

FROM: Shawn Raborn, City Manager

DATE: January 4, 2019

SUBJECT: City Council Meeting

Attached is your information packet for the Monday, January 14, 2019, City Council Meeting. If you have any questions about a particular item, please contact me.
NOTICE OF REGULAR MEETING
OF THE CITY COUNCIL OF THE
CITY OF LA GRANGE, TEXAS

In accordance with the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code notice is hereby given that a Regular Meeting of the governing body of the City of La Grange, Texas, will be held on the 14th day of January, 2019 at 6:00 P.M. in the City Hall Council Chambers at 155 E. Colorado St., La Grange, Texas.

PLEDGE OF ALLEGIANCE
INVOCATION
ROLL CALL
PETITIONS

SUBJECTS TO BE CONSIDERED FOR DISCUSSION AND/OR ADOPTION, APPROVAL, AMENDMENT, RATIFICATION OR OTHER ACTION AT SUCH MEETING INCLUDE:

CONSENT AGENDA
(The Consent Agenda includes non-controversial and routine items that the Council may act on with one single vote. The Mayor or a Councilmember may pull any item from the Consent Agenda in order that the Council discuss and act upon it individually as part of the Regular agenda.)

1. Discuss and or Consider approval of December 2018 minutes.

REGULAR AGENDA

1. Report from Mr. Arnold Romberg – City Representative to the Fayette County Appraisal District.
2. Presentation by Arx Housing Initiatives and Bouldin Communities regarding proposed La Grange Springs Development.
3. Review of Texas Department of Housing and Community Affairs Housing Tax Credit Program.
4. Discuss and or Consider approval on Second Reading of an Ordinance Amending Chapter 13, Utilities, Code Of Ordinances, City Of La Grange, Texas, As Recodified On January 8, 2007, By Amending Article 13.02, Water, Division 2. Rates And Charges, By Increasing Certain Fees, Rates And Charges, Including Bulk Water Sales Charges, Disconnection And Reconnection Of Service Fees, Connection Charges, Outlet Charges; By Amending Article 13.03, Sewers, Division 1. Generally, By Increasing Rates And Charges, Including Outlet Charges And By Amending Division 2. Industrial Wastes, Increasing The Charges For Control Of Admissible Wastes Charges; By Amending Article 13.04, Electric Service, Division 2. Rates And Charges, By Clarifying When Re-Connections Will Occur, And By Increasing Rates And Charges, Including Disconnection And Reconnection Of Service Charges And Connection Charges; Authorizing The City To Collect Same; And Providing For An Effective Date.
5. Discuss and or Consider approval on First Reading of An Ordinance Of The City Council Of The City Of La Grange, Texas, Amending Chapter 2 – Animal Control, By Adding Certain Definitions To Section 2.01.001 To Be Realigned To Include Said Definitions In The Alphabetical Scheme Thereof; Amending Section 2.02 By Adding New Sections 2.02.006 – 2.02.008, Of the City Of La Grange Code Of Ordinances, Establishing Regulations Dealing With The Care And Control Of Animals Within The City, Including Regulations Dealing With Unlawful Dog Restraint, Providing A Criminal Penalty of $500.00 For The First Offense And The Penalty Provisions Of The Penal Code Of Class B Misdemeanor For Each Subsequent Conviction, Confiming Texas Open Meetings Act Compliance, Providing An Effective Date.
6. Discuss and or Consider approval on First Reading of An Ordinance Amending The Zoning Ordinance, Chapter 14, Zoning, Exhibit A, Zoning Ordinance, Code Of Ordinances Of The City Of La Grange, Texas, Section 9. District B-Business Or Commercial District, Subsection 9-1, Use Regulations, By Adding Two New Subsections Under Subsection 9-1, Subsections (J.1) And (K.1), To Allow For Alcohol, Beer, Wine, And Mead Manufacture, With Certain Limitations, By Further Amending Section 11. District I-Industrial, Subsection 11-1. Use Regulations, By Repealing Subsection (Q)(3) And Renumbering Any Additional Subsections Under Subsection Q in Sequential Numbering; Confiming Texas Open Meetings Act Compliance, Providing An Effective Date.
7. Discuss and or Consider approval of a Resolution authorizing the submission of a Hurricane Harvey Community Development & Revitalization CDBG-DR Application to the General Land Office.
8. Discuss and or Consider selection of a Grant Administrator for the GLO Hurricane Harvey application and project administration.
9. Discuss and or Consider selection of an Engineer to enter into contract negotiations for the GLO Hurricane Harvey application and engineering services.

10. Discuss and or Consider re-appointment and new appointments to the Fayette Public Library Museum Archives Advisory Board.

11. Discuss and or Consider Appointment of Fireman’s Pension Board.

12. Discuss and or Consider approval of Final Replat request at 429 E. Fannin St. owned by Jeffrey Jr. & Charis Olchesky.

13. Discuss and or Consider approval of Final Replat request from Keilers & Keilers LLC, 254 W. Milam & 223 S. Main St.

Tourism Committee

1. Discuss and or Consider approval of allocation of Tourism Grant Funds.

CITY COUNCIL COMMITTEE REPORTS
1. Airport Board
2. Senior Citizen
3. Library Board
4. Recreation Center Advisory Board
5. Tax Appraisal Board
6. Main Street Board
7. Beautification Committee
8. General Services Committee

CHIEF OF POLICE UPDATE
Review of Current issues and projects

CITY MANAGER UPDATE
Review of Current issues and projects

Sales Tax Collections Report
Utility Usage Reports

CITY SECRETARY

Oil & Gas Report
Library-Museum Report
Overtime Report

The Council will meet in closed Executive Session as authorized by the listed section(s) of The Open Meetings Act, Section 551, Texas Government Code, to discuss the following matters:
(Section 551.074) Personnel Matters
1. Annual Review of City Manager Shawn Raborn

The Council may take final action on any of the before mentioned matters while convened in open session pursuant to Chapter 551 of the Texas Government Code; it may also take certain action in executive session on competitive electric matters pursuant to Section 551.086. The Council may also meet in closed Executive Session, pursuant to Section 551.071, to receive advice from legal counsel (consultation with attorney) on any items listed in this notice.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print or Braille, are requested to contact, Lisa Oltmann at 979/968-5805 at least two (2) work days prior to the meeting so that appropriate arrangements can be made.

More information on the above listed matters is available from the City of La Grange - Office of the City Manager at 968-5805.

Posted at 5:00 P.M. on this the 11th day of January, 2019.

Lisa Oltmann, City Secretary
MEMORANDUM
December 17, 2018

To: La Grange City Council

From: Arnold Romberg, City CAD Representative

The CAD Board is functioning smoothly, and I am enjoying serving as the City’s representative.

I want to inform you of some current developments.

The work of the Appraisal Review Board was completed about three weeks ago. The period over which the ARB met to deal with complaints and inquiries was longer than usual, but the members reported the meetings were handled smoothly. The statistics for the City of La Grange were:

- Protests filed: 225
- Protests heard: 25 – only about 10% for the protesters attended an ARB hearing
- Protests cancelled: 186
- No shows: 12
- Changes made: 14
- Percentage of protests heard which resulted in alterations of appraisals: 52%

Appraisal Review Board members were appointed for 2019. The Chairman Herb Janssen, Jr. was reappointed, along with members James Haueisen and Dorothy Orsak. New members are Lyle Hanna and Thomas Kubena.

The law firm retained by the CAD to handle lawsuits regarding appraisals and settlement of suits is Perdue, Brandon, Fielder, Collins and Mott. There are currently 15 suits ongoing, which is rather more than there have been in most years. John Banks, of the law firm, recently reported to the board on the status of these suits, and asked for guidance by the CAD board on what to do on each one. The Board agreed that the law firm’s handling of the suits is very satisfactory, and agreed to extend their contract for this service.

After the first of the year there will be an evaluation of the performance of the Chief Appraiser Richard Moring. I judge his performance to be very satisfactory, and I feel the same about the performance of all of the CAD staff. The CAD board does not evaluate the staff.
MEMORANDUM

TO: Mayor and City Council
FROM: Shawn Raborn, City Manager
DATE: January 4, 2019

SUBJECT: Presentation by Arx Housing Initiatives and Bouldin Communities regarding proposed La Grange Springs Development.

Review of Texas Department of Housing and Community Affairs Housing Tax Credit Program.

Ms. Robbie Meyer and Mr. Jeff Markey have requested to appear before council to review the proposed La Grange Springs Development. La Grange Springs is envisioned to be a 54 unit rental property developed under the Texas Department of Housing and Community Affairs Housing Tax Credit (HTC) Program. The development will be located near the intersection of US Highway 77 North and FM 2154 just inside the city limits of La Grange.

The developer submitted a preliminary application to TDHCA on January 9th for the development with the final application due March 1st. In order for the development to move forward the developer will need to obtain support from the city for the proposed development. A resolution that is required in the application is included for review. Staff is presenting this item to council for information only at this time and will bring back at a later date for consideration.

Staff first became aware of this project on January 3rd and I apologize in advance for the amount of information included regarding the TDHCA Housing Tax Credit program.

Attachments:
1. Background Information on Proposed La Grange Springs Development
2. Project Timeline
3. General Information - TDHCA Housing Tax Credit (HTC) Program
4. Additional Information on Housing Tax Credit Program
5. Housing Tax Credit Basics – FAQs
6. Resolution regarding proposed development
7. Fayette County Low/Mod Income limits
Arx Housing Initiatives
And
Bouldin Communities
Presents
La Grange Springs

Robbye Meyer, Principal
Jeff Marley, Principal
Todd Erickson, Principal
Bouldin Communities Overview

Bouldin Communities is led by Jeff Markey and Todd Erickson, who bring together a combined 40 years of real estate and capital markets experience. The two have developed a track record in the last few years by focusing on self storage warehouses, and are now focused on building a long-term portfolio of multifamily affordable housing.

Bouldin’s acquisition and development portfolio consists of $24 million in developments comprising nearly 400,000 square feet in Houston, Austin and San Antonio. Bouldin currently has approximately 1,000 rental units under management and 1,400 under development.

Beginning in 2001, Jeff Markey co-founded a commercial real estate due diligence company which still operates today. AMS is a national commercial real estate due diligence and advisory firm providing support to lenders and investors for the entire loan and investment life cycle. AMS began investing alongside clients when the market turned in 2008. Jeff is responsible for all company operations and has extensive experience in asset management, construction management, physical needs assessments, loan work outs, valuations and inspections.

During a 20-year career of banking and investment management with top-tier institutions in New York, Tokyo, Chicago, and Houston, Todd Erickson has developed a thorough understanding of capital formation, credit analysis, equity valuation, and portfolio analysis. Erickson has been applying investing principles to real estate for the last decade with growing success.
Arx Advantage Overview

Arx Advantage Consulting, the development consulting group, has over thirty years of finance, real estate, housing programs and asset management experience. Robbye Meyer, principal and owner, is the former director of multifamily finance for the Texas Department of Housing and Community Affairs. Justin Meyer is an associate that directs development logistics. Mark Meyer is the oversees development planning.

Arx Advantage is a comprehensive real estate development consulting firm. The vision of Arx is to assist in the development of affordable housing through the use of public and private funding resources and to assist in providing opportunities for the people who eventually live in the homes created by helping provide them with the resources they need to better their lives.
Olympia Construction, Inc. (OCI) was incorporated in June, 1989, by its principal stockholders Jeff Beaver and Ralph Fullerton. The corporate office of OCI is located at 404 E. McKinney Avenue in Albertville, Alabama. The owners and key personnel have over 50 years of combined experience in construction, development, management, and design of apartment complexes, townhomes and single family sub-divisions. OCI is owner, developer, and builder of both family and senior housing currently in eight states throughout the Southeast, including Alabama, Arkansas, Tennessee, Kentucky, Louisiana, Georgia, Mississippi, South Carolina and North Carolina.

They have developed in excess of 6,000 units of new construction residential housing and rehabilitated/renovated over 1,200 units.
Preliminary Concept

40-72 Units of Affordable Rental Housing
  • Multifamily construction
  • Mixed-Income Rental Housing

Preliminary Proposed Rents

  • 60% AMGI Rent: $734 – 1,017
  • 50% AMGI Rent: $611 – 848
  • 30% AMGI Rent: $367 - 508

  • Market Rate

AMGI: $65,200

(Proposed units may change during development process)
Proposed Development Amenities

- Energy Star Microwave
- Energy Star Dishwasher
- Energy Star Refrigerator with Icemaker
- Energy Star Windows with Low E Glass
- Garbage Disposal
- Energy Star Ceiling Fans
- Oven/Range
- Bathroom Exhaust Fans
- Laundry Connections
- Window blinds & coverings
- High-Speed Internet

Covered Patio
Covered Entries
Energy Star HVAC
R-14+ Wall Insulation
R-39+ Ceiling Insulation
30-Year Shingles

(Proposed amenities may change during development process)
Proposed Site Amenities

- Community Building
- Copy & Fax Services
- Activity Room
- Play Area
- Fitness Room
- Courtesy Patrol
- On-Site Laundry
- On-Call / On-Site Maintenance

(Proposed amenities may change during development process)
Economic Benefit

Affordable Rents to Community

Increased tax base for the improved property

Jobs and Investment
- 1-2 Full-time jobs
- 75-100 construction jobs
- $7-10 million construction investment
City Support

1. Resolution of support from the City Council

2. City financial support by reduction or waiver of development fees or other form of contribution of at least $250.00.
Timeline

January 9, 2019 – Submission of Pre-Application
March 1, 2019 – Submission of Application
Late July 2019 – Awards Announced
November 2019 – Close on Development
December 2019 – Begin Construction
December 2020 – Begin Lease-up
Competitive (9%) Housing Tax Credits

General Information

The TDHCA Housing Tax Credit (HTC) Program is one of the primary means of directing private capital toward the development and preservation of affordable rental housing for low-income households. Tax credits are awarded to eligible participants to offset a portion of their federal tax liability in exchange for the production or preservation of affordable rental housing. There are two types of Tax Credits: Competitive (9%) and Non-Competitive (4%). The below information corresponds to the 9% Housing Tax Credit round, which is highly competitive and awarded based on a Regional Allocation Formula (RAF) with additional set asides for developments at risk of losing affordability and subsidy, developments financed through USDA, and those with nonprofit owners. Applications are scored and ranked within their region or set-aside and in accordance with rules and laws outlined in the Qualified Allocation Plan (QAP). For more information on the Competitive Tax Credit process and current application cycle FAQs, visit the FAQs page.
Affordability Requirements

- 40% of the units @ rents based on 60% Area Median Income (AMI), or
- 20% of the units @ rents based on 50% AMI
- Must keep project affordable for at least 30 years (some states may require longer). In Texas, extra points are awarded to 9% HTC developments for keeping the housing affordable for 40 years.
- Credits are only awarded on the units that meet the long term affordability test. Although Market Rate units are allowed, no tax credits are available for these units.
- NEW: With the new income averaging, a development can get tax credits on units with rents based on 80% AMI; however, the average throughout the development cannot be greater than 60%.
Who Can Live in a Tax Credit Community?

• **Individuals** or **Families** or **Seniors** or **Persons with Disabilities** with incomes at or below **80%** of Area Median Income will soon be eligible to live in Tax Credit Housing – however, since there is no rent subsidy, they must be able to afford the rent. (Existing developments will continue to have **60% AMI restrictions**.)

• **A resident with a voucher from a housing authority can live in Tax Credit Housing and pay 30% of their income for rent.**
Housing Tax Credit Basics - FAQs

What is the TDHCA Housing Tax Credit (HTC) program?

The HTC program is one of the primary means of directing private capital toward the development and preservation of affordable rental housing for low-income households.

How is the HTC program funded?

The HTC program is funded by the U.S. Treasury Department and is overseen by the Internal Revenue Service. Federal Regulations guiding the program can be found in IRC Code Section 42 or by visiting the NOFAs and Rules page.

What is the purpose of the HTC program?

The HTC program was designed to:

1. Provide a source of equity financing for the development of affordable housing;
2. Maximize the number of affordable units added to the state's housing supply;
3. Ensure that the state's affordable housing supply is well maintained and operated, serving as a credit to the communities in which affordable housing is constructed and operated; and
4. Prevent losses in the state's supply of affordable housing.

How do Housing Tax Credits Work?

Tax credits are awarded to eligible participants to offset a portion of their federal tax liability in exchange for the production or preservation of affordable rental housing. The value associated with the tax credits allows residences in HTC developments to be leased to qualified households at below market rate rents.

Is there more than one type of Tax Credit?

Yes, there are two types of HTCs: 9% HTC and 4% HTC.

9% HTC (Competitive)

- The 9% HTC program is highly competitive.
- The amount of tax credits available in each region is determined through the Regional Allocation Formula ("RAF"); there are separate set-asides for "at risk" and US Department of Agriculture ("USDA") assisted developments.
- At least 10% of the allocation must be used for qualified non-profits.
- Applications are scored and ranked within their region or set-aside.
- Scoring criteria range from financial feasibility, various indicators of local support, size and quality of units, amenities and services to be provided to the tenants, economic health of the community, and more.
- Scoring reflects requirements found in state law and program rules; the program rules are known as the Qualified Action Plan ("QAP").

4% HTC (Non-Competitive)

- 4% HTCs are awarded to developments that use tax-exempt bonds as a component of their financing.
- Applications are accepted throughout the year.
- 4% HTCs are available statewide; they are not subject to regional allocation.

What kind of activities can be completed under the HTC program?

The HTC program funds the development of affordable multifamily rental properties or rehabilitation of existing properties that are willing to maintain affordable rents for an extended period of time.

Who is eligible to apply for housing tax credits?

Private for-profit and nonprofit multifamily housing developers.

Who will occupy the multifamily units built by the HTC program?

After the property is developed by the applicant, the applicant will affirmatively market the property in the surrounding community. Tenants earning up to 60% of the area median family income (AMFI) for the area for their household size and who meet the screening and eligibility restrictions of the property may qualify for a reduced rent unit.

How are HTC units different from Section 8 subsidy?

HTC units offer income qualified tenants a unit at a reduced rental rate that is restricted by annually published rent guidelines. Section 8 determines the rent based on 30% of a tenant's actual income. HTC rental rates may increase or decrease annually based on published limits, but Section 8 rents increase only when the occupying household's income increases or decreases or amended budgets containing proposed rent increases are requested by the Section 8 development owner.

How do I apply for Tax Credits?

Nine percent (9%) credit applicants may complete a voluntary Pre-Application; 4% and 9% credit applicants must complete the Uniform Multifamily Application and any supplemental forms requested. Visit the Apply for Funds page to review application materials and guidelines.

Where can I find additional information about how my application will be scored?

Scoring and general threshold requirements can be found in the Qualified Allocation Plan (QAP), the Uniform Multifamily Rules, and state law. Visit the NOFAs and Rules page for more detail.
Does the HTC program give preferences to federally subsidized properties or properties owned by nonprofits?

There are set-asides for "at risk" (affordable multifamily federally subsidized or HTC properties that are nearing the end of their contract/affordability terms) and USDA assisted developments: at least 10% of the tax credits allocated every year must be used by qualified nonprofits.

How can I give my input on a Housing Tax Credit development that is being proposed in my area?

- Public comment is taken at all TDHCA board meetings and is accepted during the application review process.
- Regional public hearings are held to take public comment on 9% HTC applications (Applications for 4% HTC have hearings associated with their bond funding; no separate hearing is held for the 4% HTCs.)
- Under the 9% HTC program, the following entities may affect an application's score by submitting comment reflecting support, neutrality, or opposition:
  - a city council and/or county commissioner's court (through a resolution);
  - neighborhood associations that contain all or a portion of the proposed development and that are registered with the state or county;
  - and state representatives.
- Under the 4% HTC program, the local governing body (city council and/or commissioners’ court) may submit a certified resolution to TDHCA expressing objection or no objection to the proposed development.
- Hearing schedules, TDHCA board meeting announcements, and other informational notices are posted on TDHCA’s Calendar.

Public Comment Resources

- Please visit the TDHCA Public Comment Center for general explanatory information, forms, and other resources to assist with participation in the Department’s public comment process.

Who makes the final decisions on whether a tax credit award will be made?

Final funding decisions on all HTC applications are made by TDHCA’s Governing Board. For more information or a list of members, visit the TDHCA Governing Board page.

When will final award decisions be made?

Nine percent (9%) HTC applications are considered for approval in July. Four percent (4%) HTC applications are considered for approval throughout the year.

Are HTC developments monitored after they are constructed?

TDHCA monitors and physically inspects all properties that have received tax credits and/or multifamily funds from any TDHCA program. Property owners who do not follow applicable guiding program rules and regulations and property standards may be subject to certain actions designed to encourage compliance. These actions, if not promptly addressed, may lead to otr more serious actions such as the assessment of
administrative penalties or, in extreme instances, debarment from TDHCA’s affordable multifamily programs.

How often and for how long will the Department monitor properties that have received funds from TDHCA?

The Department monitors properties on a routine schedule depending on their funding source. Properties that receive HTCs are generally monitored once every three years; additional inspections may be done as a result of complaints or to rectify serious compliance violations. TDHCA will continue to inspect and monitor properties for program compliance for up to 40 years (or the term of their affordability period).

How do I find a list of TDHCA-supported affordable rental properties in my area?

Affordable rental properties can be searched using the Vacancy Clearinghouse. The Vacancy Clearinghouse is also linked from Help for Texans.

I have a complaint about an HTC property in my area. Whom should I contact?

Please call the TDHCA Housing Resource Center (HRC) line toll free at 1-800-526-0657. An HRC Representative will connect you with the appropriate contact in the Compliance Division (if the property is in the TDHCA portfolio) or will provide you with a resource number if the property is funded by or under the jurisdiction of another entity.
RESOLUTION # _________

WHEREAS, Bouldin Communities, LLC has proposed the construction of the development of affordable rental housing known as La Grange Springs proposed to be located at SE corner of Hwy 77 and CR 2145 in the City of La Grange, Texas; and

WHEREAS, Bouldin Communities, LLC has communicated that it intends to submit an application to the Texas Department of Housing and Community Affairs for 2019 Housing Tax Credits for the [Development Name] development; and

WHEREAS, Bouldin Communities, LLC has requested a waiver of development/permit fees in the amount of $250.00 for the La Grange Springs development as a commitment of development funding from the City of La Grange, Texas; and

WHEREAS, the City of La Grange, Texas has the authority to defer development fees on the property proposed to be located at SE corner of Hwy 77 and CR 2145;

BE IT RESOLVED THAT,

The governing body of the City of La Grange, Texas, hereby adopts this resolution as evidence to its commitment of funds in the amount of $250.00 to be provided to the development in the form of a waiver of development/permit fees.

FURTHER RESOLVED, that the City of La Grange, acting through its governing body, hereby confirms that it supports the proposed La Grange Springs proposed to be located at SE corner of Hwy 77 and CR 2145 and that this formal action has been taken to put on record the opinion expressed by the City on _________; and

FURTHER RESOLVED, that for and on behalf of the Governing Body, Janet Moerbe, Mayor is hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

This resolution shall take effect immediately and upon passage.

PASSED, APPROVED and ADOPTED this _____ day of __________ 2019 at a regular meeting of the city council of the City of La Grange.

__________________________
Janet Moerbe, Mayor

__________________________
Lisa Oltmann, City Secretary

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</table>
MEMORANDUM

TO: Mayor and City Council
FROM: Shawn Raborn, City Manager
DATE: January 4, 2019
SUBJECT: Discuss and or Consider an ordinance to modify the utility connection, reinstatement fees and utility tap fees.

This is the second and final reading of an ordinance to modify utility connection, reinstatement fees and utility tap fees. The council approved the ordinance on first reading at the December 10th meeting.

In reviewing our current connection and reinstatement charges we have determined that we are not recouping the cost to provide the service. The cost to reinstate service includes the time it takes staff to physically go to the service location and equipment used to perform the service. We have calculated the cost is $40.00 to provide the service.

In determining the cost to install a new meter we evaluated all costs associated with the installation. The costs included staff time, equipment usage, back fill material, pavement repair and the meter. We have calculated the cost is $750.00 to install a ¾ inch water meter and $500 to install a sewer 4 inch tap. The sewer rate is lower due to the fact that the actual installation of the sewer tap is completed by a licensed plumber.

Attachment

1. Ordinance Under Consideration
2. Comparison of City Connection Charges
3. Survey of area Utility Service Tap Fees
AN ORDINANCE AMENDING CHAPTER 13, UTILITIES, CODE OF ORDINANCES, CITY OF LA GRANGE, TEXAS, AS RECODIFIED ON JANUARY 8, 2007, BY AMENDING ARTICLE 13.02, WATER, DIVISION 2. RATES AND CHARGES, BY INCREASING CERTAIN FEES, RATES AND CHARGES, INCLUDING BULK WATER SALES CHARGES, DISCONNECTION AND RECONNECTION OF SERVICE FEES, CONNECTION CHARGES, OUTLET CHARGES; BY AMENDING ARTICLE 13.03, SEWERS, DIVISION 1. GENERALLY, BY INCREASING RATES AND CHARGES, INCLUDING OUTLET CHARGES AND BY AMENDING DIVISION 2. INDUSTRIAL WASTES, INCREASING THE CHARGES FOR CONTROL OF ADMISSIBLE WASTES CHARGES; BY AMENDING ARTICLE 13.04, ELECTRIC SERVICE, DIVISION 2. RATES AND CHARGES, BY CLARIFYING WHEN RE-CONNECTIONS WILL OCCUR, AND BY INCREASING RATES AND CHARGES, INCLUDING DISCONNECTION AND REINSTATEMENT OF SERVICE CHARGES AND CONNECTION CHARGES; AUTHORIZING THE CITY TO COLLECT SAME; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of La Grange Texas has heretofore, by ordinance, set rates for the provision of water, sewer and electric service by the municipal water, sewer and electric systems operated by the City; and

WHEREAS, it is evident from the records of the city-owned utilities system that current existing water, sewer and electric charges provided for in Chapter 13, relating to water, sewer and electric charges, in the Code of Ordinances, City of La Grange, Texas are insufficient for the purposes of generating the revenue necessary to provide water, sewer and the service; and

WHEREAS, the City Council of the City of La Grange, Texas has had its attention directed to the necessity of increasing the following water system fees and charges: 1) bulk water rate charges, 2) disconnection and re-instatement of water service fees, 3) connection of water service charges and 4) water tap fees paid by customers of the city-owned water system, and;

WHEREAS, the City Council of the City of La Grange, Texas has had its attention directed to the necessity of increasing the following sewer system fees and charges: 1) sewer outlet tap fees paid by customers of the city-owned sewer system and 2) charges paid by waste haulers in order to control admissible wastes into its sewer
WHEREAS, the City Council of the City of La Grange, Texas has had its attention directed to the necessity of clarifying when restoration of electric service may occur and of increasing the following electric system fees and charges: 1) disconnection and reinstatement of service charges to customers of the city-owned electric system and 2) the connection fee to be charged to new customers of the city-owned electric system.

WHEREAS, increased operating costs dictate the necessity and desirability of making certain changes and increases in the existing fees and charges to utilities provided by the city-owned water, sewer and electric system to its customers and other users of such systems.

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

Section 1. That the Code of Ordinances, City of La Grange, Texas, Chapter 13, Utilities, Article 13.02, Water, Division 2, Rates and Charges, Sec. 13.02.031 Rates inside city limits, Subsection (2)(E), Bulk Water Sales, be and it is hereby amended to hereafter read as follows:

**************

(E) Bulk water sales. Bulk water sales shall be charged at the rate of $20.00 per 1,000 gallons with a minimum charge of $20.00.

Section 2. That the Code of Ordinances, City of La Grange, Texas, Chapter 13, Utilities, Article 13.02, Water, Division 2, Rates and Charges, Sec. 13.02.034 Disconnection of service for nonpayment; reinstatement of service, Subsection (c), be and it is hereby amended to hereafter read as follows:

**************

(c) Upon payment of all amounts due and owing for water, electric, sewer and garbage services at a location disconnected for nonpayment, the manager of the utilities shall cause such service to be reconnected. These charges will include the ten-percent late charges added to the bill plus a forty-dollar reconnection charge; however, no reconnection shall occur except during non-holiday business days, Monday through Friday, between the hours of 8:00 a.m. and 4:30 p.m. Reconnections for payment of reconnection fees made after 4:30 p.m. shall occur on the next business day.

Section 3. That the Code of Ordinances, City of La Grange, Texas, Chapter 13, Utilities, Article 13.02, Water, Division 2, Rates and Charges, Sec. 13.02.035
Connection charge be and it is hereby amended to hereafter read as follows:

A water service connection charge of twenty dollars ($20.00) is to be collected from each customer requesting water service, regardless of whether the customer is a homeowner or a tenant. The water service connection charge shall be in addition to the water service outlet charge to be collected for a new water service line installation or for the connection of an installation upon which the charge has not been previously paid. The water service connection charge is to be paid at the time application for service is made. No water service connection shall be made until the water service connection charge and the water service outlet charge, if due, shall have been paid. (1987 Code, sec. 23-21)

Section 4. That the **Code of Ordinances, City of La Grange, Texas**, Chapter 13, Utilities, Article 13.02, Water, Division 2, Rates and Charges, Sec. 13.02.037 Outlet charge be and it is hereby amended to hereafter read as follows:

The following charges shall be made for the tapping of the water main, running of the water service line from the main to the consumer’s curbline or property line, setting of the water meter and meter box, and installation of allied service and metering equipment furnished by the utilities department:

<table>
<thead>
<tr>
<th>Size of Water Service Outlet</th>
<th>Charge</th>
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</thead>
<tbody>
<tr>
<td>3/4 inch</td>
<td>$750.00</td>
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<tr>
<td>1 inch</td>
<td>850.00</td>
</tr>
</tbody>
</table>

Over 1 inch, actual cost of time and materials plus 15% of costs

The above charges are to apply to all new customers even if the actual tapping of the main does not take place and only the setting of metering equipment is required; provided and except, however, when the contractor has installed the tap necessary for installation of the water meter box, the prescribed tap fee will be one-half the fee as prescribed in this section.

(1987 Code, sec. 23-23)

Section 5. That the **Code of Ordinances, City of La Grange, Texas**, Chapter 13, Utilities, Article 13.03, Sewers, Division 1, Generally, Sec. 13.03.002 Outlet charge; tapping of main and installation of serviceline, subsection (a) Charges, be and it is hereby amended to hereafter read as follows:

(a) Charges. The following charges shall be applied when original taps are made to the sewer
main:

(1) Customers inside city limits:

(A) 4" sewer tap: $500.00

(B) 6" sewer tap: Cost of labor and materials plus 15% of costs

***************

Section 6. That the Code of Ordinances, City of La Grange, Texas, Chapter 13, Utilities, Article 13.03, Sewers, Division 2, Industrial Wastes, Sec. 13.03.035 Control of admissible wastes, subsection (e), be and it is hereby amended to hereafter read as follows:

***************

(e) The utilities department is empowered to collect fees from approved septic waste haulers or contractors who deposit or discharge wastewater into the public wastewater treatment plant or any sewer connected therewith. The rate to be charged by the utilities department to such approved septic waste hauler or contractor shall be a minimum of $0.15 per gallon for the acceptance and treatment of wastes based upon the maximum capacity of the vehicle, transport or tank containing the septic waste at the time of disposal. An approved septic waste hauler or contractor is one who has a current license issued by the utilities department. The utilities department shall charge each approved septic waste hauler or contractor an annual fee of $125.00 for a license for the privilege of disposing septic waste or wastewater into the city’s wastewater treatment plant. The utilities manager is hereby empowered to establish such rules, regulations and procedures as may be necessary or appropriate for permitting this service and for the collection of license fees, rates and charges for same. (Ordinance 05-19, sec. 2, adopted 11/28/05)

Section 7. That the Code of Ordinances, City of La Grange, Texas, Chapter 13, Utilities, Article 13.04, Electric Service, Division 2, Rates and Charges, Sec. 13.04.031 Rates, Subsection (1)(D), Schedule R: Residential rate. Discontinuance of service, be and it is hereby amended to hereafter read as follows:

***************

(D) Discontinuance of service. The bill is due and payable upon receipt and becomes delinquent if not paid by the fifteenth day of the calendar month in which the bill is received. Service will be disconnected if not paid on or before the twenty-fifth day of that month. Payment of a reconnection charge of $40.00 will be required to restore service during non-holiday business days, Monday through Friday, between the hours of 8:00
a.m. and 4:30 p.m. Reconnections for payment of reconnection fees made after 4:30 p.m. shall occur on the next business day.

Section 8. That the Code of Ordinances, City of La Grange, Texas, Chapter 13, Utilities, Article 13.04, Electric Service, Division 2, Rates and Charges, Sec. 13.04.031 Rates, Subsection (2)(D), Schedule R-1: Master metered multiple dwelling units. Discontinuance of service, be and it is hereby amended to hereafter read as follows:

(D) Discontinuance of service. The bill is due and payable upon receipt and becomes delinquent if not paid by the fifteenth day of the calendar month in which the bill is received. Service will be disconnected if not paid on or before the twenty-fifth day of that month. Payment of a reconnection charge of $40.00 will be required to restore service during non-holiday business days, Monday through Friday, between the hours of 8:00 a.m. and 4:30 p.m. Reconnections for payment of reconnection fees made after 4:30 p.m. shall occur on the next business day.

Section 9. That the Code of Ordinances, City of La Grange, Texas, Chapter 13, Utilities, Article 13.04, Electric Service, Division 2, Rates and Charges, Sec. 13.04.031 Rates, Subsection (3)(G), Schedule SC: Small commercial. Discontinuance of service, be and it is hereby amended to hereafter read as follows:

(G) Discontinuance of service. The bill is due and payable upon receipt and becomes delinquent if not paid by the fifteenth day of the calendar month in which the bill is received. Service will be disconnected if not paid on or before the twenty-fifth day of that month. Payment of a reconnection charge of $40.00 will be required to restore service during non-holiday business days, Monday through Friday, between the hours of 8:00 a.m. and 4:30 p.m. Reconnections for payment of reconnection fees made after 4:30 p.m. shall occur on the next business day.

Section 10. That the Code of Ordinances, City of La Grange, Texas, Chapter 13, Utilities, Article 13.04, Electric Service, Division 2, Rates and Charges, Sec. 13.04.031 Rates, Subsection (4)(I), Schedule LP-1: Medium commercial and industrial. Discontinuance of service, be and it is hereby amended to hereafter read as follows:

(I) Discontinuance of service. The bill is due and payable upon receipt and becomes delinquent if not paid by the fifteenth day of the calendar month in which the bill is received. Service will be disconnected if not paid on or before the twenty-fifth day of that
month. Payment of a reconnection charge of $40.00 will be required to restore service during non-holiday business days, Monday through Friday, between the hours of 8:00 a.m. and 4:30 p.m. Reconnections for payment of reconnection fees made after 4:30 p.m. shall occur on the next business day.

Section 11. That the Code of Ordinances, City of La Grange, Texas, Chapter 13, Utilities, Article 13.04, Electric Service, Division 2, Rates and Charges, Sec. 13.04.031 Rates, Subsection (5)(I), Schedule LP-2: Large commercial and industrial, Discontinuance of service, be and it is hereby amended to hereafter read as follows:

(I) Discontinuance of service. The bill is due and payable upon receipt and becomes delinquent if not paid by the fifteenth day of the calendar month in which the bill is received. Service will be disconnected if not paid on or before the twenty-fifth day of that month. Payment of a reconnection charge of $40.00 will be required to restore service during non-holiday business days, Monday through Friday, between the hours of 8:00 a.m. and 4:30 p.m. Reconnections for payment of reconnection fees made after 4:30 p.m. shall occur on the next business day.

Section 12. That the Code of Ordinances, City of La Grange, Texas, Chapter 13, Utilities, Article 13.04, Electric Service, Division 2, Rates and Charges, Sec. 13.04.031 Rates, Subsection (6)(C), Schedule SL-175: 175 watt security lights, Discontinuance of service, be and it is hereby amended to hereafter read as follows:

(C) Discontinuance of service. The bill is due and payable upon receipt and becomes delinquent if not paid by the fifteenth day of the calendar month in which the bill is received. Service will be disconnected if not paid on or before the twenty-fifth day of that month. Payment of a reconnection charge of $40.00 will be required to restore service during non-holiday business days, Monday through Friday, between the hours of 8:00 a.m. and 4:30 p.m. Reconnections for payment of reconnection fees made after 4:30 p.m. shall occur on the next business day.

Section 13. That the Code of Ordinances, City of La Grange, Texas, Chapter 13, Utilities, Article 13.04, Electric Service, Division 2, Rates and Charges, Sec. 13.04.031 Rates, Subsection (7)(C), Schedule SL-400: 400 watt security lights, Discontinuance of service, be and it is hereby amended to hereafter read as follows:
(C) **Discontinuance of service.** The bill is due and payable upon receipt and becomes delinquent if not paid by the fifteenth day of the calendar month in which the bill is received. Service will be disconnected if not paid on or before the twenty-fifth day of that month. Payment of a reconnection charge of $40.00 will be required to restore service during non-holiday business days, Monday through Friday, between the hours of 8:00 a.m. and 4:30 p.m. Reconnections for payment of reconnection fees made after 4:30 p.m. shall occur on the next business day.

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Section 14. That the **Code of Ordinances, City of La Grange, Texas.** Chapter 13, Utilities, Article 13.04, Electric Service, Division 2, Rates and Charges, Sec. 13.04.031 **Rates,** Subsection (8)(C), **Schedule SP: Special rates. Discontinuance of service,** be and it is hereby amended to hereafter read as follows:

************

(C) **Discontinuance of service.** The bill is due and payable upon receipt and becomes delinquent if not paid by the fifteenth day of the calendar month in which the bill is received. Service will be disconnected if not paid on or before the twenty-fifth day of that month. Payment of a reconnection charge of $40.00 will be required to restore service during non-holiday business days, Monday through Friday, between the hours of 8:00 a.m. and 4:30 p.m. Reconnections for payment of reconnection fees made after 4:30 p.m. shall occur on the next business day.

************

Section 15. That the **Code of Ordinances, City of La Grange, Texas.** Chapter 13, Utilities, Article 13.04, Electric Service, Division 2, Rates and Charges, Sec. 13.04.033 **Disconnection of service,** Subsection (c), be and it is hereby amended to hereafter read as follows:

************

(c) Upon the payment of all amounts due and owing for electric, water, sewer and garbage services at a location disconnected for nonpayment, the manager of the utilities shall cause such service to be reconnected. These charges will include the ten-percent late charges added to the bill plus a forty-dollar reconnection charge. Payment of the reconnection charge as set forth herein will be required to restore service during non-holiday business days, Monday through Friday, between the hours of 8:00 a.m. and 4:30 p.m. Reconnections for payment of reconnection fees made after 4:30 p.m. shall occur on the next business day.
Section 16. That the Code of Ordinances, City of La Grange, Texas, Chapter 13, Utilities, Article 13.04, Electric Service, Division 2, Rates and Charges, Sec. 13.04.034 Connection charge, be and it is hereby amended to hereafter read as follows:

Sec. 13.04.034 Connection charge

An electric service connection charge of twenty dollars ($20.00) is to be collected from each customer requesting electric service regardless of whether the customer is a home or business owner or a tenant. The electric service connection charge is to be paid at the time application for service is made. No electric service connection shall be made until the payment has been received. (1987 Code, sec. 23-124)

Section 17. That Section 13.03.02, Chapter 13, Code of Ordinances, City of La Grange, Texas, shall, except as amended herein, remain in full force and effect.

Section 18. That Section 13.03.03, Chapter 13, Code of Ordinances, City of La Grange, Texas, shall, except as amended herein, remain in full force and effect.

Section 19. That Section 13.03.04, Chapter 13, Code of Ordinances, City of La Grange, Texas, shall, except as amended herein, remain in full force and effect.

Section 20. If any section, paragraph, subdivision, clauses, phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional the same shall not affect the validity of this Ordinance as a whole or any part of provisions thereof, other than the part so decided to be invalid or unconstitutional.

Section 21. Any articles, sections or subsections of the Code of Ordinances, City of La Grange, Texas, inconsistent with the provisions hereof are hereby expressly repealed.

Section 22. That the rates and charges established hereby shall become effective and applicable to the February, 2019, bill which, where applicable, covers the period between the December, 2018 and January 2019, meter reading dates.

PASSED AND APPROVED on the First Reading on this the ___ day of December, 2018, with ___ Councilpersons voting in favor hereof and ___ Councilpersons voting in opposition hereof.

PASSED AND APPROVED on the Second Reading on this the ___ day of January, 2019, with ___ Councilpersons voting in favor hereof and ___ Councilpersons...
voting in opposition hereof.

CITY OF LA GRANGE, TEXAS:

BY ______________________________
Janet Moerbe, Mayor

ATTEST:

Lisa Oltmann, City Secretary

APPROVED:

______________________________
Maria Angela Flores Beck
City Attorney
## Comparison of City Connection Charges

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<tr>
<th>Area Cities</th>
<th>Connect Fee</th>
<th>Deposits</th>
<th>Reconnect Fee</th>
<th>After Hours Reconnection Fee</th>
<th>Return Check Fee</th>
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<tbody>
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<td>City of Schulenburg</td>
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<td>$300</td>
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<td>No reconnect after 3:30</td>
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<td>City of Giddings</td>
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<td>$40</td>
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<tr>
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<td>$300</td>
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<td>No reconnect after 4:30</td>
<td>$35</td>
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## Survey of Utility Tap Fees

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<tr>
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<th>1&quot; Water Tap</th>
<th>2&quot; Water Tap</th>
<th>4&quot; Sewer Tap</th>
<th>6&quot; Sewer Tap</th>
<th>Bulk Water</th>
<th>Septic Pumping</th>
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<td>$450.00</td>
<td>$850.00</td>
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<td></td>
<td>$15 per 1,000 gals.</td>
<td>$.07 per gallon</td>
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<tr>
<td>City of La Grange - Proposed</td>
<td>$750.00</td>
<td>$850.00</td>
<td>Cost + 15%</td>
<td>$500.00</td>
<td>Cost + 15%</td>
<td>$25 per 1,000 gals.</td>
<td>$.15 per gallon</td>
</tr>
<tr>
<td>City of Weimar</td>
<td>$475.00</td>
<td>$625.00</td>
<td>$1,000.00</td>
<td>$850.00</td>
<td>$1,050.00</td>
<td>$20 per 1,000 gals.</td>
<td>Individual contracts</td>
</tr>
<tr>
<td>City of Schulenburg</td>
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<td>$1,700.00</td>
<td>$2,900.00</td>
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<td>n/a</td>
</tr>
<tr>
<td>City of Fayetteville</td>
<td>$1,000.00</td>
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<td>$2,500.00</td>
<td>$1,000.00</td>
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<td>$950.00</td>
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<td>$60 per 1,000 gals.</td>
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<td>2001-3000 gals - 25.00</td>
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<td>3001-4000 gals - 31.25</td>
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<td>4001-5000 gals - 37.50</td>
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<td>5001-6000 gals - 43.75</td>
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<td>$400 + $1,353 impact fee</td>
<td>$1950 + impact fee</td>
<td>$300 + $3,554 impact fee</td>
<td>Cost + 25%</td>
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MEMORANDUM

TO: Mayor and City Council
FROM: Shawn Raborn, City Manager
DATE: January 4, 2019
SUBJECT: Discuss and or Consider an ordinance that prohibits the unlawful restraint of dogs.

Staff is bringing back for your consideration an ordinance that would prohibit the unlawful restraint of dogs. Unlawful restraint is defined as a means to keep a dog outside and unattended under certain circumstances, including extreme weather conditions that unreasonably limits the dog's movement. The ordinance mirrors state law.

I have attached the proposed ordinance along with a copy of the Health and Safety Code, subchapter D of Chapter 821.

Attachments:
1. Ordinance under consideration
2. Health and Safety Code, Chapter 821, Subchapter D: Unlawful Restraint of Dogs,
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANGE, TEXAS, AMENDING CHAPTER 2 - ANIMAL CONTROL, BY ADDING CERTAIN DEFINITIONS TO SECTION 2.01.001 TO BE REALIGNED TO INCLUDE SAID DEFINITIONS IN THE ALPHABETICAL SCHEME THEREOF; AMENDING SECTION 2.02 BY ADDING NEW SECTIONS 2.02.006- 2.02.008, OF THE CITY OF LA GRANGE CODE OF ORDINANCES, ESTABLISHING REGULATIONS DEALING WITH THE CARE AND CONTROL OF ANIMALS WITHIN THE CITY, INCLUDING REGULATIONS DEALING WITH UNLAWFUL DOG RESTRAINT, PROVIDING A CRIMINAL PENALTY OF $500.00 FOR THE FIRST OFFENSE AND THE PENALTY PROVISIONS OF THE PENAL CODE OF CLASS B MISDEMEANOR FOR EACH SUBSEQUENT CONVICTION, CONFIRMING TEXAS OPEN MEETINGS ACT COMPLIANCE, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of La Grange, Texas ("City"), is a Home Rule city operating pursuant to the laws of the State of Texas, by and through its duly elected council members; and

WHEREAS, the City is authorized and empowered to adopt and enforce ordinances, not inconsistent with state law, that are necessary to protect the welfare and safety of its inhabitants; and

WHEREAS, the City Council ("Council") of the City serves as the elected governing body; directly responsible for the promotion and protection of the public health and safety of its citizens and inhabitants; and

WHEREAS, the Council finds that this ordinance is necessary to protect public health, safety and welfare.

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

Section 1. That the Code of Ordinances, City of La Grange, Texas, Chapter 2, Article 2.02 GENERAL PROVISIONS Section 2.01.001 Definitions, be and it is hereby amended by adding the following definitions:

* * * * * * * * * * *

**Collar** means any collar constructed of nylon, leather, or similar material, specifically designed to be used for a dog.
Owner means a person who owns or has custody or control of a dog.

Properly fitted means, with respect to a collar, a collar that measures the circumference of a dog's neck plus at least one inch.

Restraint means a chain, rope, tether, leash, cable, or other device that attaches a dog to a stationary object or trolley system.

Section 2. That the Code of Ordinances, City of La Grange, Texas, Chapter 2, Article 2.02 DOGS AND CATS, be and it is hereby amended by adding the following sections, Sections 2.02.006 through 2.02.008 to hereafter read as follows:

Section 2.02.006 Unlawful Restraint Of Dog
(a) An owner may not leave a dog outside and unattended by use of a restraint that unreasonably limits the dog's movement:
   (1) between the hours of 10 p.m. and 6 a.m.;
   (2) within 500 feet of the premises of a school; or
   (3) in the case of extreme weather conditions, including conditions in which:
      (A) the actual or effective outdoor temperature is below 32 degrees Fahrenheit;
      (B) a heat advisory has been issued by a local or state authority or jurisdiction; or
      (C) a hurricane, tropical storm, or tornado warning has been issued for the jurisdiction by the National Weather Service.
(b) In this section, a restraint unreasonably limits a dog's movement if the restraint:
   (1) uses a collar that is pinch-type, prong-type, or choke-type or that is not properly fitted to the dog;
   (2) is a length shorter than the greater of:
      (A) five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail; or
      (B) 10 feet;
   (3) is in an unsafe condition; or
(4) causes injury to the dog.

Section 2.02.007 Exceptions
Section 2.02.006 does not apply to:

(1) a dog restrained to a running line, pulley, or trolley system and that is not restrained to the running line, pulley, or trolley system by means of a pinch-type, prong-type, choke-type, or improperly fitted collar;

(2) a dog restrained in compliance with the requirements of a camping or recreational area as defined by a federal, state, or local authority or jurisdiction;

(3) a dog restrained for a reasonable period, not to exceed three hours in a 24-hour period, and no longer than is necessary for the owner to complete a temporary task that requires the dog to be restrained;

(4) a dog restrained while the owner is engaged in, or actively training for, an activity that is conducted pursuant to a valid license issued by this state if the activity for which the license is issued is associated with the use or presence of a dog;

(5) a dog restrained while the owner is engaged in conduct directly related to the business of shepherding or herding cattle or livestock; or

(6) a dog restrained while the owner is engaged in conduct directly related to the business of cultivating agricultural products, if the restraint is reasonably necessary for the safety of the dog.

Section 2.02.008 Penalty
(a) A person commits an offense under Section 2.02.006 if the person knowingly violates Section 2.02.006.

(b) A peace officer or animal control officer who has probable cause to believe that an owner is violating Section 2.02.006 shall provide the owner with a written statement of that fact. The statement must be signed by the officer and plainly state the date on which and the time at which the statement is provided to the owner.

(c) A person commits an offense if the person is provided a statement described by Subsection (b) and fails to comply with this subchapter within 24 hours of the time the owner is provided the statement. An offense under this subsection is a Class C misdemeanor, punishable by a fine of $500.00.

(d) A person commits an offense if the person violates Section 2.006 and previously has been convicted of an offense under Section 2.02.006. An offense under this subsection is a Class B misdemeanor.

(e) If a person fails to comply with Section 2.02.006 with respect to more than one dog, the person's conduct with respect to each dog constitutes a separate offense.

(f) If conduct constituting an offense under section 2.02.006 also constitutes an offense
under any other law, the actor may be prosecuted under this section, the other law, or both.

Section 3. That Article 2.02, Code of Ordinances, City of La Grange, Texas, shall, except as amended herein, remain in full force and effect.

Section 4. This ordinance shall be cumulative of all other ordinances of the City of La Grange, and this ordinance shall not operate to repeal or affect any other ordinances of the City of La Grange except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, are hereby repealed.

Section 5. The sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or section s of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 6. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered, and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 7. This Ordinance shall be effective immediately from and after its final passage and any publication in accordance with the requirements of the City of La Grange and the laws of the State of Texas.

PASSED AND APPROVED on the First Reading on this the ___ day of January, 2019, with ___ Councilpersons voting in favor hereof and ___ Councilpersons voting in opposition hereof.

PASSED AND APPROVED on the Second Reading on this the ___ day of January, 2019, with ___ Councilpersons voting in favor hereof and ___ Councilpersons voting in opposition hereof.

CITY OF LA GRANGE, TEXAS:

BY _____________________________
Janet Moerbe, Mayor
ATTEST:

Lisa Oltmann, City Secretary

APPROVED:

Maria Angela Flores Beck, City Attorney
HEALTH AND SAFETY CODE

TITLE 10. HEALTH AND SAFETY OF ANIMALS

CHAPTER 821. TREATMENT AND DISPOSITION OF ANIMALS

SUBCHAPTER D. UNLAWFUL RESTRAINT OF DOG

Sec. 821.076. DEFINITIONS. In this subchapter:

(1) "Collar" means any collar constructed of nylon, leather, or similar material, specifically designed to be used for a dog.

(2) "Owner" means a person who owns or has custody or control of a dog.

(3) "Properly fitted" means, with respect to a collar, a collar that measures the circumference of a dog's neck plus at least one inch.

(4) "Restraint" means a chain, rope, tether, leash, cable, or other device that attaches a dog to a stationary object or trolley system.

Added by Acts 2007, 80th Leg., R.S., Ch. 674 (H.B. 1411), Sec. 1, eff. September 1, 2007.

Sec. 821.077. UNLAWFUL RESTRAINT OF DOG. (a) An owner may not leave a dog outside and unattended by use of a restraint that unreasonably limits the dog's movement:

(1) between the hours of 10 p.m. and 6 a.m.;

(2) within 500 feet of the premises of a school; or

(3) in the case of extreme weather conditions, including conditions in which:

(A) the actual or effective outdoor temperature is below 32 degrees Fahrenheit;

(B) a heat advisory has been issued by a local or state authority or jurisdiction; or

(C) a hurricane, tropical storm, or tornado warning has been issued for the jurisdiction by the National Weather Service.
(b) In this section, a restraint unreasonably limits a dog's movement if the restraint:

(1) uses a collar that is pinch-type, prong-type, or choke-type or that is not properly fitted to the dog;
(2) is a length shorter than the greater of:
   (A) five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail; or
   (B) 10 feet;
(3) is in an unsafe condition; or
(4) causes injury to the dog.

Added by Acts 2007, 80th Leg., R.S., Ch. 674 (H.B. 1411), Sec. 1, eff. September 1, 2007.

Sec. 821.078. EXCEPTIONS. Section 821.077 does not apply to:

(1) a dog restrained to a running line, pulley, or trolley system and that is not restrained to the running line, pulley, or trolley system by means of a pinch-type, prong-type, choke-type, or improperly fitted collar;
(2) a dog restrained in compliance with the requirements of a camping or recreational area as defined by a federal, state, or local authority or jurisdiction;
(3) a dog restrained for a reasonable period, not to exceed three hours in a 24-hour period, and no longer than is necessary for the owner to complete a temporary task that requires the dog to be restrained;
(4) a dog restrained while the owner is engaged in, or actively training for, an activity that is conducted pursuant to a valid license issued by this state if the activity for which the license is issued is associated with the use or presence of a dog;
(5) a dog restrained while the owner is engaged in conduct directly related to the business of shepherding or herding cattle or livestock; or
(6) a dog restrained while the owner is engaged in conduct directly related to the business of cultivating agricultural products, if the restraint is reasonably necessary for the safety of the dog.

Added by Acts 2007, 80th Leg., R.S., Ch. 674 (H.B. 1411), Sec. 1, eff. September 1, 2007.

Sec. 821.079. PENALTY. (a) A person commits an offense if the person knowingly violates this subchapter.

(b) A peace officer or animal control officer who has probable cause to believe that an owner is violating this subchapter shall provide the owner with a written statement of that fact. The statement must be signed by the officer and plainly state the date on which and the time at which the statement is provided to the owner.

(c) A person commits an offense if the person is provided a statement described by Subsection (b) and fails to comply with this subchapter within 24 hours of the time the owner is provided the statement. An offense under this subsection is a Class C misdemeanor.

(d) A person commits an offense if the person violates this subchapter and previously has been convicted of an offense under this subchapter. An offense under this subsection is a Class B misdemeanor.

(e) If a person fails to comply with this subchapter with respect to more than one dog, the person's conduct with respect to each dog constitutes a separate offense.

(f) If conduct constituting an offense under this section also constitutes an offense under any other law, the actor may be prosecuted under this section, the other law, or both.

Added by Acts 2007, 80th Leg., R.S., Ch. 674 (H.B. 1411), Sec. 1, eff. September 1, 2007.
MEMORANDUM

TO: Mayor and City Council

FROM: Shawn Raborn, City Manager

DATE: January 04, 2019

SUBJECT: Discuss and or Consider an ordinance amending Zoning ordinance to allow for the manufacture of beer and wine in Commercial District.

Staff is requesting council approval to modify the zoning ordinance to allow for the production of alcohol in a commercial or industrial district. The current zoning ordinance prohibits alcohol manufacture in the city. We are currently working with a brewer that is interested in opening a brewery in the community and the change in zoning is needed to allow for the project to move forward.

The following sections will be added to the zoning ordinance:
   (J.1) Alcohol manufacture (Business or Commercial District and Industrial District but not in the Historic District).

   (K.1) Beer, Wine and Mead manufacture (Business or Commercial District and Industrial District, including Historic District)

Staff recommends approval.

Attachment:
   1. Ordinance under consideration
AN ORDINANCE AMENDING THE ZONING ORDINANCE, CHAPTER 14, ZONING, EXHIBIT A, ZONING ORDINANCE, CODE OF ORDINANCES OF THE CITY OF LA GRANGE, TEXAS, SECTION 9. DISTRICT B-BUSINESS OR COMMERCIAL DISTRICT, SUBSECTION 9-1, USE REGULATIONS, BY ADDING TWO NEW SUBSECTIONS UNDER SUBSECTION 9-1, SUBSECTIONS (J.1) AND (K.1), TO ALLOW FOR ALCOHOL, BEER, WINE, AND MEAD MANUFACTURE, WITH CERTAIN LIMITATIONS, BY FURTHER AMENDING SECTION 11. DISTRICT I-INDUSTRIAL, SUBSECTION 11-1. USE REGULATIONS, BY REPEALING SUBSECTION (Q)(3) AND RENUMBERING ANY ADDITIONAL SUBSECTIONS UNDER SUBSECTION Q IN SEQUENTIAL NUMBERING; CONFIRMING TEXAS OPEN MEETINGS ACT COMPLIANCE, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of La Grange, Texas ("City"), is a Home Rule city operating pursuant to the laws of the State of Texas, by and through its duly elected council members; and

WHEREAS, the City is authorized and empowered to adopt and enforce ordinances, not inconsistent with state law, that are necessary to encourage business and commerce development in its Business and Industrial Districts and thereby promote economic development in its city limits and to promote the welfare of its inhabitants; and

WHEREAS, the City Council ("Council") of the City serves as the elected governing body; directly responsible for the promotion of economic development and the welfare and protection of its citizens and inhabitants; and

WHEREAS, the Council finds that this ordinance is necessary to encourage economic development and promote the general welfare of its citizens.

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

Section 1. That CHAPTER 14, ZONING, EXHIBIT A, ZONING ORDINANCE, Section 9, District B-Business or Commercial, Subsection 9-1, Use Regulations, be and it is hereby amended by adding the following subsections under Subsection 9-1, following subsection ((I.1):

Subsection 9-1. Use Regulations

1

P.45
A building or premise shall be used only for the following purposes:

* * * * * * * * * * * * *

(J.1) Alcohol manufacture (Business or Commercial District and Industrial District but not in the Historic District).

(K.1) Beer, Wine and Mead manufacture (Business or Commercial District and Industrial District, including Historic District)

Section 3. That CHAPTER 14, ZONING, EXHIBIT A, ZONING ORDINANCE, Section 11, District I-Industrial, Subsection 11-1, Use Regulations, be and it is hereby amended by repealing Subsection (3) under Subsection (Q), thereby deleting the prohibition of alcohol manufacture in the I-Industrial District, and thereafter appropriately renumbering (Q) (4) through (Q)(64).

Section 4. This ordinance shall be cumulative of all other ordinances of the City of La Grange, and this ordinance shall not operate to repeal or affect any other ordinances of the City of La Grange except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, are hereby repealed.

Section 5. The sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 6. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered, and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 7. This Ordinance shall be effective immediately from and after its final passage and any publication in accordance with the requirements of the City of La Grange and the laws of the State of Texas.

PASSED AND APPROVED on the First Reading on this the ___ day of January, 2019, with ___ Councilpersons voting in favor hereof and ___ Councilpersons voting in opposition hereof.
PASSED AND APPROVED on the Second Reading on this the ___ day of January, 2019, with ___ Councilpersons voting in favor hereof and ___ Councilpersons voting in opposition hereof.

CITY OF LA GRANGE, TEXAS:

BY

Janet Moerbe, Mayor

ATTEST:

Lisa Oltmann, City Secretary

APPROVED AS TO FORM:

Maria Angela Flores Beck
City Attorney
MEMORANDUM

TO: Mayor and City Council

FROM: Shawn Raborn, City Manager

DATE: January 04, 2019

SUBJECT: Discuss and approve a resolution authorizing the submission of a Hurricane Harvey Community Development & Revitalization CDBG-DR Application to the General Land Office

Staff is requesting council approval of a resolution authorizing the submission of a CDBG-DR application to the GLO for infrastructure funding.

Attachment:

Resolution under consideration
RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF LA GRANGE, TEXAS, AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT & REVITALIZATION HURRICANE HARVEY INFRASTRUCTURE PROJECT APPLICATION TO THE GENERAL LAND OFFICE; AND AUTHORIZING THE MAYOR AND/OR CITY MANAGER TO ACT AS THE CITY’S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY’S PARTICIPATION IN THE COMMUNITY DEVELOPMENT & REVITALIZATION PROGRAM.

WHEREAS, the City Council of La Grange desires to develop a viable urban community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interest of La Grange to apply for funding under the Community Development & Revitalization Grant Program;

NOW THEREFORE, BE IT RESOLVED;

Section 1. That a Community Development & Revitalization Grant Program application is hereby authorized to be filed with the Texas General Land Office for funding consideration under the Community Development & Revitalization Grant Program; and

Section 2. That the application be for the Hurricane Harvey General Land Office allocated grant funds to the City of La Grange through the Method of Distribution to carry out Infrastructure Activities; and

Section 3. That the City Council directs and designates the Mayor and/or City Manager as the Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and participation in the Community Development & Revitalization Grant Program.

Passed and approved this 14th day of January, 2019.

Janet Moerbe
Mayor

Lisa Oltmann
City Secretary
MEMORANDUM

TO: Mayor and City Council

FROM: Shawn Raborn, City Manager

DATE: January 04, 2019

SUBJECT: Discuss and select a Grant Administrator for the GLO Hurricane Harvey application and project administration

Discuss and select an Engineer to enter into contract negotiations for the GLO Hurricane Harvey application and engineering services

We have been allocated funds from the Texas General Land Office to undertake infrastructure activities. We now can proceed with the submittal of a formal application for the infrastructure funding.

Staff recently issued a request for consultant/management and engineering services to assist in the development and management of the Infrastructure Assistance grant. We received one proposal for management services and four proposals for engineering services. The Management proposal was submitted by Langford Community Management Services. The Engineering firms that submitted proposals included BEFCO Engineering, Strand Engineers, Separation Systems Consultants and TRC Engineers.

We have utilized the services of Langford Community Management Services on numerous grants and staff is recommending Langford Community Management Services to assist in the development of the application.

An evaluation committee was formed to review the Engineering firms and was comprised of Frank Menefee, Andy Blaha and myself who independently reviewed and scored the proposals. The ranked result of the scoring process was BEFCO Engineering, Strand Engineers, TRC Engineers and Separation Systems Consultants. The first three firms can all do the job requested.

Staff recommends the selection of BEFCO Engineering as the project engineer. We have utilized the services of BEFCO in the past on Community Development applications and are currently the engineer for the Texas Department of Emergency Management mitigation grant application.

Attachments:
1. Request for Proposals Consultant/Management Services
2. Request for Proposals Engineering Services
3. Background Information – Langford Community Management Services
4. Background Information – BEFCO Engineering
Request for Proposal (RFP) for Administration/Professional Services -
Cover Letter

Re: Proposed Contract Funding through the General Land Office ("GLO") Community Development & Revitalization CDBG – Disaster Recovery program

Dear Administrative Service Providers:

Attached is a copy of the City’s Request for Proposals ("RFP") for application and professional administrative services. These services are being solicited to assist the La Grange in its application and administration of a contract, if awarded, from the CDBG – Disaster Recovery program of the General Land Office (GLO). The City is considering applying for such funding to support Infrastructure activities in the City.

Firms may submit proposals for any or all activities. Multiple contracts may be awarded as a result of this solicitation. The City will, in its sole discretion, determine the number of contracts awarded, and may decide not to award any contracts.

The submission requirements for this proposal are included in the attached RFP. Please submit a proposal of services and statement of qualifications to:

Shawn Raborn
City Manager
155 E Colorado
La Grange, TX 78945

The deadline for submission of proposals is December 27, 2018 by 4:00 p.m. It is the responsibility of the submitting entity to ensure that the proposal is received in a timely manner. Proposals received after the deadline will not be considered for award, regardless of whether or not the delay was outside the control of the submitting firm. The City reserves the right to negotiate with any and all persons or firms submitting timely proposals.

The City is an Affirmative Action/Equal Opportunity Employer. Section 3 Residents, Minority Business Enterprises, Small Business Enterprises, Women Business Enterprises, and labor surplus area firms are encouraged to submit proposals.

Sincerely,

Shawn Raborn, City Manager
RFP for Administration/Professional Services

La Grange is seeking to enter into a services contract with well-qualified administration/management firm/professional service provider(s) to assist the City in preparing an application for and in the overall management of its proposed CDBG-Disaster Recovery project(s), if funded by the Texas General Land Office – Community Development and Revitalization ("GLO"). The following outlines the RFP:

I. **Scope of Work** - A sample detailed Scope of Work ("SOW") provided by GLO is enclosed as Exhibit A. The professional administration/management firm/consultant to be hired is to provide application and contract-related management services, including but not limited to the following areas:

*Pre-Funding Services*

Grant Administrator will develop project scope and complete CDBG-DR application. The provider will work with the local government and Engineer, if applicable, to provide the concise information needed for submission of one or more complete disaster recovery funding applications and related documents. The required information shall be submitted in a format to be described by the GLO.

*Post-Funding Services*

Grant Administrator will administer and complete infrastructure, utilities, housing and eligible projects approved for disaster recovery funding. The selected administrative firm must follow all requirements of the HUD CDBG-DR program as administered by GLO.

General Administration Services – General
- Administrative Duties
- Construction Management

Grant Administration Services – Infrastructure
- Administrative Duties
- Acquisition Duties
- Environmental Services

Please specify a complete list of actual tasks to be performed under each of these categories in your response, including, if necessary, a brief description of each task

*Pre-funding services are not eligible for CDBG-DR reimbursement and must be paid with local or other non-CDBG-DR funds.

II. **Statement of Qualifications** - The City is seeking to contract with well-qualified professional administration/management firm(s)/consultant(s) experienced in grants/contracts application and administration. Please provide the following information:

- A brief history of the proposing entity, including general background, knowledge of and experience working with relevant agencies, with an emphasis on recent experience;
- Related experience in applying for and managing federally-funded local public works construction projects – Infrastructure with an emphasis on directly-related and recent experience;
- A description of work performance and experience with CDBG-DR including a list of at least three references from past local government clients, with information describing the recency and relevancy of the previous performance and experience;
- Describe the proposing entity’s capacity to perform as well as resumes of all employees who will or may be assigned to provide technical assistance if your firm is awarded this management services contract, identifying current employees and proposed hires; and
III. Proposed Cost of Services - Please provide your cost proposal to accomplish the scope of work for this Infrastructure Project outlined above and for any additional services required using the Cost of Services page(s) included in Exhibit C: Required RFP Forms. The final grant amount is yet to be determined; therefore, vendors should propose pricing based on the potential funding amounts provided. The local government will consider dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises. As such, proposers may specify any maximum limit to the total dollar value of grant funds they are able and willing to manage. Firms may submit proposals for any or all activities. Preference will be given to firm fixed pricing. The proposal must include all costs that are necessary to successfully complete these activities. Please note that the lowest/best bid will not be used as the sole basis for entering into this contract; rather, award will be made to the firm(s) providing the best value to the City, cost and other factors considered.

Profit (either % / actual cost) must be identified and negotiated as a separate element of the price of the contract. To comply, the respondent must disclose and certify in its proposal the percentage of profit being used. "Cost plus percentage of cost" type proposals are prohibited.

IV. Evaluation Criteria - The proposal received will be evaluated and ranked according to the following criteria and using the rating sheet enclosed as Exhibit B:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Maximum Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Experience</td>
<td>30</td>
</tr>
<tr>
<td>Work Performance</td>
<td>30</td>
</tr>
<tr>
<td>Capacity to Perform</td>
<td>20</td>
</tr>
<tr>
<td>Proposed Cost</td>
<td>20</td>
</tr>
<tr>
<td>Total</td>
<td>100</td>
</tr>
</tbody>
</table>

V. Submission Requirements

- A statement of conflicts of interest (if any) the proposing entity or key employees may have regarding these services, and a plan for mitigating the conflict(s). Please note that City may in its sole discretion determine whether or not a conflict disqualifies a firm, and/or whether or not a conflict mitigation plan is acceptable.
- **System for Award Management.** Consultant/Firm, and its Principals, may not be debarred or suspended nor otherwise on the Excluded Parties List System (EPLS) in the System for Award Management (SAM). Include verification that the company as well as the company's principals are not listed (are not debarred) through the System for Award Management (www.SAM.gov). Enclose a print out of the search results that includes the record date.
- **Form CIQ,** enclosed in Exhibit C. Texas Local Government Code chapter 176 requires that any vendor or person who enters or seeks to enter into a contract with a local government entity disclose in the Questionnaire Form CIQ the vendor or person's employment, affiliation, business relationship, family relationship or provision of gifts that might cause a conflict of interest with a local government entity. Questionnaire form CIQ is included in the RFP and must be submitted with the response.
- **Certification Regarding Lobbying,** enclosed in Exhibit C. Certification for Contracts, Grants, Loans, and Cooperative Agreements is included in the RFP and must be submitted with the response.
- **Form 1295,** enclosed in Exhibit C. Effective January 1, 2016, all contracts and contract amendments, extensions, or renewals executed by the Commissioners Court will require the completion of Form 1295 "Certificate of Interested Parties" pursuant to Government Code § 2252.908. Form 1295 must be completed by awarded vendor at time of signed contract submission. Form 1295 is included in this RFP for your information.
• **Required Contract Provisions.** Applicable provisions enclosed in Exhibit D must be included in all contracts executed as a result of this RFP.

VI. Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms. Small and minority businesses, women's business enterprises, and labor surplus area firms are encouraged to participate in this RFP. If the awarded vendor is a prime contractor and may use subcontractors, the following affirmative steps are required of the prime contractor:

1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.

VII. **Deadline for Submission** – Proposals must be received no later than December 27, 2018 by 4:00 p.m. It is the responsibility of the submitting entity to ensure that the proposal is received in a timely manner. Proposals received after the deadline will not be considered for award, regardless of whether or not the delay was outside the control of the submitting firm. Please submit one digital copy to shawnr@cityoflg.com of your proposal and 3 hard copies to the following address:

Shawn Raborn  
City Manager  
155 E Colorado  
La Grange, TX 78945

Any questions or requests for clarification must be submitted in writing to shawnr@cityoflg.com at least 3 business days prior to the deadline. The City may, if appropriate, circulate the question and answer to all firms submitted proposals.
REQUEST FOR QUALIFICATIONS

Engineering Services

The City of La Grange is seeking to enter into an engineering services contract with a state of Texas-registered engineer. The services include preparation of grant application materials, documents and tables, preliminary and final design plans and specifications and conduct all necessary interim and final inspections required by the City for the implementation of 2017 Hurricane Harvey General Land Office (GLO) CDBG-DR project(s) with the award of a State contract. The City is considering submission of application(s) for infrastructure projects.

The following outlines this request for qualifications:

I. Scope of Work

Scope of Work #1: The engineering contract will encompass all project-related engineering services to the City, including but not limited to the following:

- Preliminary cost estimates, tables, and documents for application(s)

Scope of Work #2:

- Preliminary and final design plans and specifications;
- Preparation of the bid packet;
- Conduct all field testing and inspections (interim and final); and
- Other special services.

Please specify actual tasks to be performed under each of these categories. The City of La Grange will score and rank all eligible respondents. The City will negotiate a contract with the highest scoring respondent. If a contract cannot be reached then the City will move down the list until a contract can be agreed upon. The City will issue a task order for the identified Scope #1 and with funding, a task order for Scope of Work #2.

See attached detailed scope of work for GLO CDBG-DR Engineering Services.

II. Statement of Qualifications

Statement of Qualifications: The City of La Grange is seeking to contract with a competent engineering firm, registered to practice in the State of Texas that has experience in the following areas:

As such, please provide within your proposal a list of past local government clients, as well as resumes of all engineers who will or may be assigned to this project if you receive the engineering services contract award.

III. Evaluation Criteria

Evaluation Criteria: Proposals received will be evaluated and ranked according to the following criteria:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Maximum Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Experience</td>
<td>60</td>
</tr>
<tr>
<td>Work Performance</td>
<td>25</td>
</tr>
<tr>
<td>Capacity to Perform</td>
<td>15</td>
</tr>
<tr>
<td>Total</td>
<td>100</td>
</tr>
</tbody>
</table>
IV. Submission - Please submit one digital copy to shawnr@cityofg.com of your proposal and 3 hard copies of your statement of qualifications, resumes of key personnel, references and a list of jobs performed under this or similar programs to following address:

Shawn Raborn
City Manager
155 E Colorado
La Grange, TX 78945

Submissions must be received by the City at the above address by 4 P.M. on December 27, 2018.

The City of La Grange is an Affirmative Action/Equal Opportunity Employer and strives to attain goals for Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701w) as amended.
# Engineer Rating Sheet

**City/County**

**Name of Respondent**

**Evaluator's Name(s)**

**CDBG-DR project**

**Date of Rating**

---

## Experience

Rate the respondent for experience in the following areas:

<table>
<thead>
<tr>
<th>Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Has previously completed these type of projects</td>
</tr>
<tr>
<td>Has worked on federally grant funded construction projects</td>
</tr>
<tr>
<td>Has worked on projects that were located in this general region</td>
</tr>
<tr>
<td>Extent of experience in project construction management</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Max Pts.</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td></td>
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<tr>
<td>15</td>
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</tr>
</tbody>
</table>

Subtotal, Experience: **60**

## Work Performance

<table>
<thead>
<tr>
<th>Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Past projects completed on schedule</td>
</tr>
<tr>
<td>Manages projects within budgetary constraints</td>
</tr>
<tr>
<td>Work product is of high quality</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Max Pts.</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td></td>
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</tbody>
</table>

Subtotal, Performance: **25**

---

**NOTE:** Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.

## Capacity to Perform

<table>
<thead>
<tr>
<th>Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Level / Experience of Staff</td>
</tr>
<tr>
<td>Adequacy of Resources</td>
</tr>
<tr>
<td>Familiarity with federally funded projects to include FEMA</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Max Pts.</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
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<tr>
<td>5</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td></td>
</tr>
</tbody>
</table>

Subtotal, Capacity to Perform: **15**

### TOTAL SCORE

<table>
<thead>
<tr>
<th>Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Experience</td>
</tr>
<tr>
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<tr>
<td>25</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td></td>
</tr>
</tbody>
</table>

Total Score: **100**
Shawn Raborn
City Manager
155 E Colorado
La Grange, TX 78945

December 19, 2018

RE: Proposed Contract Funding through the General Land Office ("GLO") Community Development & Revitalization CDBG – Disaster Recovery program

Dear Mr. Raborn,

Langford Community Management Services (LCMS) proudly submits this proposal in response to your Request for Application Assistance and Professional Administrative Services.

We are excited about the opportunity to serve the City of La Grange in its disaster recovery needs. We have worked with the City for over 15 years and would truly appreciate the opportunity to work with the City again. In our history together, LCMS has served the City of LaGrange to secure and administer numerous grant programs that have allowed for a wide range of assistance to the City. Hurricane Harvey funds are no exception. We are here to support and guide you through the compliance pitfalls and as needed. As a grant administration firm and certified Texas HUB, LCMS has over 35 years of experience working with Texas communities to implement effective CDBG programs and has assisted with the implementation of millions in CDBG-DR funds.

Thank you for your consideration. We look forward to a continued relationship meeting the City’s grant program needs.

Sincerely,

Judy Langford, President

Langford Community Management Services, Inc.
SCOPE OF WORK

Since 1983, Langford Community Management Services, Inc. (LCMS) has written and administered CDBG and CDBG-DR projects. We have worked in varying capacity to assist Texas counties and cities in recovery either as a Grant Administrator, Environmental Specialist, or both, since the program began in Texas. We are well versed in all of the rules and regulations and funding procedures of the program.

PRE-FUNDING SERVICES

Application Preparation

LCMS implements a data-driven approach to ensure identified grant opportunities match the individual needs of the City and its recovering residents. We have proven procedures to guide you through the Texas General Land Office (GLO) application requirements including open and inclusive citizen participation procedures. Through our work with Texas communities we have assisted impacted cities and counties to navigate the GLO competitive applications for Hurricanes Ike and Dolly, 2015 Floods, 2016 Floods, and now the Hurricane Harvey application.

Step 1: Assess current needs. We serve our communities with the full picture of local recovery in mind. By now, the City has survived repeated loss from annual storm events. You know best which projects the City needs in order to not only recover, but to strengthen the community for the future. And we know that a myriad of available grants can be pieced together to fund those projects. Through LCMS’s extensive experience with disaster recovery funding and other available annual grants, we will help guide you to a plan that puzzles together the funds that earn you the “most bang for the buck.”

Step 2: Align project needs with HUD requirements. LCMS will gather the necessary data and information to ensure eligibility and conformance with HUD national objective. We will assist the City in the development of project scopes that meet HUD eligibility requirements and the funding regulations of assisting at least 51% low-to-moderate income persons.

We begin by evaluating whether the City has any identified Census Tract Block Groups with over 51% low-to-moderate income persons. The City may choose a project(s) that serves less than 60% of one or more of these block groups or a block group with less than 51% low-to-moderate income persons. In either case, door-to-door surveys are likely to be required to meet income eligibility for some of the infrastructure projects.

Step 3: Prepare a grant application. For Hurricane Harvey, the GLO application process is based on a method of distribution (MOD) that sets aside funds in each region. GLO has worked with the Councils of Government (COGs) to determine these MODs based on their
knowledge of local damage and the population characteristics of each eligible community. These MODs have now been reviewed and approved by the GLO, as of October 8, 2018. Based on these known allocations, LCMS will work with the County to plan eligible projects that not only help the community to recover but serve to mitigate loss from future storms.

**Step 4: Submit a compliant application**

GLO application requirements involve close attention and meticulous review. Once the application has been prepared, LCMS will conduct a thorough quality review of the application questionnaire and supporting documentation and collaborate closely with the City to resolve any final concerns before submission.

**POST-FUNDING SERVICES**

**Plan Development and Contract Setup**

Our approach to plan development is based on our significant relevant experience in designing, implementing, and supporting CDBG-DR projects involving housing rehabilitation and reconstruction, housing buy-outs, economic development, infrastructure, and planning activities. Our experience allows us to incorporate up-front the invaluable lessons learned and best practices we’ve picked up over the years.

LCMS works in a collaborative manner that ensure all voices are heard, perspectives included, and there are no surprises in the end. Our plan development follows the key steps outlined in the table below:

<table>
<thead>
<tr>
<th>Set roles and responsibilities</th>
<th>Discuss and prioritize goals</th>
<th>Define deliverables and deadlines</th>
</tr>
</thead>
<tbody>
<tr>
<td>The key to a successful plan is a common understanding of what roles are involved and who fills those roles. We like to set expectations up front to facilitate smooth implementation.</td>
<td>Approved projects will have a clear objective. By setting goals and priority activities, our teams can work in concert to accomplish set goals and align resources appropriately.</td>
<td>Disaster Recovery adheres to a strict contractual timeline. We’ll review GLO milestones and work with you to define the subtasks that support the timely delivery of those milestones.</td>
</tr>
</tbody>
</table>

**PROJECT MANAGEMENT**

LCMS will administer through completion and monitoring, the projects developed and submitted to GLO during the Pre-Funding Services. LCMS will follow all Texas CDBG Disaster Recovery Program requirements.

Langford, being created and continued by service-driven individuals, many of whom worked as public servants for many years prior to coming to this job, take very seriously the fact that we are project managers.
December 26, 2018

Mr. Shawn Raborn, City Manager  
City of La Grange  
155 E. Colorado  
La Grange, TX 78945

RE: RFQ – Engineering Services  
2017 Hurricane Harvey  
GLO CDBG-DR  
BEFCO Job No. 18-7320

In accordance with your request for proposals for engineering services, BEFCO Engineering, Inc. is pleased to submit for your review (1) electronic version and three (3) printed copies of our proposal for the 2017 Hurricane Harvey GLO CDBG-DR project(s). BEFCO has a strong history of successful completion of publicly funded projects which is evidenced by the following:

- 39 years in business providing civil engineering and surveying services.
- Engineered over 100 federal or state funded projects:
  - Over 50 ORCA\TDRA Texas Community Development Projects
  - 5 Texas Water Development Board Projects
  - 3 Economic Development Administration (EDA) Projects
  - 5 Texas Capital Fund (TCF) Projects
  - 6 Housing Infrastructure Fund (HIF) Projects
  - 9 United States Department of Agriculture (USDA) Projects
  - 2 USDA Search Grant Projects
  - 4 Texas Parks and Wildlife Department (TPWD) Projects
  - 19 FEMA Hazard Mitigation Grant Program (HMGP) Projects
- Provide turnkey services including planning, estimating, surveying, design, drafting, prepare bid documents, construction management, and administrative services for numerous cities and public entities as listed in our proposal for engineering services.

We appreciate the opportunity to be of service to you and the residents of La Grange. If you have any questions, please advise. We thank you for a favorable review and look forward to an opportunity to work together on successful planning, surveying, design, construction & completion of the project.

Sincerely,

BEFCO Engineering, Inc.

Bradley C. Löehr, P.E.

BCL:dc

Attachments: Proposal (3) Printed Copies, Certificates of Insurance, Proof of SAM.gov Active Registration, (1) PDF sent to shawnr@cityoflg.com
PROPOSAL OF SERVICES

SCOPE OF WORK #1 (pre-award)
BEFCO will collaborate with City staff on the identification of the needed improvements required for the project. BEFCO will assist the City with a preliminary evaluation of the identified improvements including preparation of a site project map, preliminary cost estimates, BCA’s (if applicable), and any other requested engineering documents needed to support the grant application process. BEFCO has assisted multiple cities in the preparation of numerous engineering related documents that support grant applications for over 25 years.

SCOPE OF WORK #2 (post-award)

PRELIMINARY PHASE
After negotiating a contract with the City and signing contract documents, a meeting will be scheduled with City representatives and funding agency (if applicable) to discuss the project and associated schedule. After these meetings, BEFCO proposes to provide an updated preliminary design and cost estimate.

DESIGN PHASE
BEFCO will initiate the development of the final design by meeting with City representatives. This phase additionally includes field and topographic surveys, easement information, permit acquisition, the assembly of applicable standards and codes, and the preparation of final construction plans and specifications. This final design will represent the culmination of a cooperative effort between BEFCO and the City’s representatives. The specification book will also be prepared and will consist of bid proposal forms, insurance and bond forms, a standard form of agreement, general and special conditions, and construction specifications. Upon approval of the plans and specifications by the City, BEFCO will advertise for bids in appropriate publications and disseminate all bid sets. Concurrent with the bidding phase, BEFCO will submit plans and specification packages to the applicable regulatory oversight agencies for review and approval. Addenda, if required, will be prepared and distributed to prospective bidders of record. BEFCO will answer questions and discuss the project with potential bidders. BEFCO will assist the City in receiving and analyzing bids, and will make a recommendation to the City as to award to successful bidder. Legal boundary surveying for property acquisition or easements or other special services, if required by the City, can be provided as an extra to the contract.

CONSTRUCTION PHASE
BEFCO will prepare all contract documents and have them executed, including bonds. We will schedule the Pre-Construction Conference and issue the Notice to Proceed. BEFCO will also review and approve all contractor submittals on materials and equipment. During the construction effort, BEFCO will make periodic visits to the job site and review monthly pay requests. BEFCO will attend staff and board meetings as necessary to update the City on the status of the project. We will evaluate and prepare changes as may be necessary during the course of the project. Upon reaching substantial completion, BEFCO will conduct a final inspection of the project and develop a punch list, as may be required. BEFCO will issue the Certificate of Construction Completion. Project closeout with the City will be completed at this time, including providing “Record” drawings to the City. Construction testing or full time inspection services, or other special services, if required by the City, can also be provided as an extra to the contract.
PROPOSAL OF SERVICES

RECENT DISASTER RECOVERY EXPERIENCE

BEFCO has successfully completed both pre-award and post-award scope of work services for several recent disaster recovery projects. Examples of providing either of these scope of services include:

- City of Smithville – 7th Street Detention Pond, Robert Tamble (512) 237-3282
- City of Smithville – 7th Street Storm Sewer, Robert Tamble (512) 237-3282
- City of Smithville – Marburger Street Drainage Improvements, Robert Tamble (512) 237-3282
- City of Smithville – 2nd Street Drainage Improvements, Robert Tamble (512) 237-3282
- City of Bastrop – Newton Street Drainage Improvements, Trey Job (512) 321-3941
- City of Bastrop – Public Works Detention Pond Expansion, Trey Job (512) 321-3941
- City of Bastrop – Pine Street Drainage Improvements, Trey Job (512) 321-3941
- City of Bastrop – Generator Projects, Trey Job (512) 321-3941
- City of Flatonia – Warning System (Sirens), Mark McLaughlin (361) 865-3548
- City of Flatonia – Mobile Generator, Mark McLaughlin (361) 865-3548
- City of Flatonia – Water Plant Generator, Mark McLaughlin (361) 865-3548
- City of Nixon – Warning System (Siren), Harold Rice (830) 582-1924
- City of Nixon – Generators, Harold Rice (830) 582-1924
- City of Weimar – Generators, Mike Barrow (979) 725-8554
- City of Moody – Generators and Sirens, (254) 853-2314

CAPACITY TO PERFORM

BEFCO has four licensed engineers, one graduate engineer, two licensed surveyors and survey crew available to begin work on any projects within two months of execution of the engineering contract. The project will bid, if needed, generally within 6-9 months and constructed within 9-18 months after contract execution. However, this is dependent upon project size, land acquisition/easement, and funding sources. BEFCO has multiple contractor relationships to solicit sufficient number of bids to be within budget. Pre-Award scope of work can begin upon Notice of Award by the City.

COST OF SERVICES

Once BEFCO has been awarded the project, BEFCO will meet with City staff and grant administrator to scope out the proposed project. After this meeting, BEFCO will be able to provide proposed cost of services for pre-award services. During pre-award services, BEFCO will be developing construction cost estimates with the final scoping of the project to be submitted to the appropriate regulatory agency. BEFCO will provide post-award cost of services at the time of developing the construction cost estimates.
MEMORANDUM

TO: Mayor and City Council

FROM: The Library, Museum & Archives Board

DATE: December 4, 2018

SUBJECT: Consider new and re-appointments to Fayette Public Library Museum Archives Advisory Board

The Fayette Library Museum Archives Board of Directors is composed of nine members who are appointed by the City Council. The Board serves as an advisor to the library staff in the operation and maintenance of the library. Current members of the Board are:

Elva Keilers, Arlene Zapalac, Sally Garrett, Jeff Kelly, Neale Rabensburg, Kathy Carter, Nicole Ramirez, Milton Schmidt, Suzy Romberg

The Library Board recommends that the following members whose term expires on December 31, 2018, be re-appointed for a three-year term.

Kathy Carter

Due to the passing of board member Milton Schmidt and the resignation of Suzy Romberg, the Library Board has two positions available. The Library Board recommends the following citizens be appointed for a three-year term beginning on January 1, 2019.

Gregory Walker
Brianne Bernsen
MEMORANDUM

TO: Mayor and City Council

FROM: Lisa Oltmann, City Secretary

DATE: January 11, 2019

SUBJECT: Discuss and or consider appointment to Fireman’s Pension Board

Included on the Fireman’s Pension Board is one member from the city council of the City of La Grange. Currently Councilmember Violet Zbranek is council representative on this board.
MEMORANDUM

To: Mayor and City Council
From: Mary Goerig, Assistant City Secretary
Date: January 8, 2019
Re: Discuss and or consider Final Replat request at 429 E Fannin owned by Jeffrey Jr & Charis Olchesky

A replat request was received from Jeffrey Jr & Charis Olchesky, the owners of 429 E Fannin Street. They would like to move their back-chain link fence approximately 10 feet to add square footage for a larger lot; no other fences or boundaries would be moved. The Olchesky’s have spoken to Donald & Marciel Mashmeyer about purchasing 10 feet of their property to make their lot larger if the replat is approved by the City Council. Both lots meet the City Ordinance that requires that all lots be 70 feet wide by 100 feet deep and contain 7000 square feet. The City Council gave a preliminary approval on November 14, 2018 to have the lot replat for the additional 10 feet.

There were 20 letters sent to property owners within a 200’ radius of this address asking if the owners are in favor of or opposed to the subdivision request. There were eight (8) letters returned in favor of granting this request, one (1) letter that was not marked, and eleven (11) letters not returned.

Attachments: 1) Request
2) Sketch
3) Map showing votes
Date: September 4, 2018

La Grange City Council
RE: Proposal for Replat of personal home lot - Property ID 37807 & 37838

Dear La Grange City Council:

Thank you for your time and consideration in the matter that I, Jeff Olchesky Jr. and my neighbor, Don Maschmeyer bring before your attention. We are requesting a replat of our adjoining city lots due to the agreed desire to move my back, chain link fence approximately 10 feet. No other fences or boundaries will be moved. I have already consulted city inspector, Jeff Rost, and by his initial inspection, it appears that this proposed replat would cause no ordinance violations. Please see all requested info below for your due diligence including attached survey for your review:

1. **Legal Description of lot:**

<table>
<thead>
<tr>
<th>Property ID:</th>
<th>37807</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Description:</td>
<td>MOORE JOHN H (445) LOT FRC 26-47 BLK 1 .166 HSE, GAR, STG</td>
</tr>
<tr>
<td>Geographic ID:</td>
<td>44-0262-0080000-010</td>
</tr>
</tbody>
</table>

2. **Current Dimensions of lot 37807:**

   Approx 112' x 65' = 7,280 sq ft or approx .164 acres

3. **Fayette Co Appraisal District ID number:**

   37807

4. **Current Physical address:**

   429 E Fannin, La Grange, TX 78945

5. **Approximate Dimensions of each proposed lots:**

   Property ID 37807 (Olchesky) would increase to approximately 122'x65'= 7,930 sq ft

   Property ID 37838 (Maschmeyer) would decrease from approximately 17,660 sq ft to 17,010 sq ft

6. **Any Structures on the existing lot and their setback with proposed new lot dimensions:**

   Existing 20X22 detached garage would now meet code with proposed change by allowing a 10ft off-set where one currently does not exist. Closest other structure is the Maschmeyer home which is 20+ feet offset of the new proposed property line.
7. The intended use of lots

Olchesky family desires bigger back yard for kids to play in.

8. Current Owner, their address and phone number:

   a. Jeff & Charis Olchesky - 429 E Fannin, La Grange, TX 78945 (903-705-3509)

   b. Don & Maricel Maschmeyer - 432 N MONROE, LA GRANGE, TX 78945 (979-639-1361)

Sincerely,

Jeff Olchesky Jr.
429 E Fannin
La Grange, TX 78945

Don Maschmeyer
432 N Monroe
La Grange, TX 78945
MEMORANDUM

To: Mayor and City Council

From: Mary Goerig, Assistant City Secretary

Date: January 9, 2019

Re: Discuss and or consider Final replat request 254 W Milam & 223 S Main owned by Keilers & Keilers LLC.

A request was received for a replat from Keilers & Keilers LLC, owners of 254 W Milam and 223 S Main Street to create an additional legal lot in order to build another house on their property. All lots would meet the required lot size as per the City of La Grange Code of Ordinance. This replat request creates an additional lot on the S Main Street side. The City Council gave a preliminary approval on November 13, 2018 to have the lot subdivided.

There were 20 letters sent to property owners within a 200’ radius of this address asking if the owners are in favor of or opposed to the subdivision request. There were eight (8) letters returned in favor of granting this request, five (5) letters that were opposed to granting this request, and seven (7) letters not returned.

Attachments: 1) Request
2) Sketch
3) Map showing votes
KEILERS & KEILERS LLC
6326 ROCKY CREEK ROAD
LA GRANGE, TEXAS 78945
979-249-3646

August 20, 2018

City Manager Shawn Raborn
Members of the La Grange City Council
La Grange, Texas 78945

RE: Replat/Subdivide of Lot

We, the current owners of lots #285A and 313A do hereby request a replat to create a new lot, projected to be 308A on the enclosed diagram. This new lot would comprise portions of these two properties: (1) Lot 285A, property ID number 38026, which is legally described as John H Moore (445) Lot FRC 285 Blk 36.146 6,360 SFT, 223 South Main Street, and (2) Lot 313A Property #30824 is currently a portion of John H Moore (445) Lot 308-313, FRC 280-285, Blk 36, 0.784 Acres, 254 West Milam Street. Current dimensions of lot 285A are 82.13 feet by 78.62 feet; current dimensions of lot 308-313 169.05 feet by 165.55 feet.

The proposed dimensions of lot 308A would be 70 feet wide by 100 feet deep, a total of 7000 square feet. Setback from the Main Street property line would be 20 feet, in order to build a new dwelling on proposed lot 308A. The current owners of these properties can be found in the letterhead of this communication.

Lot 285A would then be similarly replatted to 70 feet wide by 100 feet deep, a total change of 7000 square feet, to conform to current city code. Lot 303-313 would thus be changed as shown on Diagram number 1.

Therefore, we are applying for a variance of the rear setback line at 254 West Milam Street from 25 feet to 10 feet. Also, we think that the setbacks lines on the house at 223 South Main Street, on the front and side to the East, would be grandfathered in, but if this is not the case, we need to apply for those variances as well. This would be changing the side line to the north from five feet to three feet and the front line to the west from 20 feet to 15 feet.

Please refer to the enclosed recorded copy of the General Warranty Deed dated November 21, 2011, showing the purchase of lot 285 by Keilers & Keilers LLC from L.W. Stolz, Jr.

Thank you for your kind consideration of this replat request.

Sincerely,

Royce Keilers
Keilers & Keilers LLC
Royce & Elva Keilers
Donna Neiser - Property Manager
MEMORANDUM

TO: Mayor and City Council
FROM: Shawn Reborn, City Manager
DATE: January 4, 2019
SUBJECT: Discuss and or Consider Allocation of Tourism Funds

Included for your review and consideration are two requests for funding under the Tourism Grant Program. The tourism grant committee will make a funding recommendation to council at the meeting on Monday.

Attachments:

1. Current Finance Report
2. Motel/Motel Tax Summary Report
3. Summary of Funding Requests
### Tourism Grant Committee

#### January 4, 2019

**INCOME**

<table>
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<tr>
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<tr>
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<tr>
<td>Hotel/Motel Tax Income FY 2018-19</td>
<td>$72,788</td>
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<tr>
<td>Expenses to Oct - Dec</td>
<td>$(20,268)</td>
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<tr>
<td>Approved Budgeted Expenditures Balance</td>
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<td>Approved Budgeted Partnership Balance</td>
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<td>Approved funds to be expended</td>
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**Total Funds Available**

$281,350

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**Hotel/Motel Tax Income FY 2018-19**

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<th>Amount</th>
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<td>Jan-19</td>
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<td>Feb-19</td>
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<tr>
<td>Mar-19</td>
<td>-</td>
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<td>Apr-19</td>
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<td>May-19</td>
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<td>Aug-19</td>
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<td>Sep-18</td>
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**Year to Date Total**

$72,788
# Hotel/Motel Tax Report Summary

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<td>Percent</td>
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<td>35.66%</td>
<td>37.95%</td>
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### Request for Funds December 1, 2018
#### Tourism Grant Committee
As of January 4, 2019

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<th>Applicant</th>
<th>Funds Requested</th>
<th>Staff Recommendation</th>
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<tr>
<td>1 Bugle Boy Foundation</td>
<td>$10,000</td>
<td>$10,000</td>
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<tr>
<td>2 Best Little Cowboy Gathering - Marketing</td>
<td>$8,500</td>
<td>$7,500</td>
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<th>Budgeted Partnership Grants 2018-19</th>
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<td>Current Requested Allocation</td>
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## Summary of Requests

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<tr>
<th>Request</th>
<th>Amount</th>
<th>Overview</th>
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</table>
| 1       | $10,000| **Bugle Boy Foundation**  
Operating Support. The estimated number of room nights is 500 and over 4,000 annual visitors. Staff recommends funding in the amount of $10,000. |
| 2       | $8,500 | **The Best Little Cowboy Gathering in Texas**  
Funds will be used to advertise the 10th Annual Best Little Cowboy Gathering in Texas which will be held March 8-9, 2019 at the Fairgrounds. The committee allocated $7,500 to the 2018 event. Staff recommends funding in the amount of $7,500 for promotion of the event. |
## SALES TAX COLLECTIONS

<table>
<thead>
<tr>
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</tbody>
</table>

### Differences FY18 to 19
- **October:** $18,972 (19.70%)
- **November:** $12,583 (9.81%)
- **December:** $20,018 (20.29%)

### Percent Increase
- **November:** $122,737
- **December:** $104,830
- **January:** $110,777
- **February:** $140,206
- **March:** $98,567
- **April:** $101,670
- **May:** $133,006
- **June:** $110,433
- **July:** $109,740
- **August:** $127,555
- **September:** $107,399

### 7 Year Average
- **October:** $108,345
- **November:** $122,737
- **December:** $104,830
- **January:** $110,777
- **February:** $140,206
- **March:** $98,567
- **April:** $101,670
- **May:** $133,006
- **June:** $110,433
- **July:** $109,740
- **August:** $127,555
- **September:** $107,399

### Year to Date
- **Total:** $1,026,073
- **October:** $306,308 (32.97%)
- **November:** $307,942 (31.27%)
- **December:** $369,366 (34.73%)
- **January:** $395,799 (33.84%)
- **February:** $327,322 (27.43%)
- **March:** $321,404 (26.03%)
- **April:** $323,244 (27.03%)
- **May:** $374,817 (29.24%)

### BUDGET
- **Total:** $1,026,073
- **October:** $928,925
- **November:** $984,660
- **December:** $1,063,433
- **January:** $1,169,776
- **February:** $1,193,171
- **March:** $1,234,932
- **April:** $1,196,058
- **May:** $1,281,939

### Percent of Budget
- **Total:** 100.00%
- **October:** 32.97%
- **November:** 31.27%
- **December:** 34.73%
- **January:** 33.84%
- **February:** 27.43%
- **March:** 26.03%
- **April:** 27.03%
- **May:** 29.24%

*Includes Local Quarterly Sales Tax Payment*
### SALES TAX COLLECTIONS
Economic Development Corporation
December 12, 2018

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<td>$48,459.97</td>
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<td><strong>$197,839</strong></td>
<td><strong>$163,661</strong></td>
<td><strong>$160,702</strong></td>
<td><strong>$161,622</strong></td>
<td><strong>$187,409</strong></td>
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<td><strong>$614,703</strong></td>
<td><strong>$598,028</strong></td>
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<td><strong>31.58%</strong></td>
<td><strong>35.06%</strong></td>
<td><strong>34.14%</strong></td>
<td><strong>27.69%</strong></td>
<td><strong>26.14%</strong></td>
<td><strong>27.03%</strong></td>
<td><strong>29.12%</strong></td>
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*Includes Local Quarterly Sales Tax Payment*
### Water Pumped

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<td>15,249,167</td>
<td>15,218,667</td>
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<td>281,199,000</td>
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<td>50,600,000</td>
<td>47,285,000</td>
<td>49,199,000</td>
<td>50,167,000</td>
<td>48,377,000</td>
<td>41,368,000</td>
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<td><strong>Per Day Avg.</strong></td>
<td>555,587</td>
<td>550,000</td>
<td>513,967</td>
<td>534,772</td>
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<td>Kwh Sales</td>
<td>Average 2013-2018</td>
<td>Percent Change 2017-2018</td>
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<td>3,515,008</td>
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<td>6,464,641</td>
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November, 2018

OIL & GAS RECEIPTS

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<td>Enervest Operating Co LLC</td>
<td>TOWN SITE #1</td>
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<td></td>
<td>TOWN SITE #2</td>
<td>$ -</td>
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<tr>
<td></td>
<td>TOWN SITE #3</td>
<td>$ -</td>
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<tr>
<td>Enervest Operating Co LLC</td>
<td>HANACEK #1</td>
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<tr>
<td>Enervest Operating Co LLC</td>
<td>COLORADO BEND #1</td>
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<td>HOBRATSCHK-VON ROSENBERG</td>
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**TOTAL**                                                                 | $ 144.19 |
LIBRARY – MUSEUM/ARCHIVES DIRECTOR’S REPORT
December 2018

Fayette Public Library Stats:

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<td>Adult Library Circulation</td>
<td>2,642</td>
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<tr>
<td>Juvenile Library Circulation</td>
<td>1,195</td>
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<td>Total Library Circulation</td>
<td>3,837</td>
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<td>E-book Library Circulation</td>
<td>276</td>
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<td>E-book Library Users.</td>
<td>5 new users</td>
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<td>New library card Reg.</td>
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Archives/Museum Report/Activities

- 53 patrons visited the Museum and Archives in December.
- The Gift Shop collected $241.00 in December.
- Staff started working on a new exhibit featuring photography by Louis Melcher.

Items donated to Archives/Museum

<table>
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<tr>
<th>Item</th>
<th>Donor</th>
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<tbody>
<tr>
<td>Schmeckenfest mug</td>
<td>Peggy O’Neil</td>
</tr>
<tr>
<td>Documents, photos, negatives, crockery from courthouse</td>
<td>Judge Ed Jenecka</td>
</tr>
<tr>
<td>von Rosenberg family photographs, documents, textiles</td>
<td>JT Koenig</td>
</tr>
<tr>
<td>Diers family history</td>
<td>Bradley Dunk</td>
</tr>
<tr>
<td>Melcher photograph album, Ammannsville cemetery research, map, mugs, etc</td>
<td>Judge Ed Jenecka</td>
</tr>
<tr>
<td>86 von Rosenberg family cabinet card photographs</td>
<td>JT Koenig</td>
</tr>
</tbody>
</table>

Library Report/Activities

- The meeting room was reserved 24 times in December.
- The Annual Open House was held on December 12th and 75 people attended.
- Representatives from the Texas State Library and Archives Commission visited the facility on December 6th. They were given a tour and spoke with Allison Shimek about the Future Ready with the Project and the development of the Career Cruising program.

Future Activities

- Storytime, music, and crafts every Wednesday at 10:15AM in the Meeting Room.
- The next Career Cruising workshop will take place at Colorado Valley Communications on March 14th.
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<tr>
<th>DEPARTMENT</th>
<th>HOURS THIS PERIOD</th>
<th>HOURS YEAR TO DATE</th>
<th>DEPARTMENT</th>
<th>HOURS THIS PERIOD</th>
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<td></td>
<td>DEC. TOTAL</td>
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