MEMORANDUM

TO: Mayor and City Council
FROM: Shawn Raborn, City Manager
DATE: November 22, 2019
SUBJECT: City Council Meeting

Attached is your information packet for the Monday, November 25, 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 25th day of November, 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 the reappointment of Mayor Moerbe as a Director of TexGas II for an additional term to expire on August 15, 2026.   Pg. 1-3
2. Discuss and or Consider the reappointment of Diana Stevens and Violet Zbranek as Directors of TexGas III for an additional term to expire on August 15, 2026.  Pg. 1-3
3. Discuss and or Consider the reappointment of John Cernosek and Ms. Janetta Morris as Directors of TexGas IV for an additional term to expire on August 15, 2026.  Pg. 1-3
4. Discuss and or Consider the reappointment of Glen Pape as a Director of MuniGas for an additional term to expire on June 15, 2026.   Pg. 1-3
5. Discuss and or Consider a Resolution to establish a banking account for the EDA grant.   Pg. 4
6. Discuss and or Consider approval of October Minutes.   Pg. 5

REGULAR AGENDA
1. Discuss and or Consider on Second reading an ordinance amending Chapter 1, General Provisions, Article 1.10, Cemeteries, Section 1.10.001, city cemeteries designated; management and supervision, to allow for interment of more than one person's bodily remains in each cemetery space; amending section 1.10.003, of article 1.10, relating to records of lots, to enumerate the total number of bodily remains allowed for each place or grave in cemetery lots; and providing for an effective date.   Pg. 10
2. Discuss and or Consider on First reading an ordinance amending Chapter 3, Building Regulations, Article 3.02, Building Code, Section 3.02.004, permit fees, by repealing the existing section and replacing it entirely thereby creating a distinction for permit fees to be charged between residential and commercial construction; providing for a penalty for commencement of construction prior to obtaining a permit; and providing for an effective date.   Pg. 14
3. Report on Active Projects   Pg. 20
4. Review and discuss current City Ordinance, Chapter 10, relating to Subdivisions, and the existing platting process and consider whether or not revisions may be necessary.

CITY COUNCIL COMMITTEE REPORTS
1. Airport Board
2. Library Board
3. Tax Appraisal Board
4. Main Street Board

CHIEF OF POLICE UPDATE
Review of Current issues and projects

CITY MANAGER UPDATE
Review of Current issues and projects

CITY SECRETARY

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 551.071 (Consultation with City Attorney) and Section 551.072 (Real Property)

Discuss and or Consider acquisition of real property

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, Janet Bayer 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 979/968-5805.

Posted at 4:00 P.M. on this the 22nd day of November, 2019.

Janet Bayer, City Secretary
MEMORANDUM

TO: Mayor and City Council
FROM: Shawn Raborn, City Manager
DATE: November 20, 2019
SUBJECT: Discuss and or Consider the reappointment of Mayor Moerbe as a Director of TexGas II for an additional term to expire on August 15, 2026.

Discuss and or Consider the reappointment of Diana Stevens and Violet Zbranek as Directors of TexGas III for an additional term to expire on August 15, 2026.

Discuss and or Consider the reappointment of John Cernosek and Ms. Janetta Morris as Directors of TexGas IV for an additional term to expire on August 15, 2026.

Discuss and or Consider the reappointment of Glen Pape as a Director of MuniGas for an additional term to expire on June 15, 2026.

Staff is requesting that Mayor Moerbe be reappointed to the TexGas II Board of Directors with a term to expire on August 15, 2026, Ms. Diana Stevens and Ms. Violet Zbranek as Directors of TexGas III for an additional term to expire on August 15, 2026, Mr. John Cernosek and Ms. Janetta Morris as Directors of TexGas IV for an additional term to expire on August 15, 2026 and Mr. Glen Pape as a Director of MuniGas for an term to expire on June 15, 2026.

Attachment:

1. TexGas II Board of Directors
2. TexGas III Board of Directors
3. TexGas IV Board of Directors
4. MuniGas Board of Directors
TexGas I

Mary Voss, President (8/15/2022)
Glen Pape (8/15/2021)
Violet Zbranek (8/15/2024)
Diana Stevens (8/15/2021)

TexGas II

Mary Voss, President (8/15/2024)
Glen Pape (8/15/2022)
Janet Moerbe (8/15/2026)
Monette Taylor (8/15/2024)

TexGas III

Diana Stevens (8/15/2026)
Cliff Gage (8/15/2024)
Janet Moerbe (8/15/2024)
Violet Zbranek (8/15/2026)
TexGas IV

John Cernosek (8/15/2026)
Janetta Morris (8/15/2026)
Cliff Gage (8/15/2022)
Janet Moerbe (8/15/2022)

MuniGas

Glenn Pape (6/15/2026)
Janet Moerbe (6/15/2022)
Violet Zbranek (6/15/2021)
Janetta Morris (6/15/2022)
RESOLUTION

WHEREAS, the City of La Grange does banking with National Bank & Trust in La Grange, Texas; and

WHEREAS, we have received an EDA Investment Grant # 08-79-05325 and are in need to establish a bank account for the investment funds;

NOW, THEREFORE BE IT RESOLVED that the following names be included on the signature card for the EDA Investment Grant bank account with National Bank & Trust:

Janet Moerbe
John Cernosek
Shawn Raborn
Janet Bayer

PASSED AND APPROVED on this the 25th day of November, 2019.

Janet Moerbe, Mayor

ATTEST:

Janet Bayer, City Secretary
REGULAR COUNCIL MEETING – October 14, 2019

The City Council of the City of La Grange met in Regular Session on Monday, October 14, 2019 in the City Hall Council Chambers at 155 E. Colorado St. with the following members present: Mayor Janet Moerbe, Councilmember Bonnie Busch, Mayor Pro tem John J. Cernosek, Councilmember Jan Dockery, Councilman John Eilert, Councilman Ken Taylor, and Councilmember Kathy Weishuhn. Councilman Pat Janca and Councilmember Violet Zbranek were absent. Staff present: City Manager Shawn Raborn, Chief of Police David Gilbreath, City Secretary Janet Bayer. Visitors: Rhonda Kaltwasser, Tom Hudson, Sarah Mabry, Mike Mabry DVM, Rachel Steele with CAPCOG, Martha Langford, Shirley Hudson, Neale Rabensburg, Candy O’Meara, Kellie Smith, Stacey Norris, Randy Rodriguez, and others.

Mayor Moerbe called the meeting to order. Next were pledges to the US and Texas Flags. Pastor Martha Langford of First Presbyterian Church gave the invocation.

Under petitions, Rhonda Kaltwasser, Ken Dernehil of La Grange Citizens Alliance, and Brandon Schielack spoke.

CONSENT AGENDA

Discuss and or Consider request to close streets for Trick or Treat on the Square on Thursday, October 31st, and Schmeckenfest on Thursday, December 5th, for the safety of the public.

The next item was to Discuss and or Consider Agreement with Fayette County Office of 911 Addressing for Addressing Services. Staff is requesting council approval to update the agreement we have with Fayette County Office of 911 Addressing for addressing services. We have a great relationship with Ms. Moore and the Office of 911 Addressing.

The next item was to Discuss and or Consider a Resolution cancelling the December 23rd City Council Meeting. Attachment #1

The next item was to Discuss and or Consider approval of September Minutes.

A motion was made by Councilman Taylor, second Councilmember Weishuhn to approve the Consent Agenda Items as presented. Motion carried 6-0.

REGULAR AGENDA

Discuss and or Consider final approval of replat request for property located at 245 W Travis by Cornerstone Building La Grange, LLC. A request was received from Cornerstone Building La Grange, LLC to subdivide the property located at 245 W. Travis Street. Their plan is to combine the 2 existing tracts and reconfigure the division lines to facilitate the sale of the warehouse building and a portion of the paved area in back to adjacent land owner, La Grange Motor Company. Cornerstone Building La Grange, LLC plans to retain ownership of Lot 1. Also included on the plat are 3 access easements for ingress/egress and utility construction. There are no planned improvements for this subdivision. There were 22 letters sent to property owners within a 200' radius of this address asking if owners are in favor of or opposed to the subdivision request. There were eight letters returned in favor of granting this request, thirteen letters not returned, and one letter returned but not marked either way. Motion Mayor Pro tem Cernosek, second Councilmember Busch to approve this replat. Motion carried.

Discuss and or Consider request from Samaritan’s Purse the owner’s representative of property located at 808 North Horton to connect to the city sanitary sewer system. We have received a letter requesting that the city allow for connection of waste water service for a customer located outside the city
limits. Samaritan’s Purse is the authorized agent for the owner of the property located at 808 North Horton Street and part of the tract is located inside city limits and part is located outside the city limits. I have attached a letter from Samaritan’s Purse requesting the line extension with the understanding that they will be responsible for all costs associated with the line extension. All construction will be designed to city standards so in the event the property is annexed into the city limits in the future, it will be to city standards. The projected daily sewer flow generated by the development at buildout is 17,400 gallons per day based on 3 residents per developed tract. The rule of thumb is that each resident generates 100 gallons of waste water per day. The current flow rate at the wastewater plant is 400,000 gallons per day and we are permitted for 900,000 gallons per day with a current design capacity of 1.34 million gallons per day. The council has approved a number of line extensions over the years and we currently serve the Frisch Auf Subdivision and a portion of the Cedar Creek subdivision which are located outside the city limits. The extension of sewer service outside the city limits requires formal council approval. Motion Mayor Pro tem Cenosek, second Councilmember Weishuhn to approve this request. Motion carried 5-1 with Councilman Taylor voting against.

Discuss cemetery policy regarding one burial per cemetery space. Staff has been approached by a citizen regarding the city cemetery ordinance that stipulates that only one internment is permitted per space. The concern is that some plots may include more than one internment in violation of the city ordinance. Staff has reviewed a few of the lots in question and it appears that the owner has more than one space but included 2 remains on one headstone. We will continue to review this issue to make sure that the current policy is enforced. The question for council discussion is should the city policy be modified to allow for more than one set of remains to be interned on a single space? Staff has contacted city owned cemeteries in the area and the policies vary greatly. Some cities allow 2 internments on a single space while others allow only one and some don’t have policies regarding the number of internments. Mayor Moerbe wants to put together a committee to further discuss internment plans from here forward. Councilman Taylor stated that current sections in the ordinance need to be enforced namely regarding Sec.1.10.014 Certain objects prohibited on lots. This cemetery policy regarding one burial per cemetery space is for review only at this time.

Discuss and Consider authorizing the City Manager to enter into an Interlocal Agreement for Management Services with CAPCOG to administer Economic Development Administration Grant. Staff is requesting council authorization to enter into an Interlocal Agreement with CAPCOG to administer our recently awarded Economic Development Administration Grant. In April, council authorized the submission of a grant application to the Economic Development Administration (EDA) Disaster Assistance to extend waste water service out Highway 71 West approximately 3 miles. The EDA grant will pay for 80% of the cost to extend service to the area. The extension of wastewater service to this area will allow for future business expansion. Our grant application has been approved for funding in the amount of $1.8 million. The extension of wastewater west is a long-term investment that will allow for future economic development in an established growth corridor. This project aligns with Goal 4.1 in the Comprehensive Plan in that we are encouraging prosperous commercial and industrial development to the City’s periphery. CAPCOG has administered a number of EDA grants in the CAPCOG region with success. The fee to administer the grant is $55,000 and is included as part of the grant match of $450,000. Staff recommends approval of the management agreement with CAPCOG to administer our recently awarded Economic Development Administration Grant. Motion Councilman Eilert, second Councilman Taylor. Motion carried.

Discuss and Consider approval of TML Health for Employee Medical Insurance. Staff is bringing back for council consideration of our 2020 TML Health Program. We will continue to utilize the Consumer Centered Pool Plans (CCPP) offered by the TML Health to provide health care coverage for our employees. The intent of the CCPP plans is to allow the City to select a “defined contribution” amount and allow the employee to then select one of the five plans available in the CCPP. An advantage of the CCPP
is that we don’t have to pick a plan (the employee does that), we only need to pick the City Contribution amount. Staff is recommending that we allocate $650 towards the cost of insurance, which is the same rate we currently provide. Our renewal rate will go in effect on January 1st of 2020. The proposed allocation will allow the employee to select an HAS plan with a $2,500 deductible with no pocket amount expense. We will continue to use Fayette Savings as the provider of the Health Saving Accounts, if the employee selects that option. We continue to provide wellness opportunities for our employees and will be hosting an onsite biometric screening event on December 4th. We are partnering with City of Schulenburg on the event which will be held at the Randolph Recreation Center. Motion Councilmember Dockery, second Councilmember Weishuhn. Motion carried.

Informational Report on Parklets. The Main Street Advisory Board has been working with a local business on the development of a Parklet downtown. A Parklet is a way to convert a parking space into an attractive outdoor gathering spot. The installation of a Parklet would not be allowed in the State Right of Way. We have modeled the local Parklet Pilot Program after a successful program in Brenham. Pictures of the Parklet in Brenham are in the council packet for your information. Also included is a draft lease agreement for the use of a parking space for the Parklet and also design standards. The Main Street Advisory Board voted to present the concept to council for additional consideration. This item is for informational purposes only. Staff will bring back at a future meeting for consideration. Concerns presented by Councilman Taylor are taking away parking spots from downtown and also that ALL downtown businesses and property owners should be questioned on their interests/concerns regarding this project.

Discuss and or Consider a Resolution to change the date of the November 11th City Council Meeting. A Special City Council Meeting will be held on Tuesday, November 12th. Motion Mayor Pro tem Cernosek, second Councilmember Busch to approve the resolution. Motion carried. Attachment #2

Chief of Police Update

Chief of Police David Gilbreath reported that Officer Currington is in training. 4 officers are attending a training on sexual assault, family violence. Gilbreath is attending a mandatory training this month. Gilbreath reminded everyone of Shred It Day this Saturday, October 19th, at the Police Station.

City Manager Update

Electric sales were flat for the month of September while water sales picked up. The fall brush pick up is this week of October 14-18. The next Shred It day will be on Saturday, October 19; this is also the date for the next quarterly bulk pickup. Mr. Raborn thanked Rotary Club for a successful Oktoberfest. White Rock Park restroom build start is slated for Wednesday, October 16th. KABOOM build date is set for Saturday, December 7th.

At 6:50 PM a motion was made by Councilman Taylor, with a second by Councilmember Weishuhn that the meeting be adjourned. Motion carried.

Jane: Bayer, City Secretary
These Minutes Approved by City Council on:

____________________________________

Janet Moerbe, Mayor
The City Council of the City of La Grange met in Regular Session on Monday, October 28, 2019 in the City Hall Council Chambers at 155 E. Colorado St. with the following members present: Mayor Janet Moerbe, Councilmember Bonnie Busch, Mayor Pro tem John J. Cernosek, Councilmember Jan Dockery, Councilman John Eilert, Councilman Pat Janca, Councilman Ken Taylor, Councilmember Violet Zbranek, and Councilmember Kathy Weishuhn. Staff present: City Manager Shawn Raborn, Chief of Police David Gilbreath, City Secretary Janet Bayer. Visitors: Heather Barthelme, Kristen Denham, Tiffany Denham, Loretta Denham, Sarah Mabry, Stacey Norris, Mike Mabry DVM, Tom Hudson, Candy O’Meara, Shirley Hudson, Jesse McDaniel, MaryAnn Powell, Quentin Gonzalez, Neale Rabensburg, Andy Smith, and others.

Mayor Moerbe called the meeting to order. Next were pledges to the US and Texas Flags. Pastor Andy Smith of First United Methodist Church gave the invocation.

Under petitions, Tiffany & Kristen Denham with Bodega and Ken Dernehl of La Grange Citizens Alliance spoke.

CONSENT AGENDA

REGULAR AGENDA

Discuss and or Consider authorizing staff to develop a Pilot Parklets development project. Staff brought back for council consideration the development of a Pilot Parklets project with the owner of Bodega. Mrs. Kristen Denham has been working on the Parklet concept and is requesting that her business be the Pilot project for this concept. The Main Street Advisory Board and city staff have been working with Ms. Denham on the development of a Parklet downtown. Council reviewed at the last meeting that a Parklet is a way to convert a parking space into an attractive outdoor gathering spot. The installation of a Parklet would not be allowed in the State Right of Way. It was noted at the last meeting, the local Parklet Pilot Program is modeled after a successful program in Brenham. The lease agreement for the use of a parking space for the Parklet and also design standards were attached for review. It was asked by Councilmembers if Bodega reached out to the other neighboring businesses? Mrs. Denham emailed the other merchants, put a notice in the Fayette County Record, and they did Facebook posts. All were positively responded to. The space will be appx 10’ x 20’ and will accommodate 2 tables and a side bar area with stools. It will be ADA compliant as it will be built up to meet the sidewalk. There will be sun shades and lighting for evening hours to allow for multi-seasonal use. A motion was made by Councilmember Weishuhn, second Councilman Taylor to proceed with the Pilot Parklets development project. Motion carried 8-0.

Discuss and or Consider first reading of an ordinance adding Article 6.05, to Chapter 6, of the City of La Grange Code of Ordinances, to prohibit camping in designated places, repealing all conflicting ordinances, providing for enforcement, publication, codification and savings, and declaring an effective date. Staff is bringing back for council discussion a first reading of an ordinance that would prohibit camping in designated public places which would include commercial areas, the historic district, parks and streets and public parking lots. We would still allow camping in city parks if the individual has received prior authorization from the City Manager or his designee. This provision would allow for the continued use of our parks by groups that are traveling the river like the Colorado 100 and other organized groups. Motion Mayor Pro tem Cernosek, second Councilman Janca to accept this ordinance as presented on First Reading. A roll call vote was taken: Councilmember Busch for, Mayor Pro tem Cernosek for, Councilmember Dockery for, Councilman Eilert for, Councilman Janca for, Councilman Taylor for, Councilmember Weishuhn for, Councilmember Zbranek for. Motion carried 8-0.
Discuss and or Consider a resolution for Municipal Court Week. City Manager Raborn noted that this resolution is a way to recognize staff for the work they do. The week of November 4th-8th will be recognized as Municipal Court Week in recognition of the fair and impartial justice offered to our citizens by the Municipal Court of La Grange. Motion Councilmember Zbranek, second Councilman Taylor to approve the resolution. Motion carried. Attachment #1

Discuss and or Consider setting 2020 City of La Grange Holiday schedule. Council looked over the holiday list; Mayor Moerbe mentioned the County will have off on Thursday, December 24th, 2020. Council discussed this as an additional holiday off. Motion Councilman Janca, second Councilmember Dockery to add December 24th holiday. A motion to accept the entire 2020 Holiday Schedule was made to include December 24th by Councilman Taylor, second by Councilmember Weishuhn. Motion carried 8-0.

Chief of Police Update

Chief of Police David Gilbreath reported that Shred It Day on Saturday, October 19th, was a success. Over 3.5 tons were shredded. Ford has stated that the new patrol cars should arrive by middle part of November.

City Manager Update

Sales Tax Collections are up 4.6% for the start of the fiscal year. City Manager Raborn went over active grant projects as of October 14, 2019. Trick or Treat on the square will be held this Thursday, October 31st, with over 60 businesses participating. Fall clean-up/brush pick up was held October 14th-18th with 240 brush piles picked up and 3 roll-off dumpsters filled. The quarterly bulk pickup was held on Saturday, October 19th. The few addresses that were missed were retrieved by the following Tuesday. The City really is trying to provide opportunity for utility customers to properly get rid of hard to dispose of items and keep the town clean. KABOOM build date is set for Saturday, December 7th. The design has been approved and a press release is set to go out this week.

At 6:27 PM as pursuant to Section 551.071 Consultation with City Attorney, 1 Consultation with City Attorney regarding Tom Hudson, Individually and Jator, Inc. vs. City of La Grange, TX No. 2017V-053, and Section 551.072 Real Property 2. Discuss and or Consider acquisition of real property, council went into Closed Executive Session.

At 6:58 PM Council went into Open Session. No action was needed.

At 6:59 PM a motion was made by Councilmember Weishuhn, with a second by Councilmember Busch that the meeting be adjourned. Motion carried.

Janet Bayer, City Secretary
These Minutes Approved by City Council on:

Janet Moerbe, Mayor
MEMORANDUM

TO: Mayor and City Council

FROM: Shawn Raborn, City Manager

DATE: November 22, 2019

Subject: Discuss and or Consider on second reading an ordinance amending chapter 1, general provisions, article 1.10, cemeteries, section 1.10.001, city cemeteries designated; management and supervision, to allow for interment of more than one person's bodily remains in each cemetery space; amending section 1.10.003, of article 1.10, relating to records of lots, to enumerate the total number of bodily remains allowed for each place or grave in cemetery lots; and providing for an effective date.

Staff is presenting on second reading the updated Cemetery Ordinance regarding the number of interments allowed per space. The city cemetery ordinance currently stipulates that only one interment is permitted per space.

The ordinance has been updated to allow the following: Interments allowed in a single grave shall be:

(1) One person's bodily remains;
(2) Two people's bodily remains stacked only if lower coffin is equipped with a concrete liner;
(3) One person's bodily remains and one person's cremated remains; and
(4) Three (3) people's cremated remains.

Attachment:

1. Ordinance under consideration - City Cemetery Ordinance Section 1.10.003
   Records of Lots
ORDINANCE NO. __________

AN ORDINANCE AMENDING CHAPTER 1, GENERAL PROVISIONS, ARTICLE 1.10, CEMETERIES, SECTION 1.10.001, CITY CEMETERIES DESIGNATED; MANAGEMENT AND SUPERVISION, TO ALLOW FOR INTERMENT OF MORE THAN ONE PERSON'S BODILY REMAINS IN EACH CEMETERY SPACE; AMENDING SECTION 1.10.003, OF ARTICLE 1.10, RELATING TO RECORDS OF LOTS, TO ENUMERATE THE TOTAL NUMBER OF BODILY REMAINS ALLOWED FOR EACH PLACE OR GRAVE IN CEMETERY LOTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council has had its attention drawn to the fact that cremations of bodily remains has grown in popularity; and

WHEREAS, the City Council has determined that less space is needed to inter cremains than to inter bodily remains utilizing traditional caskets and/or vaults; and

WHEREAS, the City Council has determined that opinions about the number of bodily remains that may be interred in any one space have changed over time and that the general public purchasing the right of burial in the city owned cemetery may now desire to have more than one person's bodily remains be interred within one space or grave; and

WHEREAS, the City Council has determined that its Code of Ordinances relating to the city owned cemetery does not recognize that more than one person’s bodily remains may be interred in one grave or space; and

WHEREAS, the City Council has determined that it is in the best interest of citizens of La Grange to permit the interment of more than one person’s bodily remains in a single space or grave and that permitting the same has no deleterious effect on the City Council’s duty to protect the public health and safety of the citizens of La Grange.

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

Section 1. That Chapter 1, General Provisions, Article 1.10, Cemeteries, Section 1.10.001 City cemeteries designated; management and supervision, be and it is hereby amended to hereafter read as follows:

Sec. 1.10.001 City Cemeteries designated; management and supervision

Those tracts of land lying within the limits of the city and set apart for burial purposes and divided into portions, blocks, lots and places for interment and more minutely described upon maps on file in the office of the city secretary, together with all additions hereafter made thereto,
shall be and the same are hereby designated as the “La Grange City Cemetery.” Such tracts shall be under superintendence of the city manager, who shall be in charge of the enforcement of the ordinances, rules and regulations of the city and the improvement and maintenance of the cemeteries.

Section 2. That Chapter 1, General Provisions, Article 1.10, Cemeteries, Section 1.10.003 Records of lots, be and it is hereby amended to hereafter read as follows:

Sec. 1.10.003 Records of lots; more than one interment per space allowed

(a) The city secretary shall keep in his/her office a cemetery book of record and a map of the cemeteries, each showing the amount of the portions, number of the block, lots and parts of lots and places for interments and by whom owned or occupied, and whenever any right of interment in any block, part of block, lot, part of lot or place of interments shall be sold to any person, the city secretary shall, upon receipt of payment of the money for such burial right, enter such on the book of record and shall make the same on the map.

(b) Interments allows in a single place or grave shall be:
   (1) One (1) person’s bodily remains; or
   (2) Two (2) persons’ bodily remains, stacked one on top of the other only if lower coffin is equipped with a concrete liner; or
   (3) One (1) person’s bodily remains and one (1) person’s cremated remains; or
   (4) Three (3) persons’ cremated remains.

Section 3. 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 4. 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 5. 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 6. 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 12th day of November, 2019, with 6 Councilpersons voting in favor hereof and 0 Councilpersons voting in opposition hereof.

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

CITY OF LA GRANGE, TEXAS:

BY ____________________________
Janet Moerbe, Mayor

ATTEST:

______________________________
Janet Bayer, City Secretary

APPROVED AS TO FORM:

______________________________
Maria Angela Flores Beck
City Attorney
MEMORANDUM

TO: Mayor and City Council
FROM: Shawn Raborn, City Manager
DATE: November 22, 2019
SUBJECT: Discuss and or Consider on first reading an ordinance modifying the method in which residential building permit fees are calculated.

During the last legislative session H.B. 852 prohibited the use of the value of the work to be undertaken as a way to calculate a building permit fee. The City of La Grange, like most cities in Texas used the value of the work to develop the permit fee. The use of value for commercial projects is still allowed and will not change. We are proposing to move to a per square foot basis for the development of the permit fee.

Staff is proposing that we have a base permit fee of $25.00 plus forty cents per square foot for new construction and thirty cents per square foot for a remodel project. I have attached a spreadsheet that shows the rate impact of the new fee schedule on a new home construction project and a small remodel job project.

Attachment:
1. Ordinance under consideration
2. Rate change impact
AN ORDINANCE AMENDING CHAPTER 3, BUILDING REGULATIONS, ARTICLE 3.02, BUILDING CODE, SECTION 3.02.004, PERMIT FEES, BY REPEALING THE EXISTING SECTION AND REPLACING IT ENTIRELY THEREBY CREATING A DISTINCTION FOR PERMIT FEES TO BE CHARGED BETWEEN RESIDENTIAL AND COMMERCIAL CONSTRUCTION; PROVIDING FOR A PENALTY FOR COMMENCEMENT OF CONSTRUCTION PRIOR TO OBTAINING A PERMIT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Texas State Legislature passed, and the Governor signed into law, HB 852, which became effective on May 22, 2019 and which prohibits municipalities from utilizing the value of new residential construction or the value of the dwelling or the cost of improvements to existing residences, as the case may be, in determining the amount of a building permit fees or inspection fees required in connection with the new residential construction or improvement of a residential dwelling; and,

WHEREAS, HB 852 further prohibits a municipality from requiring the disclosure of information related to the value of or cost of constructing or improving a residential dwelling as a condition precedent to obtaining a building permit except as required by the Federal Emergency Management Agency for participation in the National Flood Insurance Program; and,

WHEREAS, the City Manager and staff have prepared new fees schedules consistent with this legislation; and

WHEREAS, the City Council has determined that adoption of the fee schedules recommended by the City Manager and staff is necessary to comply with the new state law.

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

Section 1. That Chapter 3, Building Regulations, Article 3.02, Building Code, 3.02.004 Permit fees, be and it is hereby repealed and replaced in its entirety to hereafter read as follows:

(a) Any provisions contained within the building code adopted in this article, as amended, in effect and in force in the city, setting permit fees to the contrary notwithstanding, permit fees within the city shall be levied and charged as follows:

(1) Residential Construction.

(A) Base permit fee: $25.00.

(B) New/addition:

   (I) Project area per square foot: Base permit fee plus price per square foot.
(II) Per square foot: $0.40.

(C) Remodel:

(I) Project area per square foot: Base permit fee plus price per square foot.

(II) Per square foot: $0.30.

(D) Accessory/Carport/Storage.

(I) Base permit fee: $25.00.

(II) Project area per square foot: Base permit fee plus price per square foot.

(III) Per square foot fee: $0.40.

(E) Fee schedule for the minimum number of inspections listed below. Each may require additional inspections depending upon the size of the project:

(I) Roof: $75.00.

(II) Siding: $75.00.

(III) Insulation: $75.00.

(IV) Fence: $25.00 plus $0.10 per linear foot.

(2) Commercial Construction

(A) When the cost of labor and materials does not exceed one hundred dollars ($100.00), no fee shall be required, unless an inspection is necessary, in which case there shall be a twenty five dollar ($25.00) fee.

(B) When the cost of labor and materials is in excess of one hundred dollars ($100.00) and up to and including fifteen thousand dollars ($15,000.00), the fee shall be eight dollars ($8.00) per thousand or fraction thereof.

(C) When the cost of labor and materials is in excess of fifteen thousand dollars ($15,000.00) up to and including one hundred thousand dollars ($100,000.00) the fee shall be one hundred forty five dollars ($145.00) for the first fifteen thousand, plus five dollars ($5.00) for each additional thousand or fraction thereof.

(D) When the cost of labor and materials is over one hundred thousand dollars ($100,000.00) up to and including five hundred thousand
dollars ($500,000.00), the fee shall be five hundred seventy dollars ($570.00) for the first one hundred thousand, plus two dollars ($2.00) for each additional thousand or fraction thereof.

(E) When the cost of labor and materials is over five hundred thousand dollars ($500,000.00) up to and including one million dollars ($1,000,000.00), the fee shall be one thousand three hundred seventy dollars ($1,370.00) for the first five hundred thousand, plus seventy-five cents ($0.75) for each additional thousand or fraction thereof.

(F) When the cost of labor and materials is over one million dollars ($1,000,000.00), the fee shall be one thousand eight hundred seventy dollars ($1,870.00) for the first million, plus fifty cents ($0.50) for each additional thousand or fraction thereof.

(b) When moving of a structure and the inspection thereof is involved, the inspection fee shall be seventy-five dollars ($75.00).

(c) For the purposes of the International Building Code, “other improvements” shall include, but is not limited to, structures, parking lots, sidewalks, swimming pools, fences, electrical work, natural gas installation, plumbing, air conditioning/heating, streets, curb and gutter, driveways, carports, garages, buildings, and signs. Structural specifications shall be as defined by the owner/architect/engineer, which shall be submitted at time of application.

(d) Plans must accompany residential permit applications. Plans must accompany Commercial building permit applications for buildings valued at $1,000.00 or over. No permit becomes valid until plans are checked and approved by the building official. Plan-checking fees and permit fees must be paid at the time the application for a building permit is made. Plan-checking fees shall be ten (10) percent of the cost of the Commercial building permit, but in no case less than twenty-five dollars ($25.00). Plan-checking fees shall be twenty cents ($0.20) per square foot for residential building permits.

(e) When a permit is required and work has begun prior to obtaining said permit, the fees specified above will be doubled. Payment will not relieve any person from not complying with the requirements of the city's Code of Ordinances in the execution of the work nor from any other penalties herein.

Section 3. 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 4. 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 5. 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 6. 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 November, 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 December, 2019, with ___ Councilpersons voting in favor hereof and ___ Councilpersons voting in opposition hereof.

CITY OF LA GRANGE, TEXAS:

BY __________________________
Janet Moerbe, Mayor

ATTEST:

____________________________
Janet Bayer, City Secretary

APPROVED AS TO FORM:

____________________________
Maria Angela Flores Beck
City Attorney

P. 18
## Building Permit Fees

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<tr>
<th>Current - All Permits</th>
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<td>Plan Check Fee (.20 Per Sq Ft)</td>
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### Example

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<td>ReRoof Home values at $10,000</td>
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TO: Mayor and City Council

FROM: Shawn Raborn, City Manager

DATE: November 20, 2019

SUBJECT: Active Project Status Report

Attached for your review is the active project status report for the month of November.
Active Projects and Issues
Status Report
November 20, 2019

Department/Issue

Electric Department

Active projects
LED Street Light Upgrade
We continue the conversion of street lights to LED as the current lights fail.

La Grange ISD Construction
1-15-19 Staff is working with the contractor to set the new 2000 kVA transformer of the new elementary school. 3-4-19 Transformer has been set. 9-4-19 So far 1-300, 1-500 and 1-2,000 have been set but not terminated. We still have 1 more 1,000 kVA transformer to set.

Breaker Replacement Substation
2-20-19 Staff is working with LCRA to replace the city owned breakers a the substation. The breakers have been ordered but have a 18-21 week delivery. We anticipate completing the project in early Fall 2019. 06-26-19 Project is still on schedule to be completed by December of 2019. The two new breakers have been received. 11-12-19 Engineering work continues and the updated completion date is the end of February 2020.

Water/Waste Water Department

5-30-19 We are back in compliance and TCEQ is working to close out current Agreed Order. 11-18-19 Staff contacted TCEQ and the staff person working on the closeout of the project is no longer with TCEQ. We have been assigned a new staff member that will close out the project.

Water Line Replacement Project Horton-Oak to Charles – Replace 825 ft. 6” and replace existing 2” 1,050 ft. on Guy and Ella with 6” and 450 ft. on Charles. Project will be included in FY 2017-18 Budget process. 08-7-19 Project will be delayed until the FY 2020-21 Budget planning process.

Sewer Plant Permit Renewal
09-04-19 We have been administratively approved for the wastewater plant permit renewal. 11-20-19 The new permit will run until December 2024.

Water Supply Project
06-15-17 Council authorized staff to proceed with an interconnection study with Fayette Water Supply Corporation. The interconnection would allow for the movement of water between the systems and also would provide a possible source of additional water to the community. 08-16-17 Initial
meeting has taken place between FWSC, the city and the engineers to define the scope of the project. 10-2-17 Staff continues work on the interconnection project. 04-03-18 Staff continues to work with Fayette Water Supply (FWS) and Strand Engineering to evaluate water transfer options. 08-17-18 The preliminary report is currently under review by staff. 11-7-18 Staff met with FWS and BEFCO to see if portions of the proposed plan could be included in the CDBG-DR Infrastructure projects. 08-06-19 Staff is proposing to upgrade the water line between Well Station D and B. We are also discussing a 6” interconnect along Highway 159 to a FWS Well. 11-12-19 The grant to upgrade the line between Well Station D and B has been approved and we should receive the contract from the GLO by the end of December.

Well Station G
11-7-18 Project will include the replacement of the Aerator and support structure and the rehabbing of the well. Project is currently in the design phase. 1-15-19 Well has been repaired and is back in operation. Aerator and support are currently in the design phase with Dunham Engineering. 3-25-19 Project is out for bid at this time and we anticipate presenting bids to council on May 13th. 5-30-19 Bid was awarded Water Equipment & Treatment Services (WETS) in the amount of $212,182. Project will be completed in the Fall of 2019. 11-06-19 Project is under construction and should be completed in early December.

Waste Water
09-09-15 Sewer line from Madison to Jefferson on Lafayette Street. Working with Engineers at this time. 02-04-16 So far engineers have recommended separating water and sewer mains. Sewer line on the North side of the tracks and the water line to the North. The initial cost estimate is $253,000. 06-20-16 Council authorized staff to proceed with moving forward on this project. 09-20-16 Project is still in the design phase. 02-10-17 We have submitted all required permits, fees and documents to Union Pacific Railroad and are waiting project authorization to proceed. 04-07-17 BEFCO continues to work with Union Pacific which continues to impose additional requirement on the project. 06-15-17 The engineer is now evaluating if the line can be slip lined in place due to the additional requirements that have been imposed by Union Pacific.

Waste Water Line Replacement Lower Line to Plant
08-22-18 Staff has included the replacement of the truck sewer line on Lower Line Street to the plant. We have experienced a number of operational issues with the 3 lines that currently serve the plant and the upgrade to the proposed 30” line will alleviate those issues. The Project is included in the FY 2018-19 Budget. 11-7-18 Staff is working with Strand Engineering to design and bid out project at this time. 1-15-19 Survey work is underway with preliminary design plans anticipated by the end of
February. 3-25-19 The advertisement for bids will run on March 29th and open bids on April 16th with council consideration on April 22nd. 5-30-19 Project has been awarded to M & C Fonseca the low bidder in the amount of $808,237.50. The project is projected to be completed by May of 2020. 06-07-19 We completed the purchase of the 3.9 acres between Lower Line and Colorado Landing on 6-6-19. 6-26-19 The contractor started construction on the project on July 8th. The contractor was on site reviewing project staking and videoing of the current line. 09-03-19 Engineer is reviewing final submittals. Contractor is onsite and construction should start next week. 11-12-19 Contractor has had issues with the man hole supplier regarding workmanship. Contractor and vendor are working on a solution and the project should be back under construction after Thanksgiving.

River Bridge Utility Upgrades
6-25-19 We are working on the relocation of a number of sewer lines related to the new bridge that is being installed over the Colorado River on Travis Street. We are also having to relocate the electric line on the road to the boat ramp. The contract for the bridge construction is scheduled to be awarded in September of 2020. TxDOT has requested that we have all utilities relocated by May of 2020. 09-03-19 Staff is beginning the process to identify and develop plans to relocate impacted utility lines.

EDA Grant - Wastewater Line Extension
6-25-19 Staff is working to finalize the EDA grant application to extend utility service west of town towards Plum. 08-5-19 All support materials have been submitted and we are currently awaiting grant approval. 09-03-19 Project has been submitted to by the Regional EDA office to EDA office in DC for final consideration. We should be notified of final approval by the end of September or early October. 11-06-19 Project has been approved for funding in the amount of $1.8 million by the EDA. Engineering should begin in January of 2020, with project going out for bid in November of 2020, and with construction to begin in early 2021.

Streets

Street Paving 2019-20
11-18-19 Staff is working on going out for bid for the FY 2019-20 seal coat project. Staff will present to council for approval at the January 27th meeting.

TX DOT Signal Replacement
11-18-19 TX DOT is working on the replacement of the traffic signals at the intersections of Travis and Main, Travis and Jefferson and Jefferson and Colorado Streets. The survey work for the project is completed but the actual upgrade of the signals is not projected until 2022.
Administration

CDBG 2019
03-15-19 The 2019 grant application was submitted on March 13th. 09-03-19 Project was not approved for funding. Staff will resubmit project in the 2020 Application cycle.

Community Wayfinding Signage Project
11-07-18 Request for Qualifications for the Wayfinding design project are due November 9th. 1-15-19 Studio16:19 out of Round Rock has been selected to provide Wayfinding Services. 5-30-19 Project is currently under development. 09-03-19 Contractor is working with TxDOT at this time. 11-18-19 Staff will review the project with council at the December 9th meeting.

Siren Warning System
5-30-19 Staff is working with Goddard Enterprises to review and develop an outdoor emergency notification system for the community. 09-05-19 Staff will reach out to Goddard Enterprises for a project update. 11-20-19 Goddard is working on a basic system design and staff will review with council in January.

Park Improvements
Boat Ramp Repairs
06-15-17 TxDOT has started work on erosion improvements on the drainage channel adjacent to the Business 71 River Bridge. The new bridge over the Colorado River is now not anticipated to start until 2020. 02-7-18 After the completion of the new bridge work will begin in 2022 on the rehab of the current bridge according to TxDOT. 11-18-19 Project is still on the September 2020 letting schedule.

White Rock Park - Restroom
1-15-19 Install new restroom at White Rock Park. We have started the process to site and design new restroom facility at the park. Staff has had an initial meeting with Cutright to define scope of the project. Restroom project should be completed by spring of 2020. 03-25-19 Staff will review the restroom project with council at the April 8th meeting. 5-30-19 Cutright and Allen are currently working on plans for the restroom and we anticipate going out for bid in August. 09-03-19 Bid has been awarded to JB Locke Construction in the amount of $282,100 with a 150 day construction schedule. 11-06-19 Project is under construction.

White Rock Park – Ka Boom Adventure Course
9-3-19 The New Adventure Course at White Rock Park has been selected for funding by KaBoom and Rebuild Texas. The community build day for
the project is December 7th. 11-06-19 Staff and community members are actively planning the build day.

**White Rock Park – LCRA Projects**
9-3-19 LCRA is in the planning process to repair the damages to the park by Hurricane Harvey. The repairs will include the canoe launch, pedestrian sidewalk to the river and possible repair to fishing pier if approved by FEMA. Construction is planned for the Fall of 2019. 11-18-19 No update from LCRA regarding project.

**Library Park**
11-18-19 The La Grange Noon Lions Club received a grant from LCRA to construct a shade structure over the playscape at the Library Park. Staff is working to coordinate and assist in the design of the park improvements. Project should be completed by June of 2020.

**LCRA Steps Forward - 2020**
11-20-19 We are once again submitting a project to the LCRA Steps Forward Project on April 3rd. We are in the process of finalizing the project that we will submit to LCRA for consideration. The submission deadline is December 6th.

**Facility Improvements**

**City Hall Remodel**
04-04-16 Council authorized staff to begin the process to identify and formulate a plan to make functional improvements to City Hall. Staff has made contact with Cutright and Allen to assist in this process. 09-20-16 Staff has been in contact with Mr. Cutright and work will not begin on this project until after the first of the year due to his current workload. 02-10-17 Mr. Cutright and have spoken and are now scheduled to meet in early March to review the project. 04-07-17 Meeting has been set for April 12th with Mr. Cutright. 06-19-17 Initial meeting with architect has been held and now will begin the process to look at alternatives that meet the needs of the community. 11-20-17 Staff met with Mr. Cutright and staff to review the initial options for the expansion and remodel of city hall. Next review with architect is set for January 4, 2018. 02-17-18 Staff will present the design ideas to council at the Feb 26th council meeting. 03-29-18 Staff continues to review the plan and will present to council in late May. 05-30-18 Staff will give an initial review of the renovation project as part of the June 11th City Council Meeting. 08-22-18 The design of the project is included in the FY 2018-19 Budget. 11-7-18 The architect has provided additional exterior views of the building that staff will present to council in December. 3-25-19 Staff is working on options to fund the remodel. 11-18-19 Staff will propose additional options for discussion at the December council meeting.
Fair Pavilion – Restrooms
09-06-19 Staff is working with the Texas Women’s League and the Czech Center on developing plans to upgrade the restroom facilities at the Fair Pavilion. The project is in the preliminary stage and staff will bring to council once the project is more clearly defined. 11-06-19 We have received a preliminary design from Cutright and Prihoda on the restroom addition.

Police Station

Fiber Connection – City Facilities
02-20-19 Colorado Valley has fiber to the Library and we are also completing the fiber connection to the Police Station. 11-18-19 Colorado Valley has fiber service to the Tejas facility and we are once again working to complete this project. Once completed we will link the Police Department phone and computer network to City Hall.

Recovery Projects

CDBG-DR Allocation
3-25-19 The deadline has now been extended until August 30th. 6-5-19 Working with Fayette County to finalize an Interlocal Agreement that will allow for the submission of the application. 08-6-19 The agreement will be considered by council on August 12th. 09-05-19 Application has been submitted for consideration. Once administratively design of the water line project should begin within 6 months and construction within 24 months. 11-20-19 The County has received and signed the Buyout contract with the GLO in the amount of $8,913,617.62.

La Grange Area Disaster Recovery Team
2-20-19 The preliminary plat was approved by council. The final plat will be presented to council by April 30th for consideration. 5-30-19 The Plat has been approved and staff is working with the developer on issuance of a construction permit. 08-5-19 City is currently in the process considering the request for annexation. 09-03-19 The council declined to annex the Hope Hill addition.

FEMA Reimbursement
08-21-18 Total reimbursement to date is $283,223 for CAT A and CAT B. 11-7-18 Total FEMA reimbursement to date is $369,536. We currently have outstanding reimbursement for CAT-Z Direct Admin costs which has not been determined and CAT-F Utilities in the amount of $84,203. 1-15-19 The only outstanding reimbursement is for CAT-Z Direct Admin costs and the PW is currently under development. 2-19-19 We had the closeout meeting with FEMA. The city has closed out all projects with FEMA and now is working directly with the State contractor Cohn Reznick.
MEMORANDUM

TO: Mayor and City Council

FROM: Shawn Raborn, City Manager

DATE: November 21, 2019

SUBJECT: Discuss platting process

Mr. Ken Dernehl has requested to appear before council to discuss Chapter 10, Code of Ordinances regarding platting. I requested that he be more specific so that I could provide council with additional information regarding platting but he did not clarify his request. I have attached the section of the Code regarding platting.

Staff would recommend that the subdivision platting process issue be referred to the General Services Committee for additional review.

Attachment:

1. Code of Ordinances, Chapter 10, Section 10.02, Preliminary Plat
2. Code of Ordinances, Chapter 10, Section 10.03, Final Plat


ARTICLE 10.02 PRELIMINARY PLAT

Sec. 10.02.001 Filing; review

Five (5) prints of a preliminary plat of any proposed subdivision shall be submitted to the city secretary for review by the city manager and transmission to the city council for their approval before the preparation of the final plat for record. Such plat must be filed in the office of the city secretary at least five (5) days prior to the meeting at which approval is asked. (1987 Code, sec. 20-56)


Sec. 10.02.002 Contents

The preliminary plat shall show, contain or be accompanied by the following information:

(1) The names of the owner and/or subdivider, the registered engineer, or the licensed state land surveyor responsible for the survey or design of the plat shall be shown.

(2) The proposed name of the subdivision, which shall not be so similar to that of an existing subdivision as to cause confusion, and names of adjacent subdivisions shall be shown.

(3) The location of boundary lines and the width and location of platted streets and alleys within or adjacent to the property for a distance of five hundred (500) feet shall be shown. Physical features of the property, including location of watercourses, ravines, bridges, culverts, present structures and other features pertinent to the subdivision shall be shown. The location of any existing utilities with size of sewer and water mains shall be shown. The outline of wooded areas and the location of important individual trees is required. For plats exceeding three (3) acres in gross area, contours must be shown at the intervals of two (2) feet. All elevations shown shall be referred to city datum. The acreage of the property is to be indicated.

(4) The location and width of the proposed streets, roads, lots, alleys and other features, and their location in relation to platted streets and alleys in adjacent subdivisions shall be shown. If there are no adjacent subdivisions, then a map, which may be made on a smaller scale, must be presented showing the outline and ownership of adjacent properties, location and distance to the nearest subdivision, and how the streets, alleys or highways in the subdivision offered for record may connect with those in the nearest subdivisions. Proposed streets shall not be shown over lands of adjacent owners unless written agreements covering this condition are prepared with the plat.

(5) A statement as to the type and width of grading pavements or surfacing proposed by the developer, shall be placed on the plat over the developer’s signature, and such proposed improvements shall receive written approval of the city council before any actual construction work is performed. The developer shall arrange with the appropriate utility department for the payment, and refund of all construction costs of
each utility involved, and all such arrangements with a department of the city shall be in writing and subject to the approval of the city council.

(6) A designation shall be shown of the proposed uses of land within the subdivision; that is, the type of residential use, location of business or individual sites, and sites for churches, schools, parks or other uses.

(7) A north arrow, scale and date shall be shown.

(1987 Code, sec. 20-57)

Sec. 10.02.003 Scale
The preliminary plat shall be drawn to a scale of one hundred (100) feet to one (1) inch. (1987 Code, sec. 20-58)

Sec. 10.02.004 Certificates
The following certificates shall be placed on the preliminary plat:

"Revised for preliminary approval:

City Manager Date

"Approved for preparation of final plat

Mayor, City of La Grange Date"

(1987 Code, sec. 20-59)

Sec. 10.02.005 Approval
After the preliminary approval of the city manager, such preliminary plat shall be submitted to the city council for its tentative approval. The city council shall carefully examine the preliminary plat and all supporting data required to be submitted with such preliminary plat, and if found to be satisfactory, the city council shall give its tentative approval of the preliminary plat. The tentative approval of the preliminary plat by the city council does not constitute acceptance of the subdivision, but is merely an authorization to proceed with the preparation of the final plat. (1987 Code, sec. 20-60)

Sec. 10.02.006 Fees
(a) The following schedule of fees and charges shall be collected by the city secretary, when any preliminary plat is tendered to the city. Each of the fees and charges provided for in this section shall be paid in advance, and no action of the planning and zoning board or of the city shall be valid until the fee shall have been paid to the city secretary:

(1) Preliminary plats, five dollars ($5.00) per plat, plus fifty cents ($0.50) per lot.
(2) For approval of multiple dwelling areas not subdivided into lots, the preliminary plat shall carry a fee of two dollars ($2.00) per area, each.

(b) A certificate shall be made by the proper officers showing that the fees provided for in this section have been paid prior to the submission of any preliminary plat or final plat to the city council, and no approval shall be valid until the fee has been paid.

(1987 Code, sec. 20-61)

ARTICLE 10.03 FINAL PLAT

Sec. 10.03.001 Filing; review

After the preliminary plat has been tentatively approved by the city council, a final plat in the form of a record plat shall be prepared and submitted to the city secretary for review by the city manager and transmission to the city council. Five (5) prints of such plat shall be filed in the office of the city secretary at least ten (10) days prior to the meeting at which approval is asked. (1987 Code, sec. 20-76)


Sec. 10.03.002 Scale

The final plat of any subdivision shall be drawn to a scale of one hundred (100) feet to one (1) inch. (1987 Code, sec. 20-77)

Sec. 10.03.003 Contents

The final plat shall show, contain or be accompanied by the following information:

(1) The names of the owner and/or subdivider and of the licensed state land surveyor, or registered engineer responsible for that plat shall be shown.

(2) The name of the subdivision and adjacent subdivisions, the names of streets, to conform whenever possible to existing street names, and numbers of lots and blocks, in accordance with a systematic arrangement shall be shown. In case of branching streets, other lines of departure shall be indicated.

(3) There shall be an accurate boundary survey of the property, with bearings and distance referenced to survey lines and established subdivisions, and showing the lines of all adjacent lands and the lines of adjacent streets and alleys, with their width and names. Street, alley and lot lines in adjacent subdivisions shall be shown in dashed lines. This survey shall have a closure error of not more than one (1) foot in five thousand (5,000) feet.

(4) Location of proposed lots, streets, public highways, alleys, parks and other features, with accurate dimensions in feet and decimal fractions of feet, with the length of radii and arcs of all curves, all angles, with all other engineering information necessary to reproduce the plat on the ground shall be shown. Dimensions shall be shown from all angle points. Contours, with an interval of one (1) or two (2) feet as governed by the topography, shall be shown as light, dashed lines. All elevations shown shall be referred to the city datum. The contours may be shown on a separate sheet if
so desired but the drawing shall be to the same scale as the plat.

(5) The location of building lines on front and side streets, and the location of utility easements shall be shown.

(6) A north arrow, scale and date shall be shown.

(7) When more than one (1) sheet is used for a plat, a key map, showing the entire subdivision at smaller scale with block numbers and street names, shall be shown on a separate sheet of the same size.

(8) The final plat shall contain an instrument of dedication signed and acknowledged by the owner or others and by all other parties who have a mortgage or lien interest in the property, showing all restrictions, reservations, and/or easements, if any, to be imposed and reserved in connection with the addition. Such restrictions shall contain the following provisions, along with any other restrictions which may be imposed:

No house or dwelling unit shall be constructed on any lot in this addition by the owner or any other person until:

(A) Such time as the developer and/or owner has complied with all requirements of this chapter regarding improvements with respect to the entire block on the street on which the property abuts, a corner lot shall be regarded as abutting on both intersection streets adjacent to such lot, including the actual installation of streets with the required base and paving, curb and gutter, drainage structures, and storm sewers and alleys, and water and sewer lines all according to the specifications of the city manager; or

(B) An escrow deposit, sufficient to pay for the cost of such improvement as determined by the city manager computed on a private commercial rate basis, has been made with the city secretary accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the city be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done;

(C) The developer and/or owner files a corporate surety bond with the city secretary in the sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond which time shall be fixed by the city manager. These restrictions with respect to improvements are made to ensure the installation of such improvements and to give notice to each prospective owner and to each prospective owner of lots in this subdivision that no house can be constructed on any lot in this subdivision until the improvements are actually made or provided for on the entire block on the street on which the property abuts as described in this section.
(9) A certificate of dedication of all streets, public highways, alleys, parks and other land intended for public use, signed by the owner and by all other parties who have a mortgage or lien interest in the property shall accompany the plot. All deed restrictions that are to be filed with the plat, shall be shown or filed separately.

(10) An indemnity against any claim for damages against the city occasioned by the establishment of grades or the alteration of the surface of any portion of existing streets and alleys to conform to the grades established in the subdivision shall be shown.

(11) A receipt showing that all taxes against the property are paid shall be shown.

(12) Certification by a registered engineer or a state licensed land surveyor to the effect that the plan represents a survey made by him, and that all the necessary survey monuments are correctly shown thereon. The following certificates shall be placed on the plat, in a manner that will allow the filling in thereof by the proper party:

"Recommended for final approval:

City manager
Date"

(13) Typical cross-section shall be shown of the type and width of paving proposed for the streets. Curb and gutters, pavement types and drainage structure design standards of the city in effect at the time of submission of the plat shall be used, subject to the approval of the city manager and city council.

(14) The following certificates shall be placed on the plat in a manner that will allow the filling in thereof by the proper party.

"Recommended for final approval:

City manager
Date"

"Approved:

Mayor, City of La Grange
Date"

(1987 Code, sec. 20-78)