



REGULAR CITY COUNCIL MEETING

City Hall Council Chambers, 298 West Washington Street
Tuesday, April 06, 2021 at 5:30 PM

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE TO THE UNITED STATES AND TEXAS FLAGS

INVOCATION

Ed Dittfurth, Cornerstone Assembly

CITIZENS GENERAL DISCUSSION

REGULAR AGENDA

1. Presentation of Proclamation for "National Therapy Animal Day"
2. Presentation of Proclamation in Recognition of "Stop the Silence"
3. Oncor Ad Hoc Committee Report - Ricky Thurman, Chair

PLANNING AND ZONING COMMISSION

Steve Killen, Director of Development Services

4. PUBLIC HEARING

Case No.: RZ2021-001

Applicant is Requesting a Rezone of the Property Located at 751 Miller, Parcel No. R32531, being Lot 9B, Block 2, Miller Addition, to the City of Stephenville, Erath County, Texas, from Neighborhood Business District (B-1) to Central Business District (B-3)

5. Consider Approval of an Ordinance Rezoning the Property Located at 751 Miller, Parcel No. R32531, being Lot 9B, Block 2, Miller Addition, to the City of Stephenville, Erath County, Texas, from Neighborhood Business District (B-1) to Central Business District (B-3)

6. PUBLIC HEARING

Case No.: RZ2021-002

Applicant is Requesting a Rezone of the Property Located at 751 Miller, Parcel No. R32529, being Lot 8, Block 2, Miller Addition, of the City of Stephenville, Erath County, Texas, from Neighborhood Business District (B-1) to Central Business District (B-3)

7. Consider Approval of an Ordinance Rezoning the Property Located at 751 Miller, Parcel No. R32529, being Lot 8, Block 2, Miller Addition, of the City of Stephenville, Erath County, Texas, from Neighborhood Business District (B-1) to Central Business District (B-3)

8. PUBLIC HEARING

Case No.: RZ2021-003

Applicant is Requesting a Rezone of the Property Located at 1290 Hyman, Parcel No. R33798, being Lots 4, 4A, and 4C, Block 35, South Side Addition, of the City of Stephenville, Erath County, Texas, from Single-Family Residential District (R-1) to Multiple Family Residential District (R-3)

9. Consider Approval of an Ordinance Rezoning the Property Located at 1290 Hyman, Parcel No. R33798, being Lots 4, 4A, and 4C, Block 35, South Side Addition, of the City of Stephenville, Erath County, Texas, from Single-Family Residential District (R-1) to Multiple Family Residential District (R-3)

10. PUBLIC HEARING

Case No.: RZ2021-004

Applicant is Requesting a Rezone of the Property Located at 1270 Hyman, Parcel No. R33799, being Lot 5, Block 35, South Side Addition, to the City of Stephenville, Erath County, Texas, from (R-1) Single-Family Residential District (R-1) to Multiple Family Residential District (R-3)

11. Consider Approval of an Ordinance Rezoning the Property Located at 1270 Hyman, Parcel No. R33799, being Lot 5, Block 35, South Side Addition, to the City of Stephenville, Erath County, Texas, from (R-1) Single-Family Residential District (R-1) to Multiple Family Residential District (R-3)

12. PUBLIC HEARING

Case No.: RZ2021-005

Applicant is Requesting a Rezone of the Property Located at 820 Alexander, Parcel No. R33804, being Lot 7B, Block 35, South Side Addition, of the City of Stephenville, Erath County, Texas, from Single-Family Residential District (R-1) to Multiple Family Residential District (R-3)

13. Consider Approval of an Ordinance Rezoning the Property Located at 820 Alexander, Parcel No. R33804, being Lot 7B, Block 35, South Side Addition, of the City of Stephenville, Erath County, Texas, from Single-Family Residential District (R-1) to Multiple Family Residential District (R-3)

14. PUBLIC HEARING

Case No.: SC2021-001

Abandonment of the 800 Blk. of N. Lillian Avenue

15. Consider Approval of an Ordinance Abandoning the 800 Blk. of N. Lillian Avenue and Authorizing the Sale of Same

16. PUBLIC HEARING

Case No.: SC2021-002

Abandonment of an Undeveloped Portion of Shirley Street Located between Paddock Street and the Ft. Worth and Western Railroad

17. Consider Approval of the Abandonment of an Undeveloped Portion of Shirley Street Located between Paddock Street and the Ft. Worth and Western Railroad and Authorizing the Sale of Same

18. PUBLIC HEARING

Case No.: SV2021-001

Applicant is Requesting a Waiver from the City of Stephenville Code of Ordinances, *Section 155.6.11 – Sidewalks*, along County Road 257 / Peach Orchard Road, Parcel No. R23789, being Lot 2, Block 1, Excels Addition of the City of Stephenville, Erath County, Texas

19. Consider Approval of a Waiver from the City of Stephenville Code of Ordinances, *Section 155.6.11 – Sidewalks*, along County Road 257 / Peach Orchard Road, Parcel No. R23789, being Lot 2, Block 1, Excels Addition of the City of Stephenville, Erath County, Texas

20. PUBLIC HEARING

Case No.: SV2021-002

Applicant is Requesting a Waiver from the City of Stephenville Code of Ordinances, *Section 155.6.04.M.1 – Curb and Gutter Options*, along County Road 257 / Peach Orchard Road, located at Parcel No. R23789, Lot 2, Block 1, Excels Addition of the City of Stephenville, Erath County, Texas

- 21. Consider Approval of a Waiver from the City of Stephenville Code of Ordinances, *Section 155.6.04.M.1 – Curb and Gutter Options*, along County Road 257 / Peach Orchard Road, located at Parcel No. R23789, Lot 2, Block 1, Excels Addition of the City of Stephenville, Erath County, Texas

22. PUBLIC HEARING

Case No.: SV2021-003

Applicant is Requesting a Waiver from the City of Stephenville Code of Ordinances, *Section 155.6.04.M.1 – Curb and Gutter Options*, along S US Highway 377, located at Parcel No. R23789, Lot 2, Block 1, Excels Addition of the City of Stephenville, Erath County, Texas

- 23. Consider Approval of a Waiver from the City of Stephenville Code of Ordinances, *Section 155.6.04.M.1 – Curb and Gutter Options*, along S US Highway 377, located at Parcel No. R23789, Lot 2, Block 1, Excels Addition of the City of Stephenville, Erath County, Texas

NOMINATIONS COMMITTEE

Gerald Cook, Chair

- 24. Committee Report - April 6, 2021
- 25. Consider Approval of an Ordinance Creating the Main Street Advisory Board and Other Matters Related Thereto

PARKS AND LEISURE SERVICES COMMITTEE

Nick Robinson, Chair

- 26. Committee Report - March 16, 2021
- 27. Consider Approval of a Resolution Authorizing a Financing Agreement with Government Capital Corporation for the Purpose of Financing Mowers and Related Equipment

PUBLIC WORKS COMMITTEE

Alan Nix, Chair

- 28. Committee Report - March 30, 2021
- 29. Consider Approval of a Professional Services Agreement with Provenance Engineering for 536 Well Field Development

FINANCE COMMITTEE

Mark McClinton, Chair

- 30. Committee Report - March 16, 2021
- 31. Consider Authorization for Staff to Proceed with the Process of Creating Tax Increment Reinvestment Zone No. 1C

FINANCIAL REPORTS

- 32. Monthly Budget Review for the Period Ending February 28, 2021

STEPHENVILLE ECONOMIC DEVELOPMENT AUTHORITY

Jeff Sandford, Executive Director

CONSENT

- [33.](#) Approval of Minutes - March 2, 2021 Regular City Council Meeting
- [34.](#) Approval of Minutes - March 8, 2021 Special City Council Meeting
- [35.](#) Approval of Minutes - March 16, 2021 Employee Benefits Trust and Special City Council Meeting
- [36.](#) Approval of a Resolution Authorizing Membership in the Oncor Cities Steering Committee
- [37.](#) Approval of 2021 Annual Chip Seal Bid Award
- [38.](#) Approval of Annual Micro-Surface Bid Award
- [39.](#) Approval of a Resolution Authorizing Application for a Downtown Revitalization Program - Main Street Grant
- [40.](#) Approval of a Resolution Adopting the 2021 Erath County Hazard Mitigation Action Plan

COMMENTS BY CITY MANAGER

Monday, April 19, 10:00 a.m. - City Council Work Session

Tuesday, April 20, 5:30 p.m. - Special City Council Meeting and Council Committee Meetings

Tuesday, May 4, 5:30 p.m. - Regular City Council Meeting

Town Hall Meetings for May 1, 2021 Bond Election

Thursday, April 8, 6:00 p.m. @ City Hall (will be live streamed)

Tuesday, April 13, 6:00 p.m. @ Ranger College

Monday, April 19, 6:00 p.m. @ City Hall (will be live streamed)

Monday, April 26, 6:00 p.m. @ Ranger College

Facility Open House Events

Monday, April 12, 6-8 p.m. - Recreation Hall

Thursday, April 15, 6-8 p.m. - Senior Citizens Center

Thursday, April 22, 6-8 p.m. - Stephenville Public Library

Early Voting for the May 1, 2021 Election

April 19-23, 8 am - 5 pm

April 26-27, 7 am - 7 pm

Election Day

Saturday, May 1, 2021, 7 am - 7 pm

COMMENTS BY COUNCIL MEMBERS

EXECUTIVE SESSION

- 41. Section 551.087 Deliberation Regarding Economic Development Negotiations** - Project Bronze Statue
- 42. Section 551.074. Personnel Matters** - to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee:
 - 1. Assistant Director of Public Works
 - 2. Planner
- 43. Section 551.072 Deliberation Regarding Real Property** - to deliberate the purchase, exchange, lease, or value of real property.

ACTION TAKEN ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF NECESSARY

ADJOURN

Note: The Stephenville City Council may convene into Executive Session on any matter related to any of the above agenda items for a purpose, such closed session allowed under Chapter 551, Texas Government Code.

Notice is hereby given that members of the Stephenville City Council may participate in this meeting via teleconference or videoconference as allowed by Governor's Order due to the COVID-19 pandemic. As allowed by this Order, a quorum may not be present in a physical location.

Pursuant to Section 418.108(g) of the Texas Government Code, a Declaration of Local Disaster issued on April 22, 2020, and in the interest of public health, the city has exercised its right to limit ingress and egress in public buildings. As such, the public will be allowed into city facilities to attend the meeting on a limited basis.

Those wishing to address the Stephenville City Council may do so in person. Written correspondence may also be mailed to City Hall or emailed to Staci King, City Secretary, at slking@stephenvilletx.gov. Written correspondence must be received by 3:00 p.m. on April 6, 2021. For alternate arrangements, please contact Ms. King at least 48 hours prior to the meeting.

The meeting is available for viewing via livestream on the City's Facebook Page (City of Stephenville – City Hall).

In accordance with the Americans with Disabilities Act, persons who need accommodation to attend or participate in this meeting should contact City Hall at 254-918-1287 within 48 hours prior to the meeting to request such assistance.

SUMMARY REPORT – AD-HOC COMMITTEE ON ONCOR’S RESPONSE TO FEBRUARY 2021 FREEZE/POWER OUTAGE EVENT IN CITY OF STEPHENVILLE

-On February 18, 2021 Mayor Svien appointed an ad-hoc committee of council members and community members to address Oncor’s response in the City of Stephenville and prepare a summary report to be provided to the Governor’s Office.

- The appointed committee members were Ricky Thurman (chair), Justin Haschke (council), Alan Nix (council), Chuck Elliott (City of Stephenville Asst. Fire Chief and citizen), Matt Welch (Tarleton State University Chief of Police and citizen), Richard Petronis (municipal judge and citizen), Donald Jones (retired district judge and citizen), Doug Svien, adjunct member.

-The committee participated in a zoom call with Oncor Area Manager, Pat Ann Wilson on February 18, 2021. Ms. Wilson took questions from the committee members with a promise to research the questions and provide answers. The committee chair provided an email follow-up to Ms. Wilson with a list of questions asked during the zoom meeting.

- Specific topics covered were:

- Oncor’s inability to implement rolling outages, leaving citizens without power for up to 84 hours.
- ERCOT’s load shed requests to Oncor as compared to other distributors
- Reporting systems and communication our citizens and emergency management personnel depended on during the outages
- Proper identification of the city’s critical infrastructure
- Perpetual extended outages occurring in the Legends neighborhood
- Extended outages in the 5th/6th street and downtown areas
- Any other areas identified as needing infrastructure upgrades.

- The committee chair received Oncor’s official response to the questions on March 14, 2021, and the committee chair presented follow-up questions to Ms. Wilson on March 19, 2021. Oncor’s official responses to additional questions was received March 26, 2021.

- Complete questions posed by the committee and Oncor’s official responses are attached to this report.

In Summary...

- Oncor maintains ERCOT’s load shed requirements prevented them from implementing rolling outages.
- Oncor was not requested by ERCOT to shed a disproportionate share of their load.
- The number of Oncor’s feeders available to rotate prevented them from being able to effectively rotate and maintain a balanced rotation of the load.
- Oncor’s communication systems became overwhelmed.
- Oncor will work with city staff to accurately label critical infrastructure to prevent inadvertent system shut downs that were experience in the 2021 freeze event. Since receipt of the answers, Oncor has been in contact with city management on this matter.

- Despite reports from linemen on the ground, Oncor maintains there is not and was not an infrastructure problem that was discovered during the extended outages in the Legends area during the 2018 ice storm, requested to be upgraded by local Oncor staff but not funded by the corporation. However, Oncor is expediting an upgrade to the infrastructure in that area to be completed prior to summer 2021.
- Despite the grossly inaccurate reporting of outage status and expected restoration time for a number of local Oncor customers, Oncor maintains their reporting system is largely accurate
- Oncor states there are no other areas in Stephenville which extended outages were caused by infrastructure issues.
- Oncor failed to address extended outages related to the 5th/6th area, which were reported to city staff and mentioned in both the initial questions and follow-up questions.

QUESTIONS POSED TO ONCOR AREA MANAGER PAT ANN WILSON DURING FEBRUARY 18, 2021 ZOOM CALL AND RESPONSES PROVIDED MARCH 14, 2021

- You mentioned that Oncor was unable to implement rolling outages because the amount of load ERCOT requested Oncor to shed made it impossible to accommodate on a rolling basis.

For the first hour of the load shed event on 2/15/21 Oncor had no issues maintaining 15-30 minute rotations. As ERCOT requested additional significant blocks of load the number of feeders required to be de-energized grew and as a result more feeders were off for longer periods of time before the rotation came back to them.

As feeders that were out for longer periods of time were rotated on, the load (primarily heating) from customer equipment drew larger sustained peaks due to cold load. In order to compensate, more feeders had to be de-energized to maintain the rotation and comply with the ERCOT instructed load shed amounts. Through this load shed event, a number of feeders with critical public impacting infrastructure or generation support were brought to Oncor's attention and were actively removed from the rotational list.

This cold load effect, growing ERCOT load shed requirements, and the inclusion of additional feeders on the non-rotation list compounded to a position where some areas of Oncor's territory were unable to effectively maintain a rotation until ERCOT directed Oncor to add additional load back to the system. Once additional load was permitted Oncor was able to more effectively maintain load rotation system wide.

- Did ERCOT request a disproportionate load be shed by Oncor vs. other distributors?

No. Load shed obligations are governed by section 4.5.3.4 of the ERCOT Nodal Operating Guides which allocate load shed obligations based on the previous year's Transmission Service Provider peak loads. Oncor's percentage allocation at the time of the event was 36.01%.

- Why were other distributors able to handle the rolling outages if the request was proportionate to the size and market share your system holds?

Oncor cannot speak to the practices or capabilities of other Transmission/ Distribution Service Providers but it should be recognized that there are many variables that effect each customer's individual experience.

Oncor strives to maintain a duration of 15-30 minutes for all feeders identified for rotation during a load shed event. As ERCOT requests for additional load to be removed from the system the number of feeders that must be removed to meet this requirement increases. This results in a longer "off" time for customers.

In an extended or deep rotation such as the event experienced on 2/15/21 – 2/17/21, the number of feeders available to rotate are significantly reduced. This is due to a combination of load balancing through rotation (de-energizing the same load as Oncor is energizing) and ERCOT load shed requirements. At the deepest levels of load shed some

of Oncor's territories may be unable to effectively maintain a rotation until ERCOT directed Oncor to add additional load back to the system. Once additional load was permitted Oncor was able to more effectively maintain load rotation system wide.

- The reporting system used to notify consumers of repairs sent members of our community notifications that power had been restored to their residence at a period of time in the future. After our call, I received a report from someone who was out but received a notice that they had been restored. When they attempted to report the outage again, the system said they are in a known outage area. This causes trouble for residents who have been forced to stay elsewhere, sometimes out of town, when they return to find the notification was inaccurate.
 - What is being done to improve the notification system in order to keep residents off of dangerous roads for unnecessary trips to their home?

Given the significant amount of calls being received during the first few days of the event, the channels to report outages experienced intermittent issues. Although we quickly worked with our carrier providers to increase the availability of the platforms for each of the reporting channels, during the peak time of power outages, (1) AT&T's systems were unable to support the large increase in volume of calls, which caused some Oncor customer calls to fail to connect or drop; and (2) our SMS/text delivery vendor's systems were only able to process a fraction of the increased volume of inbound and outbound text and web communications on February 15, 2021 (Storm day 1). For future instances, Oncor will work with message delivery partners, outage reporting partners and AT&T to perform additional stress testing and to the fullest extent possible increase bandwidth.

- How do we make sure our city's critical infrastructure does not get dumped on the next blackout? (i.e. the pump station that was offline for hours and put our citizens within 2 hours of losing water service and fire protection)
 - What can be done to ensure these systems are accurately labeled in the future to prevent what so many other cities have also faced with their water/sewer systems going offline?

We know that a significant number of water facilities and other critical infrastructure were affected by the severe weather combined with the load shed event. As soon as these were escalated to us, we responded as quickly as we could while still complying with load shed requirements. We will be working with these communities in the coming months to understand what occurred and how we can do work together to better mitigate these issues if at all possible during future events.

I want to be sure I have all critical infrastructure identified, and will be working with Mr. Barnes and staff to achieve that.

- Research request following 2018 ice storm by local Oncor crews for upgrades to the Legends golf course area and why that request was not granted.

While the current management was not in place in 2018 and cannot provide definitive answers as to those workers' or supervisors' subjective intent, we can say that Oncor's conductors are and were properly sized to meet anticipated load and weather condition. In restoring power, under these unprecedented circumstances, our crews would have used an abundance of caution to be sure that as load was restored and heating units and other appliances began cycling on due to record low temperatures that our system would not become dangerously overloaded. While there may have been quicker ways to restore power, those could have resulted in damage to the electrical system that would have required much more time in labor and sourcing replacement equipment.

- What is realistic time frame and cost to make necessary upgrades to this neighborhood that will solve this perpetual problem?

Upgrades to the feed at the Legends Golf Course area are being expedited and plan to be completed before summer begins. Oncor will not provide the cost to make the upgrades as this is not something that the city or any customer would be responsible to pay for.

- At the time of our call, ERCOT showed 0 outages with UCS, 0 outages with TNMP and 638 Outages with Oncor for Erath County (as of 3:15:13 PM). Your response was that information was inaccurate because the area with remaining outages in Stephenville was all on one ticket, so the numbers provided to ERCOT were not updating. However, by 6:15:47 pm the report had in fact updated to show 619 outages. Although the difference in the numbers shows that the system actually was updating, it was still grossly inaccurate. Screen shots of both reports are attached for your reference.
 - How can our emergency management team accurately monitor the situation without accurate information being fed to them?

Oncor relies on the same information and have found it largely accurate. In some rare occasions our software may mis-predict what customers are affected by the damaged facilities. This can occur when communication equipment is down limiting our ability to communicate with meters or when equipment in the field was installed or changed without the required updates in our electronic maps being updated yet. There is usually a delay between construction and as-built updates. Again, this only occurs on a very small percent of our reported outage events.

- Do you have another alternative for real time monitoring that will help our emergency management staff better understand the situation our citizens are living with?

Not at this time. Over the next few months, we will be meeting with city leaders, emergency personnel, first responders, and business leaders across our service territory for an extensive conversation about lessons learned and how we can improve our service and communication to the community after this event.

Oncor primarily relied on media releases and our existing social media channels to share updates with customers, beginning with ERCOT's initial call for conservation on February 14th. A regular cadence of releases (10 total) and social postings (187 total) were shared throughout the week, primarily emphasizing the

continued lack of generation, resulting inability to perform rotating outages as expected, ongoing winter weather impacts and commitment to powering customers back on as soon as conditions allowed.

We fully recognize there are opportunities to improve how we communicate with our customers. As an example, Oncor phone lines and reporting systems experienced a record influx of inquiries as a result of the emergency, which prevented some customers from getting into contact with Oncor staff in a timely manner. To put it into context, Oncor received more calls from customers on February 14th and 15th than in all of 2020.

Oncor will work with its providers to perform additional stress testing and, to the fullest extent possible, increase communication channel bandwidth. Oncor will utilize the messaging platforms to send more frequent notifications and updates about the status of the event, as well as the work being performed and estimated times for areas to have power restored.

- Please identify any other areas of Stephenville with known infrastructure issues that contributed to extended blackout periods for your customers and our citizens, (Example: 5th/6th street area) and how those areas will be addressed in addition to the Legends Golf Country neighborhood.

There were no other areas in Stephenville that Infrastructure issues caused extended blackouts.

FOLLOW-UP QUESTIONS POSED TO ONCOR AREA MANAGER PAT ANN WILSON MARCH 19, 2021 AND RESPONSES PROVIDED MARCH 26, 2021

- Re: Oncor's inability to maintain rolling outages
 - Your answer indicated that once ERCOT allowed additional load to come back on, Oncor was able to resume rotational outages in some areas. To date, in personal conversations, we have not been able to identify a Stephenville resident who experienced recurring rotational outages. People either never went off, or they went off and stayed off for many hours or days. Maybe we just haven't found the right people to ask. **If you can identify an area of Stephenville that you are certain experienced recurrent rotational outages, please do so.**

Oncor's Response:

Our records indicate that there are about 10 feeders that serve different parts of Stephenville and its surrounding areas. Those feeders represent approximately 11,000 residential premises. Of those 10 feeders, four were subject to the load shed events. All 10 feeders had other outages not related to the load shed events. Those outages were instead related to the effects of the winter storm, such as open switches, blown fuses, and overloaded transformers. As previously explained, because ERCOT made multiple requests for load shedding and additional feeders were removed from the rotation to

provide power to critical public-impacting infrastructure and generation support, it was not possible for Oncor to rotate outages in some areas.

- Re: 2018 Legends upgrade request
 - You indicated that the “conductors were and are properly sized for the anticipated load”
 - The following answer, you indicated “upgrades to the feed coming in to Legends are being expedited”.
 - While an expedited solution to this perpetual issue is overdue and appreciated, it is worth pointing out that your answers are contradictory. When there is a question about a specific issue or area, the answer does not match the corporate message. **If Legends conductors "were and are properly sized for the anticipated load", why are "upgrades to the feed coming in to Legends being expedited"?**

Oncor's Response:

Oncor's previous answers were not contradictory. The conductor in the feeders that serve the Legends Golf course area are sized in accordance with Oncor's technical specifications are appropriate to serve the load in that area. The upgrade scheduled to be performed in the area is intended to prepare the system for future growth and to provide additional switching capabilities to enhance the reliability of the system.

- While it is understood Oncor is a privately held corporation, the company's unwillingness to share the cost of the upgrade highlights the lack of transparency of the organization that our citizens depend on, in many cases, for life sustaining services with no ability to select a more reliable alternative. The cost is likely an embarrassing show of greed or, at best, mismanagement when compared to the \$545 million net profit in 2018, \$651 million net profit in 2019, and \$565 million through the third quarter of 2020.
- We understand there has been a management change. **Does a corporation the size of Oncor, responsible for delivering such a critical (and monopolized) service to millions of people, not have a system in place to track system improvement needs submitted by the boots on the ground? There is no paper trail?**

Oncor's Response:

Oncor continuously tracks its system maintenance and capital needs and receives input on those needs from across the Company, including input from field personnel. Each year, Oncor evaluates and prioritizes system needs.

- You have indicated there are no other areas of Stephenville which experienced extended outages due to infrastructure.
 - **Please provide an explanation as to why the 5th/6th Street area, extending south and east to the Bosque River and W South Loop was continuously without power in excess of 30 hours.**
 - It should also be noted the downtown area including city hall and the county courthouse as well as at least one hotel remained dark for a similar period of time.

Oncor's Response:

Early on February 15, 2021, the outages at the City Hall and the American Value Inn were caused by the load shed event. As the cold weather continued and premises continued to cool, load on the system increased, and a protective device on the feeder serving those two locations opened and caused the extended outage for both locations.



STAFF REPORT

SUBJECT: Case No.: RZ2021-001

Applicant Keewaydin Development, Taylor Kanute, is requesting a rezone of properties located at 751 Miller, Parcel R32531, Lot 9B, Block 2, Miller Addition, to the City of Stephenville, Erath County, Texas, from (B-1) Neighborhood Business to (B-3) Central Business.

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

RECOMMENDATION:

The Planning and Zoning Commission convened on March 10, 2021, and by a unanimous vote of 4/0, recommended the City Council approve the rezoning request.

BACKGROUND:

The Comprehensive Plan for future land use designates this property to be Single Family. However, this parcel does not meet the minimum width requirement of 75 feet for R-1 zoning. B-3 zoning allows a minimum width requirement of 60 feet.

APPLICANT REQUEST:

The intended project for the requested zoning is for the construction of a single family dwelling. A single family dwelling is considered a permitted use under the B-3 (Central Business District) zoning classification.

The applicant does not currently own the property; but, received authorization from the current owner to make the request.

CURRENT ZONING:

B-1 – Neighborhood Business

FUTURE LAND USE:

Single Family

DESCRIPTION OF REQUESTED ZONING

Sec. 154.06.3. - Central business district (B-3).

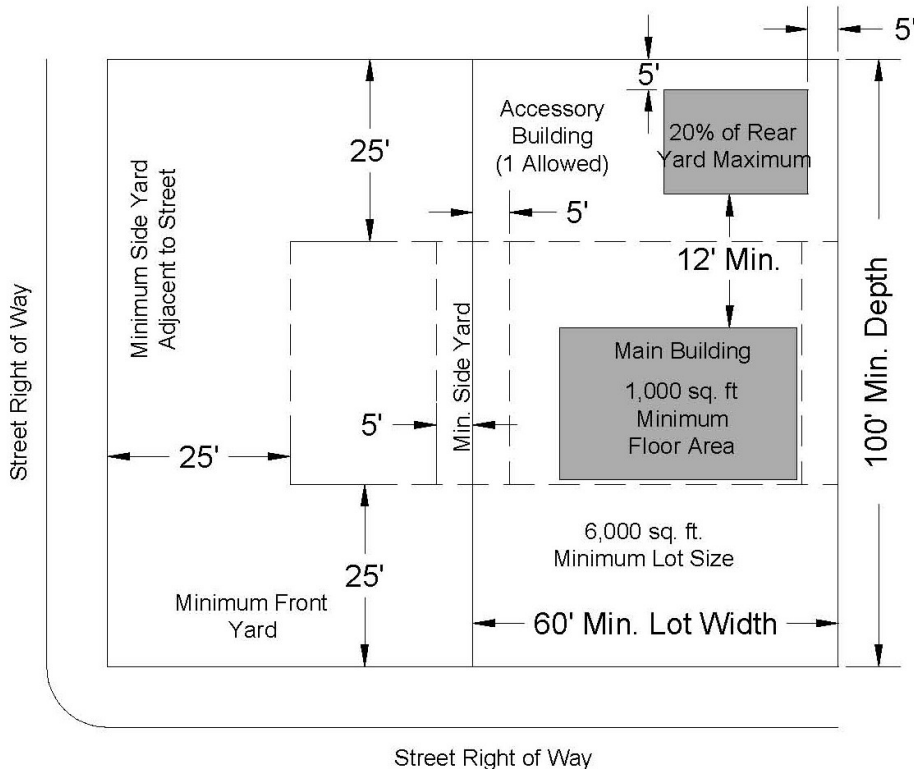
6.3.A Description. The Central Business District is intended to encourage the redevelopment of the downtown business area, which includes the historic courthouse, all types of offices, retail business and residences. The varying land uses included in the Central Business District are compatible with existing uses to preserve the integrity of the Central Business District and deter urban deterioration. This district also facilitates the maintenance of the area and provides for the vibrant interaction between retail, service, residential and citizens citywide.

6.3.B Permitted Uses.

(40) Single family dwelling;

6.3.D Height, Area, Yard and Lot Coverage Requirements.

- (A) *Single family dwelling.*
 - (1) Maximum density: one dwelling unit per lot.
 - (2) Minimum lot area: 6,000 ft².
 - (3) Minimum lot width and lot frontage: 60 feet.
 - (4) Minimum lot depth: 100 feet.
 - (5) Minimum depth of front setback: 25 feet.
 - (6) Minimum depth of rear setback: 25 feet.
 - (7) Minimum width of side setback:
 - (a) Internal lot: five feet.
 - (b) Corner lot: 25 feet from intersecting side street.
 - (8) Building size:
 - (a) Maximum coverage as a percentage of lot area: 40%.
 - (b) Minimum area of main building: 1,000 ft².
 - (9) Accessory buildings:
 - (a) Maximum accessory building coverage of rear yard: 20%.
 - (b) Maximum number of accessory buildings: one.
 - (c) Minimum depth of side setback: five feet.
 - (d) Minimum depth of rear setback: five feet.
 - (e) Minimum depth from the edge of the main building: 12 feet.
 - (10) Maximum height of structures: 35 feet.



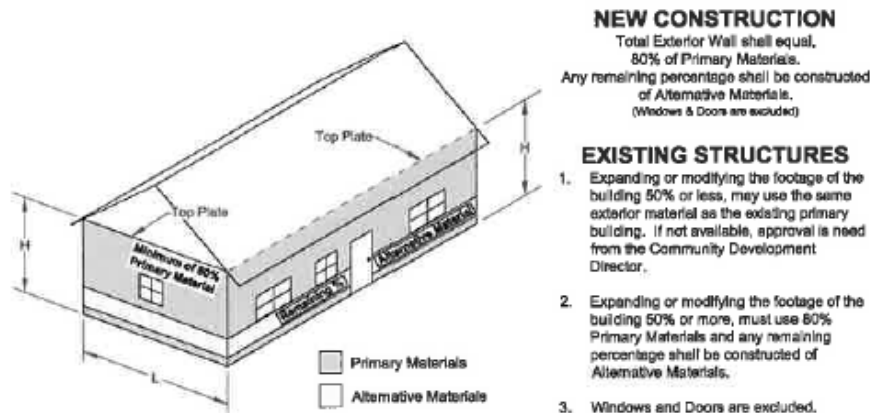
6.3.E Parking Regulations.

- (1) A Single-Family, B-3 District lot shall provide a minimum of two vehicle parking spaces, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in Section 11 the Parking Regulations of this ordinance.

6.3.F Type of Construction.

- (1) The exterior walls of all new dwellings to the top plate, shall be constructed of at least 80% of the total exterior walls of primary materials, excluding doors, windows, and porches. See Section 10.E(1): Exterior Building Material Standard—Primary Materials.
- (2) Any remaining exterior walls of all new dwellings shall construct the remaining exterior walls of alternative materials. See Section 10.E(2): Exterior Building Material Standard—Alternative Materials.
- (3) Existing dwellings expanding the total square footage of the building 50% or less, or modifying the exterior walls, may use the same exterior construction material as the existing primary building. If the material is not available, similar material may be used if approved by the Community Development Director.
- (4) Existing dwellings expanding the total square footage of the building more than 50%, or proposing to use a material inconsistent with the primary structure for any expansion, must meet the 80% minimum primary materials, Section 10.E: Exterior Building Material Standard, for the total exterior walls of the structure.

6.3.F Exterior Building Material Standards



6.3.G Sign Regulation. See Section 12 for Sign Regulations.

6.3.H Exceptions to Use, Height and Area Regulations. See Section 10.

6.3.I Garbage Regulations. Central Business District businesses will provide a serviceable area specifically for refuse collection designed for refuse canisters. Each designated canister area will be nine feet wide and eight feet deep (72 square feet), with a cement slab base. If the location of the cement slab is adjacent to a residential district, the slab must be at least five feet from the property line. The refuse area will be enclosed on three sides by a privacy fence. Approach areas will meet the requirements of Subsection 6.3.J.

6.3.J Loading and Unloading Regulations. All loading, unloading and maneuvering of vehicles connected with the activity must be on the premises and will not be permitted in any street. Loading and unloading areas must be paved with a sealed surface pavement and maintained in such a manner that no dust will be produced.

(Am. Ord. 2007-24, passed 12-4-2007; Am. Ord. 2008-13, passed 7-1-2008; Am. Ord. 2009-23, passed 12-1-2009; Am. Ord. 2011-26, passed 12-6-2011; Am. Ord. No. [2018-O-25](#), § 1, 8-7-2018)

WATER:

The property is served by a 2” city water main in Miller.

SEWER:

The property is served by a 6” sanitary sewer main in Miller.

STREET:

The property is served by a city street (Miller).

ZONING AND LAND USE:

Location	Zoning	Future Land Use
Subject Site	(B-1) Neighborhood Business	Single Family
North	(B-2) Retail and Commercial	Single Family
South	(B-1) Neighborhood Business	Single Family
East	(B-1) Neighborhood Business	Single Family
West	(B-2) Retail and Commercial	Commercial

FACTORS TO CONSIDER:

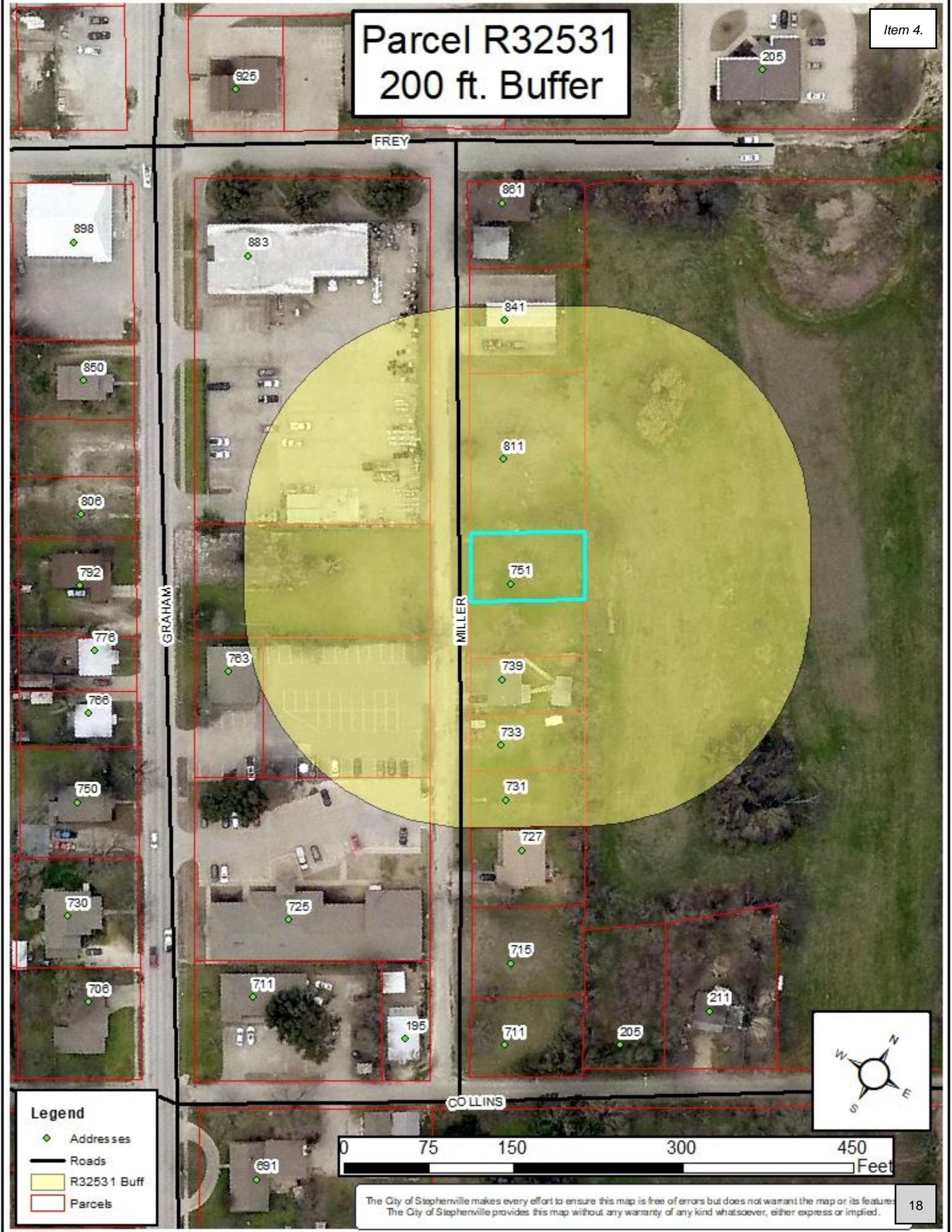
- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
- If not, have conditions changed or new information been offered to support change?
- Surrounding Zoning and Land Use
- Infrastructure Impacts
- Size and Location of Parcel - is land large enough and in proper location for proposed use?
- Reasonable Use of Property - does proposed change provide reasonable use of property?
- Zoning has great discretion - deny if applicant has not proven it is in the best interest of City to rezone

ALTERNATIVES

- 1) Accept the recommendation from the Planning and Zoning Commission and approve the rezoning request.
- 2) Modify the recommendation of the Planning and Zoning Commission and approve the rezoning request designating an alternate classification.
- 3) Over-rule the recommendation of the Planning and Zoning Commission and deny the request for rezoning.

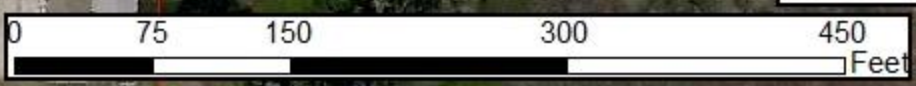
Parcel R32531 200 ft. Buffer

Item 4.



Legend

- ◆ Addresses
- Roads
- R32531 Buff
- ▭ Parcels



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

Parcel R32531 Current Zoning - B1- Neighborhood Business



Legend

- ◆ Addresses
- Roads
- ▭ Parcels

ZONING

- AG - Agricultural
- B-1 - Neighborhood Business
- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- CTS - City, Tareyton, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 6,000
- R-2 - One and Two Family
- R-3 - Multiple Family
- RE - Single Family - 1 Acre



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Parcel R32531

Future Use - Single Family

Item 4.

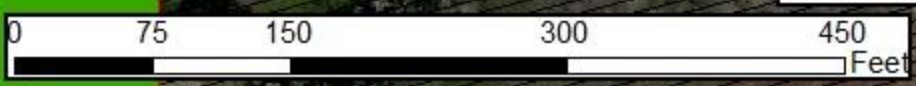


Legend

- ◆ Addresses
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- ▭ Parcels

Use_BDH

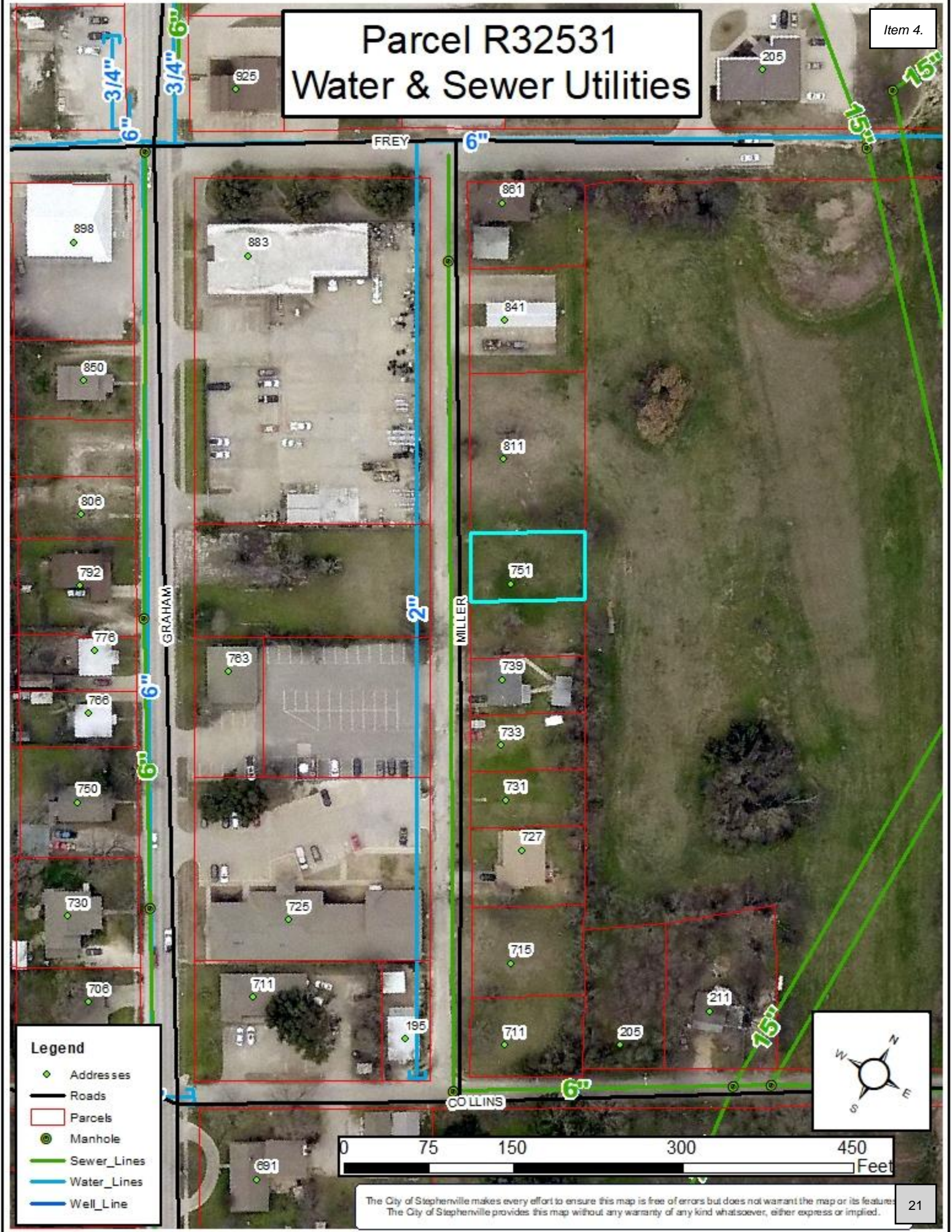
- Ag/Open Space
- Office/Neighbor_Bus
- Commercial
- Cent Business Dist
- City/Tarleton/SISD
- Downtown
- Industrial
- Planned Development
- Single Family
- 1_2 Family
- Multi-Fam/Resident
- Duplex/Townhome
- Manufact Homes



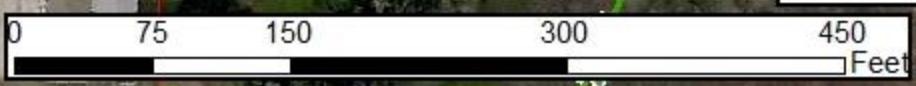
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Parcel R32531 Water & Sewer Utilities

Item 4.



- Legend**
- ◆ Addresses
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 - Parcels
 - Manhole
 - Sewer_Lines
 - Water_Lines
 - Well_Line



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Parcel R32531 Addresses

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000032525	727 N MILLER	BENHAM WANDA	553 TIMBERWOLF TRAIL	STEPHENVILLE	TX	76401
R000029629	0 E COLLINS ST	GOODMAN EDWIN D	PO BOX 1713	STEPHENVILLE	TX	76401-0000
R000032532	841 MILLER	HARRIS DALE & DEBBY	102 WILLOW LANE	STEPHENVILLE	TX	76401
R000032518	725 N GRAHAM	HARRIS METHODIST ERATH CO	611 RYAN PLAZA DR SUITE 660	ARLINGTON	TX	76011
R000062853	0 MILLER	HARRIS PROFESSIONAL BUILDING CORP	611 RYAN PLAZA DR SUITE 660	ARLINGTON	TX	76011
R000032521	787 N GRAHAM	HARRIS PROFESSIONAL BUILDING CORP	611 RYAN PLAZA DR SUITE 660	ARLINGTON	TX	76011
R000032530	811 MILLER	MATAI MAURO CONCEICAO	1361 ROSE DR	STEPHENVILLE	TX	76401
R000032529	751 MILLER	MLE INVESTMENT INSIGHTS LLC	PO BOX 1314	STEPHENVILLE	TX	76401
R000032531	751 MILLER	MLE INVESTMENT INSIGHTS LLC	PO BOX 1314	STEPHENVILLE	TX	76401
R000032528	739 MILLER	NAVARRO JOSE JUIS, RAUL, & MARIA TERESA VILLAREAL	739 N MILLER ST	STEPHENVILLE	TX	76401
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R000032522	883 N GRAHAM	ONCOR ELECTRIC DELIVERY CO LLC	PO BOX 219071	DALLAS	TX	75221-9071
R000032526	731 MILLER	VILLAREAL RAUL NAVARRO	739 N MILLER ST	STEPHENVILLE	TX	76401
R000032527	733 MILLER	VILLAREAL RAUL NAVARRO	739 N MILLER ST	STEPHENVILLE	TX	76401



STAFF REPORT

SUBJECT: Case No.: RZ2021-002

Applicant Keewaydin Development, Taylor Kanute, is requesting a rezone of properties located at 751 Miller, Parcel R32529, Lot 8, Block 2, Miller Addition, to the City of Stephenville, Erath County, Texas, from (B-1) Neighborhood Business to (B-3) Central Business.

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

RECOMMENDATION:

The Planning and Zoning Commission convened on March 10, 2021, and by a unanimous vote of 4/0, recommended the City Council approve the rezoning request.

BACKGROUND:

The Comprehensive Plan for future land use designates this property to be Single Family. However, this parcel does not meet the minimum width requirement of 75 feet for R-1 zoning. B-3 zoning allows a minimum width requirement of 60 feet.

This particular parcel only has a width of 50 feet. Therefore, if approved, the applicant will also need to obtain a 10 foot variance from the Board of Adjustment in regards to the minimum width requirement.

APPLICANT REQUEST:

The intended project for the requested zoning is for the construction of a single family dwelling. A single family dwelling is considered a permitted use under the B-3 (Central Business District) zoning classification.

The applicant does not currently own the property; but, received authorization from the current owner to make the request.

CURRENT ZONING:

B-1 – Neighborhood Business

FUTURE LAND USE:

Single Family

DESCRIPTION OF REQUESTED ZONING

Sec. 154.06.3. - Central business district (B-3).

6.3.A **Description.** The Central Business District is intended to encourage the redevelopment of the downtown business area, which includes the historic courthouse, all types of offices, retail business and residences. The varying land uses included in the Central Business District are compatible with existing uses to preserve the integrity of the Central Business District and deter urban deterioration. This district also facilitates the maintenance of the area and provides for the vibrant interaction between retail, service, residential and citizens citywide.

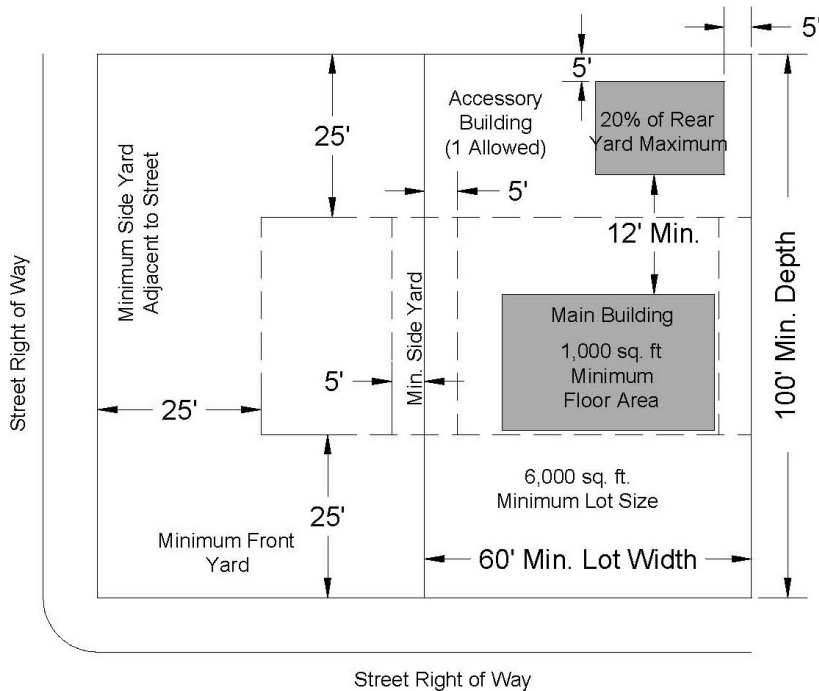
6.3.B Permitted Uses.

- (40) Single family dwelling;

6.3.D Height, Area, Yard and Lot Coverage Requirements.

(A) *Single family dwelling.*

- (1) Maximum density: one dwelling unit per lot.
- (2) Minimum lot area: 6,000 ft².
- (3) Minimum lot width and lot frontage: 60 feet.
- (4) Minimum lot depth: 100 feet.
- (5) Minimum depth of front setback: 25 feet.
- (6) Minimum depth of rear setback: 25 feet.
- (7) Minimum width of side setback:
 - (a) Internal lot: five feet.
 - (b) Corner lot: 25 feet from intersecting side street.
- (8) Building size:
 - (a) Maximum coverage as a percentage of lot area: 40%.
 - (b) Minimum area of main building: 1,000 ft².
- (9) Accessory buildings:
 - (a) Maximum accessory building coverage of rear yard: 20%.
 - (b) Maximum number of accessory buildings: one.
 - (c) Minimum depth of side setback: five feet.
 - (d) Minimum depth of rear setback: five feet.
 - (e) Minimum depth from the edge of the main building: 12 feet.
- (10) Maximum height of structures: 35 feet.



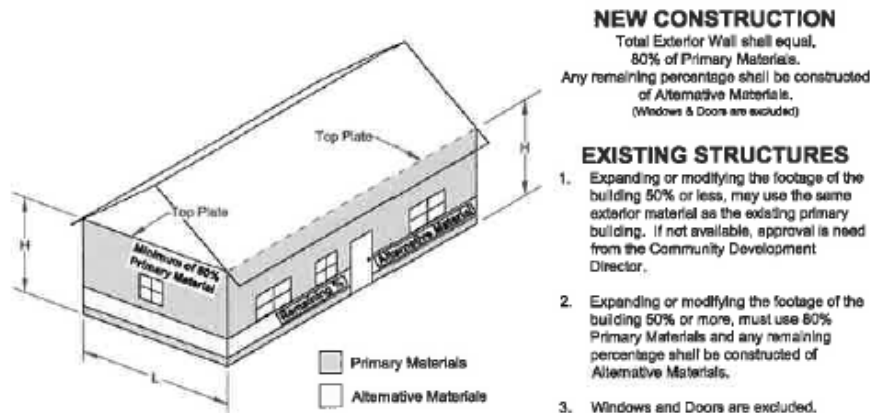
6.3.E Parking Regulations.

- (1) A Single-Family, B-3 District lot shall provide a minimum of two vehicle parking spaces, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in Section 11 the Parking Regulations of this ordinance.

6.3.F Type of Construction.

- (1) The exterior walls of all new dwellings to the top plate, shall be constructed of at least 80% of the total exterior walls of primary materials, excluding doors, windows, and porches. See Section 10.E(1): Exterior Building Material Standard—Primary Materials.
- (2) Any remaining exterior walls of all new dwellings shall construct the remaining exterior walls of alternative materials. See Section 10.E(2): Exterior Building Material Standard—Alternative Materials.
- (3) Existing dwellings expanding the total square footage of the building 50% or less, or modifying the exterior walls, may use the same exterior construction material as the existing primary building. If the material is not available, similar material may be used if approved by the Community Development Director.
- (4) Existing dwellings expanding the total square footage of the building more than 50%, or proposing to use a material inconsistent with the primary structure for any expansion, must meet the 80% minimum primary materials, Section 10.E: Exterior Building Material Standard, for the total exterior walls of the structure.

6.3.F Exterior Building Material Standards



6.3.G **Sign Regulation.** See Section 12 for Sign Regulations.

6.3.H **Exceptions to Use, Height and Area Regulations.** See Section 10.

6.3.I **Garbage Regulations.** Central Business District businesses will provide a serviceable area specifically for refuse collection designed for refuse canisters. Each designated canister area will be nine feet wide and eight feet deep (72 square feet), with a cement slab base. If the location of the cement slab is adjacent to a residential district, the slab must be at least five feet from the property line. The refuse area will be enclosed on three sides by a privacy fence. Approach areas will meet the requirements of Subsection 6.3.J.

6.3.J **Loading and Unloading Regulations.** All loading, unloading and maneuvering of vehicles connected with the activity must be on the premises and will not be permitted in any street. Loading and unloading areas must be paved with a sealed surface pavement and maintained in such a manner that no dust will be produced.

(Am. Ord. 2007-24, passed 12-4-2007; Am. Ord. 2008-13, passed 7-1-2008; Am. Ord. 2009-23, passed 12-1-2009; Am. Ord. 2011-26, passed 12-6-2011; Am. Ord. No. [2018-O-25](#), § 1, 8-7-2018)

WATER:

The property is served by a 2" city water main in Miller.

SEWER:

The property is served by a 6” sanitary sewer main in Miller.

STREET:

The property is served by a city street (Miller).

ZONING AND LAND USE:

Location	Zoning	Future Land Use
Subject Site	(B-1) Neighborhood Business	Single Family
North	(B-2) Retail and Commercial	Single Family
South	(B-1) Neighborhood Business	Single Family
East	(B-1) Neighborhood Business	Single Family
West	(B-2) Retail and Commercial	Commercial

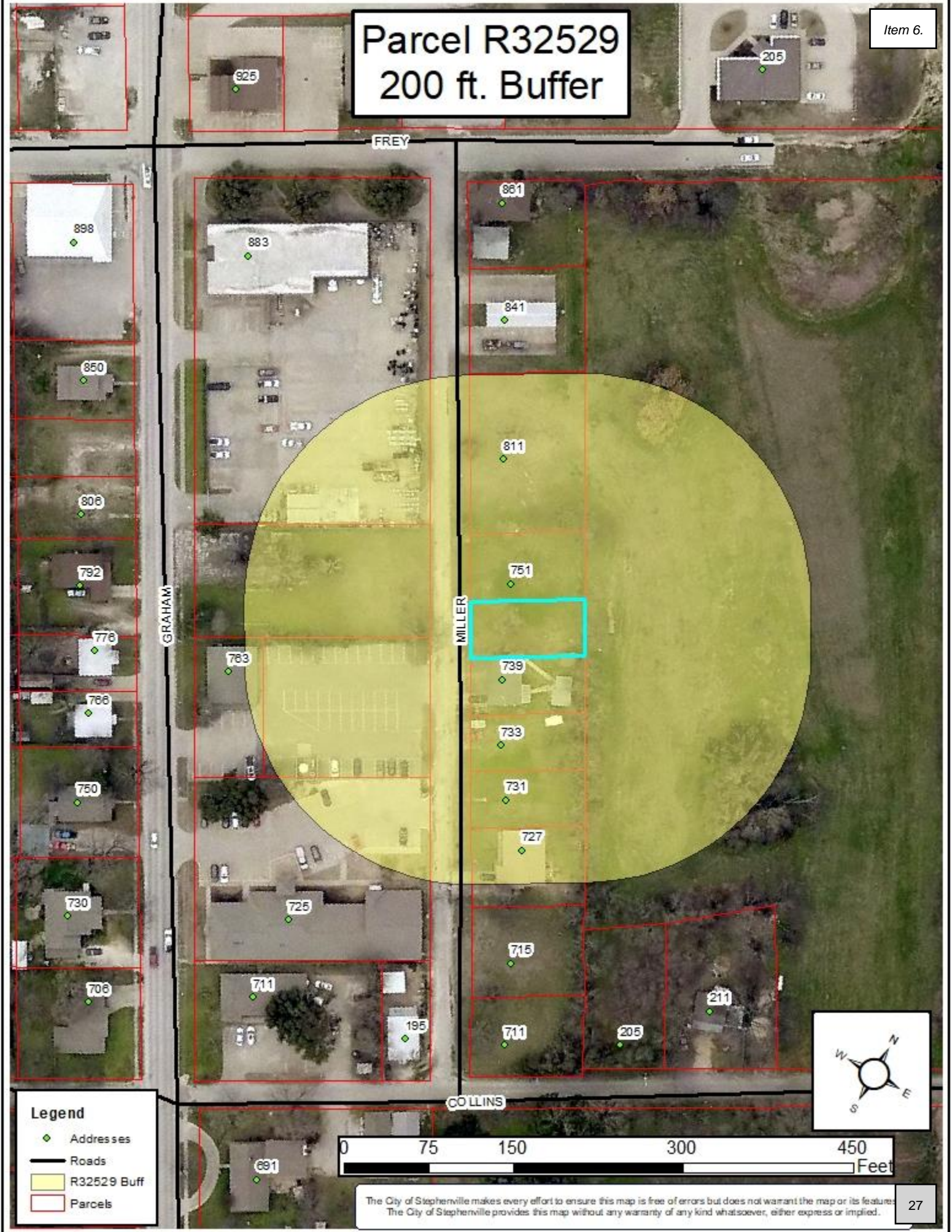
FACTORS TO CONSIDER:

- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
- If not, have conditions changed or new information been offered to support change?
- Surrounding Zoning and Land Use
- Infrastructure Impacts
- Size and Location of Parcel - is land large enough and in proper location for proposed use?
- Reasonable Use of Property - does proposed change provide reasonable use of property?
- Zoning has great discretion - deny if applicant has not proven it is in the best interest of City to rezone

ALTERNATIVES

- 1) Accept the recommendation from the Planning and Zoning Commission and approve the rezoning request.
- 2) Modify the recommendation of the Planning and Zoning Commission and approve the rezoning request designating an alternate classification.
- 3) Over-rule the recommendation of the Planning and Zoning Commission and deny the request for rezoning.

Parcel R32529 200 ft. Buffer



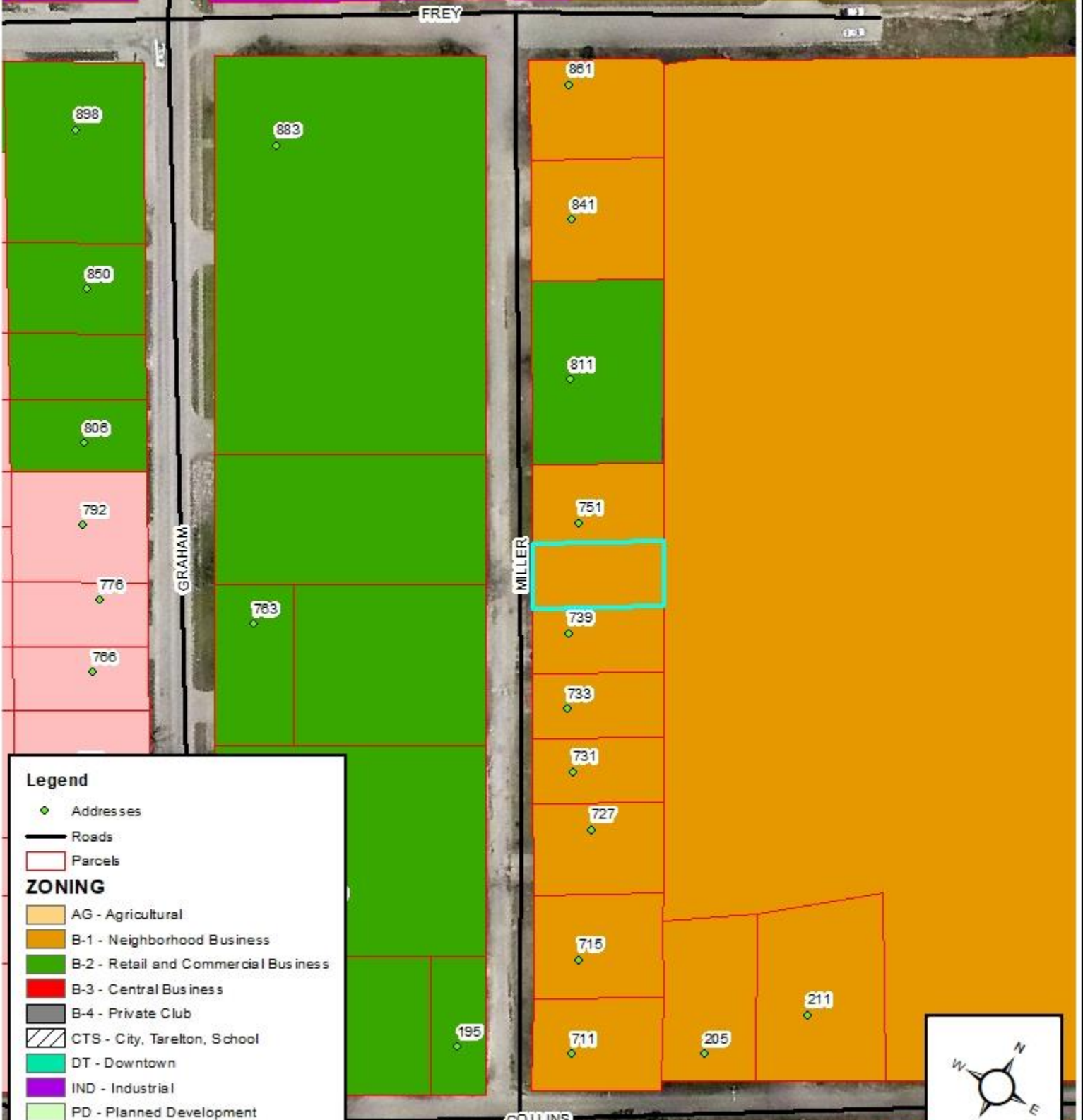
Legend

- ◆ Addresses
- Roads
- R32529 Buff
- Parcels



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Parcel R32529 Current Zoning - B1 Neighborhood Business



Legend

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- AG - Agricultural
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- B-3 - Central Business
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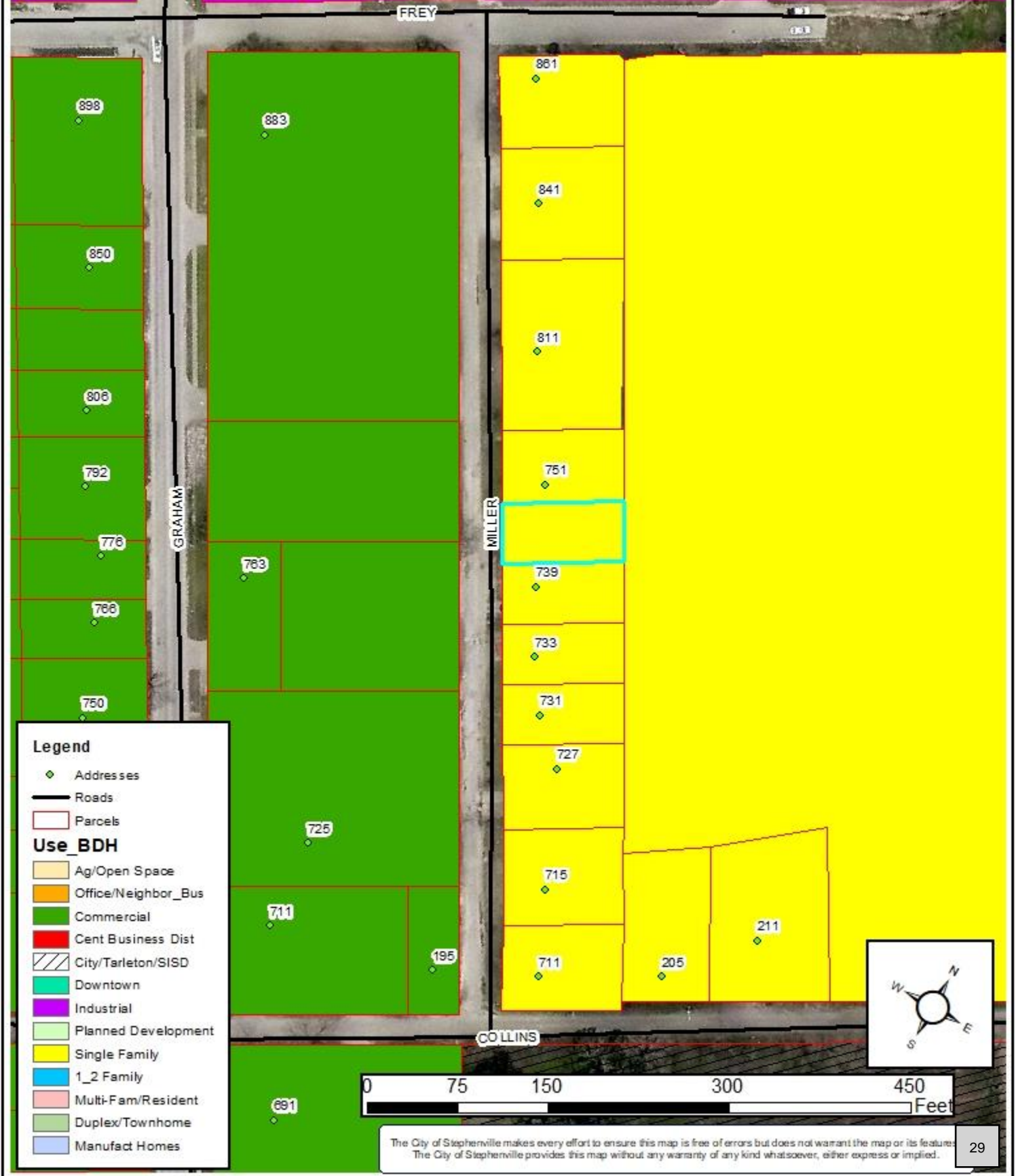


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Parcel R32529

Future Land Use - Single Family

Item 6.

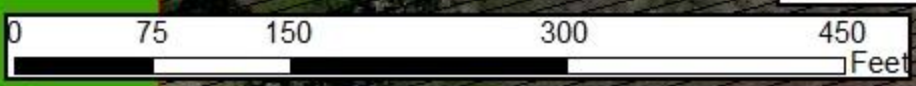


Legend

- ◆ Addresses
- Roads
- ▭ Parcels

Use_BDH

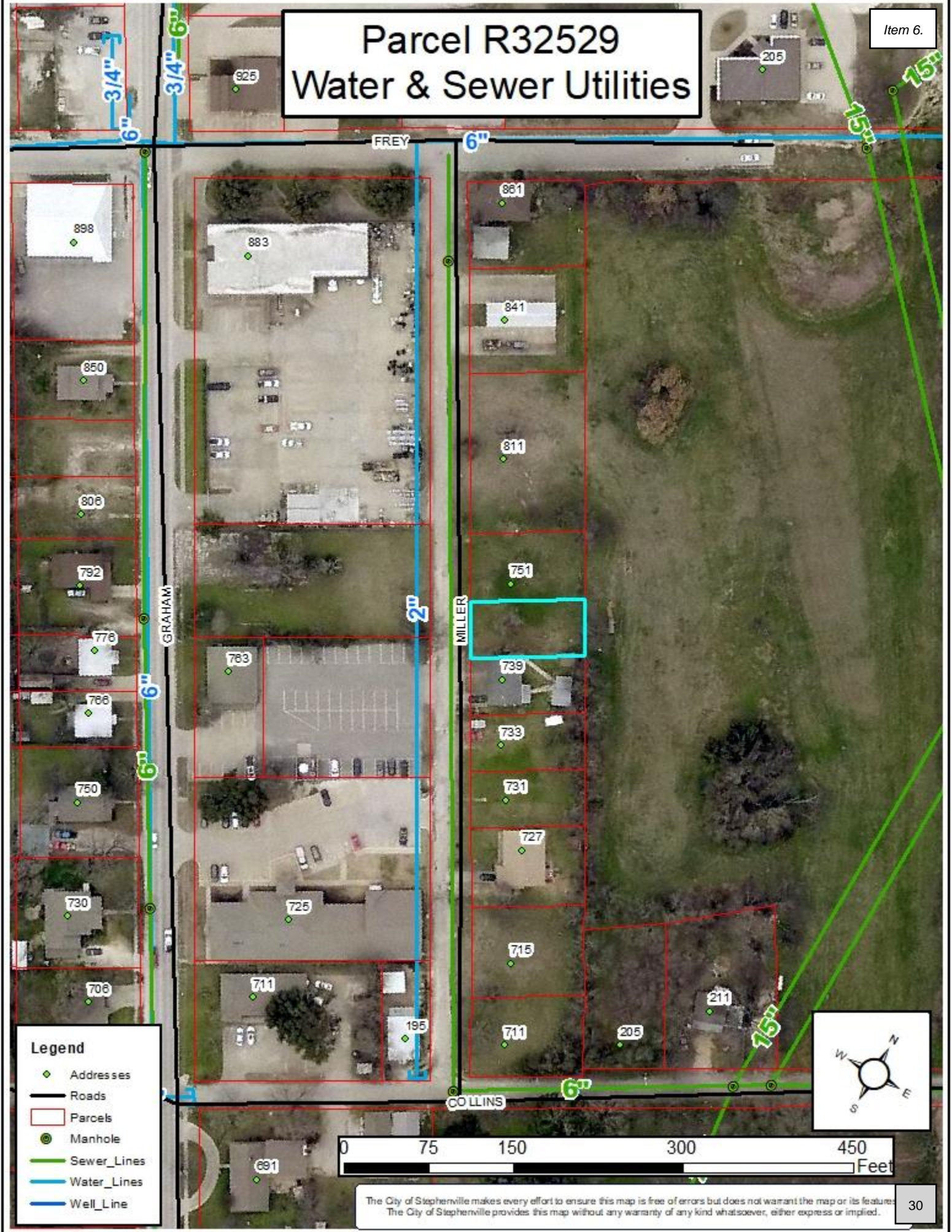
- Ag/Open Space
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- Cent Business Dist
- City/Tarleton/SISD
- Downtown
- Industrial
- Planned Development
- Single Family
- 1_2 Family
- Multi-Fam/Resident
- Duplex/Townhome
- Manufact Homes



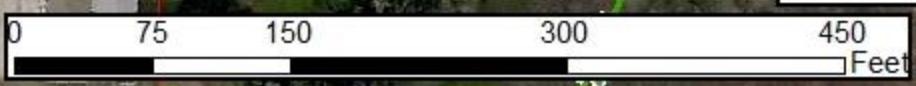
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Parcel R32529 Water & Sewer Utilities

Item 6.



- Legend**
- ◆ Addresses
 - Roads
 - ▭ Parcels
 - Manhole
 - Sewer_Lines
 - Water_Lines
 - Well_Line



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Parcel R32529 Addresses

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
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R000029629	0 E COLLINS ST	GOODMAN EDWIN D	PO BOX 1713	STEPHENVILLE	TX	76401-0000
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R000032521	787 N GRAHAM	HARRIS PROFESSIONAL BUILDING CORP	611 RYAN PLAZA DR SUITE 660	ARLINGTON	TX	76011
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R000032529	751 MILLER	MLE INVESTMENT INSIGHTS LLC	PO BOX 1314	STEPHENVILLE	TX	76401
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R000032527	733 MILLER	VILLAREAL RAUL NAVARRO	739 N MILLER ST	STEPHENVILLE	TX	76401



STAFF REPORT

SUBJECT: Case No.: RZ2021-003

Applicant Jeff Brady is requesting a rezone of properties located at 1290 Hyman, Parcel R33798, Lot 4, 4A and 4C, Block 35, South Side Addition, to the City of Stephenville, Erath County, Texas, from (R-1) Single Family to (R-3) Multi-Family.

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

RECOMMENDATION:

The Planning and Zoning Commission convened on March 10, 2021, and by a unanimous vote of 4/0, recommended the City Council approve the rezoning request.

BACKGROUND:

The Comprehensive Plan for future land use designates this property to be Single Family.

APPLICANT REQUEST:

The intended project for the requested zoning is for the future construction of a multifamily dwelling. The applicant states that the property is surrounded on three sides by multifamily zoning.

CURRENT ZONING:

R-1 – Single Family

FUTURE LAND USE:

Single Family

DESCRIPTION OF REQUESTED ZONING

Sec. 154.05.6. - Multiple family residential district (R-3).

5.6.A Description. This residential district provides for medium to high-density city neighborhood development. The primary land use allows for single-family dwellings, two-to-four family dwelling units, and multiple family housing buildings and complexes. All R-3 zoning will be appropriate to a city-style neighborhood. Recreational, religious and educational uses are also permitted so as to contribute to the natural elements of a convenient, balanced and attractive neighborhood. Development within this district is intended to be protected from the encroachment of land activities that do not contribute to the esthetic and functional well being of the intended district environment.

5.6.B Permitted Uses.

(5) Multiple family dwellings, with each family limited as in division (1) above;

(D) *Multiple family dwellings.*

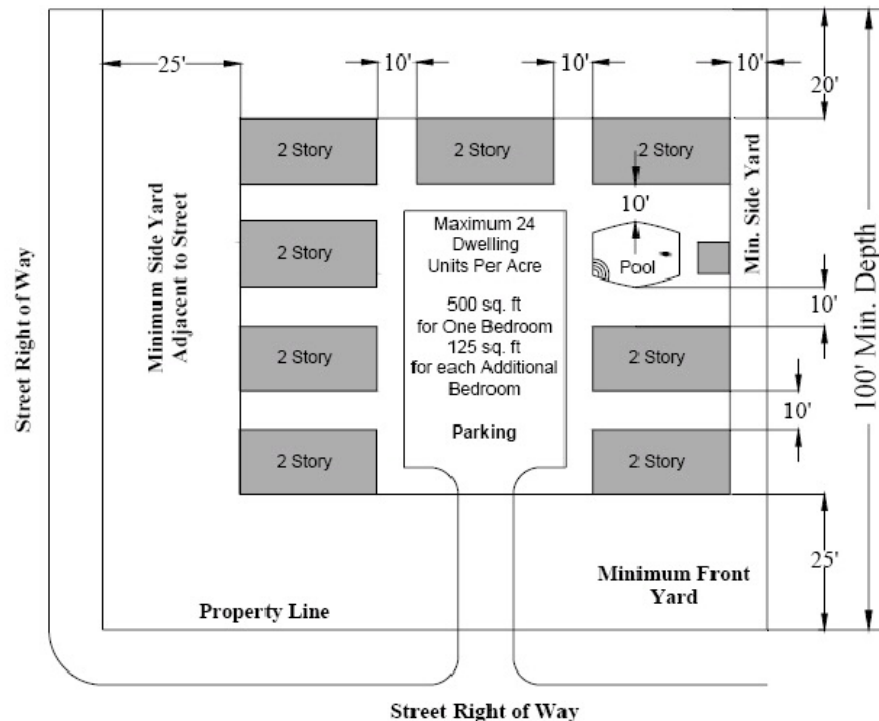
(1) Minimum lot area: maximum density of 24 dwelling units per acre, which includes parking, access and all other area improvements.

- (2) Minimum lot depth: 100 feet.
- (3) Minimum depth of front setback: 25 feet.
- (4) Minimum depth of rear setback: 20 feet.
- (5) Minimum width of side setback:
 - (a) Internal lot: ten feet.
 - (b) Corner lot: 25 feet from intersecting side street.
- (6) Building size: Minimum area of each dwelling unit: 500 ft² for one bedroom or less plus 125 ft² of floor area for each additional bedroom.
- (7) Maximum height of structures: 35 feet.
- (8) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.

Height, Area, Yard and Lot Coverage Requirements

5.6.D Height, Area, Yard and Lot Coverage Requirements

Multiple Family Dwelling



Multiple-Family Dwelling

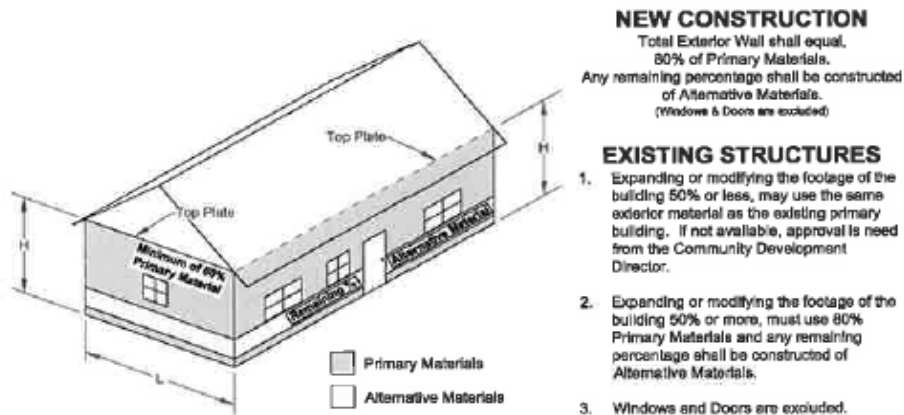
A Multiple-Family, R-3 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this ordinance.

5.6.F Type of Construction.

- (1) The exterior walls of all new dwellings to the top plate, shall be constructed of at least 80% of the total exterior walls of primary materials, excluding doors, windows, and porches. See Section 10.E(1): Exterior Building Material Standard—Primary Materials.

- (2) Any remaining exterior walls of all new dwellings shall construct the remaining exterior walls of alternative materials. See Section 10.E(2): Exterior Building Material Standard—Alternative Materials.
- (3) Existing dwellings expanding the total square footage of the building 50% or less, or modifying the exterior walls, may use the same exterior construction material as the existing primary building. If the material is not available, similar material may be used if approved by the Community Development Director.
- (4) Existing dwellings expanding the total square footage of the building more than 50%, or proposing to use a material inconsistent with the primary structure for any expansion, must meet the 80% minimum primary materials, Section 10.E: Exterior Building Material Standard, for the total exterior walls of the structure.

5.6.F Exterior Building Material Standards



(Am. Ord. 2007-24, passed 12-4-2007; Am. Ord. 2008-13, passed 7-1-2008; Ord. 2011-26, passed 12-6-2011)

WATER:

The property is served by a 6" city water main in Hyman.

SEWER:

The property is served by a 6" sanitary sewer main in Hyman.

STREET:

The property is served by a city street (Miller).

ZONING AND LAND USE:

Location	Zoning	Future Land Use
Subject Site	(R-1) Single Family	Single Family
North	(R-1),(R-3) Single, Multifamily	Multifamily
South	(R-1) Single Family	Single Family
East	(R-1) Single Family	Single Family
West	(R-3) Multifamily	Multifamily

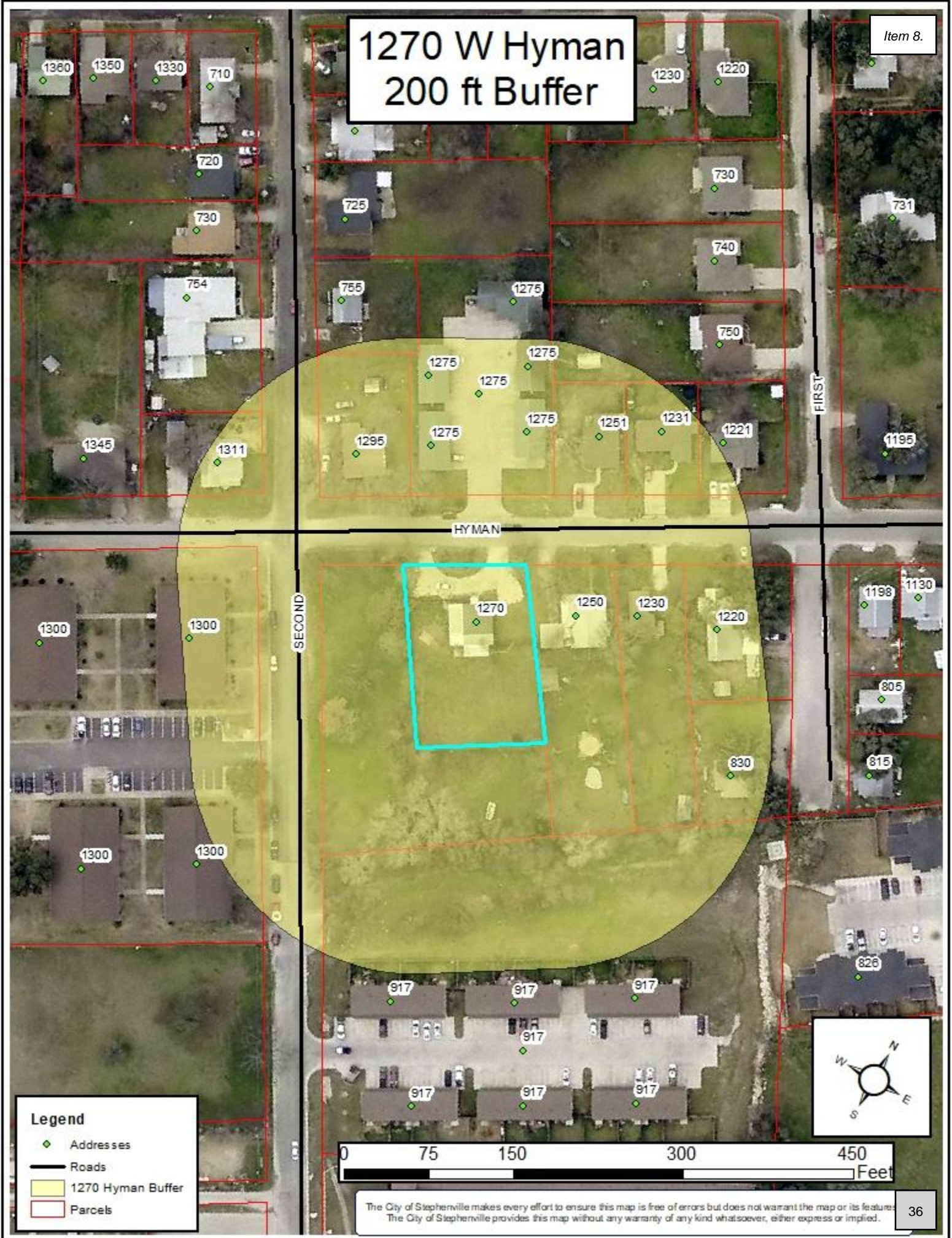
FACTORS TO CONSIDER:

- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
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ALTERNATIVES

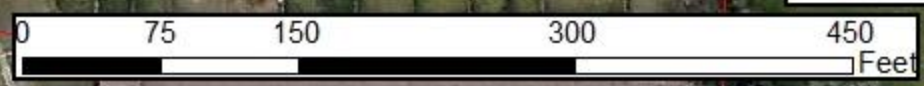
- 1) Accept the recommendation from the Planning and Zoning Commission and approve the rezoning request.
- 2) Modify the recommendation of the Planning and Zoning Commission and approve the rezoning request designating an alternate classification.
- 3) Over-rule the recommendation of the Planning and Zoning Commission and deny the request for rezoning.

1270 W Hyman 200 ft Buffer



Legend

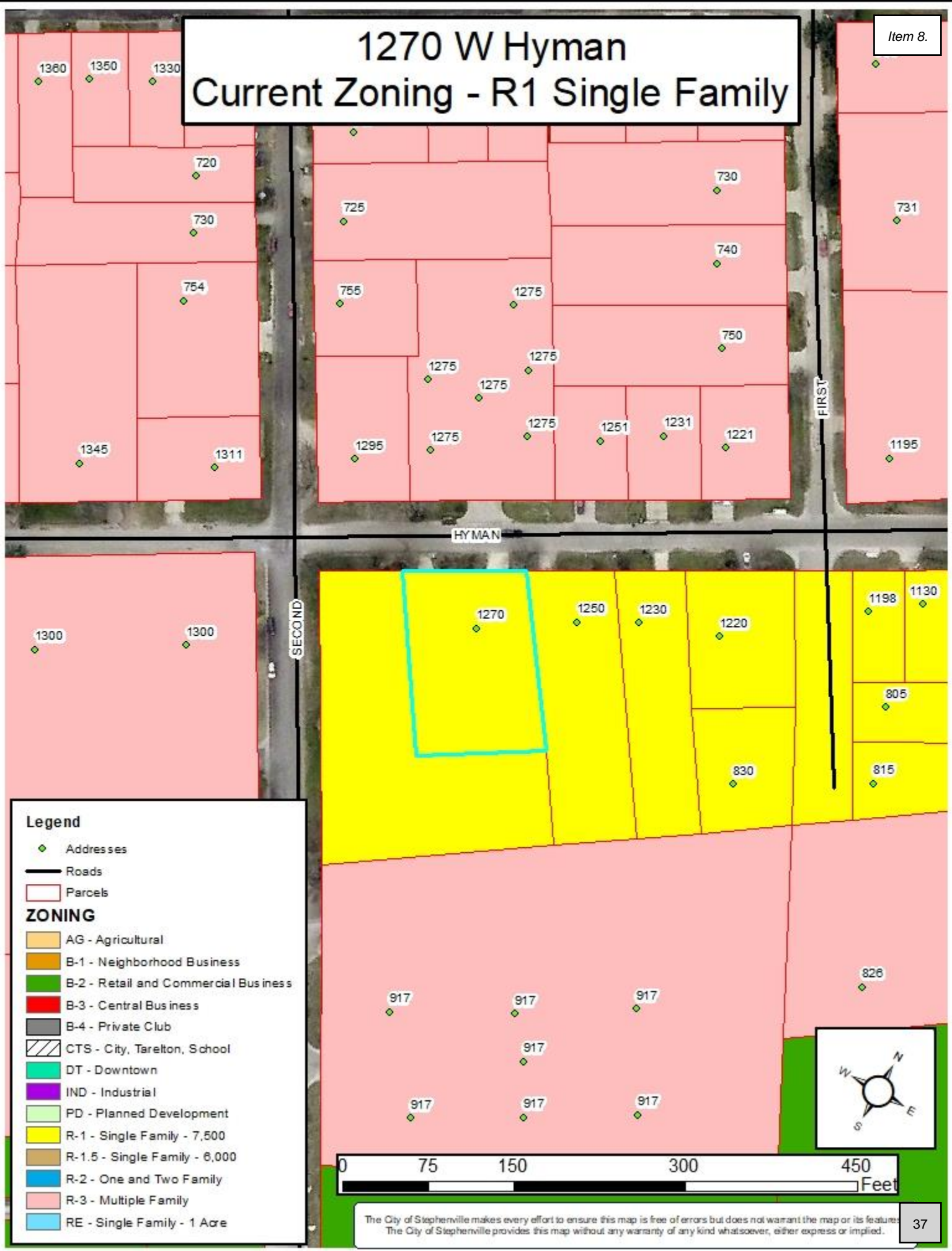
- ◆ Addresses
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- 1270 Hyman Buffer
- Parcels



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1270 W Hyman Current Zoning - R1 Single Family

Item 8.



Legend

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- ▭ Parcels

ZONING

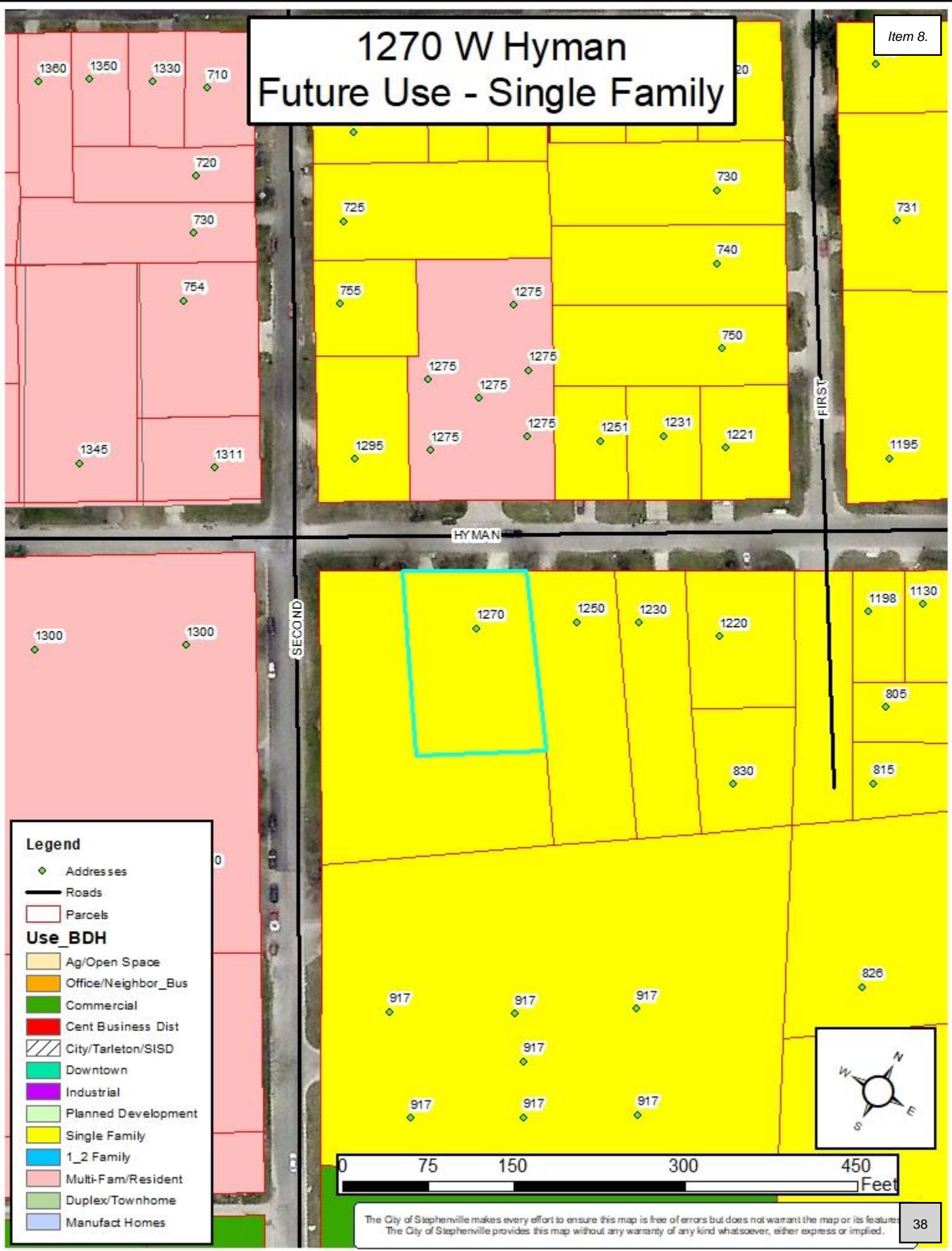
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- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- CTS - City, Tareyton, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 6,000
- R-2 - One and Two Family
- R-3 - Multiple Family
- RE - Single Family - 1 Acre



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

1270 W Hyman Future Use - Single Family

Item 8.



Legend

- ◆ Addresses
- Roads
- ▭ Parcels

Use_BDH

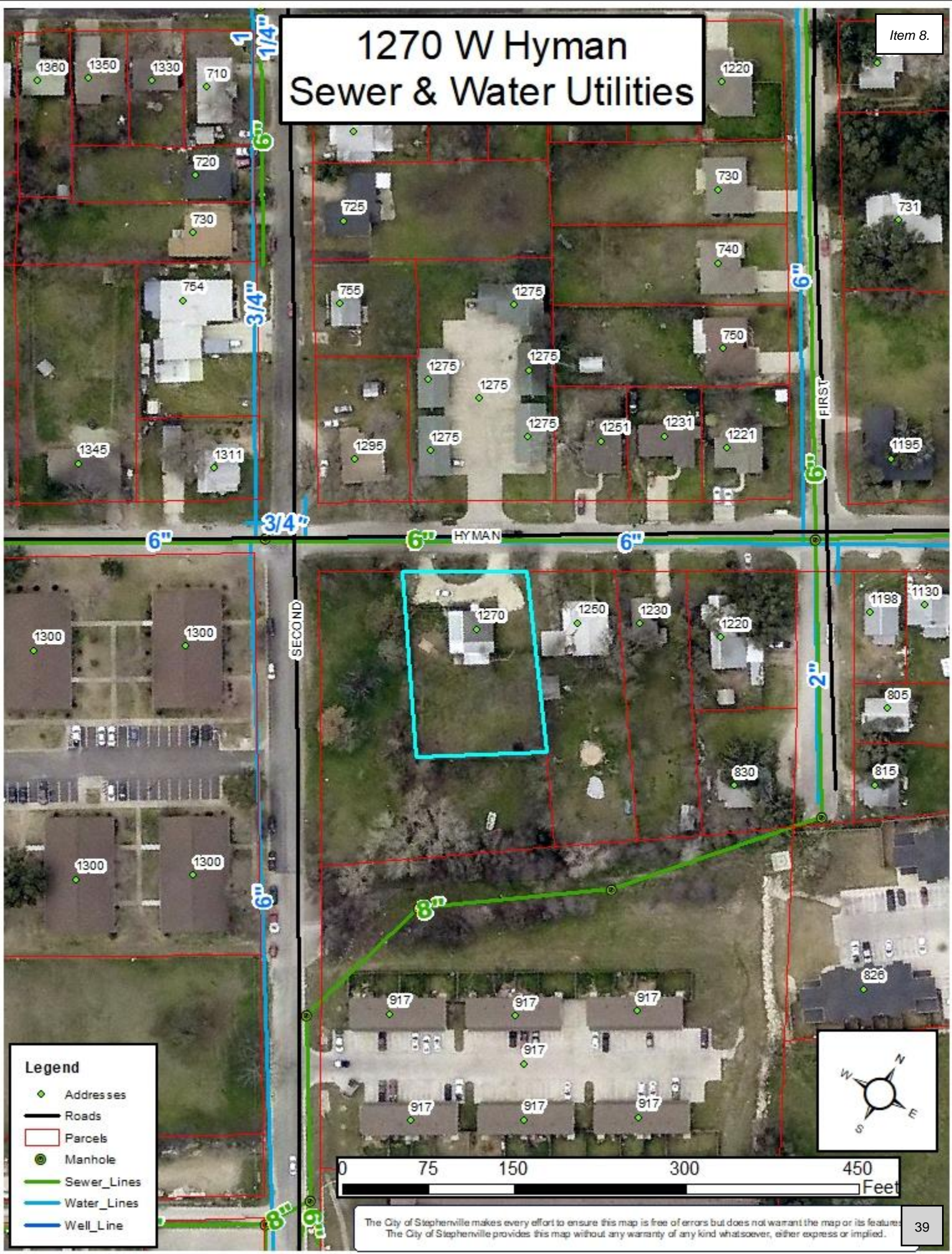
- Ag/Open Space
- Office/Neighbor_Bus
- Commercial
- Cent Business Dist
- City/Tarleton/SISD
- Downtown
- Industrial
- Planned Development
- Single Family
- 1_2 Family
- Multi-Fam/Resident
- Duplex/Townhome
- Manufact Homes



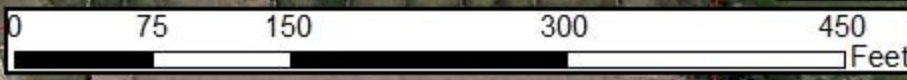
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1270 W Hyman Sewer & Water Utilities

Item 8.



- Legend**
- ◆ Addresses
 - Roads
 - ▭ Parcels
 - Manhole
 - Sewer_Lines
 - Water_Lines
 - Well_Line

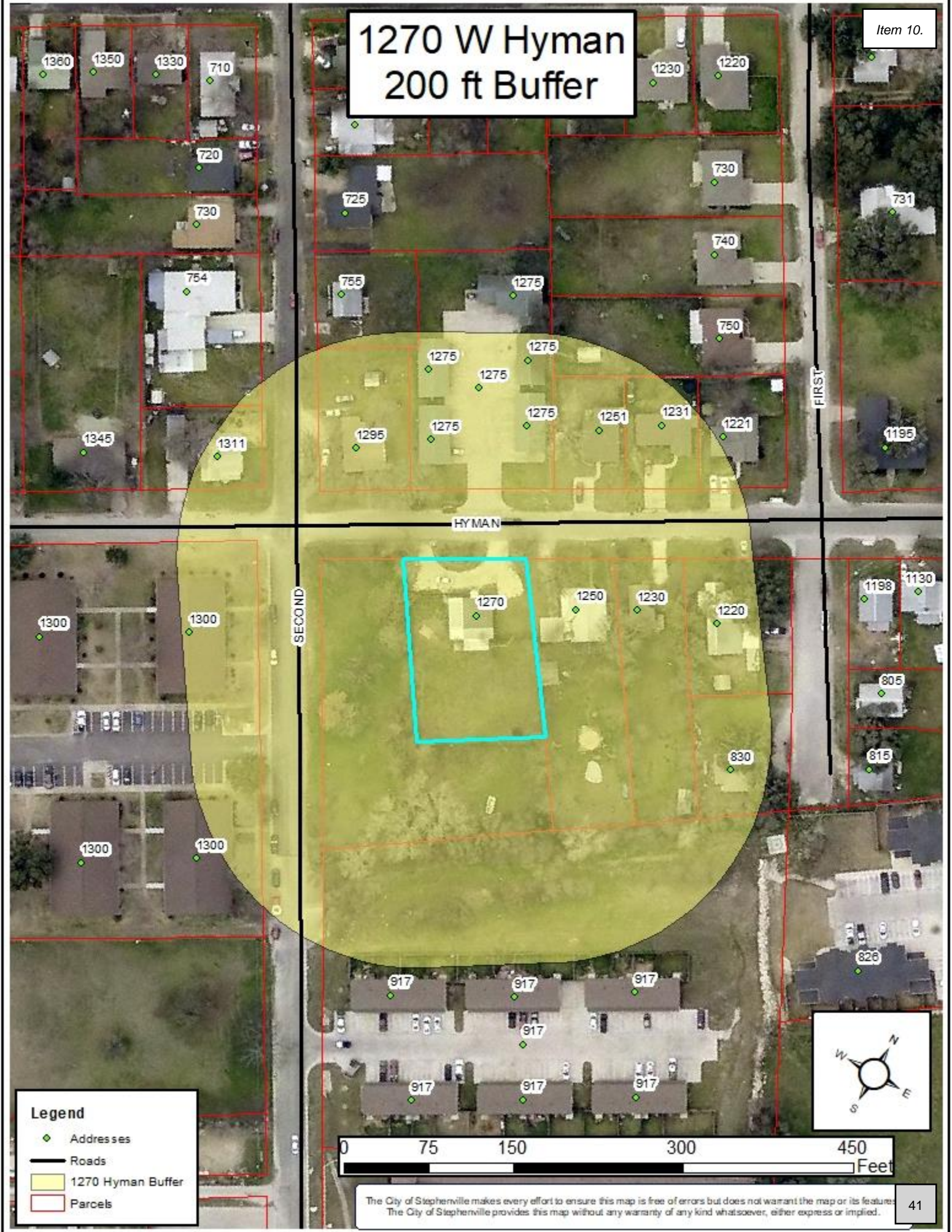


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1270 W Hyman Addresses

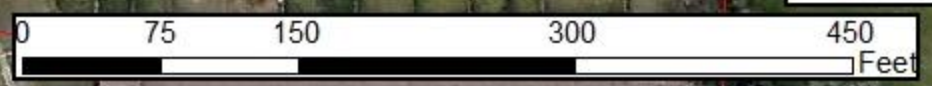
Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000066168	1221 HYMAN	ALLIE TRUST OF BEAU RICHARD & KATHLEEN	23072 CYPRESS CT	VALENCIA	CA	91354
R000033797	1250 HYMAN	ARREGUIN HUMBERTO	1250 HYMAN ST	STEPHENVILLE	TX	76401
R000066167	750 FIRST	BARKER JENNIFER LYN	750 FIRST AVENUE	STEPHENVILLE	TX	76401
R000033799	1270 HYMAN	BRADY DOG RANCH PROPERTIES LLC	2121 CRESTRIDGE	STEPHENVILLE	TX	76401
R000033798	1290 HYMAN	BRADY JEFF & STEPHANIE	2121 CRESTRIDGE	STEPHENVILLE	TX	76401
R000033740	755 S SECOND AVE	CRESS INC	RT 1 BOX 230A	DELEON	TX	76444
R000033806	917 S SECOND AVE	D818 LLC	PO BOX 1827	STEPHENVILLE	TX	76401
R000066170	1251 HYMAN	DUDEK JOHN F JR	1801 LION HEART DR	CEDAR PARK	TX	78613
R000033743	1295 HYMAN	GREEN NEWTON L	1295 HYMAN	STEPHENVILLE	TX	76401
R000066169	1231 HYMAN	JIMENEZ INES OSWALDO & MARISA	1231 W HYMAN ST	STEPHENVILLE	TX	76401
R000033742	1275 HYMAN	LILLJEDAHL CARL	PO BOX 47	STEPHENVILLE	TX	76401-0000
R000055658	830 FIRST	LOPEZ EFRAIN	830 1ST ST	STEPHENVILLE	TX	76401
R000033731	754 S SECOND AVE	MARKS MABEL GLADYS & JEANNIE LEE MA	754 SECOND	STEPHENVILLE	TX	76401-0000
R000033732	1311 HYMAN	MERICLE PATRICIA	1311 W HYMAN ST	STEPHENVILLE	TX	76401
R000033795	1230 HYMAN	MORVANT CLIFTON J & VIRGINIA ET AL	584 LYDIA	STEPHENVILLE	TX	76401
R000055659	1220 HYMAN	ROCKIN CP INVESTMENT GROUP INC	PO BOX1046	GODLEY	TX	76044
R000040447	1300 HYMAN	TEXAS HOUSING FOUNDATION	1110 BROADWAY ST	MARBLE FALLS	TX	78654

1270 W Hyman 200 ft Buffer



Legend

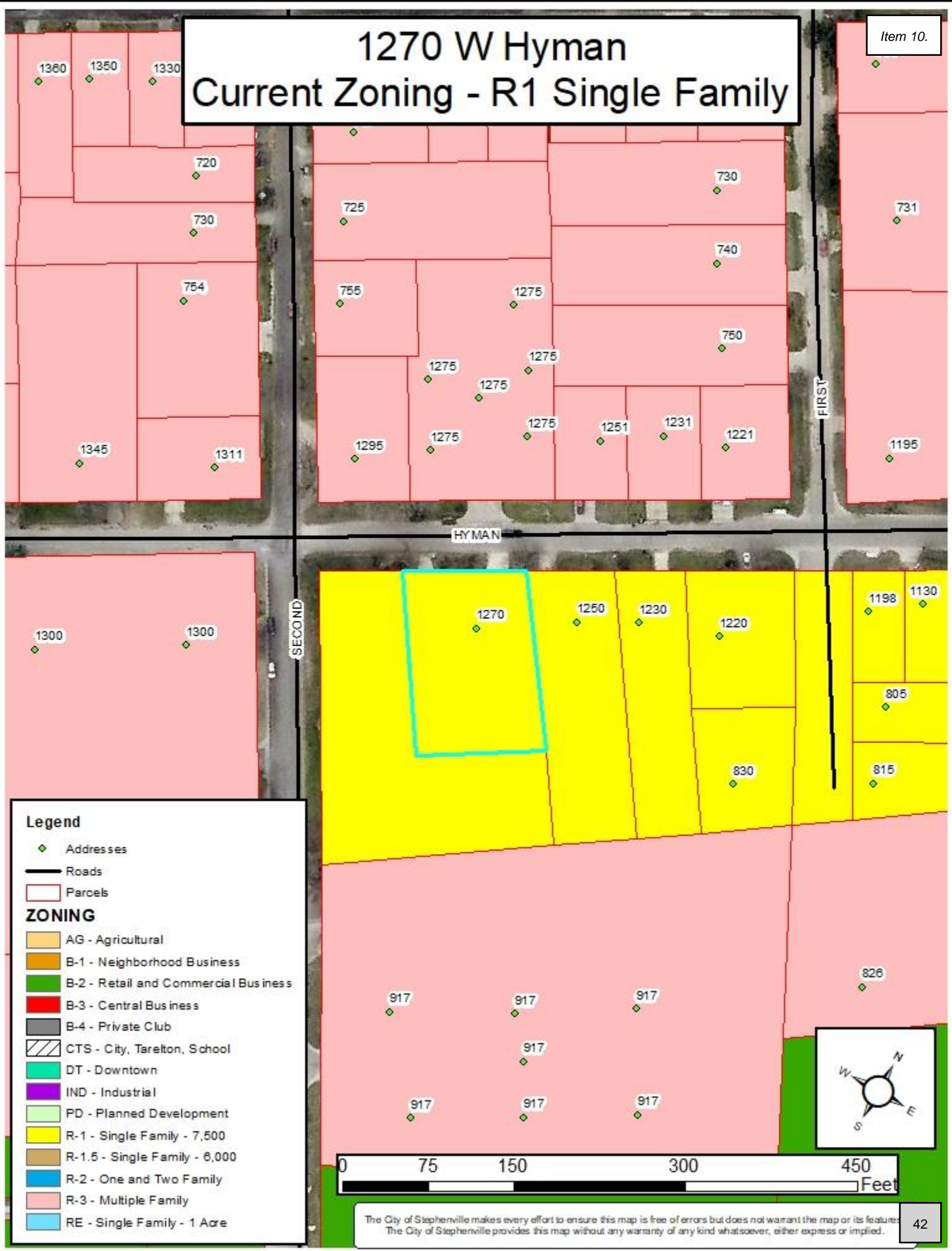
- ◆ Addresses
- Roads
- 1270 Hyman Buffer
- Parcels



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1270 W Hyman Current Zoning - R1 Single Family

Item 10.



Legend

- ◆ Addresses
- Roads
- Parcels

ZONING

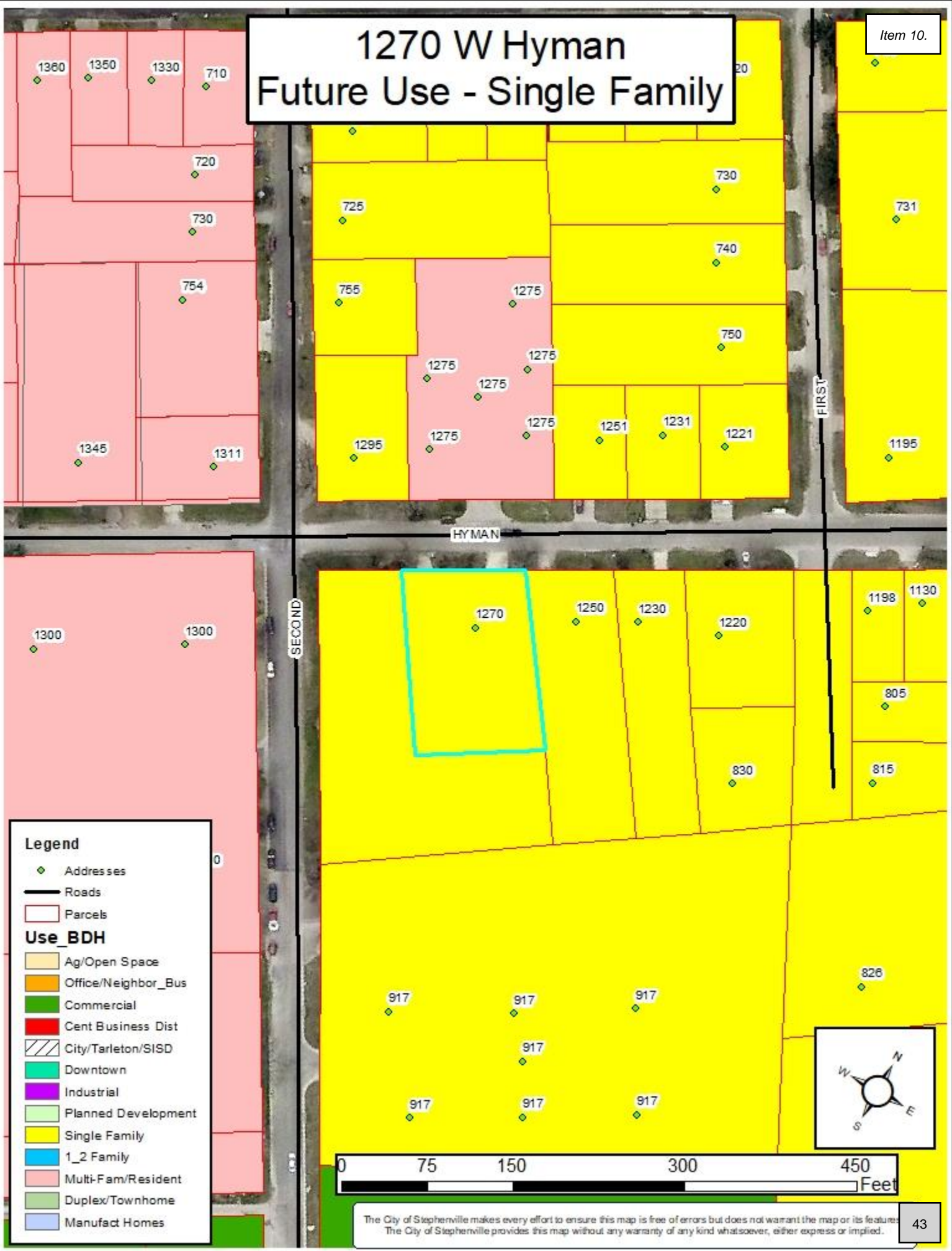
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- B-3 - Central Business
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1270 W Hyman Future Use - Single Family

Item 10.



Legend

- ◆ Addresses
- Roads
- ▭ Parcels

Use_BDH

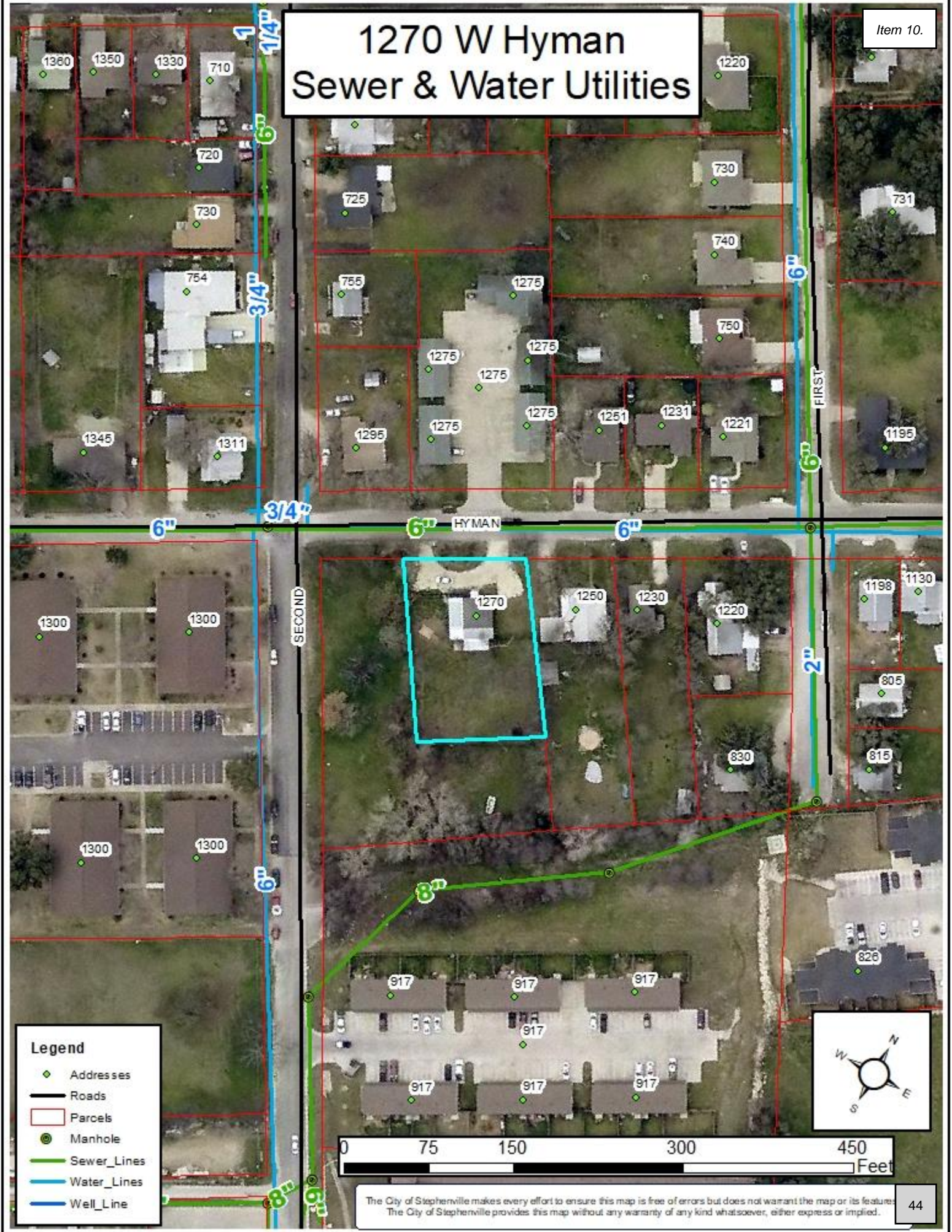
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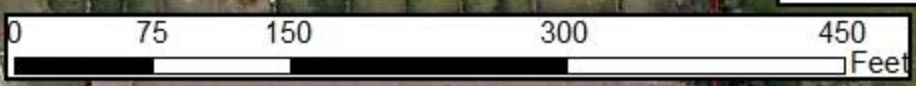
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1270 W Hyman Sewer & Water Utilities

Item 10.



- Legend**
- ◆ Addresses
 - Roads
 - ▭ Parcels
 - Manhole
 - Sewer_Lines
 - Water_Lines
 - Well_Line



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1270 W Hyman Addresses

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000066168	1221 HYMAN	ALLIE TRUST OF BEAU RICHARD & KATHLEEN	23072 CYPRESS CT	VALENCIA	CA	91354
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R000033798	1290 HYMAN	BRADY JEFF & STEPHANIE	2121 CRESTRIDGE	STEPHENVILLE	TX	76401
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R000033743	1295 HYMAN	GREEN NEWTON L	1295 HYMAN	STEPHENVILLE	TX	76401
R000066169	1231 HYMAN	JIMENEZ INES OSWALDO & MARISA	1231 W HYMAN ST	STEPHENVILLE	TX	76401
R000033742	1275 HYMAN	LILLJEDAHL CARL	PO BOX 47	STEPHENVILLE	TX	76401-0000
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R000033795	1230 HYMAN	MORVANT CLIFTON J & VIRGINIA ET AL	584 LYDIA	STEPHENVILLE	TX	76401
R000055659	1220 HYMAN	ROCKIN CP INVESTMENT GROUP INC	PO BOX1046	GODLEY	TX	76044
R000040447	1300 HYMAN	TEXAS HOUSING FOUNDATION	1110 BROADWAY ST	MARBLE FALLS	TX	78654



STAFF REPORT

SUBJECT: Case No.: RZ2021-004

Applicant Jeff Brady is requesting a rezone of properties located at 1270 Hyman, Parcel R33799, Lot 5, Block 35, South Side Addition, to the City of Stephenville, Erath County, Texas, from (R-1) Single Family to (R-3) Multi-Family.

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

RECOMMENDATION:

The Planning and Zoning Commission convened on March 10, 2021, and by a unanimous vote of 4/0, recommended the City Council approve the rezoning request.

BACKGROUND:

The Comprehensive Plan for future land use designates this property to be Single Family.

APPLICANT REQUEST:

The intended project for the requested zoning is for the future construction of a multifamily dwelling. The applicant states that the property is surrounded on three sides by multifamily zoning.

CURRENT ZONING:

R-1 – Single Family

FUTURE LAND USE:

Single Family

DESCRIPTION OF REQUESTED ZONING

Sec. 154.05.6. - Multiple family residential district (R-3).

5.6.A **Description.** This residential district provides for medium to high-density city neighborhood development. The primary land use allows for single-family dwellings, two-to-four family dwelling units, and multiple family housing buildings and complexes. All R-3 zoning will be appropriate to a city-style neighborhood. Recreational, religious and educational uses are also permitted so as to contribute to the natural elements of a convenient, balanced and attractive neighborhood. Development within this district is intended to be protected from the encroachment of land activities that do not contribute to the esthetic and functional well being of the intended district environment.

5.6.B **Permitted Uses.**

(5) Multiple family dwellings, with each family limited as in division (1) above;

(D) *Multiple family dwellings.*

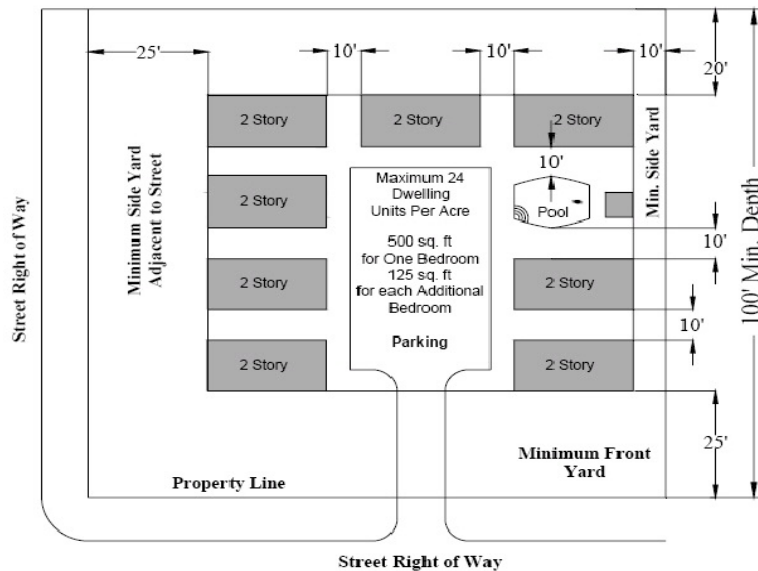
(1) Minimum lot area: maximum density of 24 dwelling units per acre, which includes parking, access and all other area improvements.

- (2) Minimum lot depth: 100 feet.
- (3) Minimum depth of front setback: 25 feet.
- (4) Minimum depth of rear setback: 20 feet.
- (5) Minimum width of side setback:
 - (a) Internal lot: ten feet.
 - (b) Corner lot: 25 feet from intersecting side street.
- (6) Building size: Minimum area of each dwelling unit: 500 ft² for one bedroom or less plus 125 ft² of floor area for each additional bedroom.
- (7) Maximum height of structures: 35 feet.
- (8) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.

Height, Area, Yard and Lot Coverage Requirements

5.6.D Height, Area, Yard and Lot Coverage Requirements

Multiple Family Dwelling



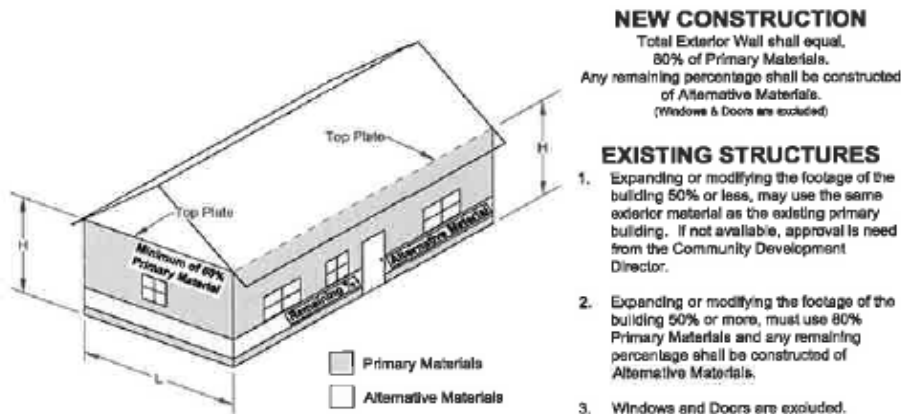
Multiple-Family Dwelling

A Multiple-Family, R-3 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this ordinance.

5.6.F Type of Construction.

- (1) The exterior walls of all new dwellings to the top plate, shall be constructed of at least 80% of the total exterior walls of primary materials, excluding doors, windows, and porches. See Section 10.E(1): Exterior Building Material Standard—Primary Materials.
- (2) Any remaining exterior walls of all new dwellings shall construct the remaining exterior walls of alternative materials. See Section 10.E(2): Exterior Building Material Standard—Alternative Materials.
- (3) Existing dwellings expanding the total square footage of the building 50% or less, or modifying the exterior walls, may use the same exterior construction material as the existing primary building. If the material is not available, similar material may be used if approved by the Community Development Director.

- (4) Existing dwellings expanding the total square footage of the building more than 50%, or proposing to use a material inconsistent with the primary structure for any expansion, must meet the 80% minimum primary materials, Section 10.E: Exterior Building Material Standard, for the total exterior walls of the structure. 5.



(Am. Ord. 2007-24, passed 12-4-2007; Am. Ord. 2008-13, passed 7-1-2008; Ord. 2011-26, passed 12-6-2011)

WATER:

The property is served by a 6" city water main in Hyman.

SEWER:

The property is served by a 6" sanitary sewer main in Hyman.

STREET:

The property is served by a city street (Miller).

ZONING AND LAND USE:

Location	Zoning	Future Land Use
Subject Site	(R-1) Single Family	Single Family
North	(R-3) Multifamily	Multifamily
South	(R-3) Multifamily	Single Family
East	(R-1) Single Family	Single Family
West	(R-3) Multifamily	Multifamily

FACTORS TO CONSIDER:

- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
- If not, have conditions changed or new information been offered to support change?
- Surrounding Zoning and Land Use

- Infrastructure Impacts
- Size and Location of Parcel - is land large enough and in proper location for proposed use?
- Reasonable Use of Property - does proposed change provide reasonable use of property?
- Zoning has great discretion - deny if applicant has not proven it is in the best interest of City to rezone

ALTERNATIVES

- 1) Accept the recommendation from the Planning and Zoning Commission and approve the rezoning request.
- 2) Modify the recommendation of the Planning and Zoning Commission and approve the rezoning request designating an alternate classification.
- 3) Over-rule the recommendation of the Planning and Zoning Commission and deny the request for rezoning.



STAFF REPORT

SUBJECT: Case No.: RZ2021-005

Applicant Beau Mayo is requesting a rezone of properties located at 820 Alexander, Parcel R33804, Lot 7B, Block 35, South Side Addition, to the City of Stephenville, Erath County, Texas, from (R-1) Single Family to (R-3) Multi-Family.

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

RECOMMENDATION:

The Planning and Zoning Commission convened on March 10, 2021, and by a unanimous vote of 4/0, recommended the City Council approve the rezoning request.

BACKGROUND:

The Comprehensive Plan for future land use designates this property to be Single Family.

APPLICANT REQUEST:

The intended project for the requested zoning is for the future construction of a townhome dwelling.

Recently, the Commission approved a rezone for properties to the south of this parcel to allow for B-2 and R-3 zoning.

CURRENT ZONING:

R-1 – Single Family

FUTURE LAND USE:

Single Family

DESCRIPTION OF REQUESTED ZONING

Sec. 154.05.6. - Multiple family residential district (R-3).

5.6.A **Description.** This residential district provides for medium to high-density city neighborhood development. The primary land use allows for single-family dwellings, two-to-four family dwelling units, and multiple family housing buildings and complexes. All R-3 zoning will be appropriate to a city-style neighborhood. Recreational, religious and educational uses are also permitted so as to contribute to the natural elements of a convenient, balanced and attractive neighborhood. Development within this district is intended to be protected from the encroachment of land activities that do not contribute to the esthetic and functional well being of the intended district environment.

5.6.B Permitted Uses.

(5) Multiple family dwellings, with each family limited as in division (1) above;

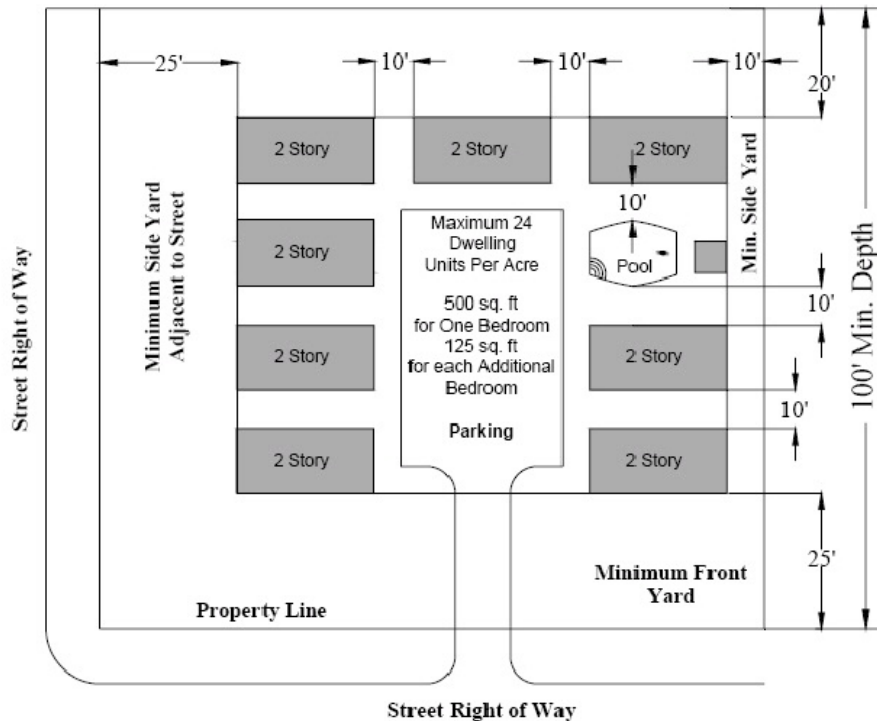
(D) *Multiple family dwellings.*

- (1) Minimum lot area: maximum density of 24 dwelling units per acre, which includes parking, access and all other area improvements.
- (2) Minimum lot depth: 100 feet.
- (3) Minimum depth of front setback: 25 feet.
- (4) Minimum depth of rear setback: 20 feet.
- (5) Minimum width of side setback:
 - (a) Internal lot: ten feet.
 - (b) Corner lot: 25 feet from intersecting side street.
- (6) Building size: Minimum area of each dwelling unit: 500 ft² for one bedroom or less plus 125 ft² of floor area for each additional bedroom.
- (7) Maximum height of structures: 35 feet.
- (8) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.

Height, Area, Yard and Lot Coverage Requirements

5.6.D Height, Area, Yard and Lot Coverage Requirements

Multiple Family Dwelling



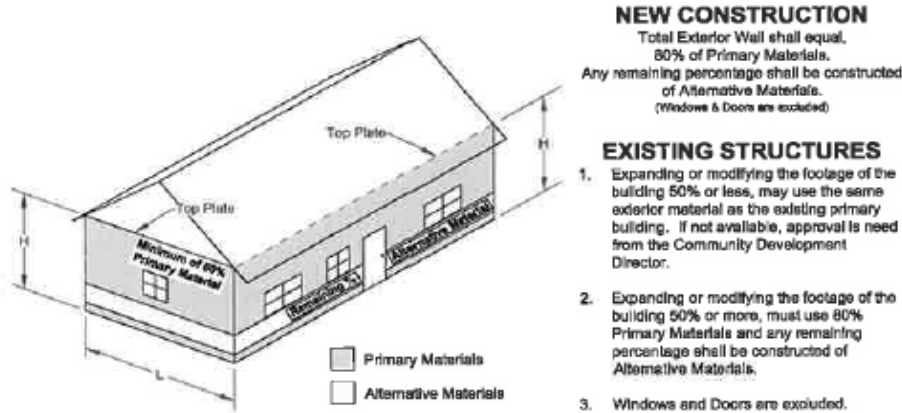
Multiple-Family Dwelling

A Multiple-Family, R-3 District lot shall provide a minimum of two vehicle parking spaces per dwelling unit, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this ordinance.

5.6.F Type of Construction.

- (1) The exterior walls of all new dwellings to the top plate, shall be constructed of at least 80% of the total exterior walls of primary materials, excluding doors, windows, and porches. See Section 10.E(1): Exterior Building Material Standard—Primary Materials.
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- (4) Existing dwellings expanding the total square footage of the building more than 50%, or proposing to use a material inconsistent with the primary structure for any expansion, must meet the 80% minimum primary materials, Section 10.E: Exterior Building Material Standard, for the total exterior walls of the structure.

5.6.F Exterior Building Material Standards



(Am. Ord. 2007-24, passed 12-4-2007; Am. Ord. 2008-13, passed 7-1-2008; Ord. 2011-26, passed 12-6-2011)

WATER:

The property is served by a 8” city water main in Alexander.

SEWER:

The property is served by a 6” sanitary sewer main in Alexander.

STREET:

The property is served by a city street (Alexander).

ZONING AND LAND USE:

Location	Zoning	Future Land Use
Subject Site	(R-1) Single Family	Single Family
North	(R-1) Single Family	Single Family
South	(R-3) Multifamily	Single Family
East	(R-3) Multifamily	Commercial

West

(R-1) Single Family

Single Family

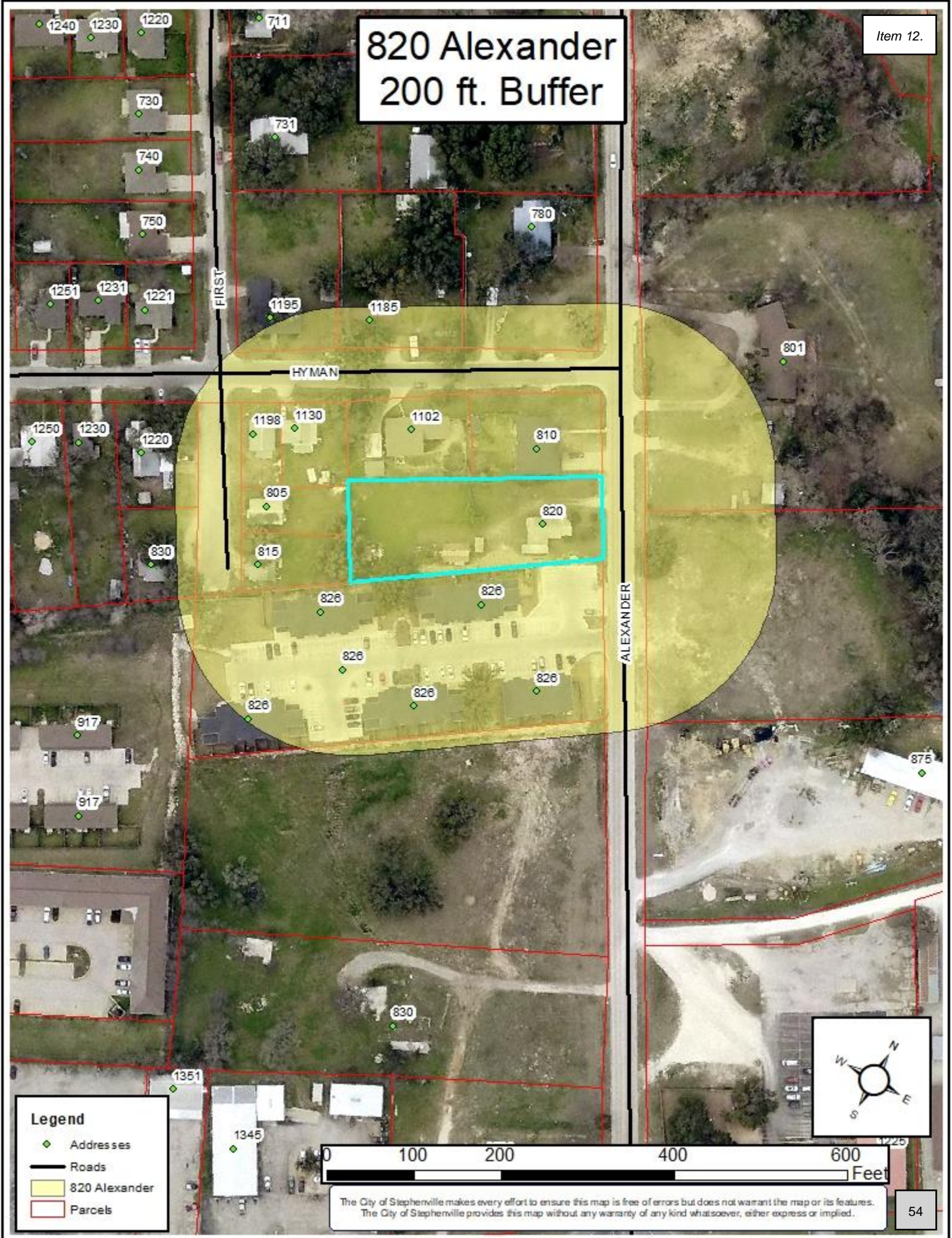
FACTORS TO CONSIDER:

- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
- If not, have conditions changed or new information been offered to support change?
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ALTERNATIVES

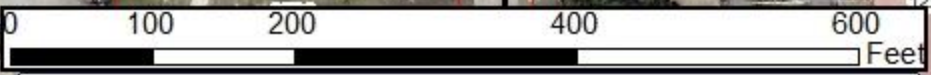
- 1) Accept the recommendation from the Planning and Zoning Commission and approve the rezoning request.
- 2) Modify the recommendation of the Planning and Zoning Commission and approve the rezoning request designating an alternate classification.
- 3) Over-rule the recommendation of the Planning and Zoning Commission and deny the request for rezoning.

820 Alexander 200 ft. Buffer



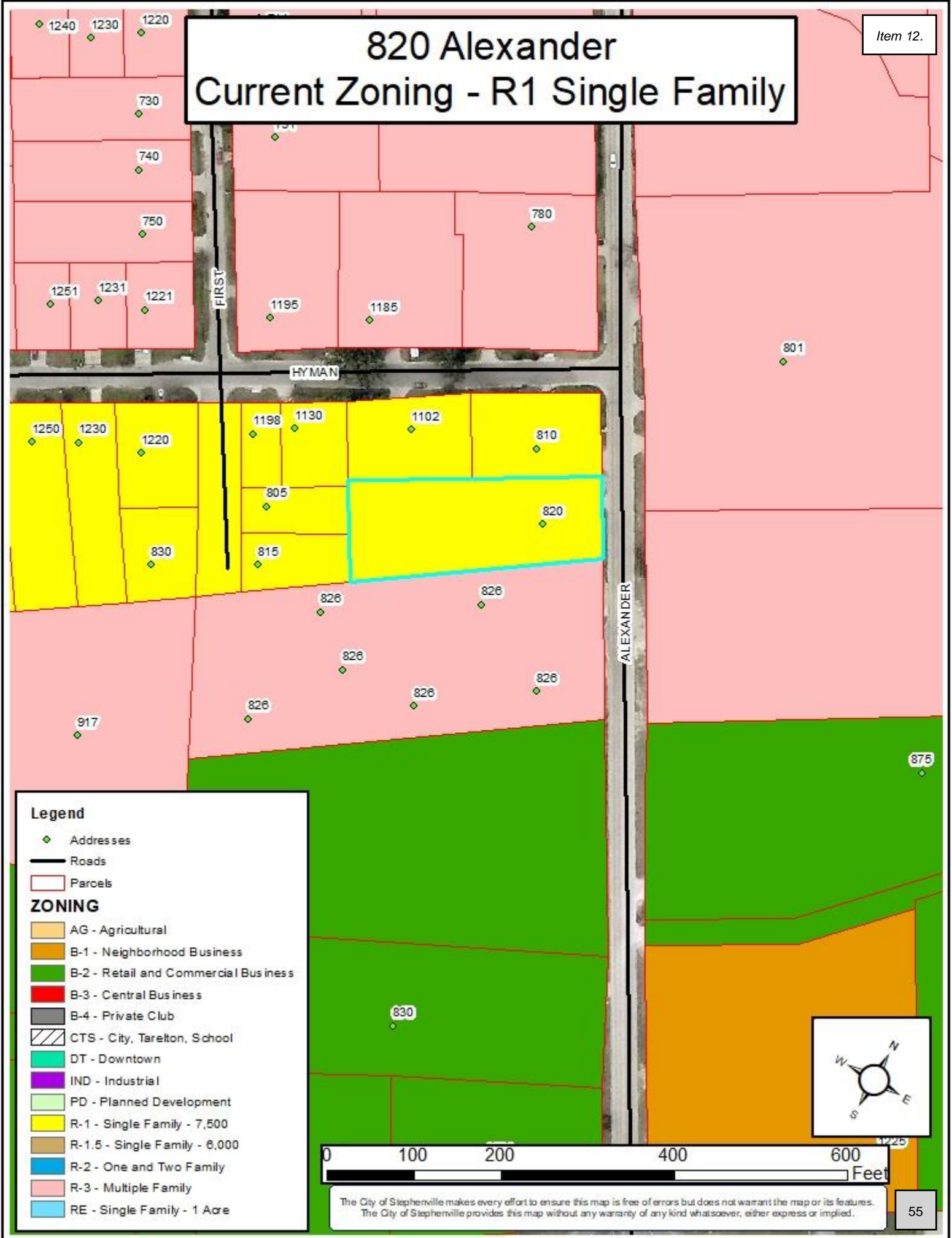
Legend

- ◆ Addresses
- Roads
- 820 Alexander
- Parcels



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820 Alexander Current Zoning - R1 Single Family

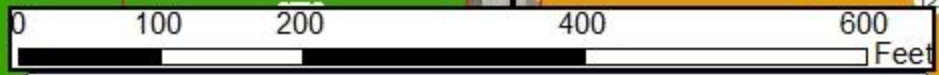


Legend

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ZONING

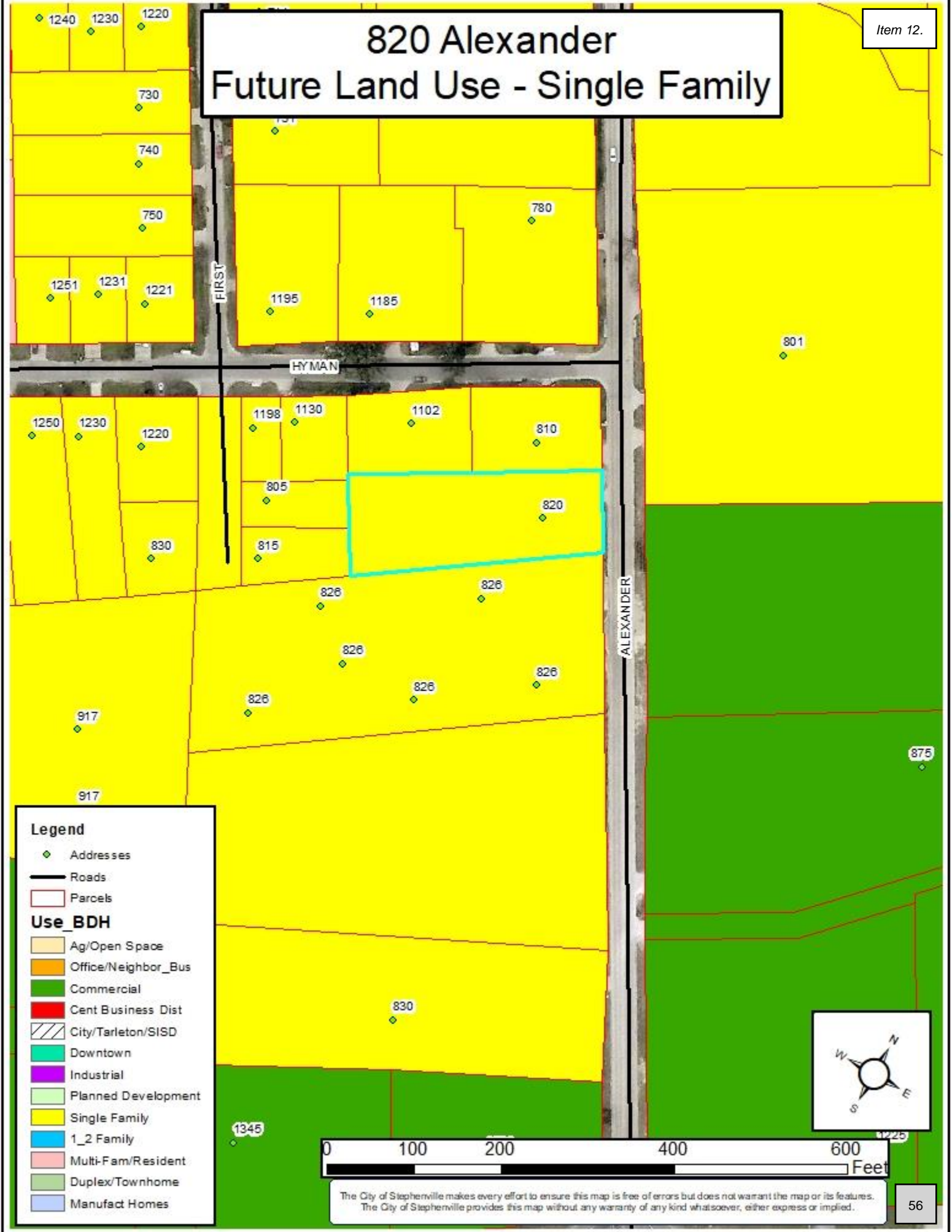
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820 Alexander Future Land Use - Single Family

Item 12.

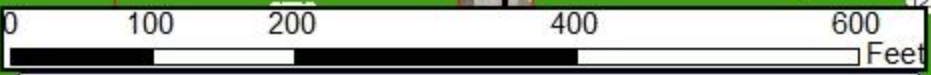


Legend

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Use_BDH

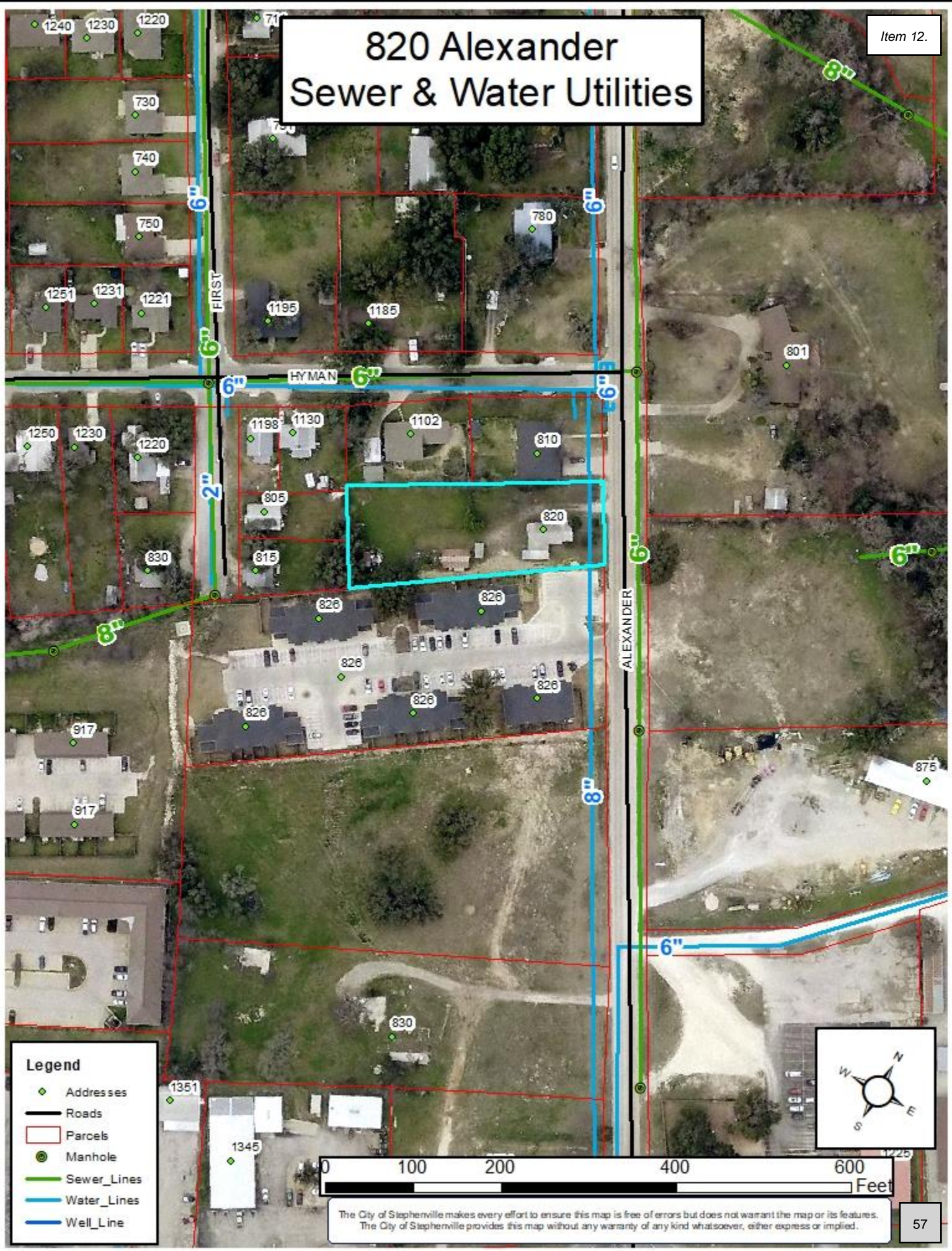
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- Office/Neighbor_Bus
- Commercial
- Cent Business Dist
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820 Alexander Sewer & Water Utilities

Item 12.



- Legend**
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0 100 200 400 600 Feet

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820 Alexander Addresses

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000074118	0 ALEXANDER RD	AJC INVESTMENT CORP	PO BOX 65	STEPHENVILLE	TX	76401
R000074977	826 ALEXANDER RD	BB TRANSITIONS LLC	PO BOX 1827	STEPHENVILLE	TX	76401
R000042351	0 S FIRST	CITY OF STEPHENVILLE	298 W WASHINGTON	STEPHENVILLE	TX	76401-4257
R000033806	917 S SECOND AVE	D818 LLC	PO BOX 1827	STEPHENVILLE	TX	76401
R000055655	1198 HYMAN	ELIZONDO SANTOS AVILA & CAROLINA MEDRANO	1040 ANTELOPE TRAIL	STEPHENVILLE	TX	76401
R000033747	1195 HYMAN	FERGUSON THOMAS D	1195 HYMAN	STEPHENVILLE	TX	76401
R000055656	805 FIRST	FRANCISCO JAVIER LOPEZ & MARIA EUGENIA LOPEZ	7407 WINKELMAN RD	HOUSTON	TX	77083
R000065807	875 ALEXANDER RD	JOHNSON WAYNE BRADLEY	PO BOX 551	HICO	TX	76457
R000070978	780 ALEXANDER RD	LINDLEY MARY GERALDINE	780 ALEXANDER RD	STEPHENVILLE	TX	76401
R000055658	830 FIRST	LOPEZ EFRAIN	830 1ST ST	STEPHENVILLE	TX	76401
R000055654	1130 HYMAN	MILLER UEL	1198 CR254	STEPHENVILLE	TX	76401
R000055648	810 ALEXANDER RD	MONRREAL REYNALDO	810 ALEXANDER RD	STEPHENVILLE	TX	76401
R000055657	815 FIRST	PEREZ JUAN ROBERTO & ALMA DEYANIRA SARATE	15206 PARRISH LANE	AUSTIN	TX	78725
R000055659	1220 HYMAN	ROCKIN CP INVESTMENT GROUP INC	PO BOX1046	GODLEY	TX	76044
R000055649	1102 HYMAN	SHUTEYE PEAK PROPERTIES LLC	1753 ALEX WAY	TURLOCK	CA	95382
R000033804	820 ALEXANDER RD	SPERRY REBA JOYCE	163 JOE ROAD	DUBLIN	TX	76446
R000074978	0 ALEXANDER RD	TROY INVESTMENT CO NO 20 LP	785 W HIDDEN CREEK PKWY STE 2200	BURLESON	TX	76028
R000033748	1185 HYMAN	VERNON TATE MOORE	1185 W HYMAN ST	STEPHENVILLE	TX	76401
R000029747	801 ALEXANDER RD	WELLS B WAYNE & SHERYL R	801 ALEXANDER RD	STEPHENVILLE	TX	76401-0000

STAFF REPORT



SUBJECT: Case No.: SC2021-001
Abandonment of the 800 Blk. of N. Lillian Avenue

Development Services

STAFF CONTACT: Steve Killen

RECOMMENDATION:

The Planning and Zoning Commission convened on March 10, 2021, and by a vote of 3/1, recommended the City Council abandon the aforementioned street as authorized by Chapter 95 of the City of Stephenville Code of Ordinances.

BACKGROUND:

The City has previously abandoned North Lillian Avenue from Washington Street to Shirley Street which was then sold to Tarleton State University. The University has now acquired the remaining private residences on Lillian Avenue and has asked the city to consider the sale of the final block of Lillian Avenue between Shirley and Frey. Staff is agreeable to this request.

Chapter 95 of the City of Stephenville Code of Ordinances allows for the abandonment of streets and alleys by petition or council initiative. Council initiated such action on February 2, 2021, which then required review by the Planning and Zoning Commission via public hearing and a recommendation to Council for final approval. The applicable sections of the city code are as follows:

ARTICLE IV. - CLOSING STREETS AND ALLEYS

Sec. 95.50. - Reference to transportation code.

Provisions for the closing of streets and alleys are granted by the V.T.C.A. Transp. Code § 311.07. The procedures and regulations set out herein are consistent with the requirements of the Code and set out regulations to be followed in the closing of streets and alleys.
(Ord. 2015-11, passed 7-7-2015)

Sec. 95.51. - Public hearing generally.

The City Council, on its own initiative, may call a public hearing to determine whether or not any street or alley in the city, or any portion thereof, should be closed or abandoned as a public thoroughfare.
(Ord. 2015-11, passed 7-7-2015)

Sec. 95.54. - Recommendation of the planning and zoning commission.

Before City Council may take final action to adopt any ordinance to close a street or alley the Planning and Zoning Commission shall review the request from the point of view of impact on future traffic circulation in the city and shall make a recommendation on such matters to the City Council. The Planning and Zoning Commission shall be required to conduct a public hearing. (Ord. 2015-11, passed 7-7-2015)

DEPARTMENTAL COMMENTS:

Public Works Department

A Municipal Utility Easement must be retained by the city for:

1. an existing 12-inch diameter water line that runs parallel to and lies under the existing Lillian Avenue right-of-way and for
2. an existing 6-inch diameter water line that runs parallel to and lies under the existing Shirley Street right-of-way.

The portions of existing sanitary sewer would become the property of Tarleton State University.

Development Services

No additional comments

Police Department

No additional comments

Fire Department

Removable bollards will be required to allow access at both intersections (Frey and Lillian/ Lillian and Shirley).

ESTIMATE OF VALUE

An estimate of value has not been developed for the 800 block of Lillian Avenue. Because the right-of-way and adjacent property is currently developed, staff recommends using an independent appraisal of the real property using Section 95.56 of the adopted Code of Ordinances. An exhibit of the area is shown below.

ARTICLE IV. - CLOSING STREETS AND ALLEYS

Sec. 95.56. - Appraisal of real property required.

- A. Within 90 days after the City Council public hearing and Planning and Zoning Commission recommendation, but before City Council final action, the petitioner shall provide an appraisal by a certified appraiser of real property. The cost of the appraisal is to be paid in full by the petitioner. Upon written application by the petitioner stating the need therefor, this time period may be extended by the City Administrator. Such extension shall be in writing.
- B. As an alternative to the above, the petitioner may elect, in writing, to utilize the average appraised values of the land immediately adjacent to the street or alley to be closed as shown on the most recent approved municipal tax roll. Such average value shall be calculated by city staff.
- C. If the requested closure is approved by City Council, the actual selling price shall be determined solely by the City Council, but in no case shall the selling price be less than the appraised value as determined under this section.

(Ord. 2015-11, passed 7-7-2015)

ADVANTAGES:

An advantage to closing the 800 block of North Lillian Avenue between Shirley Street and Frey Street include the transfer of maintenance of the pavement and the sanitary sewer utility that provide benefit to a sole customer.

DISADVANTAGES:

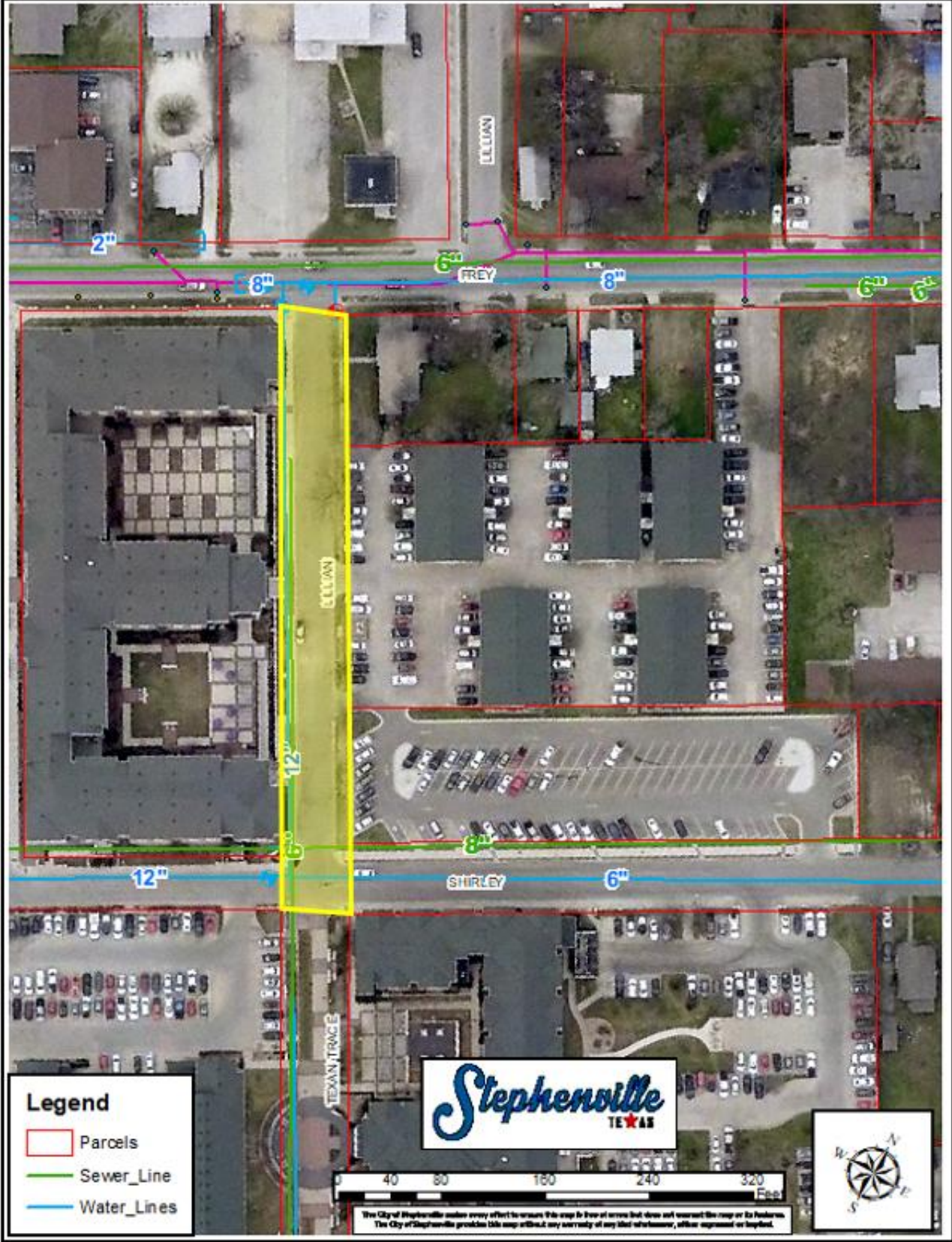
No disadvantages have been identified at this time.

ALTERNATIVES

- 1) Accept the recommendation of the Planning and Zoning Commission and abandon the street as initiated.

2) Over-rule the recommendation of the Planning and Zoning Commission and terminate the initiated action and therefore, not abandon the identified portion of North Lillian.

Exhibit – 800 Block of North Lillian





STAFF REPORT

SUBJECT: Case No.: SC2021-002
Abandonment of the Undeveloped Portion of Shirley Street

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

RECOMMENDATION:

The Planning and Zoning Commission convened on March 10, 2021, and by a vote of 4/0, recommended the City Council abandon an undeveloped portion of Shirley street as authorized by Chapter 95 of the City of Stephenville Code of Ordinances. The undeveloped portion of Shirley Street is between Paddock Street and the Fort Worth and Western Railroad.

BACKGROUND:

Staff was contacted by an individual interested in purchasing and developing an undeveloped portion of Shirley Street. The individual has purchased a property on the northeast end of the undeveloped property. The street under consideration contains a six-inch diameter sanitary sewer line. There are no plans to develop the street as it intersects with the railroad and there is not an existing crossing.

Chapter 95 of the City of Stephenville Code of Ordinances allows for the abandonment of streets and alleys by petition or council initiative. Council initiated such action at the regular business meeting on February 2, 2021, which then required review by the Planning and Zoning Commission via public hearing and a recommendation to council for final approval. The applicable sections of the city code are as follows:

ARTICLE IV. - CLOSING STREETS AND ALLEYS

Sec. 95.50. - Reference to transportation code.

Provisions for the closing of streets and alleys are granted by the V.T.C.A. Transp. Code § 311.07. The procedures and regulations set out herein are consistent with the requirements of the Code and set out regulations to be followed in the closing of streets and alleys. (Ord. 2015-11, passed 7-7-2015)

Sec. 95.51. - Public hearing generally.

The City Council, on its own initiative, may call a public hearing to determine whether or not any street or alley in the city, or any portion thereof, should be closed or abandoned as a public thoroughfare. (Ord. 2015-11, passed 7-7-2015)

Sec. 95.54. - Recommendation of the planning and zoning commission.

Before City Council may take final action to adopt any ordinance to close a street or alley the Planning and Zoning Commission shall review the request from the point of view of impact on future traffic circulation in the city and shall make a recommendation on such matters to the City Council. The Planning and Zoning Commission shall be required to conduct a public hearing. (Ord. 2015-11, passed 7-7-2015)

DEPARTMENTAL COMMENTS:

Public Works Department

A Municipal Utility Easement must be retained by the city for an existing 6-inch diameter sanitary sewer line that crosses the existing Shirley Street right-of-way.

Development Services

No objections.

Police Department

No Objections.

Fire Department

No Objections.

ESTIMATE OF VALUE

An estimate of value for the undeveloped portion of Shirley Street has been identified as \$15,882.78 for the full 40-ft. width of right-of-way and \$7,941.39 for the half width of right-of-way using Section 95.56 of the adopted Code of Ordinances. An exhibit of the undeveloped portion of Shirley Street is shown below.

ARTICLE IV. - CLOSING STREETS AND ALLEYS

Sec. 95.56. - Appraisal of real property required.

- A. Within 90 days after the City Council public hearing and Planning and Zoning Commission recommendation, but before City Council final action, the petitioner shall provide an appraisal by a certified appraiser of real property. The cost of the appraisal is to be paid in full by the petitioner. Upon written application by the petitioner stating the need therefor, this time period may be extended by the City Administrator. Such extension shall be in writing.
- B. As an alternative to the above, the petitioner may elect, in writing, to utilize the average appraised values of the land immediately adjacent to the street or alley to be closed as shown on the most recent approved municipal tax roll. Such average value shall be calculated by city staff.
- C. If the requested closure is approved by City Council, the actual selling price shall be determined solely by the City Council, but in no case shall the selling price be less than the appraised value as determined under this section.

(Ord. 2015-11, passed 7-7-2015)

ADVANTAGES:

An advantage to closing the undeveloped portion of Shirley Street between Paddock Street and the Fort Worth and Western Railroad include probable development of the undeveloped property adjacent to the railroad tracks.

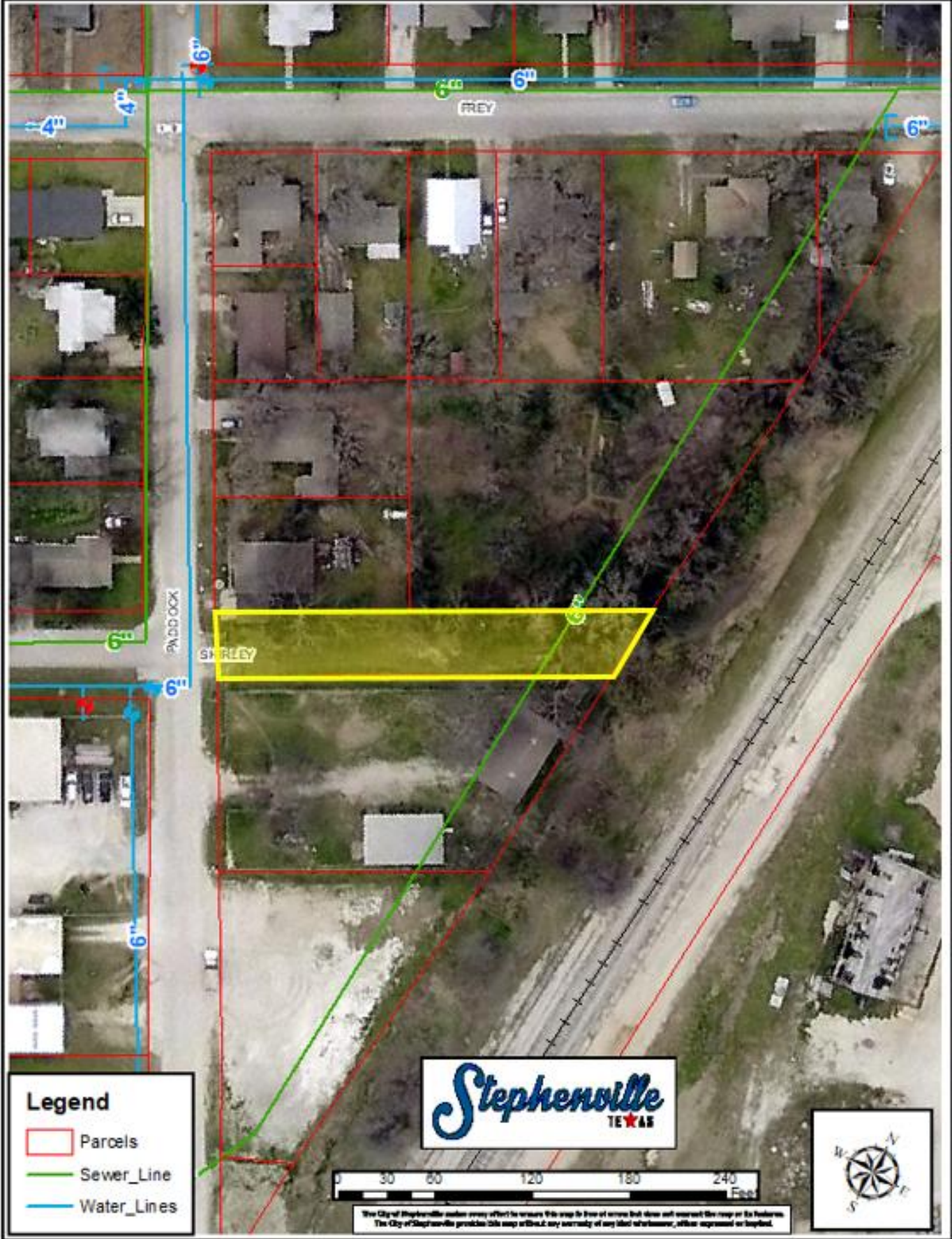
DISADVANTAGES:

No disadvantages have been identified at this time.

ALTERNATIVES

- 1) Accept the recommendation of the Planning and Zoning Commission and abandon the street as initiated.
- 2) Over-rule the recommendation of the Planning and Zoning Commission and terminate the initiated action and therefore, not abandon the identified portion of Shirley street.

Exhibit – Undeveloped portion of Shirley Street at Paddock Street





STAFF REPORT

SUBJECT: Case No.: SV2021-001

Applicant Mike's Westside Rental, is requesting a subdivision waiver from Section 155.6.11 – Sidewalk along County Road 257 (Peach Orchard), located at Parcel R23789, Lot 2, Block 1, Excels Addition, to the City of Stephenville, Erath County, Texas.

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

RECOMMENDATION:

The Planning and Zoning Commission convened on March 10, 2021, and by a vote of 3/1, recommended the City Council deny the waiver request.

BACKGROUND:

The applicant was recently approved for a sidewalk waiver for the portion of the property facing Washington/Hwy 377. The property also has frontage on Peach Orchard and additional waivers were submitted for curb and gutter along Hwy 377 and for the curb, gutter and sidewalk improvements along Peach Orchard.

CURRENT ZONING:

B-2 – Retail and Commercial

FUTURE LAND USE:

Commercial

SUBDIVISION ORDINANCE/SIDEWALKS

Sec. 155.6.11. - Sidewalks.

- A. *Sidewalks and Pedestrian ways are required as a part of Subdivision Plat approval to help the City achieve the following:*
1. Promote the mobility, health, safety, and welfare of residents, property owners, and visitors to the City and to implement objectives and strategies of the Comprehensive Plan,
 2. Improve the safety of walking by providing separation from motorized transportation and improving travel surfaces for pedestrians,
 3. Improve public welfare by providing an alternate means of access to transportation and social interaction, especially for children, other citizens without personal vehicles, or those with disabilities, and
 4. Facilitate walking as a means of physical activity recognized as an important provider of health benefits.
- B. *Sidewalk Location and Design.*
1. Sidewalks shall be constructed for both sides of all streets within the Subdivision.
 2. Sidewalks shall be constructed along all lots adjoining dedicated streets, along Major Arterial/Thoroughfare Streets where lots do not adjoin the street, across power line easements and in other areas where pedestrian walkways are necessary.

3. Routing to clear poles, trees or other obstacles shall be subject to City Administrator approval.
4. The Plat or Construction Plans shall show the location of all proposed sidewalks and shall state at what stage of the project they will be constructed.
5. All sidewalks shall conform to Federal Americans with Disabilities Act (ADA) requirements and barrier-free ramps should be provided for access to the street.

C. *Sidewalk General Construction.*

1. Sidewalks shall be constructed by Class "A" concrete and shall have a width of not less than five (5) feet and a minimum thickness of four (4) inches.
2. Sidewalks along Major Arterial/Thoroughfare Streets shall be no less than six feet (6') in width.
3. Sidewalks adjacent to screening and retaining walls shall be five (5') feet in width and shall abut the wall, eliminating the landscape area found along the wall, thereby reducing maintenance.
4. Sidewalks shall be constructed one foot (1') from the property line within the street or Major Arterial/Thoroughfare Street Right-of-Way and shall extend along the full street frontage including both sides of corner lots and block ends.
5. Construction of sidewalks adjacent to curbs will be considered where driveway entrances are constructed from the rear of lots on each side of the street for the full length of the block or where mountable curbs are installed. In these instances, the sidewalks shall be a minimum of five feet (6') wide.
6. Sidewalk construction may be delayed until development of lots, but in locations not adjacent to lots and across bridges and culverts, the sidewalk shall be constructed with the other improvements to the Subdivision.

D. *Sidewalks in Nonresidential Areas.* Sidewalks in nonresidential areas shall be a minimum width of five feet (6') or extend from the back of the curb to the building line as required by the City.

SUBDIVISION ORDINANCE/WAIVER REQUESTS

Sec. 155.7.01. - Petition for subdivision waiver.

- A. *Purpose.* The purpose of a petition for a Subdivision Waiver to a particular standard or requirement with these Subdivision Regulations, as such are applicable to Plats or Construction Plans, is to determine whether such particular standard or requirement should be applied to an Application.
- B. *Definitions.* Subdivision Waivers shall be classified as a Minor Subdivision Waiver or Major Subdivision Waiver.
- C. *Decision-Maker.*
 1. *Minor Subdivision Waiver.*
 - a. *Decision-Maker Authority.*
 - i. The City Administrator shall act upon a Minor Subdivision Waiver listed in Table 8.
 - b. *Appeal of a Minor Subdivision Waiver Decision.*
 - i. *Appeal Review and Recommendation.* An appeal of the Minor Subdivision Waiver decision may be considered by the Commission.
 - ii. *Appeal Decision.* If further appeal is made, the City Council shall then act on such an appeal. (See 7.01.J Minor Subdivision Waiver Appeal)

Table 8: Minor Subdivision Waiver		
Section	Standard	City Administrator
3.01.B	Waiver of Application Information	Approve

6.06.N	Dead-End Alleys	Approve
6.10.D	Right Angles for Side Lot Lines	Approve
6.05.D	Traffic Impact Analysis	Approve
6.13.A.5	Water Lines Extended to Subdivision Borders	Approve
6.14.A.5	Wastewater Lines Extended to Subdivision Borders	Approve

2. *Major Subdivision Waiver.*

- a. *Decision Maker Authority.* After review and recommendation from the Commission, the City Council shall decide a Major Subdivision Waiver.

D. *Subdivision Waiver Applicability.*

1. *Waiver of Standard or Requirement.*

- a. An Applicant may request a Subdivision Waiver of a particular standard or requirement applicable to a Preliminary Plat, to Construction Plans, or where no Preliminary Plat Application has been submitted for approval, to a Final Plat or a Replat.
- b. A Subdivision Waiver petition shall be specific in nature, and shall only involve relief consideration for one particular standard or requirement.
- c. An Applicant may, if desired, submit more than one Subdivision Waiver petition if there are several standards or requirements at issue.
- d. For processing a Subdivision Waiver in relationship with a Plat Application, an Applicant shall submit a Waiver of Right to 30-Day Action in accordance with 3.03.D Waiver of Right to 30-Day Action.

2. *Waiver Petition Acceptance.*

- a. A petition for a Subdivision Waiver shall not be accepted in lieu of:
- i. A Subdivision Proportionality Appeal (7.02); or
 - ii. A Subdivision Vested Rights Petition (7.03).
- b. If there is a question as to whether a Subdivision Proportionality Appeal or Subdivision Vested Rights Petition is required instead of a Subdivision Waiver petition, such determination shall be made by the City Administrator.

E. *Subdivision Waiver Submission Procedures.*

1. *Written Waiver Request with Application.*

- a. A request for a Subdivision Waiver shall be submitted in writing by the Applicant with the filing of a Preliminary Plat, Construction Plans, Final Plat or Replat, as applicable.
- b. No Subdivision Waiver may be considered or granted unless the Applicant has made such written request.

2. *Grounds for Waiver.*

- a. The Applicant's request shall state the grounds for the Subdivision Waiver request and all of the facts relied upon by the Applicant.
- b. Failure to do so, will result in denial of the Application unless the Applicant submits a Waiver of Right to 30-Day Action in accordance with 3.03.D Waiver of Right to 30-Day Action.

F. Subdivision Waiver Criteria.

1. *Undue Hardship Present.* A Subdivision Waiver to regulations within this Subdivision Ordinance may be approved only when, in the Decision-Maker's opinion, undue hardship will result from strict compliance to the regulations.
2. *Consideration Factors.* The Decision-Maker shall take into account the following factors:
 - a. The nature of the proposed land use involved and existing uses of the land in the vicinity;
 - b. The number of persons who will reside or work in the proposed development; and
 - c. The effect such Subdivision Waiver might have upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity.
3. *Findings.* No Subdivision Waiver shall be granted unless the Decision-Maker finds:
 - a. That there are special circumstances or conditions affecting the land involved or other constraints such that the strict application of the provisions of this Subdivision Ordinance would deprive the Applicant of the reasonable use of his or her land; and
 - b. That the Subdivision Waiver is necessary for the preservation and enjoyment of a substantial property right of the Applicant, and that the granting of the Subdivision Waiver will not be detrimental to the public health, safety or welfare or injurious to other property in the area; and
 - c. That the granting of the Subdivision Waiver will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this Subdivision Ordinance.
4. *Intent of Subdivision Regulations.*
 - a. A Subdivision Waiver may be granted only when in harmony with the general purpose and intent of the Subdivision Ordinance so that the public health, safety and welfare may be secured and substantial justice done.
 - b. Financial hardship to the Applicant shall not be deemed to constitute undue hardship.
5. *Minimum Degree of Variation.* No Subdivision Waiver shall be granted unless it represents the minimum degree of variation of requirements necessary to meet the needs of the Applicant.
6. *Violations and Conflicts.* The Decision-Maker shall not authorize a Subdivision Waiver that would constitute a violation of, or conflict with, any other valid ordinance, code, regulation, master plan or Comprehensive Plan of the City.
7. *Falsification of Information.*
 - a. Any falsification of information by the Applicant shall be cause for the Subdivision Waiver request to be denied.
 - b. If the Subdivision Waiver request is approved based upon false information, whether intentional or not, discovery of such false information shall nullify prior approval of the Subdivision Waiver, and shall be grounds for reconsideration of the Subdivision Waiver request.

G. Burden of Proof. The Applicant bears the burden of proof to demonstrate that the requirement for which a Subdivision Waiver is requested, if uniformly applied, imposes an undue hardship or disproportionate burden on the Applicant. The Applicant shall submit the burden of proof with the original submittal.

H. Subdivision Waiver Decision.

1. The Decision-Maker shall consider the Subdivision Waiver petition and, based upon the criteria set forth in 7.01.F Subdivision Waiver Criteria, shall take one of the following actions:
 - a. Deny the petition, and impose the standard or requirement as it is stated in this Subdivision Ordinance; or
 - b. Grant the petition, and waive in whole or in part the standard or requirement as it is stated in this Subdivision Ordinance.
2. Decision Process for a Minor Subdivision Waiver. The Decision-Maker shall deny or grant a request for a Minor Subdivision Waiver concurrently with the decision of a Preliminary Plat, Construction Plans, Final Plat or Replat, as applicable.

3. Decision Process for a Major Subdivision Waiver.
 - a. Recommendation of the Planning and Zoning Commission.
 - i. The Commission shall consider the Major Subdivision Waiver request at a public meeting no later than thirty (30) calendar days after the date on which the notice of Major Subdivision Waiver is submitted to the City Administrator.
 - ii. The Commission shall recommend to the City Council to approve or deny a request for a Major Subdivision Waiver by majority vote.
 - b. Decision by City Council.
 - i. After the recommendation from the Commission has been made, the City Council shall consider the Major Subdivision Waiver request at a public meeting no later than thirty (30) calendar days after the date on which the Commission's recommendation was made.
 - ii. The City Council may or shall approve or deny a request for a Major Subdivision Waiver by a vote of all members.
 - iii. The decision of the City Council is final.
- I. *Notification of Decision on Petition—14 Days.* The Applicant shall be notified of the decision on the Subdivision Waiver by the applicable Decision-Maker (e.g., the City Administrator, Commission or City Council, as applicable), within fourteen (14) calendar days following the decision.
- J. *Minor Subdivision Waiver Appeal.*
 1. *Initiation of an Appeal.*
 - a. The Applicant may appeal a Minor Subdivision Waiver decision of the City Administrator, as allowed within the Subdivision Ordinance.
 - b. The written request to appeal shall be submitted to the City Administrator within thirty (30) calendar days following the denial decision.
 2. *Recommendation of the Planning and Zoning Commission.*
 - a. The Commission shall consider the appeal at a public meeting no later than thirty (30) calendar days after the date on which the notice of appeal is submitted to the City Administrator.
 - b. At this meeting, new information may be presented and considered, if available, that might alter the previous decision to deny the Minor Subdivision Waiver.
 - c. The Commission shall recommend to the City Council to affirm, modify or reverse the previous decision by simple majority vote.
 3. *Appeal to City Council.*
 - a. The Applicant may appeal the Commission's decision by submitting a written notice of appeal to the City Administrator within thirty (30) calendar days following the Commission's decision.
 - b. After the recommendation from the Commission has been made, the City Council shall consider the appeal at a public meeting no later than thirty (30) calendar days after the date on which the Commission's recommendation was made.
 - c. The City Council may affirm, modify or reverse the decision by simple majority vote.
 - d. The decision of the City Council is final.
- K. *Effect of Approval.*
 1. *Submission and Processing.* Following the granting of a Subdivision Waiver, the Applicant may submit or continue the processing of a Plat or Construction Plans, as applicable.
 2. *Expirations.* The Subdivision Waiver granted shall remain in effect for the period the Plat or Construction Plans are in effect, and shall expire upon expiration of either or both of those Applications.
 3. *Extensions.* Extension of those Applications shall also result in extension of the Subdivision Waiver.

WATER:

The property is served by a 6” city water main in Washington/HWY 377 and a 12” city water main in Peach Orchard.

SEWER:

The property is served by a 10” sanitary sewer main in Washington/HWY 377.

STREET:

The property is served by a Washington/HWY 377 and Peach Orchard.

ZONING AND LAND USE:

Location	Zoning	Future Land Use
Subject Site	(B-2) Retail and Commercial	Commercial
North	(B-2) Retail and Commercial	Commercial
South	(B-2) Retail and Commercial	Commercial
East	(AG) Agriculture	Commercial
West	(B-2) Retail and Commercial	Commercial

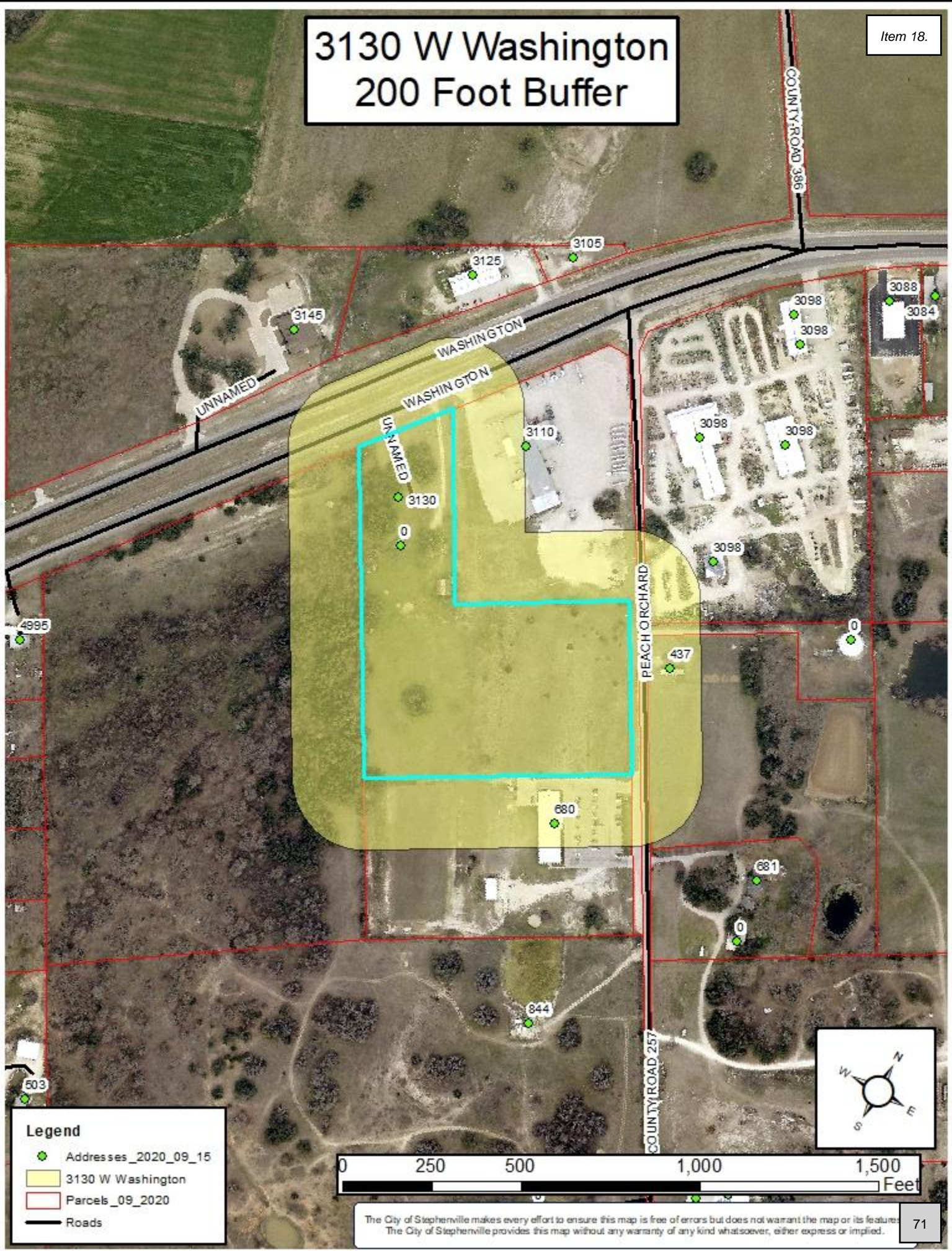
FACTORS TO CONSIDER:

- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
- If not, have conditions changed or new information been offered to support change?
- Surrounding Zoning and Land Use
- Infrastructure Impacts
- Size and Location of Parcel - is land large enough and in proper location for proposed use?
- Reasonable Use of Property - does proposed change provide reasonable use of property?
- Zoning has great discretion - deny if applicant has not proven it is in the best interest of City to rezone

ALTERNATIVES

- 1) Accept the recommendation from the Planning and Zoning Commission and approve the waiver request.
- 2) Modify the recommendation of the Planning and Zoning Commission under the recent revisions to the subdivision ordinance in regards to the sidewalk waiver fees.
- 3) Over-rule the recommendation of the Planning and Zoning Commission and deny the waiver request.

3130 W Washington 200 Foot Buffer



Legend

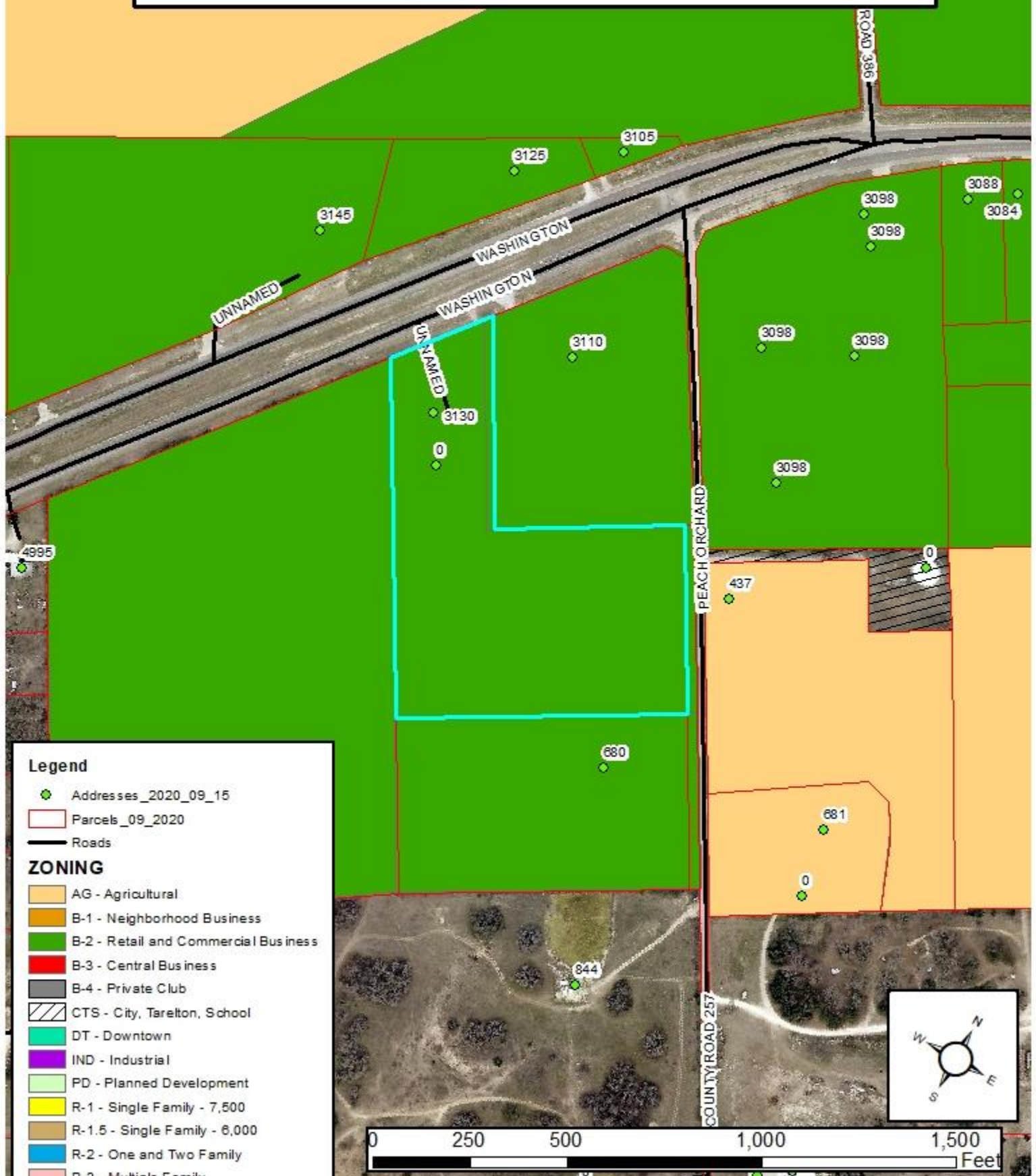
- Addresses_2020_09_15
- 3130 W Washington
- Parcels_09_2020
- Roads



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

3130 W Washington Current Zoning - B2 Retail & Commercial

Item 18.

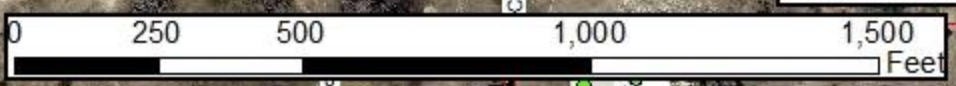


Legend

- Addresses_2020_09_15
- Parcels_09_2020
- Roads

ZONING

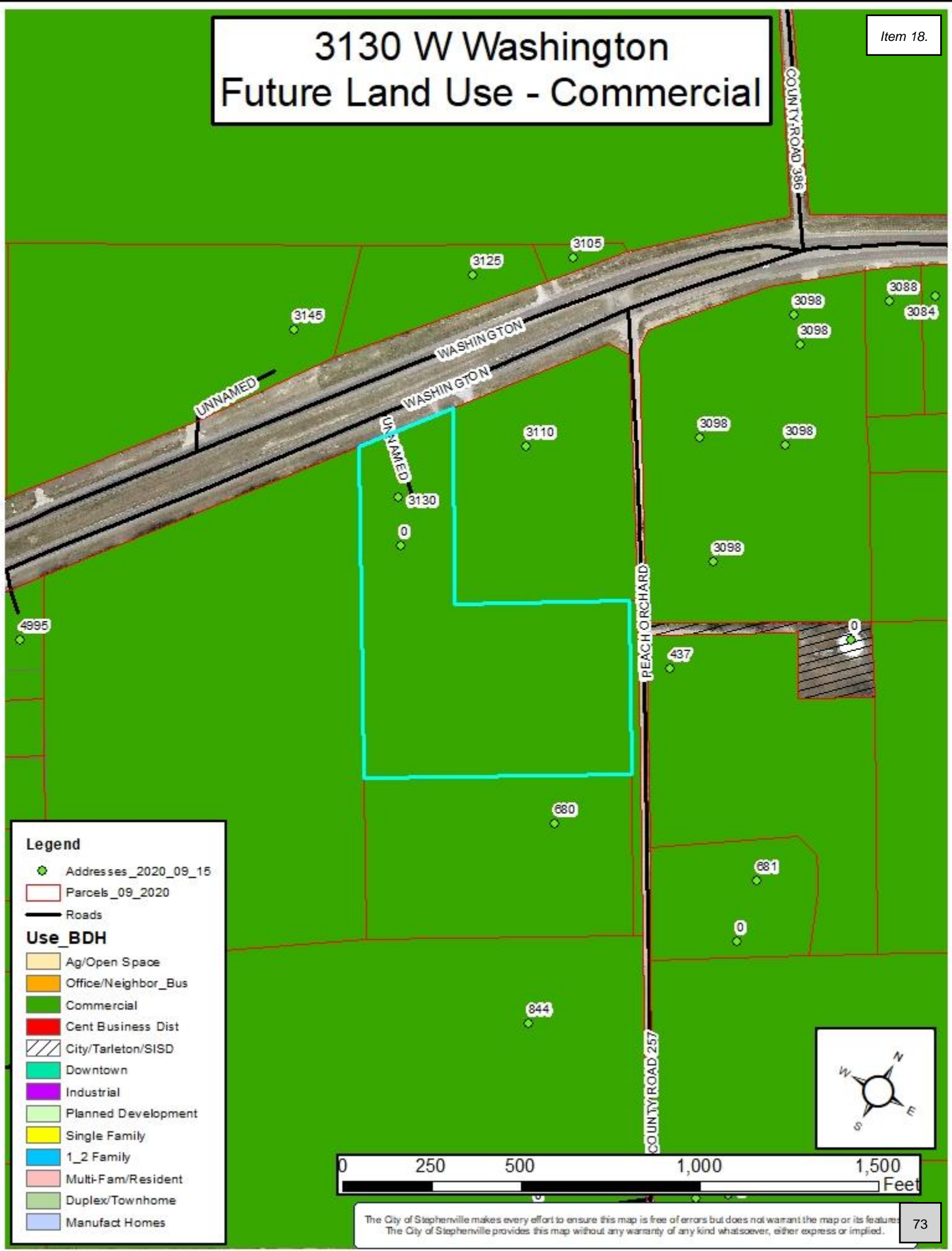
- AG - Agricultural
- B-1 - Neighborhood Business
- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- CTS - City, Tareyton, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 6,000
- R-2 - One and Two Family
- R-3 - Multiple Family
- RE - Single Family - 1 Acre



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3130 W Washington Future Land Use - Commercial

Item 18.

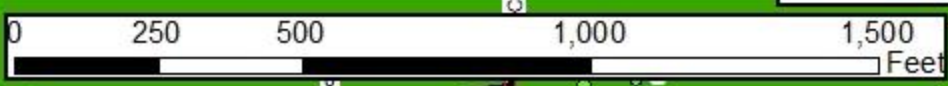


Legend

- ◆ Addresses_2020_09_15
- Parcels_09_2020
- Roads

Use_BDH

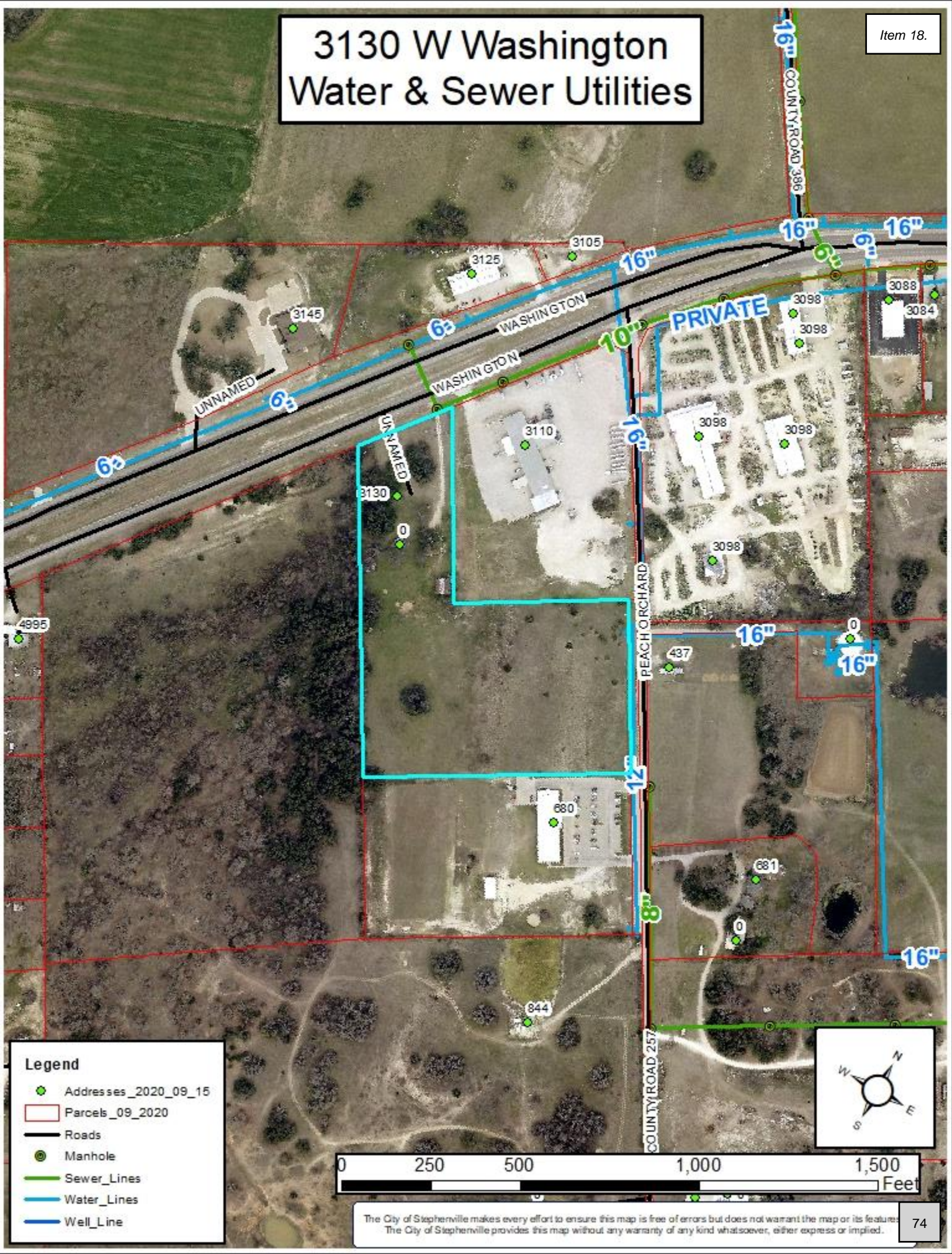
- Ag/Open Space
- Office/Neighbor_Bus
- Commercial
- Cent Business Dist
- City/Tarleton/SISD
- Downtown
- Industrial
- Planned Development
- Single Family
- 1_2 Family
- Multi-Fam/Resident
- Duplex/Townhome
- Manufact Homes



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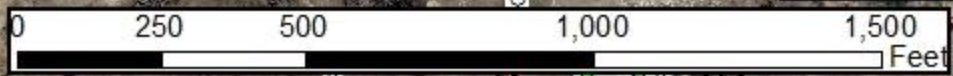
3130 W Washington Water & Sewer Utilities

Item 18.



Legend

- Addresses_2020_09_15
- Parcels_09_2020
- Roads
- Manhole
- Sewer_Lines
- Water_Lines
- Well_Line



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

3130 W Washington Addresses

Parcel ID	Parcel Address	Owner Name	Owner Address	City	State	Zip Code
R000023875	3098 W WASHINGTON	BAR TO-LO INC	PO BOX 1197	STEPHENVILLE	TX	76401-0000
R000040205	401 CR257	CITY OF STEPHENVILLE	298 W WASHINGTON	STEPHENVILLE	TX	76401-4257
R000023842	3110 W WASHINGTON ST	DR PROPERTIES LTD	8755 HWY 87 E	SAN ANTONIO	TX	78263
R000072737	680 PEACH ORCHARD RD	ERATH EXCELS ACADEMY INC	680 CR257	STEPHENVILLE	TX	76401-4903
R000069137	437 PEACH ORCHARD RD	FREELS RITA	681 PEACH ORCHARD RD	STEPHENVILLE	TX	76401
R000023789	3130 W WASHINGTON ST	GKS REAL ESTATE INVESTMENTS LLC	1837 SPINNAKER LN	AZLE	TX	76020
R000071287	1038 CR257	HARRIS THOMAS MITCHEL & PATRICIA EDWARDS	418 CR571	EASTLAND	TX	76448



STAFF REPORT

SUBJECT: Case No.: SV2021-002

Applicant Mike's Westside Rental, is requesting a subdivision waiver from Section 155.6.04.M (1) – Curb and Gutter along County Road 257 (Peach Orchard), located at Parcel R23789, Lot 2, Block 1, Excels Addition, to the City of Stephenville, Erath County, Texas.

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

RECOMMENDATION:

The Planning and Zoning Commission convened on March 10, 2021, and by a vote of 3/1, recommended the City Council approve the waiver request.

BACKGROUND:

The applicant was recently approved for a sidewalk waiver for the portion of the property facing Washington/Hwy 377. The property also has frontage on Peach Orchard and additional waivers were submitted to curb and gutter along Hwy 377 and for the curb, gutter and sidewalk improvements along Peach Orchard.

After discussion and an expressed interest in recommending the waiver be approved with a condition that would delay the installment of the improvement until the road improvement is completed, the Commission recommended approval of the waiver.

CURRENT ZONING:

B-2 – Retail and Commercial

FUTURE LAND USE:

Commercial

SUBDIVISION ORDINANCE/CURBS

M. *Curb and Gutter Options.*

1. A six (6) inch standard curb shall be constructed on both sides of all streets except as allowed in 2 and 3 below.
2. On residential local streets and any subdivision where all lots are one (1) acre or larger, a "lay down" or "roll down" curb shall be permitted if designed in accordance with Engineering Standards Manual.
3. On subdivision where all lots are one acre or larger, a "ribbon curb" shall be permitted if designed in Engineering Standards Manual.

SUBDIVISION ORDINANCE/WAIVER REQUESTS

Sec. 155.7.01. - Petition for subdivision waiver.

- A. *Purpose.* The purpose of a petition for a Subdivision Waiver to a particular standard or requirement with these Subdivision Regulations, as such are applicable to Plats or Construction Plans, is to determine whether such particular standard or requirement should be applied to an Application.

- B. *Definitions.* Subdivision Waivers shall be classified as a Minor Subdivision Waiver or Major Subdivision Waiver.
- C. *Decision-Maker.*
 - 1. *Minor Subdivision Waiver.*
 - a. *Decision-Maker Authority.*
 - i. The City Administrator shall act upon a Minor Subdivision Waiver listed in Table 8.
 - b. *Appeal of a Minor Subdivision Waiver Decision.*
 - i. *Appeal Review and Recommendation.* An appeal of the Minor Subdivision Waiver decision may be considered by the Commission.
 - ii. *Appeal Decision.* If further appeal is made, the City Council shall then act on such an appeal. (See 7.01.J Minor Subdivision Waiver Appeal)

Table 8: Minor Subdivision Waiver		
Section	Standard	City Administrator
3.01.B	Waiver of Application Information	Approve
6.06.N	Dead-End Alleys	Approve
6.10.D	Right Angles for Side Lot Lines	Approve
6.05.D	Traffic Impact Analysis	Approve
6.13.A.5	Water Lines Extended to Subdivision Borders	Approve
6.14.A.5	Wastewater Lines Extended to Subdivision Borders	Approve

- 2. *Major Subdivision Waiver.*
 - a. *Decision Maker Authority.* After review and recommendation from the Commission, the City Council shall decide a Major Subdivision Waiver.
- D. *Subdivision Waiver Applicability.*
 - 1. *Waiver of Standard or Requirement.*
 - a. An Applicant may request a Subdivision Waiver of a particular standard or requirement applicable to a Preliminary Plat, to Construction Plans, or where no Preliminary Plat Application has been submitted for approval, to a Final Plat or a Replat.
 - b. A Subdivision Waiver petition shall be specific in nature, and shall only involve relief consideration for one particular standard or requirement.
 - c. An Applicant may, if desired, submit more than one Subdivision Waiver petition if there are several standards or requirements at issue.
 - d. For processing a Subdivision Waiver in relationship with a Plat Application, an Applicant shall submit a Waiver of Right to 30-Day Action in accordance with 3.03.D Waiver of Right to 30-Day Action.
 - 2. *Waiver Petition Acceptance.*
 - a. A petition for a Subdivision Waiver shall not be accepted in lieu of:

- i. A Subdivision Proportionality Appeal (7.02); or
 - ii. A Subdivision Vested Rights Petition (7.03).
- b. If there is a question as to whether a Subdivision Proportionality Appeal or Subdivision Vested Rights Petition is required instead of a Subdivision Waiver petition, such determination shall be made by the City Administrator.

E. *Subdivision Waiver Submission Procedures.*

1. *Written Waiver Request with Application.*

- a. A request for a Subdivision Waiver shall be submitted in writing by the Applicant with the filing of a Preliminary Plat, Construction Plans, Final Plat or Replat, as applicable.
- b. No Subdivision Waiver may be considered or granted unless the Applicant has made such written request.

2. *Grounds for Waiver.*

- a. The Applicant's request shall state the grounds for the Subdivision Waiver request and all of the facts relied upon by the Applicant.
- b. Failure to do so, will result in denial of the Application unless the Applicant submits a Waiver of Right to 30-Day Action in accordance with 3.03.D Waiver of Right to 30-Day Action.

F. *Subdivision Waiver Criteria.*

1. *Undue Hardship Present.* A Subdivision Waiver to regulations within this Subdivision Ordinance may be approved only when, in the Decision-Maker's opinion, undue hardship will result from strict compliance to the regulations.
2. *Consideration Factors.* The Decision-Maker shall take into account the following factors:
 - a. The nature of the proposed land use involved and existing uses of the land in the vicinity;
 - b. The number of persons who will reside or work in the proposed development; and
 - c. The effect such Subdivision Waiver might have upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity.
3. *Findings.* No Subdivision Waiver shall be granted unless the Decision-Maker finds:
 - a. That there are special circumstances or conditions affecting the land involved or other constraints such that the strict application of the provisions of this Subdivision Ordinance would deprive the Applicant of the reasonable use of his or her land; and
 - b. That the Subdivision Waiver is necessary for the preservation and enjoyment of a substantial property right of the Applicant, and that the granting of the Subdivision Waiver will not be detrimental to the public health, safety or welfare or injurious to other property in the area; and
 - c. That the granting of the Subdivision Waiver will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this Subdivision Ordinance.
4. *Intent of Subdivision Regulations.*
 - a. A Subdivision Waiver may be granted only when in harmony with the general purpose and intent of the Subdivision Ordinance so that the public health, safety and welfare may be secured and substantial justice done.
 - b. Financial hardship to the Applicant shall not be deemed to constitute undue hardship.
5. *Minimum Degree of Variation.* No Subdivision Waiver shall be granted unless it represents the minimum degree of variation of requirements necessary to meet the needs of the Applicant.
6. *Violations and Conflicts.* The Decision-Maker shall not authorize a Subdivision Waiver that would constitute a violation of, or conflict with, any other valid ordinance, code, regulation, master plan or Comprehensive Plan of the City.
7. *Falsification of Information.*

- a. Any falsification of information by the Applicant shall be cause for the Subdivision Waiver request to be denied.
- b. If the Subdivision Waiver request is approved based upon false information, whether intentional or not, discovery of such false information shall nullify prior approval of the Subdivision Waiver, and shall be grounds for reconsideration of the Subdivision Waiver request.

G. Burden of Proof. The Applicant bears the burden of proof to demonstrate that the requirement for which a Subdivision Waiver is requested, if uniformly applied, imposes an undue hardship or disproportionate burden on the Applicant. The Applicant shall submit the burden of proof with the original submittal.

H. Subdivision Waiver Decision.

1. The Decision-Maker shall consider the Subdivision Waiver petition and, based upon the criteria set forth in 7.01.F Subdivision Waiver Criteria, shall take one of the following actions:
 - a. Deny the petition, and impose the standard or requirement as it is stated in this Subdivision Ordinance; or
 - b. Grant the petition, and waive in whole or in part the standard or requirement as it is stated in this Subdivision Ordinance.
2. Decision Process for a Minor Subdivision Waiver. The Decision-Maker shall deny or grant a request for a Minor Subdivision Waiver concurrently with the decision of a Preliminary Plat, Construction Plans, Final Plat or Replat, as applicable.
3. Decision Process for a Major Subdivision Waiver.
 - a. Recommendation of the Planning and Zoning Commission.
 - i. The Commission shall consider the Major Subdivision Waiver request at a public meeting no later than thirty (30) calendar days after the date on which the notice of Major Subdivision Waiver is submitted to the City Administrator.
 - ii. The Commission shall recommend to the City Council to approve or deny a request for a Major Subdivision Waiver by majority vote.
 - b. Decision by City Council.
 - i. After the recommendation from the Commission has been made, the City Council shall consider the Major Subdivision Waiver request at a public meeting no later than thirty (30) calendar days after the date on which the Commission's recommendation was made.
 - ii. The City Council may or shall approve or deny a request for a Major Subdivision Waiver by a vote of all members.
 - iii. The decision of the City Council is final.

I. Notification of Decision on Petition—14 Days. The Applicant shall be notified of the decision on the Subdivision Waiver by the applicable Decision-Maker (e.g., the City Administrator, Commission or City Council, as applicable), within fourteen (14) calendar days following the decision.

J. Minor Subdivision Waiver Appeal.

1. *Initiation of an Appeal.*
 - a. The Applicant may appeal a Minor Subdivision Waiver decision of the City Administrator, as allowed within the Subdivision Ordinance.
 - b. The written request to appeal shall be submitted to the City Administrator within thirty (30) calendar days following the denial decision.
2. *Recommendation of the Planning and Zoning Commission.*
 - a. The Commission shall consider the appeal at a public meeting no later than thirty (30) calendar days after the date on which the notice of appeal is submitted to the City Administrator.
 - b. At this meeting, new information may be presented and considered, if available, that might alter the previous decision to deny the Minor Subdivision Waiver.

c. The Commission shall recommend to the City Council to affirm, modify or reverse the previous decision by simple majority vote.

3. *Appeal to City Council.*

a. The Applicant may appeal the Commission's decision by submitting a written notice of appeal to the City Administrator within thirty (30) calendar days following the Commission's decision.

b. After the recommendation from the Commission has been made, the City Council shall consider the appeal at a public meeting no later than thirty (30) calendar days after the date on which the Commission's recommendation was made.

c. The City Council may affirm, modify or reverse the decision by simple majority vote.

d. The decision of the City Council is final.

K. *Effect of Approval.*

1. *Submission and Processing.* Following the granting of a Subdivision Waiver, the Applicant may submit or continue the processing of a Plat or Construction Plans, as applicable.

2. *Expirations.* The Subdivision Waiver granted shall remain in effect for the period the Plat or Construction Plans are in effect, and shall expire upon expiration of either or both of those Applications.

3. *Extensions.* Extension of those Applications shall also result in extension of the Subdivision Waiver.

WATER:

The property is served by a 6" city water main in Washington/HWY 377 and a 12" city water main in Peach Orchard.

SEWER:

The property is served by a 10" sanitary sewer main in Washington/HWY 377.

STREET:

The property is served by a Washington/HWY 377 and Peach Orchard.

ZONING AND LAND USE:

Location	Zoning	Future Land Use
Subject Site	(B-2) Retail and Commercial	Commercial
North	(B-2) Retail and Commercial	Commercial
South	(B-2) Retail and Commercial	Commercial
East	(AG) Agriculture	Commercial
West	(B-2) Retail and Commercial	Commercial

FACTORS TO CONSIDER:

- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
- If not, have conditions changed or new information been offered to support change?
- Surrounding Zoning and Land Use

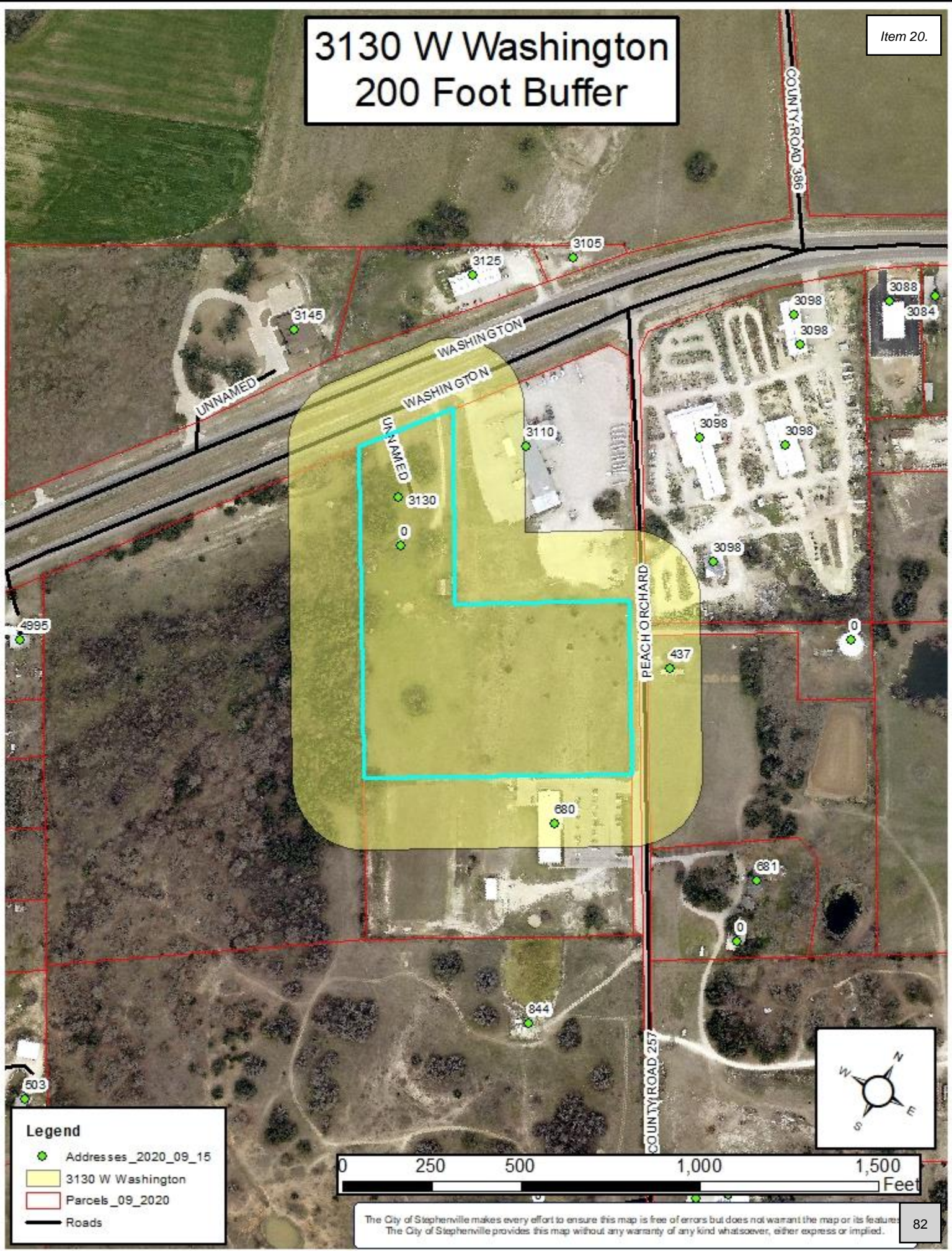
- Infrastructure Impacts
- Size and Location of Parcel - is land large enough and in proper location for proposed use?
- Reasonable Use of Property - does proposed change provide reasonable use of property?
- Zoning has great discretion - deny if applicant has not proven it is in the best interest of City to rezone

ALTERNATIVES

- 1) Accept the recommendation from the Planning and Zoning Commission and approve the waiver request.
- 2) Modify the recommendation of the Planning and Zoning Commission under the recent revisions to the subdivision ordinance in regards to the sidewalk waiver fees.
- 3) Over-rule the recommendation of the Planning and Zoning Commission and deny the waiver request.

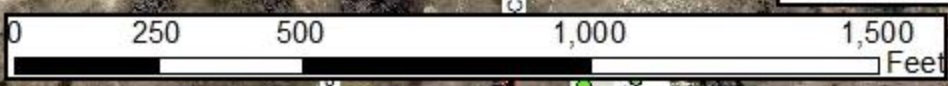
3130 W Washington 200 Foot Buffer

Item 20.



Legend

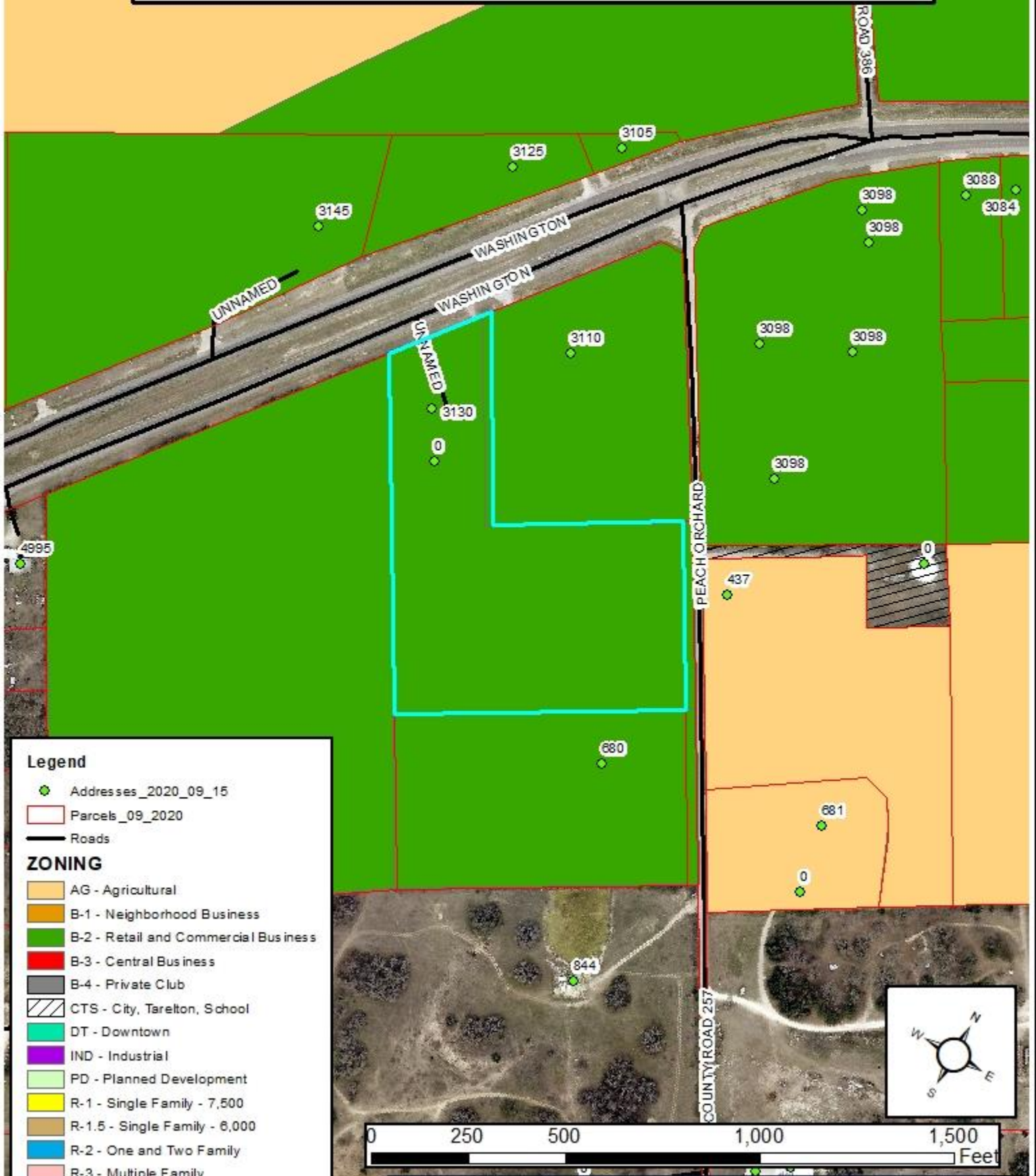
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- 3130 W Washington
- Parcels_09_2020
- Roads



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

3130 W Washington Current Zoning - B2 Retail & Commercial

Item 20.



Legend

- Addresses_2020_09_15
- Parcels_09_2020
- Roads

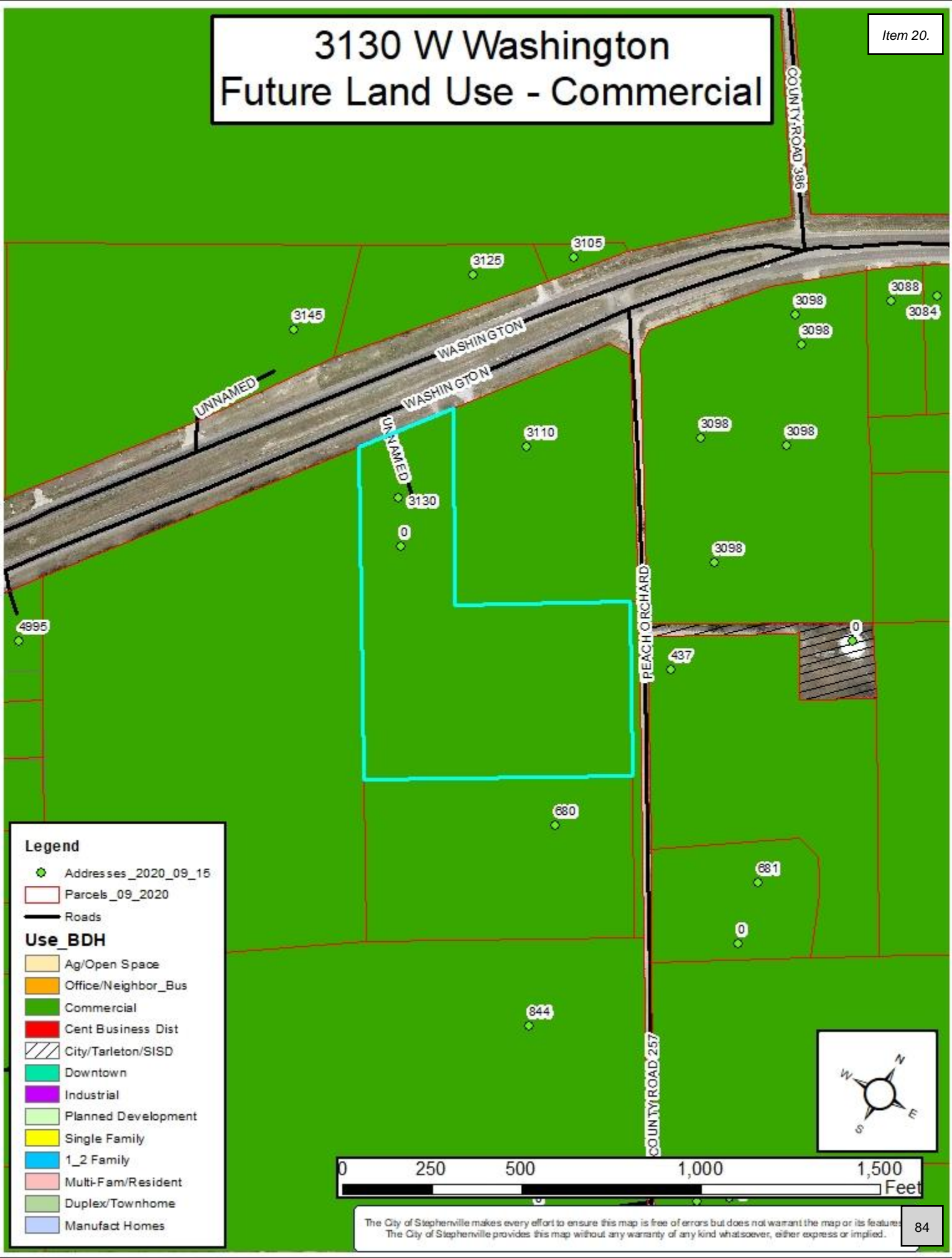
ZONING

- AG - Agricultural
- B-1 - Neighborhood Business
- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- CTS - City, Tareyton, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 6,000
- R-2 - One and Two Family
- R-3 - Multiple Family
- RE - Single Family - 1 Acre

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3130 W Washington Future Land Use - Commercial

Item 20.

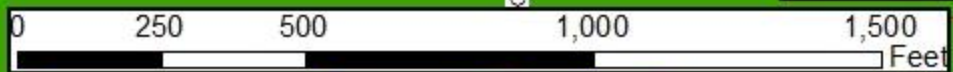


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- Parcels_09_2020
- Roads

Use_BDH

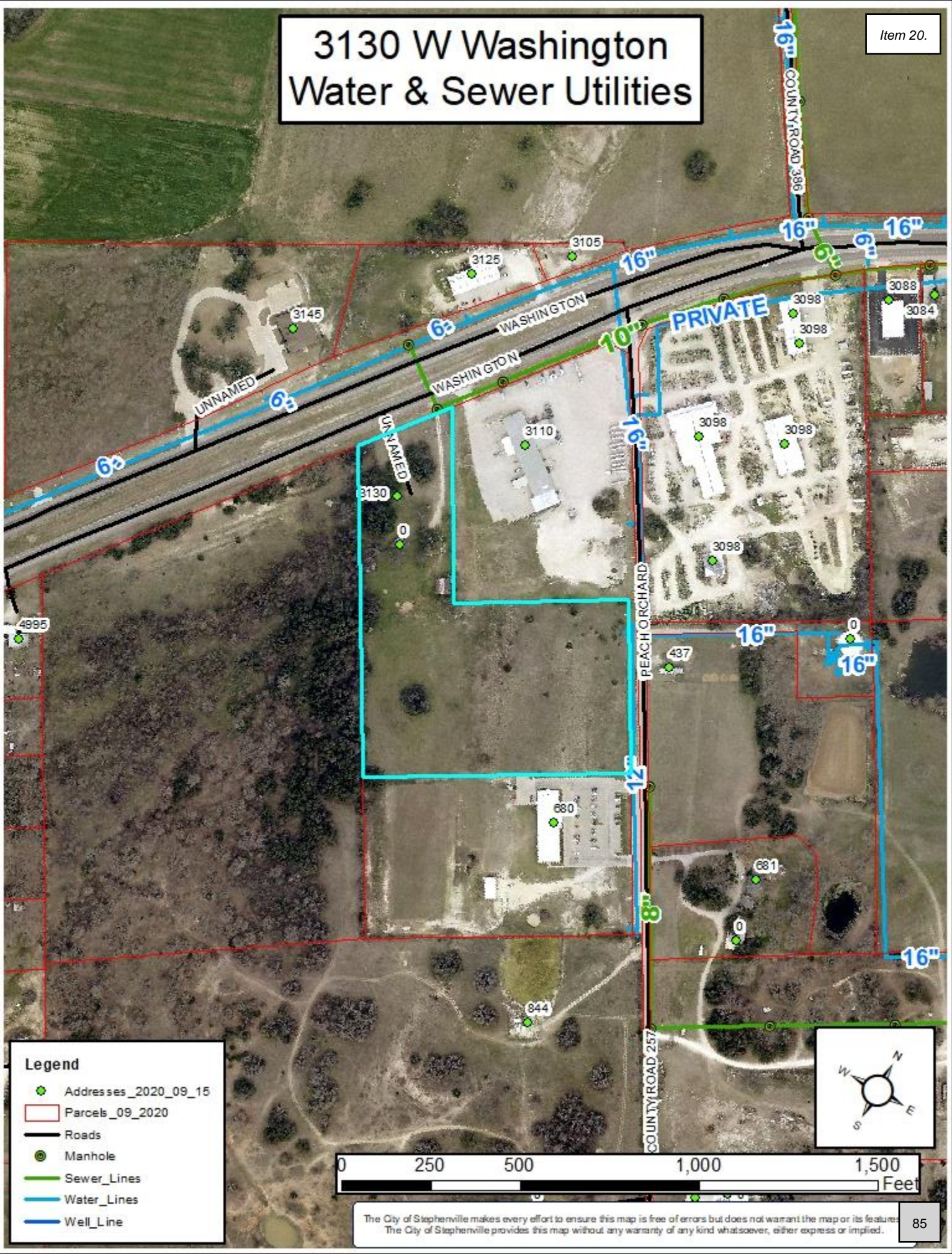
- Ag/Open Space
- Office/Neighbor_Bus
- Commercial
- Cent Business Dist
- City/Tarleton/SISD
- Downtown
- Industrial
- Planned Development
- Single Family
- 1_2 Family
- Multi-Fam/Resident
- Duplex/Townhome
- Manufact Homes



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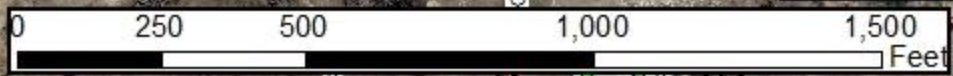
3130 W Washington Water & Sewer Utilities

Item 20.



Legend

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- Roads
- Manhole
- Sewer_Lines
- Water_Lines
- Well_Line



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3130 W Washington Addresses

Parcel ID	Parcel Address	Owner Name	Owner Address	City	State	Zip Code
R000023875	3098 W WASHINGTON	BAR TO-LO INC	PO BOX 1197	STEPHENVILLE	TX	76401-0000
R000040205	401 CR257	CITY OF STEPHENVILLE	298 W WASHINGTON	STEPHENVILLE	TX	76401-4257
R000023842	3110 W WASHINGTON ST	DR PROPERTIES LTD	8755 HWY 87 E	SAN ANTONIO	TX	78263
R000072737	680 PEACH ORCHARD RD	ERATH EXCELS ACADEMY INC	680 CR257	STEPHENVILLE	TX	76401-4903
R000069137	437 PEACH ORCHARD RD	FREELS RITA	681 PEACH ORCHARD RD	STEPHENVILLE	TX	76401
R000023789	3130 W WASHINGTON ST	GKS REAL ESTATE INVESTMENTS LLC	1837 SPINNAKER LN	AZLE	TX	76020
R000071287	1038 CR257	HARRIS THOMAS MITCHEL & PATRICIA EDWARDS	418 CR571	EASTLAND	TX	76448



STAFF REPORT

SUBJECT: Case No.: SV2021-003

Applicant Mike's Westside Rental, is requesting a subdivision waiver from Section 155.6.04.M (1) – Curb and Gutter along Highway 377, located at Parcel R23789, Lot 2, Block 1, Excels Addition, to the City of Stephenville, Erath County, Texas.

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

RECOMMENDATION:

The Planning and Zoning Commission convened on March 10, 2021, and by a vote of 3/1, recommended the City Council approve the waiver request.

BACKGROUND:

The applicant was recently approved for a sidewalk waiver for the portion of the property facing Washington/Hwy 377. This request is to address the curb and gutter requirement along that same frontage.

CURRENT ZONING:

B-2 – Retail and Commercial

FUTURE LAND USE:

Commercial

SUBDIVISION ORDINANCE/CURBS

M. *Curb and Gutter Options.*

1. A six (6) inch standard curb shall be constructed on both sides of all streets except as allowed in 2 and 3 below.
2. On residential local streets and any subdivision where all lots are one (1) acre or large, a "lay down" or "roll down" curb shall be permitted if designed in accordance with Engineering Standards Manual.
3. On subdivision where all lots are one acre or larger, a "ribbon curb" shall be permitted if designed in Engineering Standards Manual.

SUBDIVISION ORDINANCE/WAIVER REQUESTS

Sec. 155.7.01. - Petition for subdivision waiver.

- A. *Purpose.* The purpose of a petition for a Subdivision Waiver to a particular standard or requirement with these Subdivision Regulations, as such are applicable to Plats or Construction Plans, is to determine whether such particular standard or requirement should be applied to an Application.
- B. *Definitions.* Subdivision Waivers shall be classified as a Minor Subdivision Waiver or Major Subdivision Waiver.
- C. *Decision-Maker.*
 1. *Minor Subdivision Waiver.*
 - a. *Decision-Maker Authority.*

- i. The City Administrator shall act upon a Minor Subdivision Waiver listed in Table 8.
- b. *Appeal of a Minor Subdivision Waiver Decision.*
 - i. *Appeal Review and Recommendation.* An appeal of the Minor Subdivision Waiver decision may be considered by the Commission.
 - ii. *Appeal Decision.* If further appeal is made, the City Council shall then act on such an appeal. (See 7.01.J Minor Subdivision Waiver Appeal)

Table 8: Minor Subdivision Waiver		
Section	Standard	City Administrator
3.01.B	Waiver of Application Information	Approve
6.06.N	Dead-End Alleys	Approve
6.10.D	Right Angles for Side Lot Lines	Approve
6.05.D	Traffic Impact Analysis	Approve
6.13.A.5	Water Lines Extended to Subdivision Borders	Approve
6.14.A.5	Wastewater Lines Extended to Subdivision Borders	Approve

2. *Major Subdivision Waiver.*

- a. *Decision Maker Authority.* After review and recommendation from the Commission, the City Council shall decide a Major Subdivision Waiver.

D. *Subdivision Waiver Applicability.*

1. *Waiver of Standard or Requirement.*

- a. An Applicant may request a Subdivision Waiver of a particular standard or requirement applicable to a Preliminary Plat, to Construction Plans, or where no Preliminary Plat Application has been submitted for approval, to a Final Plat or a Replat.
- b. A Subdivision Waiver petition shall be specific in nature, and shall only involve relief consideration for one particular standard or requirement.
- c. An Applicant may, if desired, submit more than one Subdivision Waiver petition if there are several standards or requirements at issue.
- d. For processing a Subdivision Waiver in relationship with a Plat Application, an Applicant shall submit a Waiver of Right to 30-Day Action in accordance with 3.03.D Waiver of Right to 30-Day Action.

2. *Waiver Petition Acceptance.*

- a. A petition for a Subdivision Waiver shall not be accepted in lieu of:
 - i. A Subdivision Proportionality Appeal (7.02); or
 - ii. A Subdivision Vested Rights Petition (7.03).
- b. If there is a question as to whether a Subdivision Proportionality Appeal or Subdivision Vested Rights Petition is required instead of a Subdivision Waiver petition, such determination shall be made by the City Administrator.

E. *Subdivision Waiver Submission Procedures.*

1. *Written Waiver Request with Application.*
 - a. A request for a Subdivision Waiver shall be submitted in writing by the Applicant with the filing of a Preliminary Plat, Construction Plans, Final Plat or Replat, as applicable.
 - b. No Subdivision Waiver may be considered or granted unless the Applicant has made such written request.
2. *Grounds for Waiver.*
 - a. The Applicant's request shall state the grounds for the Subdivision Waiver request and all of the facts relied upon by the Applicant.
 - b. Failure to do so, will result in denial of the Application unless the Applicant submits a Waiver of Right to 30-Day Action in accordance with 3.03.D Waiver of Right to 30-Day Action.

F. *Subdivision Waiver Criteria.*

1. *Undue Hardship Present.* A Subdivision Waiver to regulations within this Subdivision Ordinance may be approved only when, in the Decision-Maker's opinion, undue hardship will result from strict compliance to the regulations.
2. *Consideration Factors.* The Decision-Maker shall take into account the following factors:
 - a. The nature of the proposed land use involved and existing uses of the land in the vicinity;
 - b. The number of persons who will reside or work in the proposed development; and
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 - a. That there are special circumstances or conditions affecting the land involved or other constraints such that the strict application of the provisions of this Subdivision Ordinance would deprive the Applicant of the reasonable use of his or her land; and
 - b. That the Subdivision Waiver is necessary for the preservation and enjoyment of a substantial property right of the Applicant, and that the granting of the Subdivision Waiver will not be detrimental to the public health, safety or welfare or injurious to other property in the area; and
 - c. That the granting of the Subdivision Waiver will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this Subdivision Ordinance.
4. *Intent of Subdivision Regulations.*
 - a. A Subdivision Waiver may be granted only when in harmony with the general purpose and intent of the Subdivision Ordinance so that the public health, safety and welfare may be secured and substantial justice done.
 - b. Financial hardship to the Applicant shall not be deemed to constitute undue hardship.
5. *Minimum Degree of Variation.* No Subdivision Waiver shall be granted unless it represents the minimum degree of variation of requirements necessary to meet the needs of the Applicant.
6. *Violations and Conflicts.* The Decision-Maker shall not authorize a Subdivision Waiver that would constitute a violation of, or conflict with, any other valid ordinance, code, regulation, master plan or Comprehensive Plan of the City.
7. *Falsification of Information.*
 - a. Any falsification of information by the Applicant shall be cause for the Subdivision Waiver request to be denied.
 - b. If the Subdivision Waiver request is approved based upon false information, whether intentional or not, discovery of such false information shall nullify prior approval of the Subdivision Waiver, and shall be grounds for reconsideration of the Subdivision Waiver request.

- G. Burden of Proof.** The Applicant bears the burden of proof to demonstrate that the requirement for which a Subdivision Waiver is requested, if uniformly applied, imposes an undue hardship or disproportionate burden on the Applicant. The Applicant shall submit the burden of proof with the original submittal.
- H. *Subdivision Waiver Decision.*
1. The Decision-Maker shall consider the Subdivision Waiver petition and, based upon the criteria set forth in 7.01.F Subdivision Waiver Criteria, shall take one of the following actions:
 - a. Deny the petition, and impose the standard or requirement as it is stated in this Subdivision Ordinance; or
 - b. Grant the petition, and waive in whole or in part the standard or requirement as it is stated in this Subdivision Ordinance.
 2. Decision Process for a Minor Subdivision Waiver. The Decision-Maker shall deny or grant a request for a Minor Subdivision Waiver concurrently with the decision of a Preliminary Plat, Construction Plans, Final Plat or Replat, as applicable.
 3. Decision Process for a Major Subdivision Waiver.
 - a. Recommendation of the Planning and Zoning Commission.
 - i. The Commission shall consider the Major Subdivision Waiver request at a public meeting no later than thirty (30) calendar days after the date on which the notice of Major Subdivision Waiver is submitted to the City Administrator.
 - ii. The Commission shall recommend to the City Council to approve or deny a request for a Major Subdivision Waiver by majority vote.
 - b. Decision by City Council.
 - i. After the recommendation from the Commission has been made, the City Council shall consider the Major Subdivision Waiver request at a public meeting no later than thirty (30) calendar days after the date on which the Commission's recommendation was made.
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 - iii. The decision of the City Council is final.
- I. *Notification of Decision on Petition—14 Days.* The Applicant shall be notified of the decision on the Subdivision Waiver by the applicable Decision-Maker (e.g., the City Administrator, Commission or City Council, as applicable), within fourteen (14) calendar days following the decision.
- J. *Minor Subdivision Waiver Appeal.*
1. *Initiation of an Appeal.*
 - a. The Applicant may appeal a Minor Subdivision Waiver decision of the City Administrator, as allowed within the Subdivision Ordinance.
 - b. The written request to appeal shall be submitted to the City Administrator within thirty (30) calendar days following the denial decision.
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 - a. The Commission shall consider the appeal at a public meeting no later than thirty (30) calendar days after the date on which the notice of appeal is submitted to the City Administrator.
 - b. At this meeting, new information may be presented and considered, if available, that might alter the previous decision to deny the Minor Subdivision Waiver.
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 - a. The Applicant may appeal the Commission's decision by submitting a written notice of appeal to the City Administrator within thirty (30) calendar days following the Commission's decision.

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- c. The City Council may affirm, modify or reverse the decision by simple majority vote.
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K. *Effect of Approval.*

- 1. *Submission and Processing.* Following the granting of a Subdivision Waiver, the Applicant may submit or continue the processing of a Plat or Construction Plans, as applicable.
- 2. *Expirations.* The Subdivision Waiver granted shall remain in effect for the period the Plat or Construction Plans are in effect, and shall expire upon expiration of either or both of those Applications.
- 3. *Extensions.* Extension of those Applications shall also result in extension of the Subdivision Waiver.

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The property is served by a 6” city water main in Washington/HWY 377 and a 12” city water main in Peach Orchard.

SEWER:

The property is served by a 10” sanitary sewer main in Washington/HWY 377.

STREET:

The property is served by a Washington/HWY 377 and Peach Orchard.

ZONING AND LAND USE:

Location	Zoning	Future Land Use
Subject Site	(B-2) Retail and Commercial	Commercial
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South	(B-2) Retail and Commercial	Commercial
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West	(B-2) Retail and Commercial	Commercial

FACTORS TO CONSIDER:

- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
- If not, have conditions changed or new information been offered to support change?
- Surrounding Zoning and Land Use
- Infrastructure Impacts
- Size and Location of Parcel - is land large enough and in proper location for proposed use?
- Reasonable Use of Property - does proposed change provide reasonable use of property?

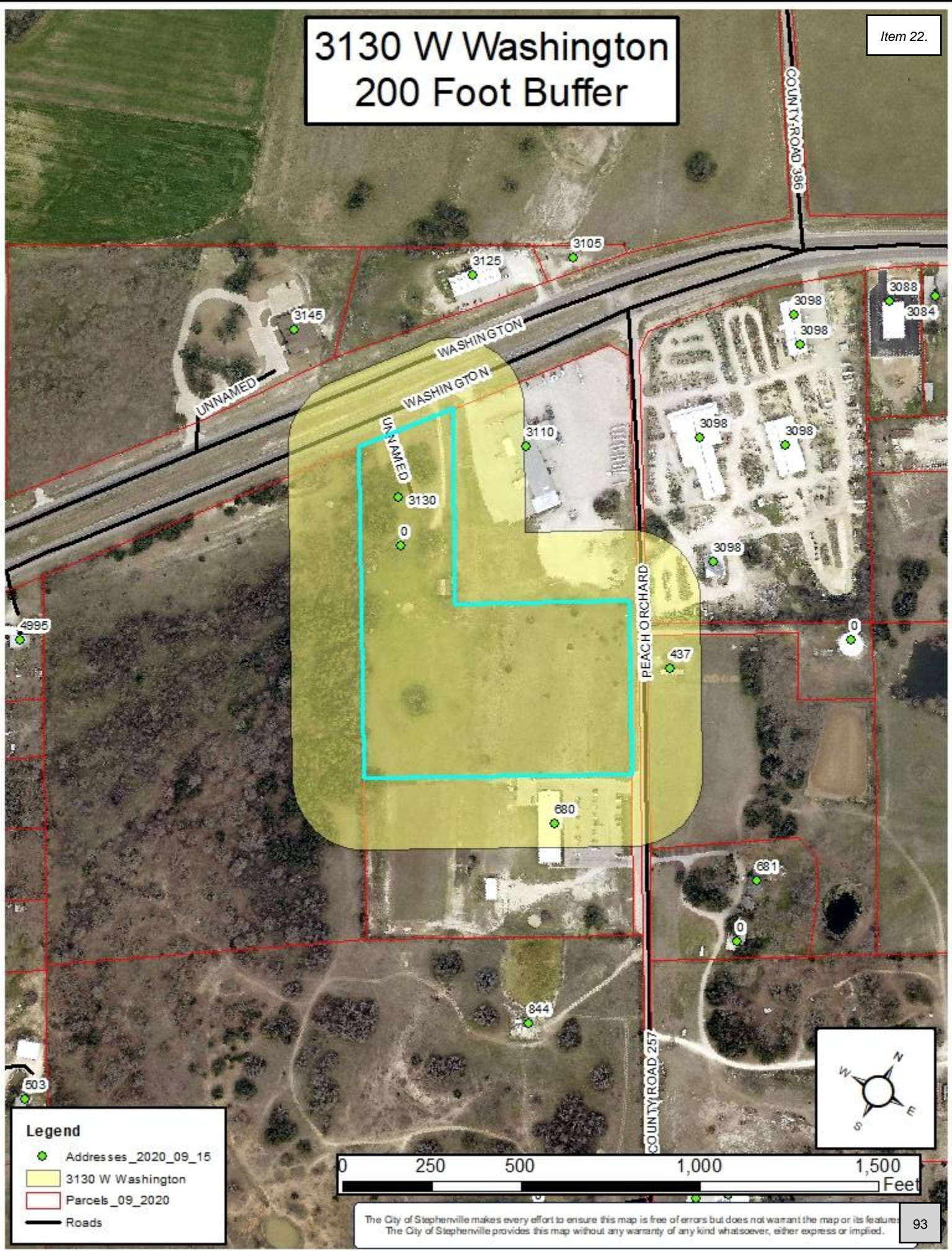
- Zoning has great discretion - deny if applicant has not proven it is in the best interest of City to rezone

ALTERNATIVES

- 1) Accept the recommendation from the Planning and Zoning Commission and approve the waiver request.
- 2) Modify the recommendation of the Planning and Zoning Commission under the recent revisions to the subdivision ordinance in regards to the sidewalk waiver fees.
- 3) Over-rule the recommendation of the Planning and Zoning Commission and deny the waiver request.

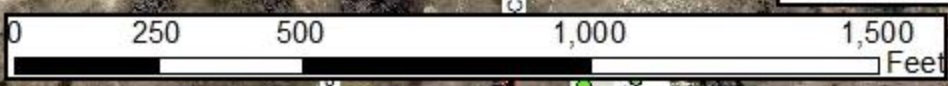
3130 W Washington 200 Foot Buffer

Item 22.



Legend

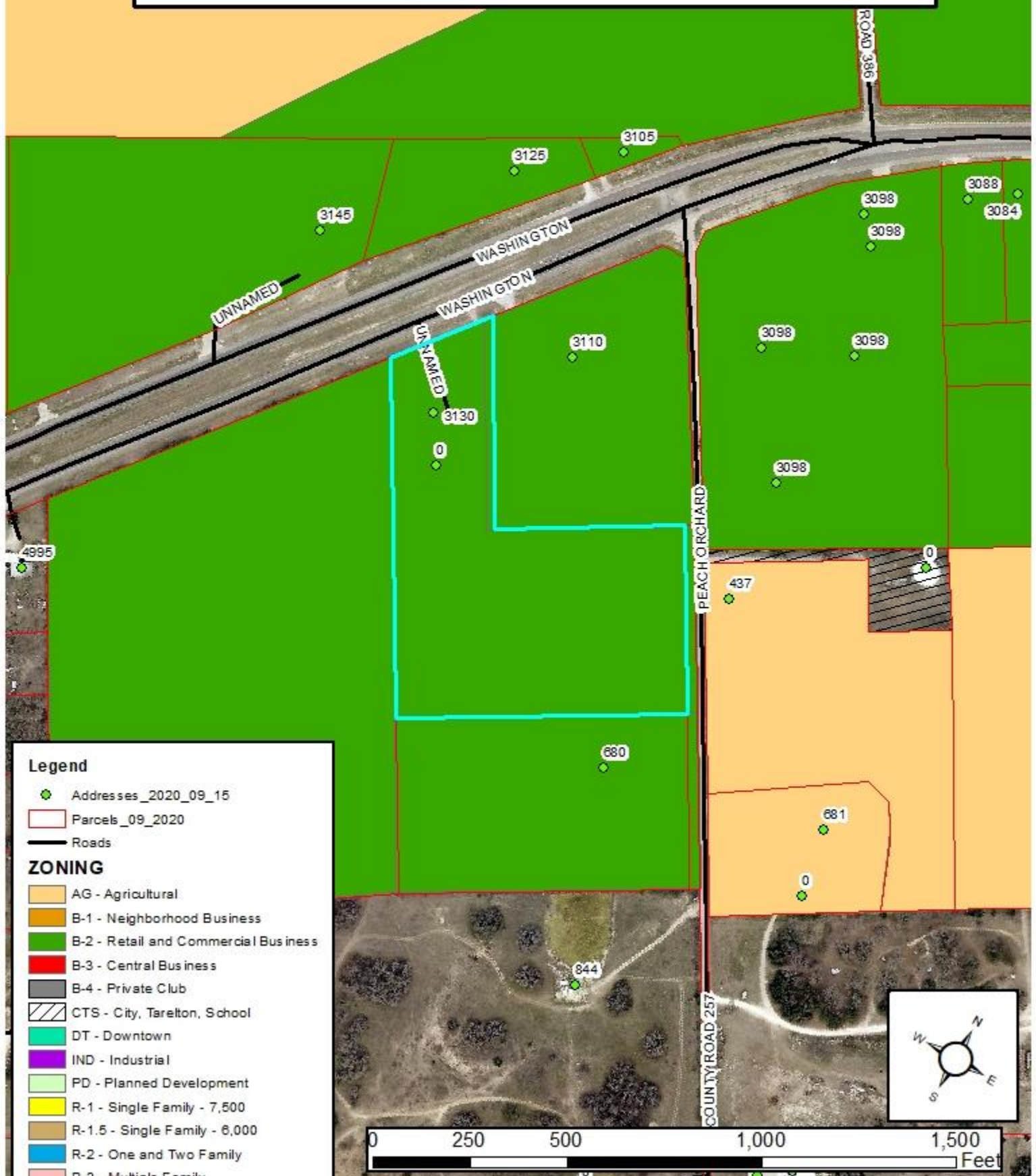
- Address es_2020_09_15
- 3130 W Washington
- Parcels_09_2020
- Roads



The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.

3130 W Washington Current Zoning - B2 Retail & Commercial

Item 22.



Legend

- Addresses_2020_09_15
- Parcels_09_2020
- Roads

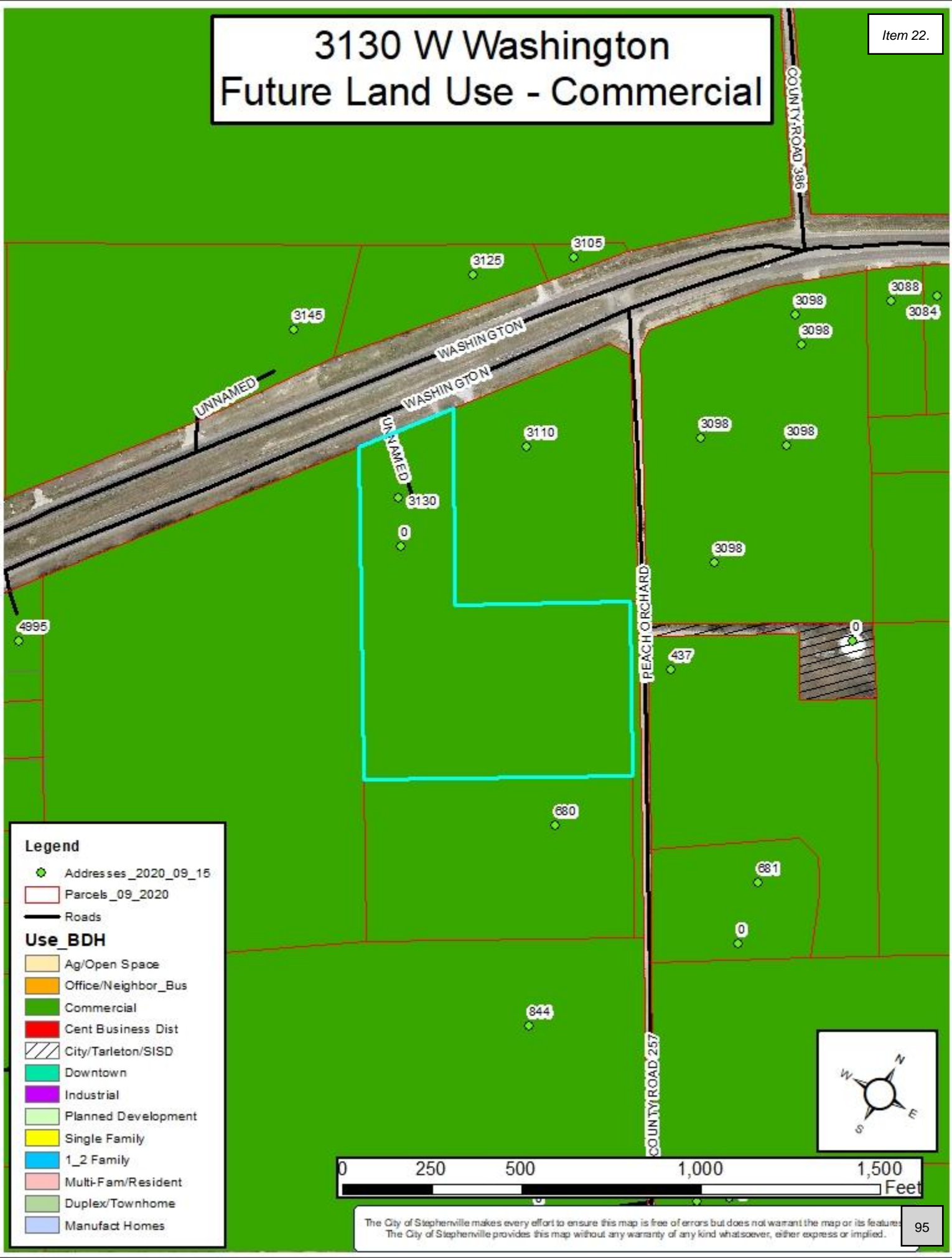
ZONING

- AG - Agricultural
- B-1 - Neighborhood Business
- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- CTS - City, Tareyton, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 6,000
- R-2 - One and Two Family
- R-3 - Multiple Family
- RE - Single Family - 1 Acre

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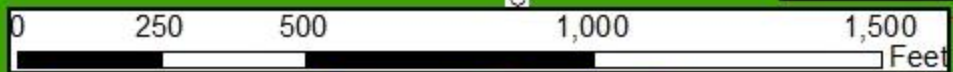
3130 W Washington Future Land Use - Commercial

Item 22.



Legend

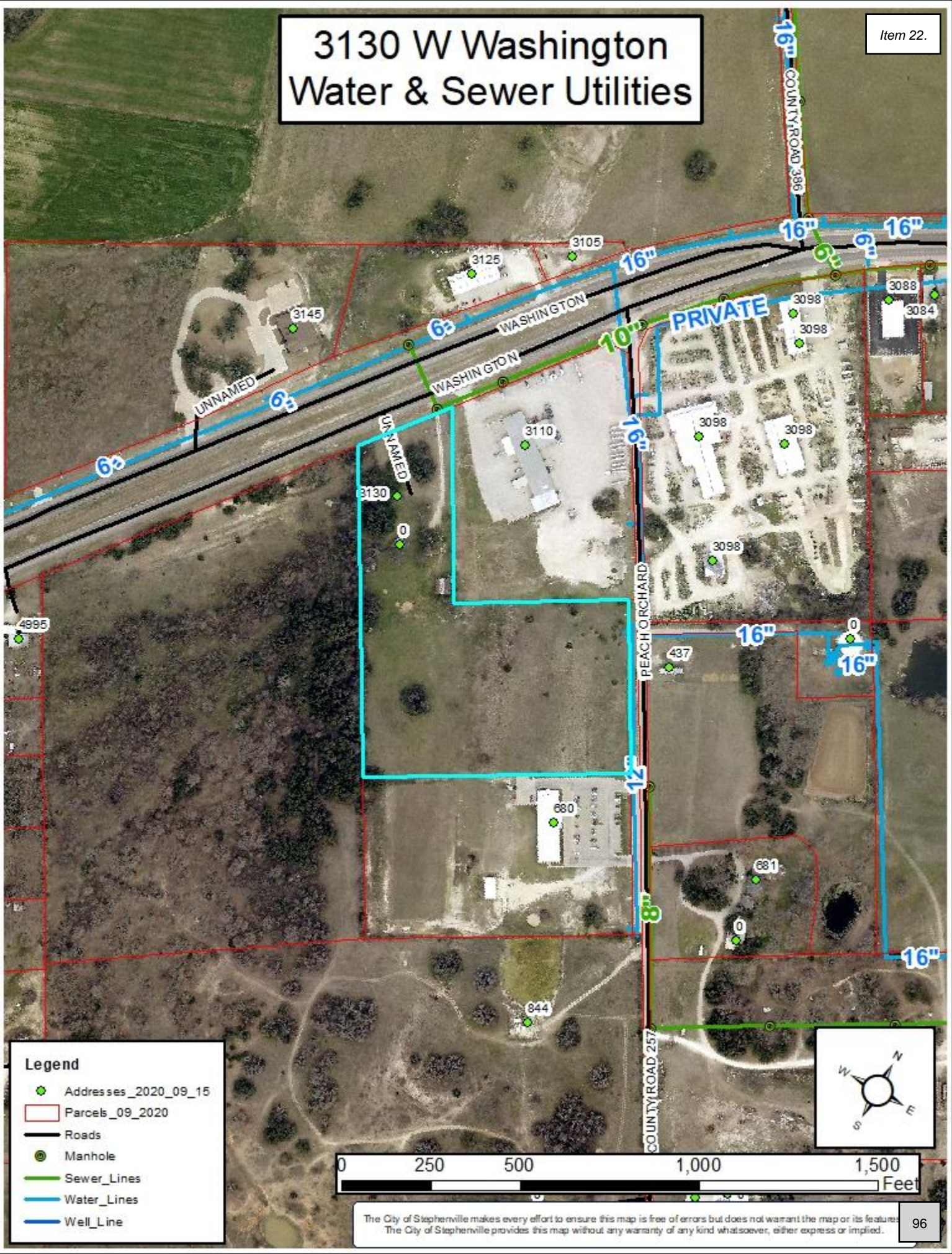
- Addresses_2020_09_15
- Parcels_09_2020
- Roads
- Use_BDH**
- Ag/Open Space
- Office/Neighbor_Bus
- Commercial
- Cent Business Dist
- City/Tarleton/SISD
- Downtown
- Industrial
- Planned Development
- Single Family
- 1_2 Family
- Multi-Fam/Resident
- Duplex/Townhome
- Manufact Homes



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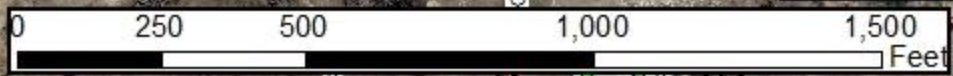
3130 W Washington Water & Sewer Utilities

Item 22.



Legend

- Addresses_2020_09_15
- Parcels_09_2020
- Roads
- Manhole
- Sewer_Lines
- Water_Lines
- Well_Line



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3130 W Washington Addresses

Parcel ID	Parcel Address	Owner Name	Owner Address	City	State	Zip Code
R000023875	3098 W WASHINGTON	BAR TO-LO INC	PO BOX 1197	STEPHENVILLE	TX	76401-0000
R000040205	401 CR257	CITY OF STEPHENVILLE	298 W WASHINGTON	STEPHENVILLE	TX	76401-4257
R000023842	3110 W WASHINGTON ST	DR PROPERTIES LTD	8755 HWY 87 E	SAN ANTONIO	TX	78263
R000072737	680 PEACH ORCHARD RD	ERATH EXCELS ACADEMY INC	680 CR257	STEPHENVILLE	TX	76401-4903
R000069137	437 PEACH ORCHARD RD	FREELS RITA	681 PEACH ORCHARD RD	STEPHENVILLE	TX	76401
R000023789	3130 W WASHINGTON ST	GKS REAL ESTATE INVESTMENTS LLC	1837 SPINNAKER LN	AZLE	TX	76020
R000071287	1038 CR257	HARRIS THOMAS MITCHEL & PATRICIA EDWARDS	418 CR571	EASTLAND	TX	76448

ORDINANCE NO. 2021-O-XX

AN ORDINANCE CREATING A NEW SECTION OF CHAPTER 32 "DEPARTMENTS, BOARDS AND COMMISSIONS" OF THE CODE OF ORDINANCES AND PROVIDING AN EFFECTIVE DATE

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

The following shall be added to Chapter 32 "Departments, Boards and Commissions" of the City of Stephenville Code of Ordinances:

ARTICLE VI. MAIN STREET ADVISORY BOARD

32.71 MEMBERSHIP.

There is hereby created a seven-member board which shall advise the City Council on **policy and financial matters** affecting the City of Stephenville's Main Street Program and such board shall be known as the Main Street Advisory Board. **Members must reside in Erath County and at least five (5) members must be residents of the city.** Each of the seven members shall be appointed for two year terms and until their successors are appointed and qualified. Should vacancies occur on the Board, the vacancies shall be filled in the same manner as original appointments, except such terms shall only be for the remainder of such unexpired term. The City Council shall approve the appointment of new Board members prior to January 1, since the term of office will run from January 1 to December 31.

32.72 POWERS AND DUTIES.

The Main Street Advisory Board shall advise the City Council on matters affecting the city's Main Street Program and development and implementation of marketing strategies.

32.73 PROCEDURE; QUORUM.

(A) Procedure. "Roberts Rules of Order Revised" shall govern the proceedings of the Board; provided that such shall not be in conflict with the City Charter or other provisions of law.

(B) Quorum. A quorum shall consist of a majority of the entire membership of the Board, and any issue to be voted on shall be resolved by those present. The Chairman shall be entitled to vote upon any issue, but shall have no veto power.

32.74 MEETINGS; ATTENDANCE.

(A) Meetings. The Board shall meet at least quarterly in accordance with the Texas Open Meeting Law.

(B) Attendance. **Three consecutive absences** from meetings of the board shall be considered a voluntary resignation. In addition, **four absences in any twelve-month period** shall be considered a voluntary resignation. The council shall fill vacancies created by voluntary resignations in the same manner as all other vacancies.

32.75 COMPENSATION.

All members of the Main Street Advisory Board shall serve without compensation, but may be reimbursed for all expenses reasonably incurred by them in the performance of their duties as members of the Board, when authorized by the City Council.

Sec. 32.76. TERM LIMITS

A member of this board will not be eligible for reappointment after they have served three consecutive terms until after they have taken a one-year hiatus. Members may apply for another board or commission without taking a one-year hiatus. The city council may appoint members to additional terms past the term limit if no applications have been received to fill a vacancy.

This ordinance shall become effective upon its passage.



BYLAWS
STEPHENVILLE MAIN STREET PROGRAM
STEPHENVILLE, TX

Section 1. Purpose

The purpose of the Stephenville Main Street Advisory Board is to serve in an advisory capacity to the Stephenville Main Street Program Manager and the City of Stephenville.

Section 2. Definitions

Board shall mean the Stephenville Main Street Advisory Board of Directors as appointed by the Stephenville City Council.

Council shall mean the Stephenville City Council.

Main Street Manager shall mean the Main Street Program Manager as hired by the City of Stephenville.

Program shall mean the Stephenville Main Street Program

Program Area shall mean the Main Street Program Area as identified in the Stephenville Main Street Application and approved by the Texas Main Street Program.

Section 3. Members

The Board shall consist of seven (7) members appointed by the Council. A quorum shall consist of four (4) members. No action of the Board or any member shall be an official Main Street action unless approved by a majority of Board Members present at an official Board meeting.

The duties of the Stephenville Main Street Board of Directors are to support Board decisions and unity, participate in training that pertains to board member responsibilities, contribute one or more of the following – knowledge, financial resources or labor to the program, and serve on one standing committee.

Members shall serve ~~three (3)~~ two (2) year terms. Terms shall begin January 1 and end December 31, ~~except that a member will continue to serve until duly replaced by the Council.~~ Past Members may be re-appointed.

A full term on the Stephenville Main Street Board of Directors shall be defined as ~~three (3)~~ two (2) years.

Board Members may serve ~~two~~ three (3) full terms (6 years) and may be re-appointed after they have rotated off the board for a period of one year.

Board Members may resign at any time. Resignation from the Board shall be presented to the President in writing. The President will promptly advise the Main Street Manager ~~and the City Secretary~~ of all resignations.

By two-thirds (2/3) vote of the Board of Directors or board member shall be recommended for removal from office for failure to perform duties, criminal misconduct or unethical behavior, as defined as an action that falls outside of what is considered morally right or proper for a person, a profession or an industry in Stephenville Main Street business. ~~An officer or board member who misses three (3) consecutive meetings without excused absences or does not attend at least 75% of meetings may be removed from office.~~ Three consecutive absences from meetings of the board shall be considered a voluntary resignation. In addition, four absences in any twelve-month period shall be considered a voluntary resignation.

~~The original members shall be the seven (7) appointed by the Council on (insert date here). These original members shall draw lots with three (3) members serving for one (1) year terms, two (2) members serving for two (2) year terms and two (2) members serving for three (3) year terms. (This is procedural and does not need to be included in the bylaws. Typical procedure is to have all newly appointed members draw for their place number.~~

Any resident of Erath County who owns a business or property, who is employed within, or volunteers and contributes to the City of Stephenville and its Extraterritorial Jurisdiction (ETJ) shall be eligible to serve on the board.

Ex officio members may include, but are not limited to: the Main Street Manager, the City Manager or designee, the mayor or designee(s), the Stephenville Economic Development Authority (SEDA) Executive Director or designee, the Stephenville Chamber of Commerce Executive Director or designee, the Stephenville Economic Development Corporation (STEDCO) president or designee, and a representative from Erath County. Ex officio members of the Board shall have no voting authority.

The Members shall serve without compensation, ~~except that they may be reimbursed for their actual expenses incurred in the performance of their duties as Board Members. The travel reimbursement will be in accordance with the City of Stephenville travel policy and must be approved by Board and/or Council prior to the travel.~~ but may be reimbursed for all expenses reasonably incurred by them in the performance of their duties as members of the Board, when authorized by the City Council.

Section 4. Officers

Officers shall be nominated by the Board and voted on at the January meeting. Term of office shall be one year. Officers may serve unlimited terms.

The Board shall elect from among its membership the following officers with the following duties and responsibilities for one (1) year terms:

Chairperson – To preside over all meetings, to work with the Main Street Manager to develop meeting agendas, to perform other duties normally associated with a Board Chairperson.

Vice-Chairperson – To preside at the meetings in the absence of the Chairperson.

~~*Secretary/Treasurer* – to maintain the official records of the Board, serve as custodian of the books and records of the corporation and any funds owned by the corporation.~~ To record the proceedings of the Board.

Section 5. Meetings

The Board will meet monthly in regular session at Stephenville City Hall. The times and dates of regular Board meetings shall be determined by the Board. A quorum shall consist of four (4) members. No action of the Board or any member shall be an official Main Street action unless approved by a majority of Board members present at an official Board meeting. All meetings, Board and Committee, are subject to the Texas Open Meetings Act. Special meetings of the Board of Directors may be called by the President.

Section 6. Committees

The program shall have at least four (4) permanent committees including but not limited to: Organization, Design, Promotion, and Economic Development. The basic goals, responsibilities, and functions of these committees shall be as identified by the Texas Main Street Program and as directed by the Board to customize the Texas Main Street Program to be applicable to Stephenville. Each permanent committee shall consist of at least three (3) members comprised of Board members and community volunteers.

The Promotions Committee seeks to improve retail sales events, special events, and to create a positive public image of the designated Main Street areas in order to attract investors, developers, and new businesses.

The Design Committee takes advantage of the visual opportunities inherent in the designated Main Street area by directing attention to all of its physical elements: public and private buildings, storefronts, signs, public spaces, and landscaping.

The Organization Committee establishes consensus and cooperation by building partnerships among groups that have a stake in the designated Main Street area. This allows the Stephenville Main Street Program to provide effective, ongoing management and advocacy of the program. The committee serves as the nominating committee.

The Economic Development Committee strengthens the designated Main Street area's existing economic assets while diversifying its economic base.

From time to time as the need arises, the Board may appoint special committees to address special needs. These committees shall be of a size, membership, and duration as determined by the Board.

Section 7. Amendments

These by-laws may be amended, repealed, or altered, in whole or in part, by a majority vote of the total membership of the Board, at any duly organized meeting of the Board. **Amendments to the bylaws must be approved by the Stephenville City Council.**



Dear Board or Commission Member,

On behalf of the Stephenville City Council, I want to thank you for your willingness to serve on a Citizen Board or Commission. Your service is vital to the success of municipal government. Our Boards and Commissions are an invaluable resource for the City of Stephenville as they provide the City Council and City Staff with information and advice that is essential to the effective governance of the City. Without citizen volunteers like you, we could not deliver the wide range of services and quality of life amenities our public enjoys today and will enjoy in the future.

We hope this handbook provides you with the information you need to be a vital and active member of your Board or Commission. We appreciate your help in making Stephenville an unusually good place to be.

Please don't hesitate to contact us with any questions or concerns.

Sincerely,

Doug Svien, Mayor

How Board Appointments are Made

Appointment of Board Members

No later than October 1 each year, the City Secretary will begin accepting applications for appointment to Citizen Boards and Commissions. The application will allow the prospective volunteer to prioritize their choice of Board or Commission. Individuals may not be appointed to multiple boards or commissions.

Re-appointment of Current Board Members

When a Board or Commission Member's term is ending and they are not subject to term limits, the Board or Commission member shall be asked by the City Secretary if they want to continue serving on the Board or Committee. Members wishing to be reappointed must fill out an application form and return it to the City Secretary's Office. Requests for reappointment are subject to approval by the Stephenville City Council.

Filing a Vacancy

When an opening occurs on a Board or Commission, the public will be notified and applications will be accepted for consideration. The City Secretary will forward all such applications to the Council Nominations Committee for their review and recommendations.

Nominations for Appointment

The City Council Nominations Committee will meet in November to review applications. The Committee will call new applicants for the Planning and Zoning Commission, Board of Adjustment, the Stephenville Type B Economic Development Board of Directors, and the Tourism and Visitors Bureau Advisory Board in to speak with the applicant to better determine their qualifications for serving on the desired board or commission. The Committee reserves the right to speak with current members seeking re-appointment to a board or commission. The Nominations Committee will make a recommendation for appointments to be considered by the full city council at the regular December meeting.

The City Secretary will retain each application until the City Council has officially appointed members at the regular December City Council meeting.

Please note that the committee may review applicants' social media and other public pages prior to appointment to boards and commissions.

Citizen Boards and Commissions serve at the will of the Stephenville City Council and are subject to removal at any time for any reason. The Stephenville City Council may leave vacant any position that they feel does not have a qualified applicant.

I'm Appointed to the Board, Now What?

Meetings of governmental agencies and some of their Boards and Commissions are subject to the Texas Open Meetings Act. It is the policy of the City of Stephenville that ALL boards and commissions will operate under the rules of the Texas Open Meetings Act.

Since January 1, 2006, all elected and appointed officials in Texas must complete a one-hour educational training session for the Texas Open Meetings Act. This training must be completed within 90 days of taking office or being appointed to a board.

City staff will organize a training opportunity that fulfills this requirement, and you will be notified of the date and time as soon as possible.

If you are unable to attend the in-person training, you may also complete the training online from the Texas Attorney General's Office at:

<https://www.texasattorneygeneral.gov/og/open-government-training>

**Once you have completed the training, you must provide the City Secretary with a copy of the certificate of completion.*

Remember the golden rule of government meetings:

Except for few exceptions, public business must be conducted in front of the public.

All Boards and Commissions of the City of Stephenville will follow and be subject to the Texas Open Meetings Act.

Open Meeting Laws, Conflicts of Interest, and Related Matters

Texas Open Meetings Act

It is the policy of the Stephenville City Council that ALL City Boards and Commissions will operate under the Open Meetings Act. The general policy of the law is that all meetings of a "governmental body" shall be open to the public, and all votes or decisions of the governing body must be made during a public meeting. Failure to comply precisely with the Act may result in the body's actions being declared void and in criminal charges being filed against violators. The Texas Open Meetings Act is vital to ensuring transparency in a governing body's operation.

What is a "Governmental Body"? Any deliberative body having rule-making or quasi-judicial power and classified as a department or agency of the city. Under the Act, this includes the Planning and Zoning Commission and the Board of Adjustment and, as a practical matter, should be read to include every board, commission and committee of the City.

When does the Act apply? The act applies any time a verbal or electronic exchange (deliberation) concerning any public business or any issue over which the body has supervision or control occurs when a majority or more (quorum) of the body's members are present. The Act is not limited to

regular meetings. It comes into play any time a quorum of the body's members discuss public business. Social functions are excepted as long as any discussion of public business is incidental to the function.

A "walking quorum" occurs when members of a governmental body meet in a series of meetings in person or via phone or other electronic communication in numbers less than a quorum to discuss public business and avoid the requirements of the Act.

What does the Act require? In order for a valid public meeting to be held, written notice of the date, hour, place, and subjects to be discussed must be posted on a bulletin board accessible at all times to the public for at least seventy-two (72) hours before the beginning of the meeting. The notice must be sufficient to alert a reader to the topics that will be considered. Items that are not properly included on the agenda may not be discussed.

What are the exceptions to the Act? (Executive Sessions)

Although no final action, decision, or vote may be taken in a closed meeting, the following matters may be discussed in a closed meeting (executive session).

1. Consultation between a governmental body and its attorney in those instances where the governmental body seeks the attorney's advice with respect to pending or contemplated litigation, settlement offers, and matters where the duty of the attorney to the City pursuant to the Code of Professional Responsibility clearly conflicts with the Open Meeting Law.
2. Purchase, exchange, lease or value of real property, negotiated contracts for prospective gifts or donations to the City, when such discussion would have a detrimental effect on the negotiating position of the City.
3. Appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee, or to hear complaints or charges against such officer or employee, unless the employee requests a public hearing thereon.
4. Meetings regarding the deployment, or the specific occasions for implementation, of security personnel or devices.
5. The Body may meet in closed session to receive information from and ask questions of an employee, as long as no discussion of public business takes place.

Although a full discussion may take place and each member may express his or her views on a subject, a straw vote or secret ballot taken in a closed session violates the Act.

Penalties for Violation of the Act

1. Any member who knowingly calls an executive session, closes or aids in closing a regular meeting to the public, or participates in a meeting closed to the public where a closed meeting is not permitted by the provisions of the Act, is subject to a fine of

not less than \$100.00 or more than \$500.00, or imprisonment in the County Jail for not less than one month nor more than six months, or both.

2. Any member or group of members who conspire to circumvent the provisions of the Act by meeting in numbers less than a quorum for the purpose of secret deliberations in contravention of the Act is guilty of a misdemeanor punishable by a fine of not less than \$100.00 nor more than \$500.00 and/or imprisonment in the County Jail for not less than one month nor more than six months.
3. Participation by a member in a closed session with knowledge that a certified agenda or tape recording of the session is not being kept is a Class C misdemeanor (punishable by fine of up to \$200.00).
4. Any person who makes public any portion of a closed meeting or executive session is guilty of a Class B misdemeanor punishable by a fine of up to \$1,000.00 and/or confinement in the county jail for up to six months. In addition, the violator may also be liable to any person damaged or injured by the disclosure for that person's actual damages, court costs, attorney's fees and punitive damages. (This is most likely to occur when a discussion of personnel matters from the executive session is made public, in a suit by the affected employee.)
6. A violation of any of the provisions of the Act subjects the action taken at the meeting to invalidation by a court.

Conflicts of Interest

Both the City Charter and State Law (Chapter 171, Local Government Code) speak to these subjects. The general discussion here will be in terms of state law.

A. Definitions.

1. "Local public official" means any "officer", elected or appointed, paid or unpaid, of the City who exercises responsibilities beyond those that are advisory in nature. This obviously applies to members of the Planning and Zoning Commission and the Board of Adjustments, and may well apply to members of other boards, commissions, and committees.
2. "Business entity" means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or any other entity recognized in law.
3. "Substantial interest" means any of the following.
 - a. Ownership of ten percent (10%) or more of the voting stock or shares of a business entity; or
 - b. Ownership of ten percent (10%) or more of the fair market value of the business entity; or
 - c. Ownership of \$5,000.00 or more of the fair market value of the business entity; or

- d. Funds received by the person from the business entity exceed ten percent (10%) of the person's gross income from the previous year; or
- e. An interest in real property, equitable or legal, with a fair market value of \$2,500.00 or more; or
- f. A person has a "substantial interest" if a person related to him within the first degree of consanguinity or affinity has a "substantial interest" as defined above.

A. Violations

1. A public official commits an offense if the official knowingly:
 - a. Participates in a vote or decision on a matter involving a business entity or real property in which the official has a substantial interest if the action on the matter will have a special economic effect on the business entity or on the value of the real property involved that is distinguishable from the effect on the public; or
 - b. Acts as a surety for a business entity that has a contract, work or business with the City; or
 - c. Acts as a surety on any official bond required of an officer of the City.

B. Penalties

State law provides that a violation constitutes a Class A misdemeanor, which involves a fine up to \$2,000.00 and imprisonment in the county jail for up to one year. In addition, there may also be liability at common law in tort, contract or equity, including a suit for damages, injunction or mandamus. A violation is also grounds for removal from office as stated above.

C. Procedure to Avoid Violation

If a substantial interest exists, as defined above, and that interest would be peculiarly affected by any official action, before a vote or decision on the matter, the person with the interest must file a conflict of interest affidavit with the City Secretary. Once a conflict of interest has been filed, that person must refrain from any decision making regarding that subject.

Conducting Meetings

Meetings of Governmental bodies are usually conducted by using an adaptation of Robert's Rules of Order. Attached is a brief overview of Robert's Rules. Please read and acquaint yourself with the general concepts of the overview.

ABCs of Parliamentary Procedure

Introduction

Parliamentary procedure is a set of rules for conducting business at meetings and public gatherings. Its roots are in early English Parliaments and in 1876 Henry M. Robert published his manual on Parliamentary Law. Parliamentary Procedure is important because it allows everyone to be heard and to make decisions without confusion. It can be adapted to fit the needs of any organization.

Agenda

The City of Stephenville makes the public aware of the business to be conducted by the Council or Board with the use of a fixed agenda. Under the Texas Open Meetings Act, all agendas must be posted at City Hall and on the city's website at least 72 hours before the meeting.

Items to be discussed during the meeting must be listed and stated as specifically as possible. The agenda should allow anyone reading it to know what the body is discussing and what action they are planning to take.

In addition to being posted, the agenda and supporting documents will be sent to each member of the board, commission, or committee. Please check with the staff liaison of the board/commission to get instructions for receiving the agenda for the specific board/commission.

Motions, Seconds, Debate, and Vote

Any member of the board or commission can offer a motion on the item up for discussion. The motion is a proposal stated "I make a motion..." or "I move that..." In order for a motion to move to the debate or discussion stage there must be a second. A second is made by saying, "I second the motion" or simply "I second". Without a second, the motion dies for lack of second.

After the motion and second, the chair will ask if there is any discussion or questions. At this time, the members of the board will be given an opportunity to discuss their opinions on the matter. After debate, the matter is voted on. The discussion can be ended by the chair or by any member "calling the question".

Tabling an Item

An item may be delayed to the next meeting by tabling the item. This can be done for any number of reasons, the most common of which is the need for additional time in research or additional information from the presenter. The item may also be tabled to beyond the next meeting by stating when the item should be brought back for consideration. Tabling an item takes a motion, second, and vote.

Voting

When a motion is made and seconded and discussion has concluded, the board chairman will call for a vote by asking first for “All those in favor” followed by “All those opposed.” Votes are taken verbally unless it is unclear if there are more ayes or noes. In this case, the chair may call for a “roll call vote” in which each member states their vote individually. Under no circumstances is a private ballot or a private vote allowed under the Open Meetings Act.

Attendance

Active participation by all appointed members is necessary for properly functioning boards. Once notice of a meeting has been supplied to a board member, it shall be the responsibility of that member to either attend or, prior to the time of the meeting, notify the Staff Liaison of his/her inability to attend.

For advisory boards, two absences from meetings of the advisory board in a twelve-month period shall be considered a voluntary resignation.

For the Planning and Zoning Commission, and the Stephenville Type B Economic Development Authority, three consecutive absences from meetings of the board/commission shall be considered voluntary resignation. In addition, four absences in any twelve-month period shall be considered a voluntary resignation.

For the Board of Adjustment, three consecutive absences from meetings of the board or four absences in any twelve-month period shall be cause for removal from the board as specified in City of Stephenville Code of Ordinances Section 154.21.2.B.

The council shall fill vacancies created by voluntary resignations or removal in the same manner as all other vacancies.

City of Stephenville Board Liaison Directory

Board	Liaison	Contact Information
City Council	Staci King City Secretary	(254) 918-1287 SLKing@stephenvilletx.gov
Airport Advisory Board	Jason King Assistant City Manager	(254) 918-1265 jkking@stephenvilletx.gov
Board of Adjustment	Steve Killen Director of Development Services	(254) 918-1222 skillen@stephenvilletx.gov
Building Board	Steve Killen Director of Development Services	(254) 918-1222 skillen@stephenvilletx.gov
Electrical Board	Steve Killen Director of Development Services	(254) 918-1222 skillen@stephenvilletx.gov
Library Advisory Board	Kelli Votypka Director of Parks and Leisure Services	(254) 918-1216 kvotypka@stephenvilletx.gov
Main Street Advisory Board	Sarah Matai Main Street Manager	(254) 552-1225 smatai@stephenvilletx.gov
Mechanical Board	Steve Killen Director of Development Services	(254) 918-1222 skillen@stephenvilletx.gov
Parks and Recreation Advisory Board	Kelli Votypka Director of Parks and Leisure Services	(254) 918-1216 kvotypka@stephenvilletx.gov
Planning and Zoning Commission	Steve Killen Director of Development Services	(254) 918-1222 skillen@stephenvilletx.gov
Plumbing Board	Steve Killen Director of Development Services	(254) 918-1222 skillen@stephenvilletx.gov
Senior Citizen Advisory Board	Kelli Votypka Director of Parks and Leisure Services	(254) 918-1216 kvotypka@stephenvilletx.gov
Stephenville Type B Economic Development Authority	Jeff Sandford Executive Director, SEDA	(254) 459-4921 jsandford@stephenvilleeda.com
Tourism and Visitors Bureau Advisory Board	Julie Smith Tourism and Visitors Bureau Manager	(254) 552-1222 jsmith@stephenvilletx.gov

AIRPORT ADVISORY BOARD

- Purpose:** The Airport Advisory Board advises city council on policy matters affecting the city's airport facility. Working in an advisory capacity, the Airport Advisory Board shall work toward the general improvement of the airport and the advancement of the city as an air transportation center.
- Membership:** Seven-member board. At least five members must be city residents.
- Term:** The term of office begins January 1, with odd-numbered places beginning in odd-numbered years, and even-numbered places beginning in even-numbered years. Board members are subject to a three-term limit.
- Attendance:** Two absences from meetings of the advisory board in a twelve-month period shall be considered a voluntary resignation.
- Meetings:** The Airport Advisory Board meets at least quarterly at 12:00 p.m. on the third Friday of the month at the Stephenville Clark Regional Airport. The chairperson of the board may work with the staff liaison to develop the meeting agenda. The chairperson of the board may report to the city council through its respective subcommittee.
- Quorum:** Four members must be present to constitute a quorum for the transaction of business.

BOARD OF ADJUSTMENT

- Purpose:** The Board of Adjustment is a quasi-judicial body that can make interpretations of the meaning and intent of the City of Stephenville Zoning Ordinance. It may also grant special use permits or variance to the Zoning Ordinance. Board of Adjustment members also serve as the city's Buildings and Standards Commission
- Membership:** Five-member board with up to four alternate members. All members must be qualified voters of the City of Stephenville.
- Term:** The term of office begins January 1, with odd-numbered places beginning in odd-numbered years, and even-numbered places beginning in even-numbered years. Board members are subject to a three-term limit.
- Attendance:** Three consecutive absences from meetings of the board/commission shall be considered cause for removal as specified in City of Stephenville Code of Ordinance. In addition, four absences in any twelve-month period shall be considered cause for removal as specified in City of Stephenville Code of Ordinance.
- Meetings:** The Board of Adjustment meets on the second Thursday of the month at 4:00 p.m., as needed to hear cases.
- Quorum:** Three members constitute a quorum, however, decisions made by the Board of Adjustment require a 75% vote (4 members) to pass. Therefore, action cannot be taken with fewer than four members.

BUILDING BOARD

Purpose: The Building Board addresses issues relative to the International Building Code, provides for the issuance of permits and collection of fees, and regulate activities affecting all building and structures inside the city.

Membership: Five-member board. Membership is limited to the trade profession.

Term: Each member of the board shall serve at the pleasure of the council for a term of two years. The term of office begins January 1, with odd-numbered places beginning in odd-numbered years, and even-numbered places beginning in even-numbered years.

Meetings: The Building Board meets on an as-needed basis.

Quorum: Three members must be present to constitute a quorum for the transaction of business.

ELECTRICAL BOARD

Purpose: The Electrical Board addresses issues relative to the National Electrical Code, provides for the issuance of permits and collection of fees, and the inspection and regulation of the installation of electrical wires and apparatus inside the city.

Membership: Five-member board. Membership is limited to the trade profession.

Term: Each member of the board shall serve at the pleasure of the council for a term of two years. The term of office begins January 1, with odd-numbered places beginning in odd-numbered years, and even-numbered places beginning in even-numbered years.

Meetings: The Electrical Board meets on an as-needed basis.

Quorum: Three members must be present to constitute a quorum for the transaction of business.

LIBRARY ADVISORY BOARD

- Purpose:** The Library Advisory Board advises the city council on policy matters concerning the planning, acquisition, operation, and use of the library and recommends policies on library programs.
- Membership:** Seven-member board. At least five members of the board must be city residents. Two members of the Twentieth Century Club shall be appointed by the Club to serve on the board. Board members are subject to a three-term limit.
- Term:** The term of office begins January 1, with odd-numbered places beginning in odd-numbered years, and even-numbered places beginning in even-numbered years. Board members are subject to a three-term limit.
- Attendance:** Two absences from meetings of the advisory board in a twelve-month period shall be considered a voluntary resignation.
- Meetings:** The Library Advisory Board shall meet at least quarterly on the third Wednesday of the month at 5:00 p.m. The chairperson of the board may work with the staff liaison to develop the meeting agenda. The chairperson of the board may report to the city council through its respective subcommittee.
- Quorum:** Four members must be present to constitute a quorum for the transaction of business.

MAIN STREET ADVISORY BOARD

Purpose: The Main Street Advisory Board advises the council on matters related to

Membership: Seven-member board. At least five members must be residents of Stephenville, and all members must be residents of Erath County.

Term: Each member of the board shall serve at the pleasure of the council for a term of two years. The term of office begins January 1, with odd-numbered places beginning in odd-numbered years, and even-numbered places beginning in even-numbered years. Board members are subject to a three-term limit.

Attendance: Three consecutive absences or four total absences in a 12-month period from meetings of the board shall be considered voluntary resignation.

Meetings: The Main Street Advisory Board shall meet at least monthly. The chairperson of the board may work with the staff liaison to develop the meeting agenda. The chairperson of the board may report to the city council through its respective subcommittee.

Quorum: Four members must be present to constitute a quorum for the transaction of business.

Officers: The board shall, at its first meeting in January, elect the following officers: Chairperson, Vice Chairperson, and Secretary.

Committees: The program shall have at least four (4) permanent committees. These committees and their chairpersons shall be appointed by the Main Street Advisory Board Chairman, with confirmation of the Board. These committees shall include, but are not limited to: Organization, Design, Promotion, and Economic Development. The basic goals, responsibilities, and functions of these committees shall be as identified by the Texas Main Street Program and as directed by the Board to customize the Texas Main Street Program to be applicable to Stephenville. Each permanent committee shall consist of at least three (3) members comprised of Board members and community volunteers.

The Promotions Committee seeks to improve retail sales events, special events, and to create a positive public image of the designated Main Street areas in order to attract investors, developers, and new businesses.

The Design Committee takes advantage of the visual opportunities inherent in the designated Main Street area by directing attention to all of its physical

elements: public and private buildings, storefronts, signs, public spaces, and landscaping.

The Organization Committee establishes consensus and cooperation by building partnerships among groups that have a stake in the designated Main Street area. This allows the Stephenville Main Street Program to provide effective, ongoing management and advocacy of the program. The committee serves as the nominating committee.

The Economic Development Committee strengthens the designated Main Street area's existing economic assets while diversifying its economic base.

From time to time as the need arises, the Board may appoint special committees to address special needs. These committees shall be of a size, membership, and duration as determined by the Board.

MECHANICAL BOARD

Purpose: The Mechanical Board addresses issues relative to the International Mechanical Code, provides for the issuance of permits and collection of fees, and regulates activities affecting heating, ventilating, cooling, refrigeration systems, incinerators, or other miscellaneous heat-producing appliances inside the city.

Membership: Five-member board. Membership is limited to the trade profession.

Term: Each member of the board shall serve at the pleasure of the council for a term of two years. The term of office begins January 1, with odd-numbered places beginning in odd-numbered years, and even-numbered places beginning in even-numbered years.

Meetings: The Mechanical Board meets on an as-needed basis.

Quorum: Three members must be present to constitute a quorum for the transaction of business.

PARKS AND RECREATION ADVISORY BOARD

Purpose: The Parks and Recreation Advisory Board advises the city council on policy matters concerning the planning, acquisition, operation, and use of parks, playgrounds, and open spaces as well as recommends policies on recreational programs.

Membership: Seven-member board. At least five members must be city residents.

Term: Each member of the board shall serve at the pleasure of the council for a term of two years. The term of office begins January 1, with odd-numbered places beginning in odd-numbered years, and even-numbered places beginning in even-numbered years. Board members are subject to a three-term limit.

Attendance: Two absences from meetings of the advisory board in a twelve-month period shall be considered a voluntary resignation.

Meetings: Parks and Recreation Advisory Board shall meet at least quarterly at 5:30 p.m. on the third Wednesday of the month. The chairperson of the board may work with the staff liaison to develop the meeting agenda. The chairperson of the board may report to the city council through its respective subcommittee.

Quorum: Four members must be present to constitute a quorum for the transaction of business.

PLANNING AND ZONING COMMISSION

- Purpose:** The Planning and Zoning Commission makes recommendations to the council on comprehensive planning, zoning, subdivision plats, and other related issues.
- Membership:** Seven-member board with two alternates. All members must be qualified voters of the City of Stephenville.
- Term:** Each member of the board shall serve at the pleasure of the council for a term of two years. The term of office begins January 1, with odd-numbered places and one alternate beginning in odd-numbered years, and even-numbered places and one alternate beginning in even-numbered years. Board members are subject to a three-term limit.
- Attendance:** Three consecutive absences from meetings of the board/commission shall be considered voluntary resignation. In addition, four absences in any twelve-month period shall be considered a voluntary resignation.
- Meetings:** The Planning and Zoning Commission meets at 5:30 on the third Wednesday of the month.
- Quorum:** Four members must be present to constitute a quorum for the transaction of business.

PLUMBING BOARD

Purpose: The Plumbing Board addresses issues relative to the International Plumbing Code, provides for the issuance of permits and collection of fees, and regulate activities affecting plumbing inside the city.

Membership: Seven-member board. Membership is limited to the trade profession.

Term: Each member of the board shall serve at the pleasure of the council for a term of two years. The term of office begins January 1, with odd-numbered places beginning in odd-numbered years, and even-numbered places beginning in even-numbered years

Meetings: The Plumbing Board meets on an as-needed basis.

Quorum: Three members must be present to constitute a quorum for the transaction of business.

SENIOR CITIZEN ADVISORY BOARD

- Purpose:** The Senior Citizen Advisory Board advises the city council on policy matters affecting the Stephenville Senior Citizens Program.
- Membership:** Seven-member board. At least 4 members must be city residents.
- Term:** Each member of the board shall serve at the pleasure of the council for a term of two years. The term of office begins January 1, with odd-numbered places beginning in odd-numbered years, and even-numbered places beginning in even-numbered years. Board members are subject to a three-term limit.
- Attendance:** Two absences from meetings of the advisory board in a twelve-month period shall be considered a voluntary resignation.
- Meetings:** Senior Citizen Advisory Board meetings are held at least quarterly at 12:00 p.m. on the first Wednesday of the month. The chairperson of the board may work with the staff liaison to develop the meeting agenda. The chairperson of the board may report to the city council through its respective subcommittee.
- Quorum:** Four members must be present to constitute a quorum for the transaction of business.

STEPHENVILLE TYPE B ECONOMIC DEVELOPMENT AUTHORITY (SEDA) BOARD OF DIRECTORS

Purpose: The SEDA Board of Directors provides direction to the Executive Director regarding economic development and incentives for establishing businesses in the city of Stephenville. The Board also develops the operating and maintenance budget for SEDA, as well as recommends economic incentives for council approval.

Membership: Seven-member board. Board members may be city or county residents.

Term: Each member of the board shall serve at the pleasure of the council for a term of two years. The term of office begins January 1, with odd-numbered places beginning in odd-numbered years, and even-numbered places beginning in even-numbered years. Board members are subject to a three-term limit.

Attendance: Three consecutive absences from meetings of the board/commission shall be considered voluntary resignation. In addition, four absences in any twelve-month period shall be considered a voluntary resignation.

Meetings: SEDA meetings are held on the third Thursday of the month at 11:30 a.m.

Quorum: Four members must be present to constitute a quorum for the transaction of business.

TOURISM AND VISITORS BUREAU ADVISORY BOARD

- Purpose:** The Tourism and Visitors Bureau Advisory Board shall advise the city council on matters affecting tourism and visitors services; expenditure of Hotel Occupancy Tax funds; development and implementation of marketing strategies.
- Membership:** Seven-member board. All members of the board must have a vested interest in the attraction of tourism and visitors to the city of Stephenville. The board shall consist of one representative from retail, one representative from restaurants, one representative from hotel, and one representative from Tarleton State University; all other members shall be chosen at the discretion of the council.
- Term:** Each member of the board shall serve at the pleasure of the council for a term of two years. The term of office begins January 1, with odd-numbered places beginning in odd-numbered years, and even-numbered places beginning in even-numbered years. Board members are subject to a three-term limit.
- Attendance:** Two absences in a 12-month period from meetings of the board/commission shall be considered voluntary resignation.
- Meetings:** The Tourism and Visitors Bureau Advisory Board shall meet at least monthly. The chairperson of the board may work with the staff liaison to develop the meeting agenda. The chairperson of the board may report to the city council through its respective subcommittee.
- Quorum:** Four members must be present to constitute a quorum for the transaction of business.



COMMITTEE REPORT

REPORT TYPE: Parks and Leisure Services Committee Report

MEETING: March 16, 2021

Present: Nick Robinson - Chair, Justin Haschke, Brandon Huckabee, Alan Nix

Absent:

DEPARTMENT: Parks and Leisure Services

STAFF CONTACT: Kelli Votypka- Director

Replacement Mowers

At the March 16, 2021 Parks and Leisure Services Committee Meeting, staff presented the need to replace 3 mowers over 12+ years old that are used by Park Maintenance Staff.

After discussion, a motion was made followed by a second with a recommendation to City Council the purchase of three mowers in the current fiscal year.

RESOLUTION NO. 2021-R-__**A RESOLUTION REGARDING A FINANCING AGREEMENT FOR THE PURPOSE OF PROCURING MOWERS AND RELATED EQUIPMENT.**

WHEREAS, City of Stephenville desires to enter into a certain Financing Agreement, by and between Government Capital Corporation and the City of Stephenville, for the purpose of financing mowers and related equipment. The City of Stephenville desires to designate this Agreement as a "qualified tax-exempt obligation" of the City of Stephenville for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended. The City of Stephenville desires to designate the City Manager, as an authorized signer of the Agreement.

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

1. That the City of Stephenville enters into a Financing Agreement with Government Capital Corporation for the purpose of procuring mowers and related equipment.
2. That the Financing Agreement, by and between the City of Stephenville and Government Capital Corporation is designated by the City of Stephenville as a "qualified tax-exempt obligation" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.
3. That the City of Stephenville designates the City Manager, as an authorized signer of the Financing Agreement, by and between the City of Stephenville and Government Capital Corporation.
4. That should the need arise, if applicable, the City will use loan proceeds for reimbursement of expenditures related to the Property, within the meaning of Treasury Regulation § 1.150-2, as promulgated under the Internal Revenue Code of 1986, as amended

PASSED AND APPROVED this 6th day of April, 2021.

Doug Svien, Mayor

ATTEST:

Staci L. King, City Secretary

Allen L. Barnes, City Manager
Reviewed

Randy Thomas, City Attorney
Approved as to form and legality

Public Works Committee
COMMITTEE REPORT



Item 28.

MEETING: Public Works Committee Meeting – 30 Mar 2021
Present: P6 Alan Nix, Chair; P1 Mark McClinton; P3 Nick Robinson; P8 Brandon Huckabee
Absent: None
DEPARTMENT: Public Works
STAFF CONTACT: Nick Williams

Agenda Item 1: Call to Order

Agenda Item 2: 536 Well Field Development – Professional Services

Discussion: A proposal from Provenance Engineering for the development of the 536 Well Field was discussed. It was noted that basic services include the design of five (5) new water supply wells including mechanical, civil, electrical, and instrumentation for system communication as well as coordination with state and regional regulatory authorities.

It was also noted that supplemental services are offered including services related to a desktop aquifer storage and recovery (ASR) analysis, engineering assistance necessary to cooperate with outside funding agencies, bidding services, as well as onsite observation during construction.

Committee Action: Following discussion, a motion was made by Mr. McClinton, seconded by Mr. Robinson to forward a positive recommendation to the full council to enter into a professional services agreement with Provenance Engineering for the design of the 536 Well Field.

Recommendation: The committee voted to unanimously forward a positive recommendation to enter into an agreement with Provenance Engineering for the design of the 536 Well Field including basic services, a desktop analysis for Aquifer Storage and Recovery (ASR), outside agency funding assistance, and bidding services for an amount of \$450,000.



536 Well Field – Contract Proposal



PROVENANCE
ENGINEERING
Rooted to Be Uniquely Different





March 25, 2021

Mr. Nick Williams
City of Stephenville
298 W. Washington St.
Stephenville, TX 76401

Subject: 536 Well Field Development – Contract Proposal

Dear Mr. Williams:

I am pleased to present our proposal for the 536 Well Field Development. I have prepared this proposal for your review and consideration based upon our discussions. Please find the attached items for your review and comment.

- Contract Agreement
- Exhibit A – Engineering Services Scope of Service
- Exhibit B – Fee Summary
- Exhibit C – Project Map
- Exhibit D – Opinion of Probable Construction Cost

I am excited about and honored with the opportunity to continue to work with you and your staff. Should you have questions or concerns regarding the proposal please feel free to contact me at (817) 694-6324.

Sincerely,

Kent Riker, P.E.
President



THIS IS AN AGREEMENT effective as of April 6, 2021 (“Effective Date”) between City of Stephenville (“Owner”) and Provenance Engineering, LLC. (“Engineer”).

Owner’s Project, of which Engineer’s services under this Agreement are a part, is generally identified as follows: 536 Well Field Development (“Project”).

Engineer’s services under this Agreement are generally identified as follows: Design, Bid and Construction Phase Services of the development of the 536 Well Field including five water supply wells, pumps, pump controls, new service roads, electrical power and new raw water transmission pipeline. (“Services”).

Owner and Engineer further agree as follows:

1.01 *Basic Agreement and Period of Service*

- A. Engineer shall provide or furnish the Services set forth in this Agreement. If authorized by Owner, or if required because of changes in the Project, Engineer shall furnish services in addition to those set forth above (“Additional Services”).
- B. Engineer shall complete its Services within the following specific time period: 30 months including design, bidding, and construction presuming there are no delays between each phase. Design will be completed within 12 months.
- C. If, through no fault of Engineer, such periods of time or dates are changed, or the orderly and continuous progress of Engineer’s Services is impaired, or Engineer’s Services are delayed or suspended, then the time for completion of Engineer’s Services, and the rates and amounts of Engineer’s compensation, shall be adjusted equitably.

2.01 *Payment Procedures*

- A. *Invoices:* Engineer shall prepare invoices in accordance with its standard invoicing practices and submit the invoices to Owner on a monthly basis. Invoices are due and payable within 30 days of receipt. If Owner fails to make any payment due Engineer for Services, Additional Services, and expenses within 30 days after receipt of Engineer’s invoice, then (1) the amounts due Engineer will be increased at the rate of 1.0% per month (or the maximum rate of interest permitted by law, if less) from said thirtieth day, and (2) in addition, Engineer may, after giving seven days written notice to Owner, suspend Services under this Agreement until Engineer has been paid in full all amounts due for Services, Additional Services, expenses, and other related charges. Owner waives any and all claims against Engineer for any such suspension.
- B. *Payment:* As compensation for Engineer providing or furnishing Services and Additional Services, Owner shall pay Engineer as set forth in Paragraphs 2.01, 2.02 (Services), and 2.03 (Additional Services). If Owner disputes an invoice, either as to amount or entitlement, then Owner shall promptly advise Engineer in writing of the specific basis for doing so, may withhold only that portion so disputed, and agrees to pay the undisputed portion.



2.02 *Basis of Payment—Lump Sum*

- A. Owner shall pay Engineer for Services as follows:
 - 1. A Lump Sum amount of \$693,000.00 unless prior OWNER approval in writing.
 - a. Payments to be made by Owner based on work progression.
 - 2. In addition to the Lump Sum amount, reimbursement for the following expenses: NONE
- B. The portion of the compensation amount billed monthly for Engineer's Services will be based upon Engineer's estimate of the percentage of the total Services actually completed during the billing period.

3.01 *Termination*

- A. The obligation to continue performance under this Agreement may be terminated:
 - 1. For cause,
 - a. By either party upon 30 days written notice in the event of substantial failure by the other party to perform in accordance with the Agreement's terms through no fault of the terminating party. Failure to pay Engineer for its services is a substantial failure to perform and a basis for termination.
 - b. By Engineer:
 - 1) upon seven days written notice if Owner demands that Engineer furnish or perform services contrary to Engineer's responsibilities as a licensed professional; or
 - 2) upon seven days written notice if the Engineer's Services are delayed for more than 90 days for reasons beyond Engineer's control, or as the result of the presence at the Site of undisclosed Constituents of Concern, as set forth in Paragraph 5.01.I. The Owner anticipates lead-based paint may be present and therefore shall not be consider a Constituent of Concern.
 - c. Engineer shall have no liability to Owner on account of a termination for cause by Engineer.
 - d. Notwithstanding the foregoing, this Agreement will not terminate as a result of a substantial failure under Paragraph 3.01.A.1.a if the party receiving such notice begins, within seven days of receipt of such notice, to correct its substantial failure to perform and proceeds diligently to cure such failure within no more than 30 days of receipt of notice; provided, however, that if and to the extent such substantial failure cannot be reasonably cured within such 30 day period, and if such party has diligently attempted to cure the same and thereafter continues diligently to cure the same, then the cure period provided for herein shall extend up to, but in no case more than, 60 days after the date of receipt of the notice.
 - 2. For convenience, by Owner effective upon Engineer's receipt of written notice from Owner.



- B. In the event of any termination under Paragraph 3.01, Engineer will be entitled to invoice Owner and to receive full payment for all Services and Additional Services performed or furnished in accordance with this Agreement, plus reimbursement of expenses incurred through the effective date of termination in connection with providing the Services and Additional Services, and Engineer's consultants' charges, if any.

4.01 *Successors, Assigns, and Beneficiaries*

- A. Owner and Engineer are hereby bound and the successors, executors, administrators, and legal representatives of Owner and Engineer (and to the extent permitted by Paragraph 4.01.B the assigns of Owner and Engineer) are hereby bound to the other party to this Agreement and to the successors, executors, administrators, and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements, and obligations of this Agreement.
- B. Neither Owner nor Engineer may assign, sublet, or transfer any rights under or interest (including, but without limitation, money that is due or may become due) in this Agreement without the written consent of the other party, except to the extent that any assignment, subletting, or transfer is mandated by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.
- C. Unless expressly provided otherwise, nothing in this Agreement shall be construed to create, impose, or give rise to any duty owed by Owner or Engineer to any Constructor, other third-party individual or entity, or to any surety for or employee of any of them. All duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of Owner and Engineer and not for the benefit of any other party.

5.01 *General Considerations*

- A. The standard of care for all professional engineering and related services performed or furnished by Engineer under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. Engineer makes no warranties, express or implied, under this Agreement or otherwise, in connection with any services performed or furnished by Engineer. Subject to the foregoing standard of care, Engineer and its consultants may use or rely upon design elements and information ordinarily or customarily furnished by others, including, but not limited to, specialty contractors, manufacturers, suppliers, and the publishers of technical standards.
- B. Engineer shall not at any time supervise, direct, control, or have authority over any Constructor's work, nor shall Engineer have authority over or be responsible for the means, methods, techniques, sequences, or procedures of construction selected or used by any Constructor, or the safety precautions and programs incident thereto, for security or safety at the Project site, nor for any failure of a Constructor to comply with laws and regulations applicable to such Constructor's furnishing and performing of its work. Engineer shall not be responsible for the acts or omissions of any Constructor.
- C. Engineer neither guarantees the performance of any Constructor nor assumes responsibility for any Constructor's failure to furnish and perform its work.



- D. Engineer's opinions (if any) of probable construction cost are to be made on the basis of Engineer's experience, qualifications, and general familiarity with the construction industry. However, because Engineer has no control over the cost of labor, materials, equipment, or services furnished by others, or over contractors' methods of determining prices, or over competitive bidding or market conditions, Engineer cannot and does not guarantee that proposals, bids, or actual construction cost will not vary from opinions of probable construction cost prepared by Engineer. If Owner requires greater assurance as to probable construction cost, then Owner agrees to obtain an independent cost estimate.
- E. Engineer shall not be responsible for any decision made regarding the construction contract requirements, or any application, interpretation, clarification, or modification of the construction contract documents other than those made by Engineer or its consultants.
- F. All documents prepared or furnished by Engineer are instruments of service, and Engineer retains an ownership and property interest (including the copyright and the right of reuse) in such documents, whether or not the Project is completed. Owner shall have a limited license to use the documents on the Project, extensions of the Project, and for related uses of the Owner, subject to receipt by Engineer of full payment due and owing for all Services and Additional Services relating to preparation of the documents and subject to the following limitations:
1. Owner acknowledges that such documents are not intended or represented to be suitable for use on the Project unless completed by Engineer, or for use or reuse by Owner or others on extensions of the Project, on any other project, or for any other use or purpose, without written verification or adaptation by Engineer;
 2. any such use or reuse, or any modification of the documents, without written verification, completion, or adaptation by Engineer, as appropriate for the specific purpose intended, will be at Owner's sole risk and without liability or legal exposure to Engineer or to its officers, directors, members, partners, agents, employees, and consultants;
 3. Owner shall indemnify and hold harmless Engineer and its officers, directors, members, partners, agents, employees, and consultants from all claims, damages, losses, and expenses, including attorneys' fees, arising out of or resulting from any use, reuse, or modification of the documents without written verification, completion, or adaptation by Engineer; and
 4. such limited license to Owner shall not create any rights in third parties.
- G. Owner and Engineer may transmit, and shall accept, Project-related correspondence, documents, text, data, drawings, information, and graphics, in electronic media or digital format, either directly, or through access to a secure Project website, in accordance with a mutually agreeable protocol.
- H. To the fullest extent permitted by law, Owner and Engineer (1) waive against each other, and the other's employees, officers, directors, members, agents, insurers, partners, and consultants, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to this Agreement or the Project, and (2) agree that Engineer's total liability to Owner under this Agreement shall be limited to \$40,000 or the total amount of compensation received by Engineer, whichever is greater.



- I. The parties acknowledge that Engineer's Services do not include any services related to unknown or undisclosed Constituents of Concern. If Engineer or any other party encounters, uncovers, or reveals an unknown or undisclosed Constituent of Concern, then Engineer may, at its option and without liability for consequential or any other damages, suspend performance of Services on the portion of the Project affected thereby until such portion of the Project is no longer affected, or terminate this Agreement for cause if it is not practical to continue providing Services.
- J. Owner and Engineer agree to negotiate each dispute between them in good faith during the 30 days after notice of dispute. If negotiations are unsuccessful in resolving the dispute, then the dispute shall be mediated. If mediation is unsuccessful, then the parties may exercise their rights at law.
- K. This Agreement is to be governed by the law of the state in which the Project is located.
- L. Engineer's Services and Additional Services do not include: (1) serving as a "municipal advisor" for purposes of the registration requirements of Section 975 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (2010) or the municipal advisor registration rules issued by the Securities and Exchange Commission; (2) advising Owner, or any municipal entity or other person or entity, regarding municipal financial products or the issuance of municipal securities, including advice with respect to the structure, timing, terms, or other similar matters concerning such products or issuances; (3) providing surety bonding or insurance-related advice, recommendations, counseling, or research, or enforcement of construction insurance or surety bonding requirements; or (4) providing legal advice or representation.
- M. Liquidated Damages - Failure to meet the time lines for completion of work identified in (the project schedule - or other appropriate language) will result in liquidated damages of \$50.00 per consecutive calendar day until the work identified in "Exhibit A" - Scope of Services is submitted. Liquidated damages are only applicable to items under the control of ENGINEER and will not be enforced due to circumstances out of the control of ENGINEER.

6.01 *Total Agreement*

- A. This Agreement (including any expressly incorporated attachments), constitutes the entire agreement between Owner and Engineer and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

Definitions

- B. *Constructor*—Any person or entity (not including the Engineer, its employees, agents, representatives, and consultants), performing or supporting construction activities relating to the Project, including but not limited to contractors, subcontractors, suppliers, Owner's work forces, utility companies, construction managers, testing firms, shippers, and truckers, and the employees, agents, and representatives of any or all of them.
- C. *Constituent of Concern*—Asbestos, petroleum, radioactive material, polychlorinated biphenyls (PCBs), hazardous waste, and any substance, product, waste, or other material of any nature whatsoever that is or becomes listed, regulated, or addressed pursuant to (a) the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §§9601 et seq. ("CERCLA");



(b) the Hazardous Materials Transportation Act, 49 U.S.C. §§5101 et seq.; (c) the Resource Conservation and Recovery Act, 42 U.S.C. §§6901 et seq. (“RCRA”); (d) the Toxic Substances Control Act, 15 U.S.C. §§2601 et seq.; (e) the Clean Water Act, 33 U.S.C. §§1251 et seq.; (f) the Clean Air Act, 42 U.S.C. §§7401 et seq.; or (g) any other federal, State, or local statute, law, rule, regulation, ordinance, resolution, code, order, or decree regulating, relating to, or imposing liability or standards of conduct concerning, any hazardous, toxic, or dangerous waste, substance, or material.

- Attachments:*
- “Exhibit A”, Engineer’s Scope of Services
 - “Exhibit B”, Fee Summary
 - “Exhibit C”, Project Map
 - “Exhibit D”, Opinion of Probable Construction Cost



IN WITNESS WHEREOF, the parties hereto have executed this Agreement, the Effective Date of which is indicated on page 1.

Owner: City of Stephenville

Engineer Provenance Engineering, LLC.

By: _____

By: _____

Print name: Doug Svien

Print name: Kent W. Riker, P.E.

Title: Honorable Mayor

Title: President

Date Signed: _____

Date Signed: _____

Engineer License or Firm's Certificate No.: 20783

State of: Texas

Address for Owner's receipt of notices:

Address for Engineer's receipt of notices:

City of Stephenville
298 W Washington Street
Stephenville, Texas 76401
254.918.1223

Provenance Engineering, LLC.
401 Russell Lane
Weatherford, Texas 76087
817.775.7172

IN DUPLICATE



EXHIBIT - A





Project Description

The following scope of SERVICES clarifies and describes the SERVICES and associated project tasks to be performed and completed by the ENGINEER. SERVICES under this "EXHIBIT A" includes engineering services associated with the 536 Well Field Development Project. The OWNER desires the development of the 536 Property site as a new water supply to maximize the amount of water the City of Stephenville can receive from the 536 Well Field Development to supplement the water demand for the current population as well as for the projected growth. The OWNER has previously completed a feasibility study that recommended developing five new production wells into the Trinity Aquifer on the 536 Property. The proposed new wells will be collected via a proposed new raw water collection system that will connect at the point along Highway 67 as shown in "EXHIBIT C". The OWNER also desires the ENGINEER perform a Desktop Feasibility Concept Study to provide an initial determination if the water management strategy of Aquifer Storage and Recovery warrants further study by the OWNER at the 536 Property. Aquifer Storage and Recovery (ASR) is the intentional recharge of water to aquifers for subsequent recovery or environmental benefit. The proposed five new wells will require new power supply, service roads, and well fencing. The project will include:

Basic Services – Preliminary Design, Detail Design, Final Design, Bidding Services, and Construction Services for the following:

- Five (5) new water supply wells
 - Hydrogeology – well drilling, casing, gravel pack
 - Mechanical – pump design, well head, isolation valves and flow meter
 - Civil – well pad, fencing
 - Electrical – well pump motor and wiring, site lighting
 - Instrumentation & Control – pump, flow meter and valve control instruments, SCADA communication system
- Site Improvements
 - Civil – well collection system, roadway, drainage, gate entry
 - Electrical – power supply
 - Instrumentation & Control – basic site security measures including SCADA communication system
- New raw water transmission pipeline
 - Civil – 10-inch raw water transmission pipeline

Supplemental Services – Additional services at the OWNERs request include the following:

- ASR Desktop Feasibility Concept
 - Source water options evaluation
 - Siting options evaluation
- Funding Support Services
 - Assist the OWNER by providing exhibits, figures, and OPCC
- Resident Project Representative Services
 - Onsite representation during construction



Basic Services

Upon receipt of notice to proceed, the ENGINEER will begin Basic Services as outlined herein. The scope of SERVICES includes the development of a detailed drawings set, front-end documents, and technical specifications for the OWNER to bid the designed improvements.

The Basic Scope of SERVICES is separated into the following phases:

- **Phase 1 Design Services**
- **Phase 2 Bidding Services**
- **Phase 3 Construction Services**

Listed below is a specific description to be performed as part of the project.

Phase 1 Design Services

\$385,000.00

As part of the Design Services Phase, the ENGINEER will design the infrastructure required for the 536 Well Field Development. Key aspects of Phase 1 are listed below.

- **Deliverables:** Kick-off meeting agenda and minutes
Monthly project status reports
Detail Design Submittal
Final Design Submittal
- **Meetings:** Kick-off meeting and site tour of existing facilities
Monthly Conference Calls
Detail Design Submittal Review
Final Design Submittal Review

Design services will generally include the followings tasks and sub-tasks:

Task 1.100 – Project Management

The ENGINEER will manage the day-to-day progress of the project.

101. Project Setup –The ENGINEER will follow quality procedures to setup the project reporting and control structure internally.

1.110. Communication with OWNER – The ENGINEER will maintain consistent communication with the OWNER through the established protocol agreed upon by OWNER.

111. Standing Conference Call –The ENGINEER will have a standing monthly call with the OWNER’s Project Manager to discuss the current project status report.

112. Invoice Management – The ENGINEER will submit a monthly invoice to the OWNER with the current project status report to the OWNER.

1.120. Progress Management – During the course of the project, ENGINEER will manage the day-to-day progress of the project. The ENGINEER will track the scope, schedule, and budget regularly. The ENGINEER will perform the following sub-tasks.



121. Documentation – Develop document management protocols for processing and documenting design drawings, calculations, OWNER decisions, and communication.

122. Project Status Report – Develop a project status report highlighting current scope and schedule progress; identifying potential changes to the scope of services; invoice status; on-going list of outstanding issues; decision log; and action item log.

1.130. Kick-off Meeting – Conduct a project kick-off meeting with OWNER to review the project scope of services and schedule, define lines of communication and protocols, review deliverables, and develop success factors for completing the project. The ENGINEER will conduct site investigation tour of the OWNER's facilities with the OWNER's staff.

1.140. Quality Assurance / Quality Control (QA/QC) – – The Engineer will follow internal QA/QC processes throughout the project. These processes include internal checking of calculations, review of documents, and checking of submittals. Deliverables will be submitted internally for Engineer's QA/QC Review by a senior level Engineer(s) and construction specialist(s) who is not directly involved with the design of the project.

Task 1.200 – Preliminary Design

1.210. Data Gathering – The ENGINEER will collect, and review data required for the analysis from the OWNER and other agencies. The data gathering will include, at a minimum, the following:

- All previous studies pertaining to the project site or impacting the site in any way.
- All facility record drawings related to infrastructure improvements within the project area for completed improvement projects, as well as any roadway, water, sanitary, sewer or storm water improvements pertinent to the project.
- OWNER's existing GIS data including: plats, tract maps, or right-of-way maps and easements; utility maps (water, sanitary sewer, storm sewer); contour maps (if required, ENGINEER will augment OWNER contour data with 1-ft. LIDAR contour data from TNRS); and high-resolution aerial photography.
- Projects in progress – OWNER will help identify and assist ENGINEER to coordinate with other proposed projects within project area currently under design or construction.

1.220. Geotechnical Analysis - The ENGINEER will perform a geotechnical analysis of the proposed new service roads. The geotechnical analysis will include the following:

- Subsurface exploration including up to ten (10) sample bores to a depth of 15-ft.
- Laboratory tests for classification purposes and strength characteristics.
- Engineering services that address soil conditions for proposed service roads and pads.
- Prepare a geotechnical report that presents the results of the field and laboratory data as well as analysis and recommendations. The data contained in the geotechnical report will be made available to contractors during the bidding process for information purposes.

1.230. Survey – The ENGINEER will perform a design level survey. The survey will include the following:



- 100-foot wide along the proposed pipeline and service road route at the locations specified on "Exhibit C".
- Locate visible topographic features such as marked and existing utilities and their appurtenances, iron pins (if found), edge of pavement, structures, and fences.
- Establish control points along the route including up to four (4) permanent control points.

1.240. Conceptual Design – The ENGINEER will perform a conceptual design up to a 30% level of detail. The design will incorporate the following disciplines: hydrogeology, mechanical, civil. The detailed design process will be conducted in the following tasks.:

241. Conceptual Drawings – Develop a conceptual plan for well field and well site to be reviewed and confirmed with the OWNER.

242. Technical Memorandum – Develop will develop a concise basis of design memorandum to confirm the key design parameters needed for detailed design.

243. Submittal – The ENGINEER will deliver one (1) electronic set to the OWNER for review and comment.

244. Submittal Review Workshop – The ENGINEER will conduct a review meeting with the OWNER approximately two (2) weeks after the submission of the Conceptual Design Submittal, an approximate 30-percent level of design.

Task 1.300 – Detailed Design

The detailed design includes tasks necessary to design the modifications and improvements as outlined in the preliminary design to the 60% level of detail. The design will incorporate the following disciplines: hydrogeology, mechanical, civil, geotechnical, electrical, instrumentation, and control. The detailed design process will be conducted in the following tasks.

1.310. Drawings – The ENGINEER will develop design and details drawings to the 60% level of detail. The ENGINEER will perform the following sub-tasks.

311. Well – Develop plan, section, and detail drawings for each well. Design well pump to hydraulically perform under various operational conditions.

312. Well Site – Develop plans and details including site grading, well site gate, and well site fence for each of the five proposed wells.

313. 536 Property Improvements – Develop plans and detail drawings for the service roads to well sites, property entry gate, and any required security measures.

314. Well Collection System – Develop plan, profile, and detail drawings for the new well collection system. Include hydraulic models as required to develop hydraulic losses.

315. Raw Water Transmission Pipeline – Develop plan, profile, and details drawings for the new raw water transmission pipeline to TH #1.

316. Submittal – The ENGINEER will deliver one (1) electronic set to the OWNER for review and comment.



1.320. Specifications – The ENGINEER will prepare detail specifications for use in bidding and constructing the project. The ENGINEER will do the following sub-tasks.

321. Technical Specifications – Develop detailed equipment, materials and all other specification sections generally considered to be necessary for detailing the construction of the project.

322. Submittal – The ENGINEER will submit the Specifications in one (1) electronic set to the OWNER for review and comment.

1.330. Opinion of Probable Cost – The ENGINEER will prepare an opinion of probable cost for the project based upon the complete detail design documents.

1.340. Detail Design Submittal Review Meeting – The ENGINEER will conduct a review meeting with the OWNER approximately two (2) weeks after the submission of the Detail Design Submittal, an approximate 60-percent level of design.

Task 1.400 – Final Design

The final design includes those tasks necessary to finalize the design outlined in the Detailed Design Submittal. The final design will incorporate the following disciplines: hydrogeology, civil, mechanical, electrical, instrumentation and control. The final design process will be conducted in the following tasks.

1.410. Drawings – The ENGINEER will revise design and detail drawings based on comments from the Review Meeting. The ENGINEER will perform the following sub-tasks.

411. Revise Drawings – Revise drawings based on the comments from the OWNER.

412. Details – Develop project details to include in drawing set.

413. Submittal – Submit the Final Design Drawings in one (1) electronic set to the OWNER for review and comment.

1.420. Specifications – The ENGINEER will revise and prepare specifications for use in bidding and constructing the project. The ENGINEER will perform the following sub-tasks.

421. Front End Documents – Include the Engineer's Standard General Conditions section of specifications and modify as necessary in Supplementary Conditions for the project. Documents shall include General and Special Conditions, Bid Proposal Forms, Instructions to Bidders, and all other sections generally considered to be necessary for solicitation of bids.

422. Technical Specifications – Revise equipment, materials, and other specifications.

423. Bid Tab – Include equipment and material quantities in bid tab.

424. Submittal – Submit the Final Design Drawings in one (1) electronic set to the OWNER for review and comment.



1.430. Opinion of Probable Cost –The ENGINEER will prepare an opinion of probable cost for the project based upon the complete final design documents.

1.440. Final Design Submittal Review Meeting – The ENGINEER will conduct a review meeting with the OWNER approximately two (2) weeks after the submission of the Final Design Submittal, an approximate 100-percent level of design.

Task 1.500 – Permitting

1.510. TCEQ Regulatory Compliance – The ENGINEER will coordinate with the TCEQ for required regulatory compliance.

511. Submit Detailed Design – Submit letter and 60% drawings to the TCEQ at the detailed design phase on behalf of the OWNER.

512. Submit Drawings and Specifications – Submit final design drawings and technical specifications to the TCEQ on behalf of the OWNER. Respond to requests for additional information from TCEQ.

513. Modifications to Design – If required, update plans and specifications with any modifications requested by TCEQ prior to bidding.

1.520. Middle Trinity Groundwater Conservation District (MTGCD) – The ENGINEER will coordinate with the MTGCD for all required regulatory permits and compliance needs.

521. Submit Well Registration and Production Permitting – Submit application and supporting documentation needed by MTGCD to evaluate the application on behalf of the OWNER.

522. Respond to MTGCD Requests – Respond to requests for additional information from MTGCD on behalf of the OWNER.

523. Modifications to Design – If required, update plans and specifications with any modifications requested by MTGCD prior to bidding.

Phase 1 Supplemental Services

\$43,000.00

*Supplemental Services are not part of the Basic Services. Supplemental Services may be enacted upon request of OWNER. The ENGINEER shall provide a fee proposal upon request of OWNER for all Supplemental Services. The ENGINEER shall not begin working without written approval from the OWNER.

SS Task 1.100 – ASR Desktop Feasibility Study

The ENGINEER will perform an initial determination if the water management strategy of Aquifer Storage and Recovery warrants further study by the OWNER. This conceptual study will evaluate the 536 Property as a potential site. The findings will be delivered in a concise technical memorandum to the OWNER. The ENGINEER will do the following sub-tasks.

1.110 Water Supply Options – Identify the availability of source water(s) for injection (recharge) and the volume of water for recharge. This will include a historic search into the



surface water availability over the last 10-20 years. Estimate OWNER population growth and future water demands. Our Team will prepare various hypothetical thresholds based on flow and/or water stages to determine if and for what duration the OWNER would not be able to utilize an ASR system for storage.

1.120. Alternative Supply – Assess the opportunities to utilize water reuse for ASR.

1.130. Planning Analysis – Assist in determining the compatibility of recharge water with surface water management plans and permit conditions. Our Team will work with the OWNER to review their current contract with the Upper Leon River Municipal Water District (ULRMWD) and determine what, if any, environmental thresholds might determine the time periods and volumes the OWNER can inject into an ASR system.

1.140. Subsurface Assessment – The availability of potentially suitable sand units in the Trinity Aquifer to serve as viable ASR horizon(s) for the anticipated volume of water to be injected. The suitability of sand units will be based on geologic structure, stratigraphy, and mineralogy.

1.150. Siting Options – Assess if the OWNER has adequate land holdings for a potential ASR well field(s).

1.160. Ordinance Options – Evaluate OWNER ordinance options that would allow the OWNER to utilize the area inside the OWNER's City limits for a potential ASR well field.

1.170. Opinion of Cost – Provide a planning level opinion of probable cost for up to three options available to the OWNER.

SS Task 1.200 – Funding Support Services

The ENGINEER will aid the OWNER in preparing documents to request funding from a government or private funding agency at the OWNERs request. The OWNER will complete all paperwork necessary for the funding request. The ENGINEER will provide support to the OWNER in the development of exhibits, figures, and OPCC to accompany the paperwork. It is assumed the ENGINEER will not attend meeting(s) with funding agency.

Phase 2 Bidding Services

Estimated \$22,000.00

**Phase 2 will commence only upon written authorization from the Owner.* Phase 2 services are estimated at \$22,000.00 in 2021 dollars and are acceptable at least until May of 2022. The final amount will be finalized and agreed upon with written authorization to proceed.

The Bidding Phase services will include those tasks necessary to advertise, bid, and provide a recommendation of award of Construction Contract. Key aspects of Phase 2 are listed below.

- Deliverables: Project Advertisement
Bid Documents
Answer Bidder Questions



- Meetings:
 - Addenda (if necessary)
 - Contractor Award Recommendation Letter
 - Conform to Bid Documents
 - Pre-Bid meeting
 - Bid Opening

Specific tasks to be performed for the Bidding Phase are listed below.

Task 2.100 – Project Management

2.110. Communication with OWNER – The ENGINEER will maintain consistent communication with the OWNER through the established protocol agreed upon.

111. Standing Conference Call –The ENGINEER will have a standing monthly call with the OWNER’s Project Manager to discuss the current project status report.

112. Invoice Management – The ENGINEER will submit a monthly invoice to the OWNER with the current project status report to the OWNER.

2.120. Progress Management – The ENGINEER will monitor the overall progress of Phase 2 services. The ENGINEER will do the following sub-tasks.

121. Documentation – Route Contracts for Execution and insertion into Conformed to Bid Documents. Document bid documents and communication.

122. Project Status Report – Develop a project status report highlighting current progress; distribution log; list of outstanding issues; and action item log.

Task 2.200 – Contract Documents Bid Set

2.210. Seal and Sign – The ENGINEER will incorporate the comments for the 100-percent review meeting. The ENGINEER will seal and sign the completed set of documents.

2.220. Project Advertisement – The ENGINEER will coordinate with city staff, create, and send bid advertisement to OWNER’s Purchasing Department. The ENGINEER will contact Contractors to help advertise the project.

2.230. Contract Documents Distribution – The ENGINEER will publish on CivCast (or similar platform) the contract bid documents to prospective bidders and vendors and maintain a log of distribution. The ENGINEER will charge bidders and vendors a fee for Contract Documents. The ENGINEER will provide two (2) sets of half-size drawings and specifications for the OWNER.

2.240. Clarifications to Prospective Bidders – The ENGINEER will provide clarifications and answer questions from prospective bidders made during the bidding phase. Two (2) rounds of written clarifications and responses to questions will be distributed to perspective bidders.

2.250. Addenda – Modification(s), if necessary, to the Contract Bid Documents will be distributed to perspective bidders via addenda.

2.260. Conform to Bid Documents – Once the OWNER has accepted a bid, the ENGINEER will conform the Bid Documents to include all addenda issued to form the Conform to Bid set of Contract Documents. The ENGINEER will provide up to six (6) sets of half-size drawings and specifications, as well as an electronic set, for OWNER’s use.



Task 2.300 – Meeting

2.310. Pre-Bid Meeting – The ENGINEER will conduct one (1) pre-bid meeting. The pre-bid meeting will include a project overview presentation at a location designated by the OWNER and project site visit led by the ENGINEER with prospective bidders.

2.320. Bid Opening Meeting – The ENGINEER will attend the bid opening announcement led by the OWNER followed by a meeting to discuss the results.

Task 2.400 – Evaluation of Bid Packets

2.410. Bidding Log – The ENGINEER will review all submitted bids for compliance with Contract Documents and provide OWNER a log of all valid bidders.

2.420. Review Bids – The ENGINEER will review valid submitted bids and verify apparent low bidder's references. The ENGINEER will make recommendations for contract award based upon 'best value' for the OWNER.

Phase 3 Construction Services

Estimated \$88,000.00

**Phase 3 will commence only upon written authorization from the Owner.* Phase 3 services are estimated at \$88,000.00 in 2021 dollars and are acceptable at least until May of 2022. The final amount will be finalized and agreed upon with written authorization to proceed.

The Construction services will include those tasks necessary to represent the OWNER during the project construction. Key aspects of Phase 3 are listed below.

- Deliverables: Construction meeting minutes
Contractor Payment Application recommendations
Shop Drawing responses
Request for Information responses
Change Order recommendations, if required
Field Order(s), if required
Record Drawings
- Meetings: Construction Kickoff Meeting
Construction progress meetings
Equipment start-up and training
Substantial completion inspection
Final completion inspection

During the Construction Phase, the following tasks will be provided.

Task 3.100 – Project Management

3.110. Communication with OWNER – The ENGINEER will maintain consistent communication with the OWNER through the established protocol agreed upon.



111. Standing Conference Call – The ENGINEER will have a standing monthly call with the OWNER’s Project Manager to discuss the current project status report.

112. Invoice Management – The ENGINEER will submit a monthly invoice to the OWNER with the current project status report to the OWNER.

3.120. Progress Management – The ENGINEER will monitor the overall progress of Phase 3 services including tracking the scope, schedule, and budget regularly. The ENGINEER will perform the following sub-tasks.

121. Documentation – Develop document management protocols for processing and documenting submittals, shop drawings, requests for information, operation and maintenance manuals, pay applications, field orders, change orders and as-built drawings.

122. Project Status Report – Develop a project status report highlighting key issues; identifying potential changes to the scope of SERVICES; invoice status; active submittal(s) and log; active RFI(s) status and log; CMR status and log; list of outstanding issues; decision log; and action item log.

Task 3.200 – Submittals

3.210. Submittal Management – The ENGINEER will use Project Mates platform to log-in, track, and distribute submittals internally and provide review comments to Contractor and OWNER. It is assumed an average of no more than two (2) resubmittals will be required.

3.220. Construction Execution Plan – The ENGINEER will review the Contractor’s execution plan and provide comments. The plan will be measured against the Contractors actual progress results.

3.230. Shop Drawing – The ENGINEER will perform technical and functional review of all shop drawings and other submittals and provide responses.

3.240. Field Testing Reports – The ENGINEER will review Field Test reports and flag any potential tests that do not conform to the Contract Document requirements.

3.250. Contractor Payment Requests – The ENGINEER will review all Contractor Payment Requests for accuracy and provide recommendations.

3.260. Operation and Maintenance (O&M) Manuals – The ENGINEER will review the O&M manuals for compliance with Contract Documents and provide comments.

Task 3.300 – Request for Information (RFI)

The ENGINEER will review and respond to all RFIs, as necessary, submitted by the Contractor. The ENGINEER will coordinate with the OWNER on RFIs that require information from the OWNER. Draft responses will be submitted to the OWNER for review and comment prior to submitting to the Contractor.

Task 3.400 – Contract Modifications Requests



3.410. Field Order (FO) Management – The ENGINEER will provide direction to the Contractor, as necessary, for modifications to the Bid Documents through FO to complete the Scope of SERVICES identified herein. FO are used to address unforeseen issues. FO will be submitted to the OWNER for review and comment before submitting to the Contractor.

3.420. Change Order (CO) Management – The ENGINEER will review and provide recommendation to the OWNER on all Change Order requests received by the Contractor. The ENGINEER will work with the OWNER to properly facilitate CO requests when appropriate.

Task 3.500 – Construction Meetings

3.510. Construction Kick-off Meeting – Conduct a construction kick-off meeting with the Contractor and OWNER to review the key construction processes outlined in Contract Documents, establish lines of communication and protocols, identify critical path of schedule, provide four (4) Conform to Bid Documents to Contractor, and issuing Notice to Proceed with executed Contracts to Contractor.

3.520. Construction Meetings – The ENGINEER will attend monthly construction progress meetings with OWNER and Contractor. An estimate of twelve (12) construction meetings are included, with one or two persons from the ENGINEER's project team attending.

3.530. Site Visits – The ENGINEER will make periodic visits, estimate of twelve (12), to the project site to observe the progress and quality of the various aspects of the Contractor's work.

3.540. Substantial Completion Inspection – The ENGINEER will participate in a substantial completion inspection and provide a list of noted items not in compliance with Construction Documents.

3.550. Final Completion Inspection – The ENGINEER will participate in a final completion inspection and provide a list of noted items not in compliance with Construction Documents.

3.560. Equipment Start-up – The ENGINEER will be on-site during equipment Start-up and witness field acceptance testing. Up to two (2) site visits are included.

Task 3.700 – Record Drawings

ENGINEER will develop As-Built drawings from the construction notes provided by the Contractor and OWNER. The Contractor and OWNER will provide ENGINEER with all field changes and notes to be incorporated into the As-Built documents. The ENGINEER will provide six (6) sets of half-size drawings and specifications and one (1) electronic copy for OWNER's use.

Phase 3 Supplemental Services

\$155,000.00

*Supplemental Services are not part of the Basic Services. Supplemental Services may be enacted upon request of OWNER. The ENGINEER shall provide a fee proposal upon request of OWNER for all



Supplemental Services. The ENGINEER shall not begin working without written approval from the OWNER.

SS Task 3.100 – Resident Project Representative

The Resident Project Representative will provide experienced construction inspection and oversight services. The inspector will observe and document that the work is being performed in accordance with the project plans and specifications. Monitor contractor QA/QC plans, perform photographic documentation of construction activities and progress, observe all major materials deliveries, oversee startup and commissioning plans and activities, oversee Maintenance of Plant Operations (MOPO) plans and activities, monitor SWPPP activities, monitor contractor safety plans and practices, provide any special inspections, prepare OWNER'S punch lists and approve completed punch list items, and review redline as-built drawings. Key aspects of Task SS3.100 are listed below.

- Deliverables: Daily Field Reports
Photo Documentation
QA/QC compliance reports
- Meetings: Construction Progress Meetings
Startup & Commissioning Meetings
Contractor Safety Meetings

3.110. Construction Safety – Note if the CONTRACTOR'S construction safety program is not being followed. The Contractor shall be responsible for construction safety and not the RPR.

3.120. On-Site Inspection and Oversight – Be onsite when the rig spuds and daily during drilling. When on location, CCINC will monitor the drilling, measure drilling fluid properties, monitor sample collection, and describe the drill cuttings. Analyze the Borehole Geophysical Logs and Integrate Them with the Cuttings to Assist the ENGINEER and Contractor in Determining Screen Placement. Assist the Contractor in selecting the correct filter pack and screen based on sieve analyses of the appropriate samples. CCINC will monitor construction during pressure cementing of the casing and installation of the screen and filter pack.

3.130. Construction QA/QC Management – Provide ongoing Quality management and administration. Monitor well development and analyze a video survey of the well screens.

3.140. Photographic Documentation – Photograph, record and deliver photographs of construction activities, quality non-conformance issues, special photographs, and videos for the project record.

3.150. Material and Equipment Certification – Observe and record all major material and equipment deliveries for damage and conformance to project specifications and submittals.

3.160. Startup and Commissioning – Review startup and commissioning plans, participate in startup and commissioning planning meetings, oversee startup and commissioning activities, coordinate plant shutdowns and/or operational requirements with OWNER and CONTRACTOR, certify started and commissioned equipment and processes.



3.170. Punch List – Prepare the OWNER’S punch list and administer and certify completion of punch list items.

3.180. Redline “As-Built” Drawings – Review and approve a complete set of redline “As-Built” drawings for incorporation into the final project record. Analyze and Archive the Final Video Survey as a Final Inspection and Permanent Record.

Time Period for Performance

Time periods for performance of the ENGINEER’s services.

Phase 1 Design	12 months
Phase 2 Bidding	3 months
Phase 3 Construction	15 months

Method of Payment

The OWNER shall compensate ENGINEER on a lump sum basis in accordance with “EXHIBIT B” Fee Summary for the provided Basic Services described herein and the approved Supplemental Services described herein. Invoices shall be submitted monthly by the ENGINEER, in a format acceptable to the OWNER, based upon the percentage of SERVICES completed to date. The ENGINEER shall not exceed the stated fee amount without written approval from the OWNER. The ENGINEER shall seek written approval for any SERVICES outside of the stated scope before performing said SERVICES.

*Phase 2 and Phase 3 will commence only upon written authorization from the Owner. Phase 2 services are estimated at \$22,000.00 and Phase 3 services are estimated at \$88,000.00 in 2021 dollars and are acceptable at least until May of 2022. The final amount will be finalized and agreed upon with written authorization to proceed.

Assumptions

This Scope of SERVICES assumes the following:

- A two-week review period by OWNER for each submittal. All OWNER comments should be provided within the two-week review period. Any delays caused by the OWNER’S review shall be cause for an equitable extension of the design submittal timeline.

Services Not Included

Any other services, including but not limited to the following, are not included in this Scope of SERVICES:

- Additional Construction Phase Services – The ENGINEER will perform the following Additional Construction Phase Services as requested in writing by the OWNER. A detailed scope, schedule and fee will be created upon request by the OWNER as these services are NOT included in this Scope of SERVICES or Fee.
 - SCADA wiring, termination, programming, integration
 - Geotechnical Construction Testing



- Services related to acquiring real property including but not limited to easements, right-of-way, and/or temporary right-of-entries.
- Preparation of Title Policies during property acquisition.
- Meetings beyond those identified in the scope.
- Preparation of platting documents and/or real property survey for site acquisition.
- Additional sets of bidding documents.
- Professional services associated with re-bidding the project.
- Construction Staking.
- Attendance at and/or preparation for more than one (1) Public Meetings.
- Making significant modifications to the plans and specifications after the preliminary submittals have been approved by OWNER.
- Any additional changes to the Contract Documents necessary to break the project into phases.
- Establish new survey monuments for any of the proposed sites.
- Sampling, testing, or analysis beyond that specifically included in the Scope of Services referenced herein above.
- Providing professional services associated with the discovery of any hazardous waste or materials in the project route.
- Assisting OWNER or Contractor in the defense or prosecution of litigation in connection with or in addition to those services contemplated by this Agreement. Such services, if any, will be furnished by Engineer on a fee basis negotiated by the respective parties outside of and in addition to this Agreement.
- Preparing applications for government grants, loans, or planning advances, and providing data for detailed applications.
- Franchise Utility Design.
- Appearing before regulatory agencies or courts as an expert witness in any litigation with third parties or condemnation proceedings arising from the development or construction of the Project, including the preparation of engineering data and reports for assistance to OWNER.
- Performance of miscellaneous and supplemental services related to the project as requested by OWNER, other than those described in Supplemental Services section.
- "Value engineering" after bidding
- Any other services not listed in the Scope of Services.



EXHIBIT - B







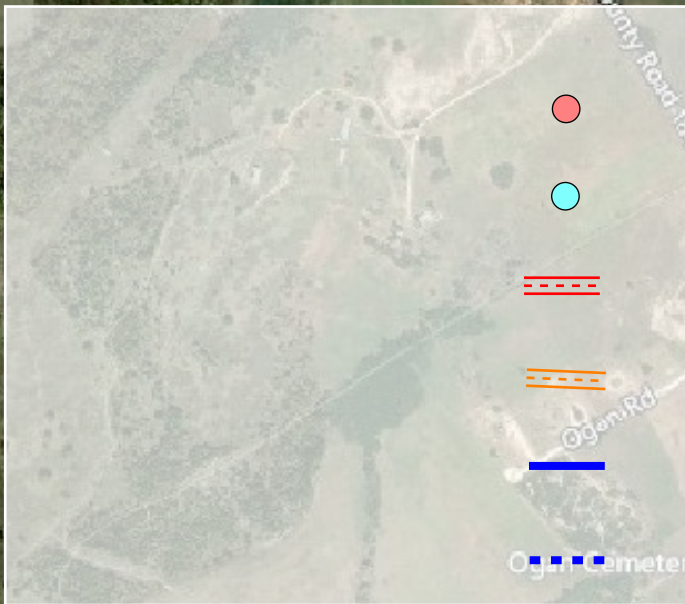
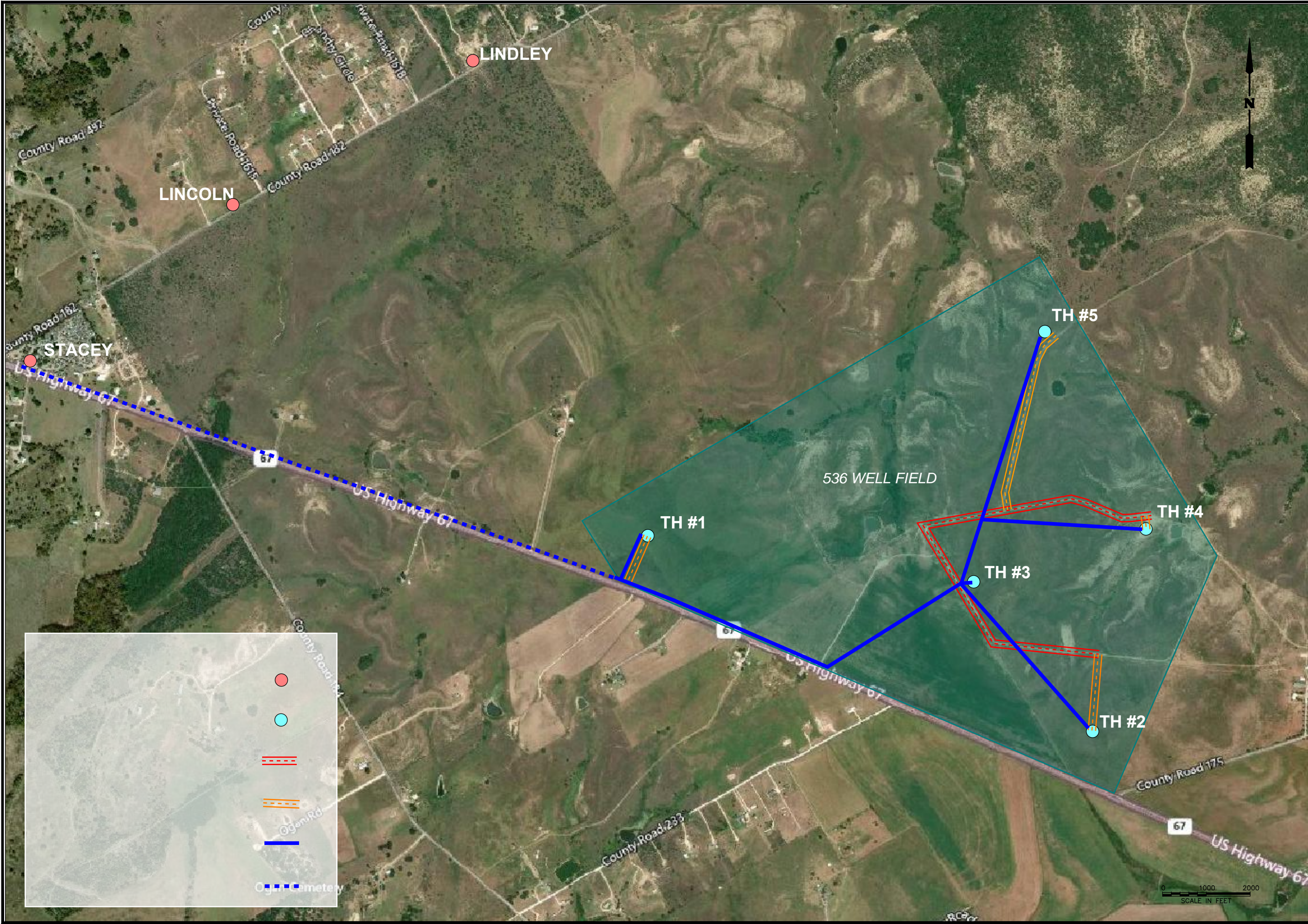
 CITY OF STEPHENVILLE 536 WELL FIELD DEVELOPMENT PROFESSIONAL SERVICE FEE SUMMARY		 PROVENANCE ENGINEERING
Phase 1 Services	Phase 1 - Design Phase Services	
	Task 1.100 - Project Management	\$ 38,500
	Task 1.200 - Preliminary Design	\$ 77,000
	Task 1.300 - Detailed Design	\$ 154,000
	Task 1.400 - Permitting	\$ 28,875
	Task 1.500 - Final Design	\$ 86,625
	Sub-Total	\$ 385,000
	Supplemental Services	
	Water Development Board Funding Supporting Services	\$ 15,000
	ASR Desktop Feasibility Concept	\$ 28,000
Sub-Total	\$ 43,000	
Total fee for Design Phase Services		\$ 428,000
Phase 2 and Phase 3 Services	Phase 2 Bid Phase Services	\$ 22,000
	Subtotal	\$ 22,000
	Phase 3 Construction Services	
	Engineering Construction Administration Services	\$ 88,000
	Subtotal	\$ 88,000
	Supplemental Services	
	Resident Project Representative - Estimated Services	\$ 155,000
Subtotal	\$ 155,000	
Base Services for 536 Well Field Fee		\$ 495,000
Supplemental Services		\$ 198,000
Total Fee Proposal		\$ 693,000
Opinion of Probable Construction Cost 536 Well Field		\$ 5,429,000



EXHIBIT - C



REFERENCES: Proj: C:_SFA\Providence Engineering\Business Development - Documents\3 Pending Projects\002 Stephenville\9002.06.21_536 Well Field\Exhibits\Wellfield 536 Site Layout.dwg LAYOUT: Layout1 USER: Mar 24, 2021 - 2:30pm



Item 29.



NO.	REVISION	DATE

SHEET TITLE:
536 WELL FIELD SITE LAYOUT

PROJECT TITLE:
**CITY OF STEPHENVILLE, TEXAS
536 WELL FIELD DEVELOPMENT**

DATE:	MAR. 2021
CHECKED BY:	KWR
DESIGNED BY:	TAM
DRAWN BY:	TAM
PROJECT I.D.:	002.21.#
CONTRACT NO.:	#### #####
DRAWING NO.:	

EXHIB 156
23 or 24

Signature

Date



IF BAR DOES NOT MEASURE IT, ADJUST SCALE ACCORDINGLY.



EXHIBIT - D





		City of Stephenville 536 WELL FIELD Opinion Of Probable Construction Cost March 25, 2021			 PROVENANCE ENGINEERING
MATERIAL DESCRIPTION	UNIT	UNIT COST	QUANTITY	ITEM COST	
General Conditions					
Mobilization/Demobilization (Not to Exceed 5% of CC)	LS	\$211,000	1	\$240,000	
SWPPP, TPDES Best management Practices	LS	\$10,000	1	\$10,000	
Well Construction (5 Total Wells)					
Well Development with Casing, Screen, Gravel Pack	EA	\$140,000	5	\$700,000	
Furnish, Set & Pull Test Pump	EA	\$26,500	5	\$132,500	
Pump Test	EA	\$12,000	5	\$60,000	
Sealing Block & Wellhead Foundation	EA	\$8,000	5	\$40,000	
Install Pump assembly	EA	\$44,000	5	\$220,000	
Wellhead Piping, Valves, Fittings and Appurtenances	EA	\$13,000	5	\$65,000	
Disinfection of Pump and Well	EA	\$2,750	5	\$13,750	
Water Quality Analysis and Testing	EA	\$6,000	5	\$30,000	
Electrical and Instrumentation per Well, Including Lightning Protection	EA	\$95,000	5	\$475,000	
Security Fence and Gates	EA	\$10,000	5	\$50,000	
Misc Site Improvements	LS	\$60,000	1	\$60,000	
Drilling Equipment mobilization between sites	LS	\$15,000	1	\$15,000	
SUBTOTAL				\$1,862,000	
Well Collection Piping, Roads, Pads & Electrical Distribution					
Service Roads installation	SY	\$22	7,000	\$154,000	
Road base for Well Pads	SY	\$22	750	\$16,500	
Rehabilitate Existing Service Roads	SY	\$15	12,000	\$180,000	
Raw Road base	CY	\$30	15,000	\$450,000	
Electrical Power Distribution for Wells	LS	\$825,000	1	\$825,000	
Collection 6" C900 PVC Pipe	LF	\$45	7,700	\$346,500	
Raw Water Transmision 10" C900 PVC Pipe	LF	\$60	12,000	\$720,000	
SUBTOTAL				\$2,692,000	
COMBINED SUBTOTAL				\$4,804,000	
CONTINGENCY		13%		\$625,000	
TOTAL				\$5,429,000	
<p>This Opinion of Probable Construction Cost was prepared by Kent W. Riker, P.E. # 103730, firm No. 20783, and shall not be used for construction permitting or other construction purposes.</p>					



COMMITTEE REPORT

REPORT TYPE: Finance Committee Report
MEETING: March 16, 2021
Present: Mark McClinton, chair; Justin Haschke, Brandon Huckabee
Absent: Brady Pendleton
DEPARTMENT: Administration
STAFF CONTACT: Allen Barnes

CREATION OF TAX INCREMENT REINVESTMENT ZONE NO. 1C

The Finance Committee met on March 16, 2021 to discuss the creation of a new Tax Increment Reinvestment Zone. David Pettit and Natalie Moore, of David Pettit Economic Development, LLC, were on hand to present the committee with options for the new TIRZ as well as the pros and cons of amending TIRZ No. 1 vs. creation of TIRZ No. 2.

Motion by Justin Haschke, second by Brandon Huckabee, to recommend the expansion of TIRZ No. 1 to include TIRZ No. 1C at a cost of \$37,500. Motion carried by unanimous vote.



STAFF REPORT

SUBJECT: Monthly Budget Report for the period Ending February 28, 2021

DEPARTMENT: Finance

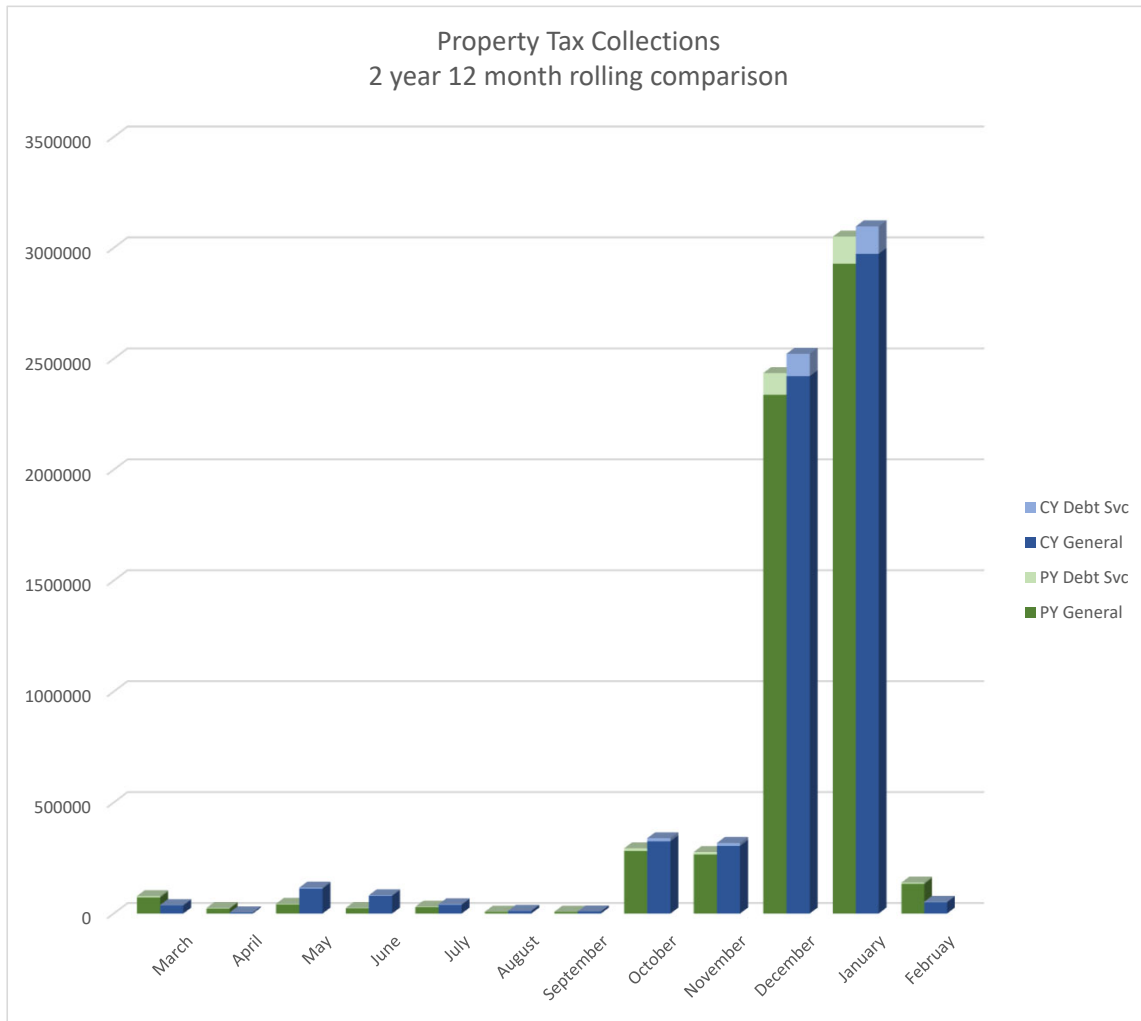
STAFF CONTACT: Monica Harris

BACKGROUND:

In reviewing the financial statements ending February 28, 2021, the financial indicators vary with an overall positive outcome.

- **Property Tax**
We received \$53K in property taxes in the month of February, resulting in \$133K or 2.15% increase over funds collected through last February. The \$6.33 million collected fiscal year to date is 95.18% of budget, which is slightly less than the 96.35% anticipated.
- **Sales Tax**
We received \$944K in sales tax in February, resulting in \$318K or 50.67% more than the funds collected last February. There were \$276K of audit collections in the February, which far exceeds the losses experienced in January, April through June, August, and September. The \$3.3 million collected fiscal year to date is 53.48% of the \$6.24 million budgeted, which is higher than the 42.93% anticipated.
- **HOT Funds**
Lodging establishments have reported \$150K in Hotel Occupancy Taxes through February, as compared to the \$158K through last February. We have received 14K of sports venue tax through February. We spent \$215K in Hotel Occupancy Tax funds through fiscal year to date as compared to \$93K last year due to the Day Tripper contract and gateway planning.
- **Revenue (Budgetary comparison)**
The target budget for operating revenue is \$14.80 million. We received \$14.92 million in revenue fiscal year to date, resulting in \$127K over the target budget due to sales taxes and service charges.
- **Expenditures (Budgetary comparison)**
The target budget for operating expenditures is \$8.8 million. We expended \$8.3 million fiscal year to date resulting in \$522K under the target budget.
- **Revenue (Prior year comparison)**
Operating revenue received last year was \$14.96 million as compared to the current year's \$14.92 million, resulting in a \$32K decrease. Increases in property tax and sales taxes almost offset the reduction in interest on investments and the large insurance proceeds received last year.
- **Expenditures (Prior year comparison)**
Operating expenditures last year were \$8.2 million as compared to the current year's \$8.3 million, resulting in a \$141K increase due to costs associated with COVID-19 prevention, stimulus grant to reduce the impact of COVID-19, damage claims, wages, advertising and gateway planning.

City of Stephenville

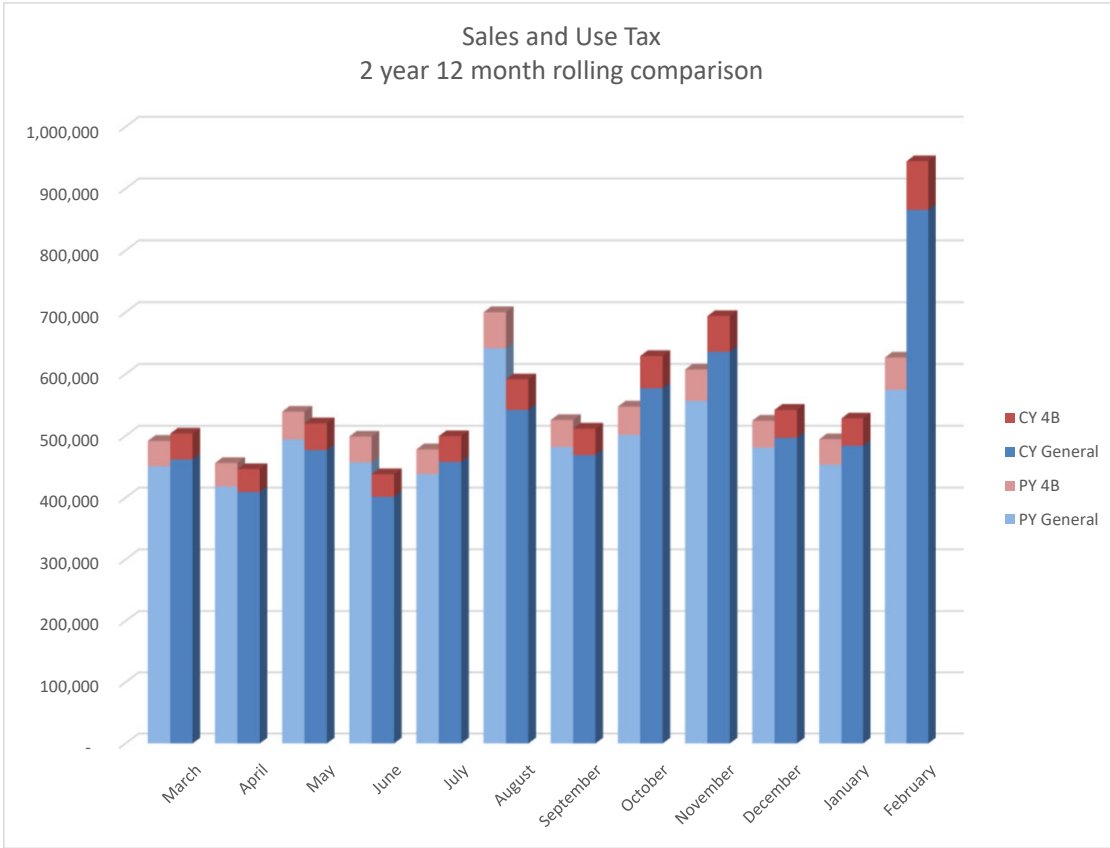


Month	General Fund	Debt Svc	Total	Month	General Fund	Debt Svc	Total
Mar-19	72,696	5,931	78,627	Mar-20	36,684	1,632	38,315
Apr-19	22,735	2,215	24,950	Apr-20	4,688	163	4,851
May-19	40,676	3,571	44,247	May-20	112,150	4,518	116,668
Jun-19	23,002	1,994	24,996	Jun-20	79,259	3,379	82,637
Jul-19	28,289	2,374	30,664	Jul-20	39,473	2,238	41,712
Aug-19	7,613	695	8,308	Aug-20	11,762	824	12,585
Sep-19	7,943	635	8,578	Sep-20	9,137	385	9,522
Oct-19	281,652	11,982	293,634	Oct-20	325,732	13,700	339,432
Nov-19	265,777	11,255	277,032	Nov-20	304,970	12,804	317,774
Dec-19	2,337,593	98,214	2,435,807	Dec-20	2,421,750	100,945	2,522,695
Jan-20	2,928,631	122,287	3,050,918	Jan-21	2,973,159	123,936	3,097,096
Feb-20	133,573	5,889	139,461	Feb-21	50,736	2,099	52,834
12 month total		6,417,221		12 month total		6,636,121	
Oct 2019 - Feb 2020		6,196,852		Oct 2020 - Feb 2021		6,329,831	
FY 2019-2020 Total		6,501,308		FY 2020-2021 Budget		6,650,644	

Collection to date as percentage of fiscal year total 95.32%

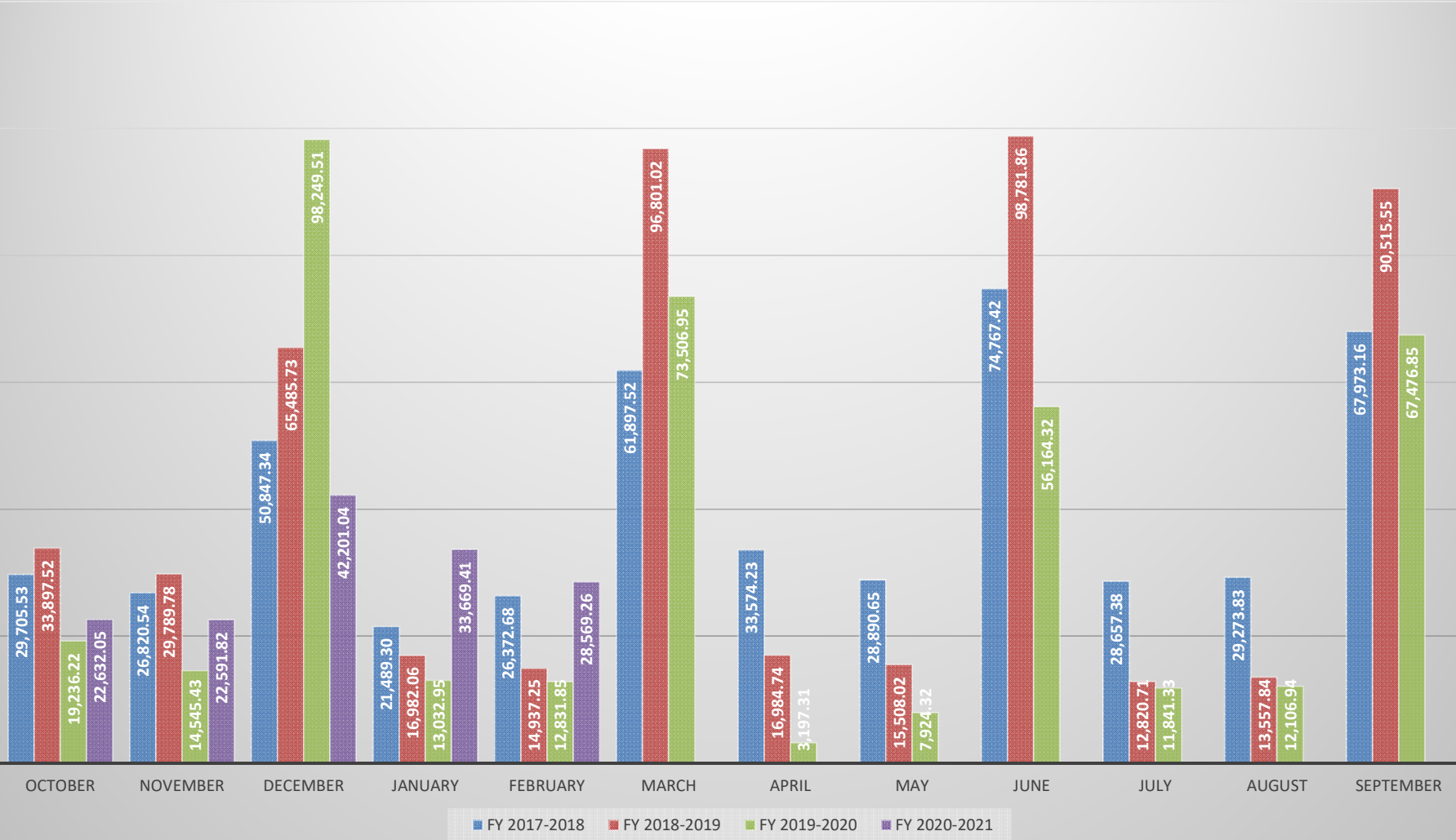
Collection to date as percentage of fiscal year budget 95.18%

City of Stephenville



Month	General	4B	Total	Month	General	4B	Total	% Change +/-
Mar-19	451,007	41,001	492,008	Mar-20	461,845	41,986	503,831	2.40%
Apr-19	418,155	38,014	456,169	Apr-20	409,098	37,191	446,289	-2.17%
May-19	494,362	44,942	539,304	May-20	476,944	43,359	520,302	-3.52%
Jun-19	457,429	41,584	499,014	Jun-20	401,495	36,500	437,994	-12.23%
Jul-19	438,349	39,850	478,199	Jul-20	458,003	41,637	499,639	4.48%
Aug-19	641,868	58,352	700,220	Aug-20	542,275	49,298	591,573	-15.52%
Sep-19	481,902	43,809	525,711	Sep-20	469,140	42,649	511,790	-2.65%
Oct-19	501,862	45,624	547,485	Oct-20	576,942	52,449	629,391	14.96%
Nov-19	556,777	50,616	607,393	Nov-20	636,149	57,832	693,981	14.26%
Dec-19	480,875	43,716	524,591	Dec-20	497,048	45,186	542,234	3.36%
Jan-20	453,492	41,227	494,719	Jan-21	484,228	44,021	528,249	6.78%
Feb-20	574,600	52,236	626,836	Feb-21	865,761	78,706	944,466	50.67%
12 month total			<u>6,491,648</u>	12 month total			<u>6,849,738</u>	5.52%
Oct 2019 - Feb 2020			<u>2,801,024</u>	Oct 2020 - Feb 2021			<u>3,338,320</u>	19.18%
FY 2019-2020 Total			6,312,441	FY 2020-2021 Budget			6,241,679	
Collection to date as percentage of fiscal year total			44.37%	Collection to date as percentage of fiscal year budget			53.48%	

Hotel Occupancy Tax by Fiscal Year



**City of Stephenville
Budget vs. YTD Actual
February 28, 2021**

Date Prepared: April 2, 2021

Source of Funds	Approved Budget 2020-20201	Target Budget	02/28/21 Current YTD Actual	Dollar Variance Positive(Negative)	Percent Variance	Notes
Property Taxes	\$ 6,674,946	\$ 6,402,553	\$ 6,309,169	\$ (93,384)	(1.46%)	
Sales Taxes	6,241,679	2,675,260	3,338,320	663,061	24.78%	Back to school & audit collections
Other Taxes	2,099,361	535,050	462,975	(72,074)	(13.47%)	Hotel Occupancy Tax
Licenses and permits	331,562	150,261	141,804	(8,457)	(5.63%)	Building Permits
Fines and forfeitures	129,250	53,853	51,624	(2,229)	(4.14%)	Citation & Collection Dependent
Service charges	11,204,096	4,244,332	4,555,548	311,215	7.33%	Water, Sewer, & Landfill charges
Interest on investments	37,947	15,758	15,668	(90)	(0.57%)	Fluctuates with cash flows
Other Income	1,746,433	720,420.42	49,302	(671,118)	(93.16%)	Project driven funds
Total Operating Revenue	<u>28,465,274</u>	<u>14,797,487</u>	<u>14,924,410</u>	<u>126,923</u>	<u>0.86%</u>	
Intergovernmental grants	2,692,576	1,090,305	848,016	(242,289)	(22.22%)	Reimbursement based/project driven revenue
Debt Proceeds	0	0	0	0	0.00%	
Total Revenue	<u>31,157,850</u>	<u>15,887,791</u>	<u>15,772,426</u>	<u>(115,366)</u>	<u>(0.73%)</u>	
Transfers-In	\$ 2,519,638	\$ 2,189,809	\$ -	\$ (2,189,809)	(100.00%)	Transfers not done yet
Transfers-Out	(2,588,741)	(2,189,809)	-	2,189,809	100.00%	Transfers not done yet
Expenditures						
General Fund	\$ 14,619,046	\$ 6,375,295	\$ 5,974,311	\$ 400,984	6.29%	
Utility Fund	4,296,155	1,801,310	1,708,239	93,071	5.17%	
Landfill Fund	406,236	181,586	189,237	(7,652)	(4.21%)	Maintenance
Airport Fund	81,095	37,115	27,414	9,702	26.14%	
Storm Water Drainage Fund	75,268	31,435	8,528	22,907	72.87%	
Special Revenue Funds	463,223	186,565	215,341	(28,776)	(15.42%)	Day tripper contract
Stephenville Economic Dev Authority	519,311	217,898	186,367	31,530	14.47%	
Total Operating Expenditures	<u>20,460,334</u>	<u>8,831,204</u>	<u>8,309,437</u>	<u>521,767</u>	<u>5.91%</u>	
Capital	32,917,098	13,710,141	3,359,893	10,350,248	75.49%	
Debt Service	3,231,058	2,275,551	2,184,448	91,103	4.00%	
Total Expenditures	<u>56,608,490</u>	<u>24,816,896</u>	<u>13,853,777</u>	<u>10,963,119</u>	<u>44.18%</u>	

**City of Stephenville
Prior YTD Actual vs Current YTD Actual
February 28, 2021**

Date Prepared: April 2, 2021

Source of Funds	Prior YTD Actual	Current YTD Actual	Variance Positive (Negative)	% Variance Positive (Negative)	Notes
Property Taxes	\$ 6,198,359	\$ 6,309,169	\$ 110,810	1.79%	Increased assessments.
Sales Taxes	2,801,024	3,338,320	537,297	19.18%	Back to school and audit collections.
Other Taxes	527,953	462,975	(64,977)	(12.31%)	Hotel Occupancy Tax, Mixed Drinks Tax
Licenses and permits	130,716	141,804	11,088	8.48%	Building permits.
Fines and forfeitures	46,225	51,624	5,398	11.68%	Fluctuating revenue source
Service charges	4,610,218	4,555,548	(54,671)	(1.19%)	Ambulance, Recreation, Street cuts, Penalty billing, Landfill
Interest on investments	211,901	15,668	(196,233)	(92.61%)	Rates have declined.
Other Income	429,590	49,302	(380,288)	(88.52%)	Prior year - insurance proceeds, credit card fees
Total Operating Revenue	<u>14,955,986</u>	<u>14,924,410</u>	<u>(31,577)</u>	<u>(0.21%)</u>	
Intergovernmental grants	163,468	848,016	684,548	418.76%	Grants differ from year to year.
Debt Proceeds	0	0	0	0.00%	
Total Revenue	<u>15,119,455</u>	<u>15,772,426</u>	<u>652,971</u>	<u>4.32%</u>	
Transfers-In	\$ -	\$ -	\$ -	0.00%	
Transfers-Out	\$ -	\$ -	\$ -	0.00%	
Expenditures					
General Fund	\$ 5,796,328	\$ 5,974,311	177,983	3.07%	Damage Claims, COVID/Vaccination Cntr Supplies, Stimulus Grants
Utility Fund	1,874,722	1,708,239	(166,483)	(8.88%)	
Landfill Fund	167,866	189,237	21,371	12.73%	Maintenance
Airport Fund	29,126	27,414	(1,713)	(5.88%)	
Storm Water Drainage Fund	30,484	8,528	(21,956)	(72.02%)	
Special Revenue Funds	101,601	215,341	113,740	111.95%	Day Tripper Advertising, Gateway planning
Stephenville Economic Dev Authority	168,598	186,367	17,769	10.54%	Wages, Façade grants
Total Operating Expenditures	<u>8,168,725</u>	<u>8,309,437</u>	<u>140,711</u>	<u>1.72%</u>	
Capital	2,947,045	3,359,893	412,848	14.01%	Capital differs from year to year
Debt Service	2,038,354	2,184,448	146,093	7.17%	Debt Service differs from year to year
Total Expenditures	<u>13,154,124.45</u>	<u>13,853,777</u>	<u>699,653</u>	<u>5.32%</u>	



Fund: 01 - GENERAL FUND

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
<u>REVENUE SUMMARY</u>										
TAXES	980,226.12	773,725.72	206,500.40	9,490,873.34	8,961,319.47	529,553.87	69	13,809,417.00	(4,318,543.66)	31
LICENSES AND PERMITS	15,520.79	22,811.75	(7,290.96)	141,357.76	138,182.24	3,175.52	47	302,562.00	(161,204.24)	53
FINES AND FORFEITURES	8,120.70	9,820.81	(1,700.11)	48,577.60	49,104.05	(526.45)	41	117,850.00	(69,272.40)	59
INTERGOVERNMENTAL	838,358.39	52,264.66	786,093.73	844,809.11	311,323.30	533,485.81	102	827,176.00	17,633.11	-2
CHARGES FOR SERVICES	53,689.40	98,837.12	(45,147.72)	353,141.60	409,378.22	(56,236.62)	31	1,156,137.00	(802,995.40)	69
OTHER REVENUE	21,863.38	3,748.25	18,115.13	40,965.27	18,904.27	22,061.00	85	48,278.00	(7,312.73)	15
TRANSFER	0.00	0.00	0.00	0.00	683,841.00	(683,841.00)	0	683,841.00	(683,841.00)	100
TOTAL REVENUE	1,917,778.78	961,208.31	956,570.47	10,919,724.68	10,572,052.55	347,672.13	64	16,945,261.00	(6,025,536.32)	36
<u>EXPENSE SUMMARY</u>										
CITY COUNCIL	19,799.32	10,335.29	(9,464.03)	146,121.22	68,409.45	(77,711.77)	104	140,757.00	5,364.22	-4
CITY MANAGER	33,069.15	34,970.39	1,901.24	175,056.54	183,426.95	8,370.41	41	428,220.00	(253,163.46)	59
CITY SECRETARY	7,301.93	8,796.21	1,494.28	93,181.07	68,114.05	(25,067.02)	72	129,688.00	(36,506.93)	28
EMERGENCY MANAGEMENT	68.45	1,733.49	1,665.04	14,577.77	8,667.45	(5,910.32)	70	20,802.00	(6,224.23)	30
MUNICIPAL BUILDING	9,028.44	7,713.94	(1,314.50)	41,061.20	41,293.70	232.50	43	95,292.00	(54,230.80)	57
MUNICIPAL SERVICES CTR	7,485.94	7,616.31	130.37	42,450.06	41,718.55	(731.51)	45	95,033.00	(52,582.94)	55
HUMAN RESOURCES	10,451.80	14,227.38	3,775.58	76,320.37	88,206.90	11,886.53	41	187,799.00	(111,478.63)	59
DOWNTOWN	4,948.79	4,890.97	(57.82)	5,697.89	24,894.85	19,196.96	10	59,132.00	(53,434.11)	90
FINANCE	35,827.82	40,112.95	4,285.13	191,495.20	230,832.75	39,337.55	37	511,624.00	(320,128.80)	63
INFORMATION TECHNOLOGY	15,796.88	25,772.95	9,976.07	99,464.48	132,160.75	32,696.27	32	312,572.00	(213,107.52)	68
TAX	0.00	14,169.24	14,169.24	86,334.24	70,846.20	(15,488.04)	51	170,031.00	(83,696.76)	49
LEGAL COUNSEL	8,001.77	9,975.40	1,973.63	37,242.72	50,014.00	12,771.28	31	119,842.00	(82,599.28)	69
MUNICIPAL COURT	7,141.34	9,103.87	1,962.53	43,240.65	50,489.35	7,248.70	38	114,217.00	(70,976.35)	62
STREET MAINTENANCE	63,952.03	79,288.67	15,336.64	335,654.94	423,665.35	88,010.41	34	978,687.00	(643,032.06)	66
PARKS & LEISURE ADM	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	

Budget Variance Report

Fund: 01 - GENERAL FUND

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
PARKS & RECREATION	199,625.07	206,883.19	7,258.12	1,004,694.17	1,073,714.95	69,020.78	40	2,521,899.00	(1,517,204.83)	60
PARK MAINTENANCE	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
LIBRARY	18,141.67	19,997.01	1,855.34	87,862.52	105,417.05	17,554.53	35	250,197.00	(162,334.48)	65
SENIOR CENTER	6,686.07	11,379.15	4,693.08	42,451.25	61,454.75	19,003.50	30	141,110.00	(98,658.75)	70
AQUATIC CENTER	2,048.11	20,763.01	18,714.90	14,521.87	109,517.05	94,995.18	6	254,859.00	(240,337.13)	94
FIRE DEPARTMENT	308,417.48	279,317.27	(29,100.21)	1,623,397.47	1,512,610.35	(110,787.12)	47	3,470,633.00	(1,847,235.53)	53
POLICE DEPARTMENT	395,481.83	430,462.64	34,980.81	2,519,142.98	2,318,338.20	(200,804.78)	47	5,331,578.00	(2,812,435.02)	53
DEVELOPMENT SERVICES	41,231.77	50,682.00	9,450.23	203,730.72	269,504.00	65,773.28	33	624,279.00	(420,548.28)	67
TRANSFERS	0.00	87,698.99	87,698.99	0.00	1,309,227.69	1,309,227.69	0	1,373,268.00	(1,373,268.00)	100
NON-DEPARTMENTAL	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
TOTAL EXPENSE	1,194,505.66	1,375,890.32	181,384.66	6,883,699.33	8,242,524.34	1,358,825.01	40	17,331,519.00	10,447,819.67	60
REVENUE OVER/(UNDER) EXPENDITURE	723,273.12	(414,682.01)	1,137,955.13	4,036,025.35	2,329,528.21	1,706,497.14		(386,258.00)	(16,473,355.99)	

Budget Variance Report

Fund: 02 - WATER AND WASTEWATER FUND

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
REVENUE SUMMARY										
LICENSES AND PERMITS	0.00	749.70	(749.70)	223.17	3,748.50	(3,525.33)	2	9,000.00	(8,776.83)	98
INTERGOVERNMENTAL	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
CHARGES FOR SERVICES	685,023.54	617,073.01	67,950.53	3,494,400.69	3,213,072.02	281,328.67	42	8,330,765.00	(4,836,364.31)	58
OTHER REVENUE	1,575.00	3,226.75	(1,651.75)	16,968.34	10,552.30	6,416.04	44	38,671.00	(21,702.66)	56
TRANSFER	0.00	0.00	0.00	0.00	34,753.00	(34,753.00)	0	34,753.00	(34,753.00)	100
TOTAL REVENUE	686,598.54	621,049.46	65,549.08	3,511,592.20	3,262,125.82	249,466.38	42	8,413,189.00	(4,901,596.80)	58
EXPENSE SUMMARY										
UTILITIES ADMINISTRATION	21,933.19	52,155.08	30,221.89	118,292.59	268,240.40	149,947.81	19	633,577.00	(515,284.41)	81
WATER PRODUCTION	52,454.78	123,341.35	70,886.57	468,095.30	635,393.75	167,298.45	31	1,499,376.00	(1,031,280.70)	69
WATER DISTRIBUTION	53,718.60	126,902.35	73,183.75	225,659.14	642,144.75	416,485.61	15	1,531,071.00	(1,305,411.86)	85
CUSTOMER SERVICE	(1,071.63)	19,886.32	20,957.95	88,605.18	105,138.60	16,533.42	36	244,439.00	(155,833.82)	64
WASTEWATER COLLECTION	25,233.86	1,027,269.37	1,002,035.51	216,612.08	5,147,146.85	4,930,534.77	2	12,342,966.00	(12,126,353.92)	98
WASTEWATER TREATMENT	79,778.70	96,293.29	16,514.59	422,267.92	487,974.45	65,706.53	36	1,162,490.00	(740,222.08)	64
BILLING & COLLECTION	20,871.23	21,700.96	829.73	130,247.68	132,737.80	2,490.12	46	284,748.00	(154,500.32)	54
NON-DEPARTMENTAL	1,148,439.57	1,373,419.80	224,980.23	1,295,502.96	1,978,606.99	683,104.03	47	2,727,662.00	(1,432,159.04)	53
TOTAL EXPENSE	1,401,358.30	2,840,968.52	1,439,610.22	2,965,282.85	9,397,383.59	6,432,100.74	15	20,426,329.00	17,461,046.15	85
REVENUE OVER/(UNDER) EXPENDITURE	(714,759.76)	(2,219,919.06)	1,505,159.30	546,309.35	(6,135,257.77)	6,681,567.12		(12,013,140.00)	(22,362,642.95)	

Budget Variance Report

Fund: 03 - SANITARY LANDFILL FUND

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
<u>REVENUE SUMMARY</u>										
CHARGES FOR SERVICES	62,163.80	60,390.00	1,773.80	389,908.05	281,880.00	108,028.05	43	900,000.00	(510,091.95)	57
OTHER REVENUE	34.14	108.28	(74.14)	848.64	1,463.75	(615.11)	25	3,440.00	(2,591.36)	75
TRANSFER	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
TOTAL REVENUE	62,197.94	60,498.28	1,699.66	390,756.69	283,343.75	107,412.94	43	903,440.00	(512,683.31)	57
<u>EXPENSE SUMMARY</u>										
LANDFILL	22,139.31	32,070.77	9,931.46	189,237.42	210,348.85	21,111.43	44	434,999.00	(245,761.58)	56
TOTAL EXPENSE	22,139.31	32,070.77	9,931.46	189,237.42	210,348.85	21,111.43	44	434,999.00	245,761.58	56
REVENUE OVER/(UNDER) EXPENDITURE	40,058.63	28,427.51	11,631.12	201,519.27	72,994.90	128,524.37		468,441.00	(758,444.89)	

Budget Variance Report
Fund: 04 - AIRPORT FUND

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
REVENUE SUMMARY										
INTERGOVERNMENTAL	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
CHARGES FOR SERVICES	9,637.44	9,086.75	550.69	46,995.88	45,266.65	1,729.23	43	109,380.00	(62,384.12)	57
OTHER REVENUE	0.00	140,568.75	(140,568.75)	0.00	702,843.75	(702,843.75)	0	1,687,500.00	(1,687,500.00)	100
TRANSFER	0.00	0.00	0.00	0.00	160,000.00	(160,000.00)	0	160,000.00	(160,000.00)	100
TOTAL REVENUE	9,637.44	149,655.50	(140,018.06)	46,995.88	908,110.40	(861,114.52)	2	1,956,880.00	(1,909,884.12)	98
EXPENSE SUMMARY										
AIRPORT	3,062.20	162,465.96	159,403.76	27,413.64	818,052.80	790,639.16	1	1,956,095.00	(1,928,681.36)	99
TOTAL EXPENSE	3,062.20	162,465.96	159,403.76	27,413.64	818,052.80	790,639.16	1	1,956,095.00	1,928,681.36	99
REVENUE OVER/(UNDER) EXPENDITURE	6,575.24	(12,810.46)	19,385.70	19,582.24	90,057.60	(70,475.36)		785.00	(3,838,565.48)	

Budget Variance Report

Fund: 05 - STORM WATER DRAINAGE FUND

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
<u>REVENUE SUMMARY</u>										
LICENSES AND PERMITS	0.00	1,666.00	(1,666.00)	223.17	8,330.00	(8,106.83)	1	20,000.00	(19,776.83)	99
INTERGOVERNMENTAL	0.00	155,096.27	(155,096.27)	0.00	775,481.35	(775,481.35)	0	1,861,900.00	(1,861,900.00)	100
CHARGES FOR SERVICES	54,436.12	54,081.31	354.81	271,101.46	270,838.43	263.03	42	650,438.00	(379,336.54)	58
OTHER REVENUE	25.68	176.95	(151.27)	360.63	954.17	(593.54)	18	2,060.00	(1,699.37)	82
TOTAL REVENUE	54,461.80	211,020.53	(156,558.73)	271,685.26	1,055,603.95	(783,918.69)	11	2,534,398.00	(2,262,712.74)	89
<u>EXPENSE SUMMARY</u>										
STORM WATER DRAINAGE	568,842.86	671,845.28	103,002.42	848,561.63	1,655,958.40	807,396.77	27	3,120,371.00	(2,271,809.37)	73
TOTAL EXPENSE	568,842.86	671,845.28	103,002.42	848,561.63	1,655,958.40	807,396.77	27	3,120,371.00	2,271,809.37	73
REVENUE OVER/(UNDER) EXPENDITURE	(514,381.06)	(460,824.75)	(53,556.31)	(576,876.37)	(600,354.45)	23,478.08		(585,973.00)	(4,534,522.11)	

Budget Variance Report

Fund: 07 - HOTEL OCCUPANCY TAX FUND

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
REVENUE SUMMARY										
TAXES	31,375.23	33,998.72	(2,623.49)	87,424.91	169,993.60	(82,568.69)	21	408,148.00	(320,723.09)	79
INTERGOVERNMENTAL	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
CHARGES FOR SERVICES	0.00	3,498.60	(3,498.60)	0.00	17,493.00	(17,493.00)	0	42,000.00	(42,000.00)	100
OTHER REVENUE	7.79	56.62	(48.83)	114.97	230.77	(115.80)	17	660.00	(545.03)	83
TRANSFER	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
TOTAL REVENUE	31,383.02	37,553.94	(6,170.92)	87,539.88	187,717.37	(100,177.49)	19	450,808.00	(363,268.12)	81
EXPENSE SUMMARY										
TOURISM	31,160.95	34,843.52	3,682.57	215,340.80	181,150.60	(34,190.20)	48	450,223.00	(234,882.20)	52
TOTAL EXPENSE	31,160.95	34,843.52	3,682.57	215,340.80	181,150.60	(34,190.20)	48	450,223.00	234,882.20	52
REVENUE OVER/(UNDER) EXPENDITURE	222.07	2,710.42	(2,488.35)	(127,800.92)	6,566.77	(134,367.69)		585.00	(598,150.32)	

Budget Variance Report

Fund: 08 - DEBT SERVICE FUND

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
<u>REVENUE SUMMARY</u>										
TAXES	2,098.61	6,305.32	(4,206.71)	253,973.04	254,979.52	(1,006.48)	96	265,289.00	(11,315.96)	4
OTHER REVENUE	12.37	34.14	(21.77)	67.62	153.47	(85.85)	22	311.00	(243.38)	78
TRANSFER	0.00	171,825.00	(171,825.00)	0.00	171,825.00	(171,825.00)	0	343,650.00	(343,650.00)	100
TOTAL REVENUE	2,110.98	178,164.46	(176,053.48)	254,040.66	426,957.99	(172,917.33)	42	609,250.00	(355,209.34)	58
<u>EXPENSE SUMMARY</u>										
DEBT SERVICE	229,075.00	400,924.99	171,849.99	229,075.00	401,024.95	171,949.95	38	609,250.00	(380,175.00)	62
TOTAL EXPENSE	229,075.00	400,924.99	171,849.99	229,075.00	401,024.95	171,949.95	38	609,250.00	380,175.00	62
REVENUE OVER/(UNDER) EXPENDITURE	(226,964.02)	(222,760.53)	(4,203.49)	24,965.66	25,933.04	(967.38)		0.00	(735,384.34)	

Budget Variance Report

Fund: 10 - CAPITAL PROJECTS FUND

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
REVENUE SUMMARY										
LICENSES AND PERMITS	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
INTERGOVERNMENTAL	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
CHARGES FOR SERVICES	0.00	1,280.82	(1,280.82)	0.00	6,404.10	(6,404.10)	0	15,376.00	(15,376.00)	100
OTHER REVENUE	392.53	44.64	347.89	5,252.15	226.20	5,025.95	438	1,200.00	4,052.15	-338
TRANSFER	0.00	0.00	0.00	0.00	967,565.00	(967,565.00)	0	967,565.00	(967,565.00)	100
TOTAL REVENUE	392.53	1,325.46	(932.93)	5,252.15	974,195.30	(968,943.15)	1	984,141.00	(978,888.85)	99
EXPENSE SUMMARY										
STREET MAINTENANCE	629,097.74	1,159,817.63	530,719.89	2,308,799.06	5,799,088.15	3,490,289.09	17	13,923,381.00	(11,614,581.94)	83
PARKS & RECREATION	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
FIRE DEPARTMENT	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
TOTAL EXPENSE	629,097.74	1,159,817.63	530,719.89	2,308,799.06	5,799,088.15	3,490,289.09	17	13,923,381.00	11,614,581.94	83
REVENUE OVER/(UNDER) EXPENDITURE	(628,705.21)	(1,158,492.17)	529,786.96	(2,303,546.91)	(4,824,892.85)	2,521,345.94		(12,939,240.00)	(12,593,470.79)	

Budget Variance Report

Fund: 11 - CHILD SAFETY FUND

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
REVENUE SUMMARY										
FINES AND FORFEITURES	69.55	208.33	(138.78)	1,132.84	1,041.65	91.19	45	2,500.00	(1,367.16)	55
OTHER REVENUE	0.16	0.24	(0.08)	1.39	1.20	0.19	46	3.00	(1.61)	54
TRANSFER	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
TOTAL REVENUE	69.71	208.57	(138.86)	1,134.23	1,042.85	91.38	45	2,503.00	(1,368.77)	55
EXPENSE SUMMARY										
CHILD SAFETY	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
TOTAL EXPENSE	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
REVENUE OVER/(UNDER) EXPENDITURE	69.71	208.57	(138.86)	1,134.23	1,042.85	91.38		2,503.00	(1,368.77)	

Budget Variance Report

Fund: 12 - COURT TECHNOLOGY FUND

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
REVENUE SUMMARY										
FINES AND FORFEITURES	232.75	741.37	(508.62)	1,913.19	3,706.85	(1,793.66)	21	8,900.00	(6,986.81)	79
OTHER REVENUE	0.25	1.91	(1.66)	2.56	9.55	(6.99)	11	23.00	(20.44)	89
TOTAL REVENUE	233.00	743.28	(510.28)	1,915.75	3,716.40	(1,800.65)	21	8,923.00	(7,007.25)	79
EXPENSE SUMMARY										
COURT TECHNOLOGY	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
TOTAL EXPENSE	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
REVENUE OVER/(UNDER) EXPENDITURE	233.00	743.28	(510.28)	1,915.75	3,716.40	(1,800.65)		8,923.00	(7,007.25)	

Budget Variance Report

Fund: 13 - PUBLIC SAFETY FUND

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
<u>REVENUE SUMMARY</u>										
FINES AND FORFEITURES	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
INTERGOVERNMENTAL	3,206.87	3,500.00	(293.13)	3,206.87	3,500.00	(293.13)	92	3,500.00	(293.13)	8
OTHER REVENUE	2.41	6.66	(4.25)	28.15	33.30	(5.15)	35	80.00	(51.85)	65
TOTAL REVENUE	3,209.28	3,506.66	(297.38)	3,235.02	3,533.30	(298.28)	90	3,580.00	(344.98)	10
<u>EXPENSE SUMMARY</u>										
PUBLIC SAFETY	0.00	1,082.90	1,082.90	0.00	5,414.50	5,414.50	0	13,000.00	(13,000.00)	100
TOTAL EXPENSE	0.00	1,082.90	1,082.90	0.00	5,414.50	5,414.50	0	13,000.00	13,000.00	100
REVENUE OVER/(UNDER) EXPENDITURE	3,209.28	2,423.76	785.52	3,235.02	(1,881.20)	5,116.22		(9,420.00)	(13,344.98)	

Budget Variance Report

Fund: 20 - TAX INCREMENT FINANCING FUND

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
<u>REVENUE SUMMARY</u>										
TAXES	0.00	76.42	(76.42)	0.00	3,629.95	(3,629.95)	0	13,821.00	(13,821.00)	100
OTHER REVENUE	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
TRANSFER	0.00	171,825.00	(171,825.00)	0.00	171,825.00	(171,825.00)	0	329,829.00	(329,829.00)	100
TOTAL REVENUE	0.00	171,901.42	(171,901.42)	0.00	175,454.95	(175,454.95)	0	343,650.00	(343,650.00)	100
<u>EXPENSE SUMMARY</u>										
TAX INCREMENT FINANCING	0.00	171,825.00	171,825.00	0.00	171,825.00	171,825.00	0	343,650.00	(343,650.00)	100
TOTAL EXPENSE	0.00	171,825.00	171,825.00	0.00	171,825.00	171,825.00	0	343,650.00	343,650.00	100
REVENUE OVER/(UNDER) EXPENDITURE	0.00	76.42	(76.42)	0.00	3,629.95	(3,629.95)		0.00	(687,300.00)	

Budget Variance Report

Fund: 79 - SEDA

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
<u>REVENUE SUMMARY</u>										
TAXES	78,705.51	48,088.19	30,617.32	278,193.38	222,940.20	55,253.18	54	519,311.00	(241,117.62)	46
OTHER REVENUE	31.17	165.42	(134.25)	359.93	805.57	(445.64)	17	2,154.00	(1,794.07)	83
TOTAL REVENUE	78,736.68	48,253.61	30,483.07	278,553.31	223,745.77	54,807.54	53	521,465.00	(242,911.69)	47
<u>EXPENSE SUMMARY</u>										
SEDA	40,342.05	43,029.53	2,687.48	186,367.24	217,897.65	31,530.41	36	519,311.00	(332,943.76)	64
TOTAL EXPENSE	40,342.05	43,029.53	2,687.48	186,367.24	217,897.65	31,530.41	36	519,311.00	332,943.76	64
REVENUE OVER/(UNDER) EXPENDITURE	38,394.63	5,224.08	33,170.55	92,186.07	5,848.12	86,337.95		2,154.00	(575,855.45)	



Prior-Year Comparative Income Statement

Item 32.

Group Summary

For the Period Ending 02/28/2021

Categor...	2019-2020 Feb. Activity	2020-2021 Feb. Activity	Feb. Variance Favorable / (Unfavorable)	Variance %	2019-2020 YTD Activity	2020-2021 YTD Activity	YTD Variance Favorable / (Unfavorable)	Variance %
Fund: 01 - GENERAL FUND								
Revenue								
40 - TAXES	847,094.25	980,226.12	133,131.87	15.72%	8,902,292.31	9,490,873.34	588,581.03	6.61%
41 - LICENSES AND PERMITS	25,665.86	15,520.79	-10,145.07	-39.53%	130,715.70	141,357.76	10,642.06	8.14%
42 - FINES AND FORFEITURES	13,567.50	8,120.70	-5,446.80	-40.15%	45,242.92	48,577.60	3,334.68	7.37%
43 - INTERGOVERNMENTAL	506.48	838,358.39	837,851.91	165,426.46%	56,128.52	844,809.11	788,680.59	1,405.13%
44 - CHARGES FOR SERVICES	104,101.36	53,689.40	-50,411.96	-48.43%	408,524.02	353,141.60	-55,382.42	-13.56%
45 - OTHER REVENUE	19,144.79	21,863.38	2,718.59	14.20%	448,129.27	40,965.27	-407,164.00	-90.86%
Revenue Total:	1,010,080.24	1,917,778.78	907,698.54	89.86%	9,991,032.74	10,919,724.68	928,691.94	9.30%
Expense								
Department: 101 - CITY COUNCIL								
51 - PERSONNEL	2,153.00	2,153.00	0.00	0.00%	10,047.00	9,859.86	187.14	1.86%
52 - CONTRACTUAL	6,611.44	10,591.62	-3,980.18	-60.20%	35,321.90	49,511.52	-14,189.62	-40.17%
53 - GENERAL SERVICES	9,482.17	54.70	9,427.47	99.42%	10,333.97	1,888.73	8,445.24	81.72%
54 - MACHINE & EQUIPMENT MAI	0.00	0.00	0.00	0.00%	9,522.35	10,113.00	-590.65	-6.20%
58 - GRANT DISBURSEMENTS	0.00	7,000.00	-7,000.00	0.00%	0.00	74,748.11	-74,748.11	0.00%
Department 101 - CITY COUNCIL Total:	18,246.61	19,799.32	-1,552.71	-8.51%	65,225.22	146,121.22	-80,896.00	-124.03%
Department: 102 - CITY MANAGER								
51 - PERSONNEL	21,982.04	32,006.94	-10,024.90	-45.60%	106,762.31	164,318.15	-57,555.84	-53.91%
52 - CONTRACTUAL	255.32	880.42	-625.10	-244.83%	18,323.79	5,902.37	12,421.42	67.79%
53 - GENERAL SERVICES	17.49	181.79	-164.30	-939.39%	72.20	4,836.02	-4,763.82	-6,598.09%
Department 102 - CITY MANAGER Total:	22,254.85	33,069.15	-10,814.30	-48.59%	125,158.30	175,056.54	-49,898.24	-39.87%
Department: 103 - CITY SECRETARY								
51 - PERSONNEL	6,587.22	6,931.05	-343.83	-5.22%	33,868.48	35,528.13	-1,659.65	-4.90%
52 - CONTRACTUAL	3,223.30	326.13	2,897.17	89.88%	21,497.19	9,264.17	12,233.02	56.91%
53 - GENERAL SERVICES	236.03	44.75	191.28	81.04%	510.73	250.07	260.66	51.04%
54 - MACHINE & EQUIPMENT MAI	0.00	0.00	0.00	0.00%	13,972.05	27,638.70	-13,666.65	-97.81%
55 - CAPITAL OUTLAY	0.00	0.00	0.00	0.00%	0.00	20,500.00	-20,500.00	0.00%
Department 103 - CITY SECRETARY Total:	10,046.55	7,301.93	2,744.62	27.32%	69,848.45	93,181.07	-23,332.62	-33.40%
Department: 104 - EMERGENCY MANAGEMENT								
52 - CONTRACTUAL	2,934.09	68.45	2,865.64	97.67%	13,842.61	13,032.77	809.84	5.85%
54 - MACHINE & EQUIPMENT MAI	0.00	0.00	0.00	0.00%	0.00	1,545.00	-1,545.00	0.00%
Department 104 - EMERGENCY MANAGEMENT Total:	2,934.09	68.45	2,865.64	97.67%	13,842.61	14,577.77	-735.16	-5.31%

Prior-Year Comparative Income Statement

For the Period Ending 02 Item 32.

Categor...	2019-2020 Feb. Activity	2020-2021 Feb. Activity	Feb. Variance Favorable / (Unfavorable)	Variance %	2019-2020 YTD Activity	2020-2021 YTD Activity	YTD Variance Favorable / (Unfavorable)	Variance %
Department: 105 - MUNICIPAL BUILDING								
51 - PERSONNEL	2,367.03	1,042.26	1,324.77	55.97%	10,856.66	5,455.84	5,400.82	49.75%
52 - CONTRACTUAL	2,086.25	3,502.25	-1,416.00	-67.87%	13,413.02	14,541.05	-1,128.03	-8.41%
53 - GENERAL SERVICES	4,560.80	989.93	3,570.87	78.29%	7,895.86	5,335.24	2,560.62	32.43%
54 - MACHINE & EQUIPMENT MAI	250.29	3,494.00	-3,243.71	-1,295.98%	17,562.02	15,658.95	1,903.07	10.84%
55 - CAPITAL OUTLAY	1,608.07	0.00	1,608.07	100.00%	9,001.05	70.12	8,930.93	99.22%
Department 105 - MUNICIPAL BUILDING Total:	10,872.44	9,028.44	1,844.00	16.96%	58,728.61	41,061.20	17,667.41	30.08%
Department: 106 - MUNICIPAL SERVICES CTR								
51 - PERSONNEL	1,976.64	3,064.80	-1,088.16	-55.05%	15,136.61	14,753.14	383.47	2.53%
52 - CONTRACTUAL	2,142.92	2,306.08	-163.16	-7.61%	13,094.94	11,881.77	1,213.17	9.26%
53 - GENERAL SERVICES	1,155.85	1,741.47	-585.62	-50.67%	10,160.57	14,561.76	-4,401.19	-43.32%
54 - MACHINE & EQUIPMENT MAI	0.00	373.59	-373.59	0.00%	501.79	1,253.39	-751.60	-149.78%
Department 106 - MUNICIPAL SERVICES CTR Total:	5,275.41	7,485.94	-2,210.53	-41.90%	38,893.91	42,450.06	-3,556.15	-9.14%
Department: 107 - HUMAN RESOURCES								
51 - PERSONNEL	6,230.94	8,130.42	-1,899.48	-30.48%	30,287.66	38,244.97	-7,957.31	-26.27%
52 - CONTRACTUAL	4,867.92	2,247.18	2,620.74	53.84%	36,475.06	21,699.95	14,775.11	40.51%
53 - GENERAL SERVICES	105.29	74.20	31.09	29.53%	470.55	1,376.45	-905.90	-192.52%
54 - MACHINE & EQUIPMENT MAI	0.00	0.00	0.00	0.00%	0.00	14,999.00	-14,999.00	0.00%
55 - CAPITAL OUTLAY	0.00	0.00	0.00	0.00%	14,999.00	0.00	14,999.00	100.00%
Department 107 - HUMAN RESOURCES Total:	11,204.15	10,451.80	752.35	6.71%	82,232.27	76,320.37	5,911.90	7.19%
Department: 108 - DOWNTOWN								
51 - PERSONNEL	0.00	1,619.56	-1,619.56	0.00%	0.00	1,690.56	-1,690.56	0.00%
52 - CONTRACTUAL	0.00	40.70	-40.70	0.00%	0.00	718.80	-718.80	0.00%
53 - GENERAL SERVICES	0.00	3,288.53	-3,288.53	0.00%	0.00	3,288.53	-3,288.53	0.00%
Department 108 - DOWNTOWN Total:	0.00	4,948.79	-4,948.79	0.00%	0.00	5,697.89	-5,697.89	0.00%
Department: 201 - FINANCE								
51 - PERSONNEL	26,013.56	27,448.58	-1,435.02	-5.52%	136,744.82	138,139.62	-1,394.80	-1.02%
52 - CONTRACTUAL	5,192.88	6,677.94	-1,485.06	-28.60%	41,868.63	32,907.80	8,960.83	21.40%
53 - GENERAL SERVICES	86.09	48.80	37.29	43.32%	508.46	308.60	199.86	39.31%
54 - MACHINE & EQUIPMENT MAI	0.00	1,552.50	-1,552.50	0.00%	16,268.96	18,875.82	-2,606.86	-16.02%
56 - BANK CHARGES	251.84	100.00	151.84	60.29%	671.84	1,263.36	-591.52	-88.04%
Department 201 - FINANCE Total:	31,544.37	35,827.82	-4,283.45	-13.58%	196,062.71	191,495.20	4,567.51	2.33%
Department: 203 - INFORMATION TECHNOLOGY								
51 - PERSONNEL	16,129.86	15,259.82	870.04	5.39%	85,679.80	84,648.13	1,031.67	1.20%
52 - CONTRACTUAL	1.26	5.74	-4.48	-355.56%	4,423.32	583.74	3,839.58	86.80%
53 - GENERAL SERVICES	447.25	0.00	447.25	100.00%	1,995.92	546.79	1,449.13	72.60%
54 - MACHINE & EQUIPMENT MAI	729.75	531.32	198.43	27.19%	17,071.76	13,685.82	3,385.94	19.83%
Department 203 - INFORMATION TECHNOLOGY Total:	17,308.12	15,796.88	1,511.24	8.73%	109,170.80	99,464.48	9,706.32	8.89%
Department: 204 - TAX								
52 - CONTRACTUAL	41,135.12	0.00	41,135.12	100.00%	126,136.40	86,334.24	39,802.16	31.55%

Prior-Year Comparative Income Statement

For the Period Ending 02 Item 32.

Categor...		2019-2020	2020-2021	Feb. Variance	Variance %	2019-2020	2020-2021	YTD Variance	Variance %
		Feb. Activity	Feb. Activity	Favorable / (Unfavorable)		YTD Activity	YTD Activity	Favorable / (Unfavorable)	
	Department 204 - TAX Total:	41,135.12	0.00	41,135.12	100.00%	126,136.40	86,334.24	39,802.16	31.55%
Department: 301 - LEGAL COUNSEL									
	51 - PERSONNEL	9,013.94	8,001.77	1,012.17	11.23%	38,387.66	37,105.43	1,282.23	3.34%
	52 - CONTRACTUAL	655.81	0.00	655.81	100.00%	1,254.74	137.29	1,117.45	89.06%
	Department 301 - LEGAL COUNSEL Total:	9,669.75	8,001.77	1,667.98	17.25%	39,642.40	37,242.72	2,399.68	6.05%
Department: 302 - MUNICIPAL COURT									
	51 - PERSONNEL	3,799.08	4,105.08	-306.00	-8.05%	24,119.21	20,471.44	3,647.77	15.12%
	52 - CONTRACTUAL	2,748.34	2,516.03	232.31	8.45%	13,449.62	16,565.56	-3,115.94	-23.17%
	53 - GENERAL SERVICES	124.51	520.23	-395.72	-317.82%	825.01	1,816.15	-991.14	-120.14%
	54 - MACHINE & EQUIPMENT MAI	0.00	0.00	0.00	0.00%	2,750.00	4,387.50	-1,637.50	-59.55%
	55 - CAPITAL OUTLAY	2,819.82	0.00	2,819.82	100.00%	14,563.52	0.00	14,563.52	100.00%
	Department 302 - MUNICIPAL COURT Total:	9,491.75	7,141.34	2,350.41	24.76%	55,707.36	43,240.65	12,466.71	22.38%
Department: 402 - STREET MAINTENANCE									
	51 - PERSONNEL	30,979.92	30,598.68	381.24	1.23%	184,777.54	172,348.74	12,428.80	6.73%
	52 - CONTRACTUAL	4,878.92	29,787.05	-24,908.13	-510.53%	63,815.06	96,850.66	-33,035.60	-51.77%
	53 - GENERAL SERVICES	2,356.61	1,421.61	935.00	39.68%	14,272.70	8,115.46	6,157.24	43.14%
	54 - MACHINE & EQUIPMENT MAI	3,363.17	2,144.69	1,218.48	36.23%	87,554.06	14,493.08	73,060.98	83.45%
	55 - CAPITAL OUTLAY	0.00	0.00	0.00	0.00%	13,500.00	43,847.00	-30,347.00	-224.79%
	Department 402 - STREET MAINTENANCE Total:	41,578.62	63,952.03	-22,373.41	-53.81%	363,919.36	335,654.94	28,264.42	7.77%
Department: 501 - PARKS & RECREATION									
	51 - PERSONNEL	74,232.44	71,228.98	3,003.46	4.05%	369,861.01	304,770.79	65,090.22	17.60%
	52 - CONTRACTUAL	18,098.89	43,142.51	-25,043.62	-138.37%	104,912.94	227,370.43	-122,457.49	-116.72%
	53 - GENERAL SERVICES	4,533.41	2,484.77	2,048.64	45.19%	51,394.40	36,936.98	14,457.42	28.13%
	54 - MACHINE & EQUIPMENT MAI	4,789.33	5,036.59	-247.26	-5.16%	45,677.82	22,402.60	23,275.22	50.96%
	55 - CAPITAL OUTLAY	67,990.13	77,732.22	-9,742.09	-14.33%	151,914.70	413,213.37	-261,298.67	-172.00%
	Department 501 - PARKS & RECREATION Total:	169,644.20	199,625.07	-29,980.87	-17.67%	723,760.87	1,004,694.17	-280,933.30	-38.82%
Department: 502 - PARK MAINTENANCE									
	52 - CONTRACTUAL	-860.68	0.00	-860.68	-100.00%	0.00	0.00	0.00	0.00%
	53 - GENERAL SERVICES	-104.31	0.00	-104.31	-100.00%	0.00	0.00	0.00	0.00%
	55 - CAPITAL OUTLAY	-703.59	0.00	-703.59	-100.00%	0.00	0.00	0.00	0.00%
	Department 502 - PARK MAINTENANCE Total:	-1,668.58	0.00	-1,668.58	-100.00%	0.00	0.00	0.00	0.00%
Department: 504 - LIBRARY									
	51 - PERSONNEL	14,382.00	15,146.24	-764.24	-5.31%	76,530.40	76,645.37	-114.97	-0.15%
	52 - CONTRACTUAL	778.49	1,036.35	-257.86	-33.12%	6,738.42	6,636.87	101.55	1.51%
	53 - GENERAL SERVICES	1,423.68	1,709.09	-285.41	-20.05%	8,972.60	3,987.11	4,985.49	55.56%
	54 - MACHINE & EQUIPMENT MAI	499.98	249.99	249.99	50.00%	1,443.97	593.17	850.80	58.92%
	Department 504 - LIBRARY Total:	17,084.15	18,141.67	-1,057.52	-6.19%	93,685.39	87,862.52	5,822.87	6.22%
Department: 506 - SENIOR CENTER									
	51 - PERSONNEL	5,251.08	5,162.19	88.89	1.69%	30,551.10	26,923.04	3,628.06	11.88%
	52 - CONTRACTUAL	3,408.20	1,067.03	2,341.17	68.69%	16,916.44	6,530.83	10,385.61	61.39%

Prior-Year Comparative Income Statement

For the Period Ending 02 Item 32.

Categor...	2019-2020	2020-2021	Feb. Variance		2019-2020	2020-2021	YTD Variance	
	Feb. Activity	Feb. Activity	Favorable / (Unfavorable)	Variance %	YTD Activity	YTD Activity	Favorable / (Unfavorable)	Variance %
53 - GENERAL SERVICES	1,661.61	456.85	1,204.76	72.51%	6,133.99	4,560.77	1,573.22	25.65%
54 - MACHINE & EQUIPMENT MAI	56.26	0.00	56.26	100.00%	3,388.07	4,436.61	-1,048.54	-30.95%
Department 506 - SENIOR CENTER Total:	10,377.15	6,686.07	3,691.08	35.57%	56,989.60	42,451.25	14,538.35	25.51%
Department: 507 - AQUATIC CENTER								
51 - PERSONNEL	629.75	0.00	629.75	100.00%	6,371.66	1,892.00	4,479.66	70.31%
52 - CONTRACTUAL	1,669.13	1,672.81	-3.68	-0.22%	14,083.57	10,667.07	3,416.50	24.26%
53 - GENERAL SERVICES	-425.00	370.00	-795.00	-187.06%	1,181.50	1,337.50	-156.00	-13.20%
54 - MACHINE & EQUIPMENT MAI	0.00	5.30	-5.30	0.00%	3,116.75	625.30	2,491.45	79.94%
Department 507 - AQUATIC CENTER Total:	1,873.88	2,048.11	-174.23	-9.30%	24,753.48	14,521.87	10,231.61	41.33%
Department: 601 - FIRE DEPARTMENT								
51 - PERSONNEL	198,323.21	236,250.47	-37,927.26	-19.12%	1,134,275.79	1,156,512.08	-22,236.29	-1.96%
52 - CONTRACTUAL	10,390.19	3,435.43	6,954.76	66.94%	96,345.54	59,488.59	36,856.95	38.25%
53 - GENERAL SERVICES	8,897.89	39,447.94	-30,550.05	-343.34%	47,789.30	100,623.81	-52,834.51	-110.56%
54 - MACHINE & EQUIPMENT MAI	8,576.18	2,323.64	6,252.54	72.91%	23,765.36	47,352.75	-23,587.39	-99.25%
55 - CAPITAL OUTLAY	43,330.65	26,960.00	16,370.65	37.78%	312,864.95	27,296.23	285,568.72	91.28%
56 - BANK CHARGES	0.35	0.00	0.35	100.00%	0.35	0.00	0.35	100.00%
57 - DEBT SERVICE	0.00	0.00	0.00	0.00%	231,825.49	232,124.01	-298.52	-0.13%
Department 601 - FIRE DEPARTMENT Total:	269,518.47	308,417.48	-38,899.01	-14.43%	1,846,866.78	1,623,397.47	223,469.31	12.10%
Department: 701 - POLICE DEPARTMENT								
51 - PERSONNEL	335,984.90	315,840.45	20,144.45	6.00%	1,797,589.27	1,727,696.55	69,892.72	3.89%
52 - CONTRACTUAL	24,442.19	16,872.84	7,569.35	30.97%	296,457.92	445,019.57	-148,561.65	-50.11%
53 - GENERAL SERVICES	23,997.52	24,028.71	-31.19	-0.13%	65,891.10	89,265.47	-23,374.37	-35.47%
54 - MACHINE & EQUIPMENT MAI	7,748.08	4,867.13	2,880.95	37.18%	110,995.99	84,823.84	26,172.15	23.58%
55 - CAPITAL OUTLAY	67,062.89	33,872.70	33,190.19	49.49%	158,473.89	147,449.95	11,023.94	6.96%
56 - BANK CHARGES	0.74	0.00	0.74	100.00%	1.74	0.00	1.74	100.00%
57 - DEBT SERVICE	34,784.84	0.00	34,784.84	100.00%	59,672.44	24,887.60	34,784.84	58.29%
Department 701 - POLICE DEPARTMENT Total:	494,021.16	395,481.83	98,539.33	19.95%	2,489,082.35	2,519,142.98	-30,060.63	-1.21%
Department: 801 - DEVELOPMENT SERVICES								
51 - PERSONNEL	25,979.17	28,221.97	-2,242.80	-8.63%	91,349.00	150,450.95	-59,101.95	-64.70%
52 - CONTRACTUAL	9,211.49	7,191.44	2,020.05	21.93%	80,848.09	35,267.00	45,581.09	56.38%
53 - GENERAL SERVICES	641.11	818.36	-177.25	-27.65%	1,453.78	2,728.44	-1,274.66	-87.68%
54 - MACHINE & EQUIPMENT MAI	0.00	0.00	0.00	0.00%	9,762.61	10,284.33	-521.72	-5.34%
55 - CAPITAL OUTLAY	0.00	0.00	0.00	0.00%	59,175.00	0.00	59,175.00	100.00%
56 - BANK CHARGES	2.30	0.00	2.30	100.00%	22.25	0.00	22.25	100.00%
58 - GRANT DISBURSEMENTS	0.00	5,000.00	-5,000.00	0.00%	0.00	5,000.00	-5,000.00	0.00%
Department 801 - DEVELOPMENT SERVICES Total:	35,834.07	41,231.77	-5,397.70	-15.06%	242,610.73	203,730.72	38,880.01	16.03%
Expense Total:	1,228,246.33	1,194,505.66	33,740.67	2.75%	6,822,317.60	6,883,699.33	-61,381.73	-0.90%
Total Revenues	1,010,080.24	1,917,778.78	907,698.54	89.86%	9,991,032.74	10,919,724.68	928,691.94	9.30%
Fund 01 Surplus (Deficit):	-218,166.09	723,273.12	941,439.21	431.52%	3,168,715.14	4,036,025.35	867,310.21	27.37%

Prior-Year Comparative Income Statement

For the Period Ending 02 Item 32.

Categor...	2019-2020 Feb. Activity	2020-2021 Feb. Activity	Feb. Variance Favorable / (Unfavorable)	Variance %	2019-2020 YTD Activity	2020-2021 YTD Activity	YTD Variance Favorable / (Unfavorable)	Variance %
Fund: 02 - WATER AND WASTEWATER FUND								
Revenue								
41 - LICENSES AND PERMITS	0.00	0.00	0.00	0.00%	0.00	223.17	223.17	0.00%
43 - INTERGOVERNMENTAL	77,508.60	0.00	-77,508.60	-100.00%	103,802.18	0.00	-103,802.18	-100.00%
44 - CHARGES FOR SERVICES	619,553.26	685,023.54	65,470.28	10.57%	3,465,250.83	3,494,400.69	29,149.86	0.84%
45 - OTHER REVENUE	29,542.03	1,575.00	-27,967.03	-94.67%	164,253.47	16,968.34	-147,285.13	-89.67%
Revenue Total:	726,603.89	686,598.54	-40,005.35	-5.51%	3,733,306.48	3,511,592.20	-221,714.28	-5.94%
Expense								
Department: 000 - UTILITIES ADMINISTRATION								
51 - PERSONNEL	26,097.08	18,083.50	8,013.58	30.71%	143,217.45	96,460.56	46,756.89	32.65%
52 - CONTRACTUAL	949.58	3,849.69	-2,900.11	-305.41%	5,219.29	17,892.56	-12,673.27	-242.82%
53 - GENERAL SERVICES	276.91	0.00	276.91	100.00%	392.19	3,829.47	-3,437.28	-876.43%
54 - MACHINE & EQUIPMENT MAI	0.00	0.00	0.00	0.00%	24.67	110.00	-85.33	-345.89%
55 - CAPITAL OUTLAY	129,710.15	0.00	129,710.15	100.00%	299,636.99	0.00	299,636.99	100.00%
Department 000 - UTILITIES ADMINISTRATION Total:	157,033.72	21,933.19	135,100.53	86.03%	448,490.59	118,292.59	330,198.00	73.62%
Department: 001 - WATER PRODUCTION								
51 - PERSONNEL	21,566.48	18,040.31	3,526.17	16.35%	90,350.88	85,388.15	4,962.73	5.49%
52 - CONTRACTUAL	27,622.74	15,258.45	12,364.29	44.76%	298,628.90	303,687.66	-5,058.76	-1.69%
53 - GENERAL SERVICES	405.90	615.56	-209.66	-51.65%	4,229.63	2,870.62	1,359.01	32.13%
54 - MACHINE & EQUIPMENT MAI	7,485.80	1,140.46	6,345.34	84.77%	72,725.45	58,748.87	13,976.58	19.22%
55 - CAPITAL OUTLAY	0.00	17,400.00	-17,400.00	0.00%	0.00	17,400.00	-17,400.00	0.00%
Department 001 - WATER PRODUCTION Total:	57,080.92	52,454.78	4,626.14	8.10%	465,934.86	468,095.30	-2,160.44	-0.46%
Department: 002 - WATER DISTRIBUTION								
51 - PERSONNEL	8,813.98	15,631.04	-6,817.06	-77.34%	79,892.13	77,966.90	1,925.23	2.41%
52 - CONTRACTUAL	9,717.88	14,254.25	-4,536.37	-46.68%	82,054.15	47,513.82	34,540.33	42.09%
53 - GENERAL SERVICES	1,762.70	1,678.41	84.29	4.78%	12,462.71	10,787.79	1,674.92	13.44%
54 - MACHINE & EQUIPMENT MAI	1,605.42	8,492.42	-6,887.00	-428.98%	44,035.55	51,375.64	-7,340.09	-16.67%
55 - CAPITAL OUTLAY	0.00	13,662.48	-13,662.48	0.00%	0.00	38,014.99	-38,014.99	0.00%
Department 002 - WATER DISTRIBUTION Total:	21,899.98	53,718.60	-31,818.62	-145.29%	218,444.54	225,659.14	-7,214.60	-3.30%
Department: 003 - CUSTOMER SERVICE								
51 - PERSONNEL	13,664.21	13,449.85	214.36	1.57%	76,661.09	68,542.09	8,119.00	10.59%
52 - CONTRACTUAL	736.51	1,079.84	-343.33	-46.62%	3,698.11	3,444.74	253.37	6.85%
53 - GENERAL SERVICES	967.34	736.70	230.64	23.84%	4,433.22	2,780.80	1,652.42	37.27%
54 - MACHINE & EQUIPMENT MAI	-5,276.35	-16,338.02	11,061.67	209.65%	35,949.19	13,837.55	22,111.64	61.51%
Department 003 - CUSTOMER SERVICE Total:	10,091.71	-1,071.63	11,163.34	110.62%	120,741.61	88,605.18	32,136.43	26.62%
Department: 011 - WASTEWATER COLLECTION								
51 - PERSONNEL	15,535.09	14,048.80	1,486.29	9.57%	121,731.83	74,389.24	47,342.59	38.89%
52 - CONTRACTUAL	3,013.43	4,752.81	-1,739.38	-57.72%	44,689.81	35,084.13	9,605.68	21.49%
53 - GENERAL SERVICES	1,431.86	1,383.48	48.38	3.38%	7,785.32	6,526.61	1,258.71	16.17%
54 - MACHINE & EQUIPMENT MAI	3,921.82	81.38	3,840.44	97.92%	18,965.73	15,528.77	3,436.96	18.12%

Prior-Year Comparative Income Statement

For the Period Ending 02 Item 32.

Categor...	2019-2020	2020-2021	Feb. Variance	Variance %	2019-2020	2020-2021	YTD Variance	Variance %
	Feb. Activity	Feb. Activity	Favorable / (Unfavorable)		YTD Activity	YTD Activity	Favorable / (Unfavorable)	
55 - CAPITAL OUTLAY	259,098.95	4,967.39	254,131.56	98.08%	1,605,085.68	85,083.33	1,520,002.35	94.70%
Department 011 - WASTEWATER COLLECTION Total:	283,001.15	25,233.86	257,767.29	91.08%	1,798,258.37	216,612.08	1,581,646.29	87.95%
Department: 012 - WASTEWATER TREATMENT								
52 - CONTRACTUAL	79,213.66	78,818.70	394.96	0.50%	409,317.69	402,989.92	6,327.77	1.55%
54 - MACHINE & EQUIPMENT MAI	1,031.97	960.00	71.97	6.97%	22,531.39	19,278.00	3,253.39	14.44%
55 - CAPITAL OUTLAY	0.00	0.00	0.00	0.00%	212,733.75	0.00	212,733.75	100.00%
Department 012 - WASTEWATER TREATMENT Total:	80,245.63	79,778.70	466.93	0.58%	644,582.83	422,267.92	222,314.91	34.49%
Department: 020 - BILLING & COLLECTION								
51 - PERSONNEL	7,642.29	8,052.43	-410.14	-5.37%	39,255.25	40,730.12	-1,474.87	-3.76%
52 - CONTRACTUAL	4,152.27	4,154.00	-1.73	-0.04%	35,877.73	26,981.23	8,896.50	24.80%
53 - GENERAL SERVICES	6,409.93	7,912.30	-1,502.37	-23.44%	27,303.89	39,802.84	-12,498.95	-45.78%
54 - MACHINE & EQUIPMENT MAI	265.00	752.50	-487.50	-183.96%	20,997.38	22,733.49	-1,736.11	-8.27%
Department 020 - BILLING & COLLECTION Total:	18,469.49	20,871.23	-2,401.74	-13.00%	123,434.25	130,247.68	-6,813.43	-5.52%
Department: 901 - NON-DEPARTMENTAL								
56 - BANK CHARGES	0.00	0.00	0.00	0.00%	0.00	1.95	-1.95	0.00%
57 - DEBT SERVICE	1,119,833.50	1,116,546.00	3,287.50	0.29%	1,119,833.50	1,116,546.00	3,287.50	0.29%
59 - TRANSFER	26,925.43	31,893.57	-4,968.14	-18.45%	172,291.27	178,955.01	-6,663.74	-3.87%
Department 901 - NON-DEPARTMENTAL Total:	1,146,758.93	1,148,439.57	-1,680.64	-0.15%	1,292,124.77	1,295,502.96	-3,378.19	-0.26%
Expense Total:	1,774,581.53	1,401,358.30	373,223.23	21.03%	5,112,011.82	2,965,282.85	2,146,728.97	41.99%
Total Revenues	726,603.89	686,598.54	-40,005.35	-5.51%	3,733,306.48	3,511,592.20	-221,714.28	-5.94%
Fund 02 Surplus (Deficit):	-1,047,977.64	-714,759.76	333,217.88	31.80%	-1,378,705.34	546,309.35	1,925,014.69	139.62%

Prior-Year Comparative Income Statement

For the Period Ending 02 Item 32.

Categor...	2019-2020 Feb. Activity	2020-2021 Feb. Activity	Feb. Variance Favorable / (Unfavorable)	Variance %	2019-2020 YTD Activity	2020-2021 YTD Activity	YTD Variance Favorable / (Unfavorable)	Variance %
Fund: 03 - SANITARY LANDFILL FUND								
Revenue								
44 - CHARGES FOR SERVICES	97,572.60	62,163.80	-35,408.80	-36.29%	414,409.90	389,908.05	-24,501.85	-5.91%
45 - OTHER REVENUE	2,371.75	34.14	-2,337.61	-98.56%	9,010.48	848.64	-8,161.84	-90.58%
Revenue Total:	99,944.35	62,197.94	-37,746.41	-37.77%	423,420.38	390,756.69	-32,663.69	-7.71%
Expense								
Department: 030 - LANDFILL								
51 - PERSONNEL	14,592.11	16,559.12	-1,967.01	-13.48%	85,937.41	90,222.05	-4,284.64	-4.99%
52 - CONTRACTUAL	3,578.77	231.03	3,347.74	93.54%	23,336.10	23,005.66	330.44	1.42%
53 - GENERAL SERVICES	4,582.74	4,874.19	-291.45	-6.36%	26,675.48	20,190.98	6,484.50	24.31%
54 - MACHINE & EQUIPMENT MAI	8,946.52	474.97	8,471.55	94.69%	31,917.48	55,818.73	-23,901.25	-74.88%
55 - CAPITAL OUTLAY	0.00	0.00	0.00	0.00%	6,409.77	0.00	6,409.77	100.00%
Department 030 - LANDFILL Total:	31,700.14	22,139.31	9,560.83	30.16%	174,276.24	189,237.42	-14,961.18	-8.58%
Expense Total:	31,700.14	22,139.31	9,560.83	30.16%	174,276.24	189,237.42	-14,961.18	-8.58%
Total Revenues	99,944.35	62,197.94	-37,746.41	-37.77%	423,420.38	390,756.69	-32,663.69	-7.71%
Fund 03 Surplus (Deficit):	68,244.21	40,058.63	-28,185.58	-41.30%	249,144.14	201,519.27	-47,624.87	-19.12%

Prior-Year Comparative Income Statement

For the Period Ending 02 Item 32.

Categor...	2019-2020	2020-2021	Feb. Variance	Variance %	2019-2020	2020-2021	YTD Variance	Variance %
	Feb. Activity	Feb. Activity	Favorable / (Unfavorable)		YTD Activity	YTD Activity	Favorable / (Unfavorable)	
Fund: 04 - AIRPORT FUND								
Revenue								
44 - CHARGES FOR SERVICES	9,148.87	9,637.44	488.57	5.34%	46,391.63	46,995.88	604.25	1.30%
Revenue Total:	9,148.87	9,637.44	488.57	5.34%	46,391.63	46,995.88	604.25	1.30%
Expense								
Department: 040 - AIRPORT								
51 - PERSONNEL	173.53	420.68	-247.15	-142.42%	1,216.40	2,414.77	-1,198.37	-98.52%
52 - CONTRACTUAL	3,555.09	2,496.52	1,058.57	29.78%	19,398.79	17,607.96	1,790.83	9.23%
53 - GENERAL SERVICES	0.00	0.00	0.00	0.00%	0.00	71.00	-71.00	0.00%
54 - MACHINE & EQUIPMENT MAI	444.00	145.00	299.00	67.34%	8,511.20	7,319.91	1,191.29	14.00%
55 - CAPITAL OUTLAY	0.00	0.00	0.00	0.00%	556.98	0.00	556.98	100.00%
Department 040 - AIRPORT Total:	4,172.62	3,062.20	1,110.42	26.61%	29,683.37	27,413.64	2,269.73	7.65%
Expense Total:	4,172.62	3,062.20	1,110.42	26.61%	29,683.37	27,413.64	2,269.73	7.65%
Total Revenues	9,148.87	9,637.44	488.57	5.34%	46,391.63	46,995.88	604.25	1.30%
Fund 04 Surplus (Deficit):	4,976.25	6,575.24	1,598.99	32.13%	16,708.26	19,582.24	2,873.98	17.20%

Prior-Year Comparative Income Statement

For the Period Ending 02 Item 32.

Categor...					For the Period Ending 02			
	2019-2020 Feb. Activity	2020-2021 Feb. Activity	Feb. Variance Favorable / (Unfavorable)	Variance %	2019-2020 YTD Activity	2020-2021 YTD Activity	YTD Variance Favorable / (Unfavorable)	Variance %
Fund: 05 - STORM WATER DRAINAGE FUND								
Revenue								
41 - LICENSES AND PERMITS	0.00	0.00	0.00	0.00%	0.00	223.17	223.17	0.00%
44 - CHARGES FOR SERVICES	54,048.66	54,436.12	387.46	0.72%	270,074.89	271,101.46	1,026.57	0.38%
45 - OTHER REVENUE	1,155.92	25.68	-1,130.24	-97.78%	6,945.75	360.63	-6,585.12	-94.81%
Revenue Total:	55,204.58	54,461.80	-742.78	-1.35%	277,020.64	271,685.26	-5,335.38	-1.93%
Expense								
Department: 050 - STORM WATER DRAINAGE								
52 - CONTRACTUAL	5,525.34	-10,496.28	16,021.62	289.97%	30,336.18	8,080.48	22,255.70	73.36%
55 - CAPITAL OUTLAY	0.00	168,901.64	-168,901.64	0.00%	38,147.45	430,043.65	-391,896.20	-1,027.32%
56 - BANK CHARGES	147.50	447.50	-300.00	-203.39%	147.50	447.50	-300.00	-203.39%
57 - DEBT SERVICE	405,248.00	409,990.00	-4,742.00	-1.17%	405,248.00	409,990.00	-4,742.00	-1.17%
Department 050 - STORM WATER DRAINAGE Total:	410,920.84	568,842.86	-157,922.02	-38.43%	473,879.13	848,561.63	-374,682.50	-79.07%
Expense Total:	410,920.84	568,842.86	-157,922.02	-38.43%	473,879.13	848,561.63	-374,682.50	-79.07%
Total Revenues	55,204.58	54,461.80	-742.78	-1.35%	277,020.64	271,685.26	-5,335.38	-1.93%
Fund 05 Surplus (Deficit):	-355,716.26	-514,381.06	-158,664.80	-44.60%	-196,858.49	-576,876.37	-380,017.88	-193.04%

Prior-Year Comparative Income Statement

For the Period Ending 02 Item 32.

Categor...	2019-2020 Feb. Activity	2020-2021 Feb. Activity	Feb. Variance Favorable / (Unfavorable)	Variance %	2019-2020 YTD Activity	2020-2021 YTD Activity	YTD Variance Favorable / (Unfavorable)	Variance %
Fund: 07 - HOTEL OCCUPANCY TAX FUND								
Revenue								
40 - TAXES	89,694.58	31,375.23	-58,319.35	-65.02%	140,459.26	87,424.91	-53,034.35	-37.76%
44 - CHARGES FOR SERVICES	650.00	0.00	-650.00	-100.00%	1,400.00	0.00	-1,400.00	-100.00%
45 - OTHER REVENUE	304.16	7.79	-296.37	-97.44%	1,509.58	114.97	-1,394.61	-92.38%
Revenue Total:	90,648.74	31,383.02	-59,265.72	-65.38%	143,368.84	87,539.88	-55,828.96	-38.94%
Expense								
Department: 070 - TOURISM								
51 - PERSONNEL	5,963.84	6,262.20	-298.36	-5.00%	30,668.62	30,894.94	-226.32	-0.74%
52 - CONTRACTUAL	1,953.11	23,798.41	-21,845.30	-1,118.49%	11,247.59	141,222.88	-129,975.29	-1,155.58%
53 - GENERAL SERVICES	10.52	0.00	10.52	100.00%	1,573.41	781.40	792.01	50.34%
58 - GRANT DISBURSEMENTS	6,227.65	1,100.34	5,127.31	82.33%	49,176.63	42,441.58	6,735.05	13.70%
Department 070 - TOURISM Total:	14,155.12	31,160.95	-17,005.83	-120.14%	92,666.25	215,340.80	-122,674.55	-132.38%
Expense Total:	14,155.12	31,160.95	-17,005.83	-120.14%	92,666.25	215,340.80	-122,674.55	-132.38%
Total Revenues	90,648.74	31,383.02	-59,265.72	-65.38%	143,368.84	87,539.88	-55,828.96	-38.94%
Fund 07 Surplus (Deficit):	76,493.62	222.07	-76,271.55	-99.71%	50,702.59	-127,800.92	-178,503.51	-352.06%

Prior-Year Comparative Income Statement

For the Period Ending 02 Item 32.

Categor...	2019-2020 Feb. Activity	2020-2021 Feb. Activity	Feb. Variance Favorable / (Unfavorable)	Variance %	2019-2020 YTD Activity	2020-2021 YTD Activity	YTD Variance Favorable / (Unfavorable)	Variance %
Fund: 08 - DEBT SERVICE FUND								
Revenue								
40 - TAXES	6,433.36	2,098.61	-4,334.75	-67.38%	251,165.48	253,973.04	2,807.56	1.12%
45 - OTHER REVENUE	265.25	12.37	-252.88	-95.34%	1,228.05	67.62	-1,160.43	-94.49%
Revenue Total:	6,698.61	2,110.98	-4,587.63	-68.49%	252,393.53	254,040.66	1,647.13	0.65%
Expense								
Department: 080 - DEBT SERVICE								
57 - DEBT SERVICE	221,775.00	229,075.00	-7,300.00	-3.29%	221,775.00	229,075.00	-7,300.00	-3.29%
Department 080 - DEBT SERVICE Total:	221,775.00	229,075.00	-7,300.00	-3.29%	221,775.00	229,075.00	-7,300.00	-3.29%
Expense Total:	221,775.00	229,075.00	-7,300.00	-3.29%	221,775.00	229,075.00	-7,300.00	-3.29%
Total Revenues	6,698.61	2,110.98	-4,587.63	-68.49%	252,393.53	254,040.66	1,647.13	0.65%
Fund 08 Surplus (Deficit):	-215,076.39	-226,964.02	-11,887.63	-5.53%	30,618.53	24,965.66	-5,652.87	-18.46%

Prior-Year Comparative Income Statement

For the Period Ending 02 Item 32.

Categor...	2019-2020 Feb. Activity	2020-2021 Feb. Activity	Feb. Variance Favorable / (Unfavorable)	Variance %	2019-2020 YTD Activity	2020-2021 YTD Activity	YTD Variance Favorable / (Unfavorable)	Variance %
Fund: 10 - CAPITAL PROJECTS FUND								
Revenue								
44 - CHARGES FOR SERVICES	0.00	0.00	0.00	0.00%	4,167.00	0.00	-4,167.00	-100.00%
45 - OTHER REVENUE	666.57	392.53	-274.04	-41.11%	4,031.30	5,252.15	1,220.85	30.28%
Revenue Total:	666.57	392.53	-274.04	-41.11%	8,198.30	5,252.15	-2,946.15	-35.94%
Expense								
Department: 402 - STREET MAINTENANCE								
55 - CAPITAL OUTLAY	15,811.35	457,272.74	-441,461.39	-2,792.05%	49,982.05	2,136,974.06	-2,086,992.01	-4,175.48%
57 - DEBT SERVICE	0.00	171,825.00	-171,825.00	0.00%	0.00	171,825.00	-171,825.00	0.00%
Department 402 - STREET MAINTENANCE Total:	15,811.35	629,097.74	-613,286.39	-3,878.77%	49,982.05	2,308,799.06	-2,258,817.01	-4,519.26%
Expense Total:	15,811.35	629,097.74	-613,286.39	-3,878.77%	49,982.05	2,308,799.06	-2,258,817.01	-4,519.26%
Total Revenues	666.57	392.53	-274.04	-41.11%	8,198.30	5,252.15	-2,946.15	-35.94%
Fund 10 Surplus (Deficit):	-15,144.78	-628,705.21	-613,560.43	-4,051.30%	-41,783.75	-2,303,546.91	-2,261,763.16	-5,413.02%

Prior-Year Comparative Income Statement

For the Period Ending 02 Item 32.

Categor...	2019-2020 Feb. Activity	2020-2021 Feb. Activity	Feb. Variance Favorable / (Unfavorable)	Variance %	2019-2020 YTD Activity	2020-2021 YTD Activity	YTD Variance Favorable / (Unfavorable)	Variance %
Fund: 11 - CHILD SAFETY FUND								
Revenue								
42 - FINES AND FORFEITURES	0.00	69.55	69.55	0.00%	700.00	1,132.84	432.84	61.83%
45 - OTHER REVENUE	2.61	0.16	-2.45	-93.87%	10.25	1.39	-8.86	-86.44%
Revenue Total:	2.61	69.71	67.10	2,570.88%	710.25	1,134.23	423.98	59.69%
Total Revenues	2.61	69.71	67.10	2,570.88%	710.25	1,134.23	423.98	59.69%
Fund 11 Total:	2.61	69.71	67.10	2,570.88%	710.25	1,134.23	423.98	59.69%

Prior-Year Comparative Income Statement

For the Period Ending 02 Item 32.

Categor...	2019-2020 Feb. Activity	2020-2021 Feb. Activity	Feb. Variance Favorable / (Unfavorable)	Variance %	2019-2020 YTD Activity	2020-2021 YTD Activity	YTD Variance Favorable / (Unfavorable)	Variance %
Fund: 12 - COURT TECHNOLOGY FUND								
Revenue								
42 - FINES AND FORFEITURES	0.00	232.75	232.75	0.00%	282.30	1,913.19	1,630.89	577.72%
45 - OTHER REVENUE	5.31	0.25	-5.06	-95.29%	27.24	2.56	-24.68	-90.60%
Revenue Total:	5.31	233.00	227.69	4,287.95%	309.54	1,915.75	1,606.21	518.90%
Expense								
Department: 120 - COURT TECHNOLOGY								
52 - CONTRACTUAL	0.00	0.00	0.00	0.00%	186.00	0.00	186.00	100.00%
54 - MACHINE & EQUIPMENT MAI	0.00	0.00	0.00	0.00%	8,222.11	0.00	8,222.11	100.00%
Department 120 - COURT TECHNOLOGY Total:	0.00	0.00	0.00	0.00%	8,408.11	0.00	8,408.11	100.00%
Expense Total:	0.00	0.00	0.00	0.00%	8,408.11	0.00	8,408.11	100.00%
Total Revenues	5.31	233.00	227.69	4,287.95%	309.54	1,915.75	1,606.21	518.90%
Fund 12 Surplus (Deficit):	5.31	233.00	227.69	4,287.95%	-8,098.57	1,915.75	10,014.32	123.66%

Prior-Year Comparative Income Statement

For the Period Ending 02 Item 32.

Categor...	2019-2020 Feb. Activity	2020-2021 Feb. Activity	Feb. Variance Favorable / (Unfavorable)	Variance %	2019-2020 YTD Activity	2020-2021 YTD Activity	YTD Variance Favorable / (Unfavorable)	Variance %
Fund: 13 - PUBLIC SAFETY FUND								
Revenue								
43 - INTERGOVERNMENTAL	3,537.55	3,206.87	-330.68	-9.35%	3,537.55	3,206.87	-330.68	-9.35%
45 - OTHER REVENUE	129.14	2.41	-126.73	-98.13%	715.37	28.15	-687.22	-96.06%
Revenue Total:	3,666.69	3,209.28	-457.41	-12.47%	4,252.92	3,235.02	-1,017.90	-23.93%
Expense								
Department: 130 - PUBLIC SAFETY								
53 - GENERAL SERVICES	0.00	0.00	0.00	0.00%	526.89	0.00	526.89	100.00%
Department 130 - PUBLIC SAFETY Total:	0.00	0.00	0.00	0.00%	526.89	0.00	526.89	100.00%
Expense Total:	0.00	0.00	0.00	0.00%	526.89	0.00	526.89	100.00%
Total Revenues	3,666.69	3,209.28	-457.41	-12.47%	4,252.92	3,235.02	-1,017.90	-23.93%
Fund 13 Surplus (Deficit):	3,666.69	3,209.28	-457.41	-12.47%	3,726.03	3,235.02	-491.01	-13.18%

Prior-Year Comparative Income Statement

For the Period Ending 02 Item 32.

Categor...	2019-2020 Feb. Activity	2020-2021 Feb. Activity	Feb. Variance Favorable / (Unfavorable)	Variance %	2019-2020 YTD Activity	2020-2021 YTD Activity	YTD Variance Favorable / (Unfavorable)	Variance %
Fund: 79 - SEDA								
Revenue								
40 - TAXES	52,236.35	78,705.51	26,469.16	50.67%	233,418.64	278,193.38	44,774.74	19.18%
45 - OTHER REVENUE	1,025.72	31.17	-994.55	-96.96%	5,630.68	359.93	-5,270.75	-93.61%
Revenue Total:	53,262.07	78,736.68	25,474.61	47.83%	239,049.32	278,553.31	39,503.99	16.53%
Expense								
Department: 790 - SEDA								
51 - PERSONNEL	16,609.56	16,896.06	-286.50	-1.72%	83,783.78	87,214.75	-3,430.97	-4.10%
52 - CONTRACTUAL	3,483.67	19,116.81	-15,633.14	-448.75%	83,546.70	83,783.94	-237.24	-0.28%
53 - GENERAL SERVICES	334.76	404.39	-69.63	-20.80%	975.47	1,443.76	-468.29	-48.01%
56 - BANK CHARGES	27.71	0.00	27.71	100.00%	75.08	0.00	75.08	100.00%
58 - GRANT DISBURSEMENTS	0.00	3,924.79	-3,924.79	0.00%	216.96	13,924.79	-13,707.83	-6,318.14%
Department 790 - SEDA Total:	20,455.70	40,342.05	-19,886.35	-97.22%	168,597.99	186,367.24	-17,769.25	-10.54%
Expense Total:	20,455.70	40,342.05	-19,886.35	-97.22%	168,597.99	186,367.24	-17,769.25	-10.54%
Total Revenues	53,262.07	78,736.68	25,474.61	47.83%	239,049.32	278,553.31	39,503.99	16.53%
Fund 79 Surplus (Deficit):	32,806.37	38,394.63	5,588.26	17.03%	70,451.33	92,186.07	21,734.74	30.85%
Total Surplus (Deficit):	-1,665,886.10	-1,272,774.37	393,111.73	23.60%	1,965,330.12	1,918,648.74	-46,681.38	-2.38%

Fund Summary

Fund	2019-2020		Feb. Variance		2020-2021		YTD Variance	
	Feb. Activity	Feb. Activity	Favorable / (Unfavorable)	Variance %	YTD Activity	YTD Activity	Favorable / (Unfavorable)	Variance %
01 - GENERAL FUND	-218,166.09	723,273.12	941,439.21	431.52%	3,168,715.14	4,036,025.35	867,310.21	27.37%
02 - WATER AND WASTEWATE...	-1,047,977.64	-714,759.76	333,217.88	31.80%	-1,378,705.34	546,309.35	1,925,014.69	139.62%
03 - SANITARY LANDFILL FUND	68,244.21	40,058.63	-28,185.58	-41.30%	249,144.14	201,519.27	-47,624.87	-19.12%
04 - AIRPORT FUND	4,976.25	6,575.24	1,598.99	32.13%	16,708.26	19,582.24	2,873.98	17.20%
05 - STORM WATER DRAINAGE...	-355,716.26	-514,381.06	-158,664.80	-44.60%	-196,858.49	-576,876.37	-380,017.88	-193.04%
07 - HOTEL OCCUPANCY TAX F...	76,493.62	222.07	-76,271.55	-99.71%	50,702.59	-127,800.92	-178,503.51	-352.06%
08 - DEBT SERVICE FUND	-215,076.39	-226,964.02	-11,887.63	-5.53%	30,618.53	24,965.66	-5,652.87	-18.46%
10 - CAPITAL PROJECTS FUND	-15,144.78	-628,705.21	-613,560.43	-4,051.30%	-41,783.75	-2,303,546.91	-2,261,763.16	-5,413.02%
11 - CHILD SAFETY FUND	2.61	69.71	67.10	2,570.88%	710.25	1,134.23	423.98	59.69%
12 - COURT TECHNOLOGY FU...	5.31	233.00	227.69	4,287.95%	-8,098.57	1,915.75	10,014.32	123.66%
13 - PUBLIC SAFETY FUND	3,666.69	3,209.28	-457.41	-12.47%	3,726.03	3,235.02	-491.01	-13.18%
79 - SEDA	32,806.37	38,394.63	5,588.26	17.03%	70,451.33	92,186.07	21,734.74	30.85%
Total Surplus (Deficit):	-1,665,886.10	-1,272,774.37	393,111.73	23.60%	1,965,330.12	1,918,648.74	-46,681.38	-2.38%



REGULAR CITY COUNCIL MEETING

City Hall Council Chambers, 298 West Washington Street
Tuesday, March 02, 2021 at 5:30 PM

MINUTES

The City Council of the City of Stephenville, Texas, convened on Tuesday, March 02, 2021 at 5:30 PM, in City Hall Council Chambers, 298 West Washington Street, for the purpose of a Regular City Council Meeting, with the meeting being open to the public and notice of said meeting, giving the date, time, place and subject thereof, having been posted as prescribed by Chapter 551, Government Code, Vernon's Texas Codes Annotated, with the following members present, to wit:

COUNCIL PRESENT:

Mayor Doug Svien
Mayor Pro Tem Mark McClinton
Council Member Justin Haschke
Council Member Nick Robinson
Council Member Brady Pendleton
Council Member Ricky Thurman
Council Member Alan Nix
Council Member Gerald Cook
Council Member Brandon Huckabee

COUNCIL ABSENT:

OTHERS ATTENDING:

Allen Barnes, City Manager
Randy Thomas, City Attorney
Staci King, City Secretary

CALL TO ORDER

Mayor Svien called the meeting to order at 5:30 p.m.

INVOCATION

David Whiteman, Grace Fellowship

PLEDGES OF ALLEGIANCE TO THE UNITED STATES AND TEXAS FLAGS

Council member Brandon Huckabee led the pledges.

REGULAR AGENDA

1. Recognition of Lambda Chi Alpha for Their Volunteer Efforts after Winter Storm Uri

Mayor Svien recognized Lambda Chi Alpha for volunteering at the city's water distribution center.

2. Recognition of City of Stephenville Employees for their Dedication and Hard Work During Winter Storm Uri

Mayor Svien, Allen Barnes, City Manager, and Jason King, Assistant City Manager, made the following recognitions:

Gregg Schruppf, Fire Marshal, and Brandon Lockenour, Fire Inspector

From Monday February 15, 2021 through Friday February 19, 2021, the members of the Stephenville Fire Department's Fire Marshal Office were faced with a daunting challenge as it related to commercial fire sprinkler systems and the historical cold weather produced by Winter Storm Uri. During this period, they proactively located or responded to over 100 locations inspecting commercial sprinkler systems. Unfortunately, in some locations the sprinkler systems had burst due to the extremely cold temperatures and damage was done to the buildings as well as the leaking water placing a strain on the water system. However, in many locations, Fire Marshal Schruppf and Inspector Lockenour were able to locate frozen but broken systems, turn them off, and alert the property owner. They were also able to turn systems off preemptively before damage to the system caused destruction to property. Through Fire Marshal Schruppf's and Inspector Lockenour's efforts damage was prevented to multiple properties within the City of Stephenville. They were also able to prevent additional strain on the municipal water system that would have occurred if several burst commercial sprinkler systems began leaking while there were multiple main line breaks within the city. Fire Marshal Gregg Schruppf and Fire Inspector Brandon Lockenour are to be commended for their dedication to service and commitment to the citizens of Stephenville during Winter Storm Uri.

Jeremy Jennings, Danny Boucher, JD Sanders, Codey Dennis, Daniel Rodriguez, Jameson Allee, Austin Baugh, Cody Stone, JB Galindo, Albert Bennie, Tucker Blackshear, Lane Sharp, Keegan Hall, and Dale White

From Sunday February 14, 2021 through Saturday February 20, 2021, the members of the City of Stephenville Utility Department were faced with a daunting workload in extreme weather conditions. During this period they responded to and repaired 10 main line breaks in sub-freezing weather conditions. Members responded to over 550 water cut offs due to the storm. On Monday February 15, 2021, while responding to water cut offs, and main line breaks, members worked through major issues at the Lillian Street Groundwater Storage Tank. Those issues involved the turning off of electricity to the pump station when electricity load shed occurred across the entire State of Texas. When this occurred, the generator responsible for running the pump station was unable to start due to the diesel fuel gelling in the tank because of the extreme cold temperatures. Members of the Utility department were able to work through these issues in the extreme environment throughout the day and with time running out on the depletion of the water supply for Stephenville were able to start the generator, and the Lillian Street pump station was able to reinforce and stabilize the water supply for the City of Stephenville. There can be no doubt that without the hard work, dedication to service, and commitment to the citizens of Stephenville by the members of the Utility department, the City of Stephenville would not have been able to maintain its potable water supply throughout Winter Storm Uri.

Jeremy Jennings, Daniel Rodriguez, Austin Baugh, Tucker Blackshear, Jameson Allee, Keegan Hall, and Albert Bennie

On Tuesday, February 16, 2021, during Winter Storm Uri, shortly before 7:00 am, the City of Stephenville Utility Department responded to a main line water break in the 1100 block of West McNeill. According to multiple weather sources, the ambient air temperature was approximately zero to negative two degrees Fahrenheit. As members of the Utility Department worked throughout the morning to excavate the hole in the street where the leak was and prepare the area for repair, they faced many challenges due to the extreme weather. The backhoe being used to open up the street area where the leak was located had issues running due to the diesel in the backhoe beginning to gel due to the extreme cold. The crew was also unable to shut the flow of

water off to the area where the break was located. They attempted to close multiple valves to shut the water off, but found them non-responsive. At this point, due to the volume of the leak (approximately 600 gallons per minute) and being unable to shut off the water flow to the damaged area, the decision was made for members of the Utility Department to enter the hole and repair the damaged pipe while the water was flowing. While this is always a hazardous operation due to flow of water and no visibility while submerged, on this day it was an extremely dangerous and life threatening operation. The seven members who entered the water faced extremely cold air temperatures along with high flowing cold water with minimal protection. They collectively worked and submerged in zero visibility water for an hour and a half to successfully make the repair. Therefore, for placing themselves in harm's way, without regard for their own personal safety in order to repair and maintain the potable water supply for the citizens of Stephenville these members of the Public Works Department are given the City of Stephenville Valor Award.

3. Consider Approval of a Resolution Authorizing An Agreement for the Transfer of Retired Law Enforcement K-9 Officer Buky to Officer Gary Roberts

Chief Harris spoke of K-9 Officer Buky, stating that in October 2016, the Stephenville Police Department hired Buky, Badge No. 446, as its first K-9 Officer. He stated that since that time, Buky has honorably served the City of Stephenville and its citizens by taking narcotics and dangerous criminals off the streets, serving in community relations, descalating high-risk calls for service, dismantling drug trafficking organizations not only in Stephenville, but throughout north Texas, as well as keeping his handler and other officers safe. The time has come, Chief Harris explained, for Buky to retire and enjoy the rest his hard work has earned him.

MOTION by Mark McClinton, second by Brandon Huckabee, to approve Resolution No. 2021-R-06 authorizing the transfer of Buky to his handler Gary Roberts. MOTION CARRIED by unanimous vote.

4. Citizens General Discussion

Kim Leaverton addressed the council regarding her concerns with the Harbin Drive Project.

5. Consider Approval of Seasonal Employee Positions for the Erath County Vaccination Center

Allen Barnes, City Manager, explained that staff was seeking approval to create a pool of temporary/seasonal employees to staff the Erath County Vaccination Center. Mr. Barnes explained that the request was for a number of employees, not to exceed 23 per day, at an hourly rate of \$12 per hour. Employees would work no more than 20 hours per week, for a period not to exceed six months. The City of Stephenville and Erath County would split the cost of the employees.

MOTION by Alan Nix, second by Gerald Cook, to approve the creation of a seasonal employee pool for the Erath County Vaccination Center for a term not to exceed six months. MOTION CARRIED by unanimous vote.

TOURISM AND VISITORS BUREAU COMMITTEE

Justin Haschke, Chair

6. Committee Report - February 23, 2021

Justin Haschke, chair, gave the committee report.

PUBLIC WORKS COMMITTEE

Alan Nix, Chair

7. Public Works Committee Report - February 23, 2021

Alan Nix, chair, gave the committee report.

8. Consider Approval of a Resolution for a Main Street Grant Application - Engineering Services

MOTION by Alan Nix, second by Mark McClinton, to approve Resolution No. 2021-R-07 as presented. MOTION CARRIED by unanimous vote.

9. Consider Approval of a Resolution for a Main Street Grant Application - Designation of Main Street District Area

MOTION by Alan Nix, second by Mark McClinton, to approve Resolution No. 2021-R-08 as presented. MOTION CARRIED by unanimous vote.

10. Consider Approval of an Amendment with Freese and Nichols, Inc. for Stormwater Drainage Design

MOTION by Alan Nix, second by Mark McClinton, to approve an amendment with Freese and Nichols, Inc. in the amount of \$137,611 as presented. MOTION CARRIED by unanimous vote.

PERSONNEL COMMITTEE

Ricky Thurman, Chair

10. Personnel Committee Report - February 23, 2021

Ricky Thurman, chair, gave the committee report.

11. Consider Approval of Application for the SAFER Grant

MOTION by Ricky Thurman, second by Nick Robinson, to authorize staff to apply for the SAFER Grant in the amount necessary to fund six additional personnel. MOTION CARRIED by unanimous vote.

12. Consider Approval of Reclassification of MSC Clerk Position from Clerk II to Clerk III

MOTION by Ricky Thurman, second by Nick Robinson, to authorize the reclassification of the MSC clerk from Clerk II to Clerk III. MOTION CARRIED by unanimous vote.

FINANCIAL REPORTS

13. Monthly Budget Report for the Period Ending January 31, 2021

Monica Harris, Director of Finance, gave the following report:

In reviewing the financial statements ending January 31, 2021, the financial indicators are as expected.

Property Tax - We received \$3.1 million in property taxes in the month of January, resulting in \$229K or 3.77% increase over funds collected through last January. The \$6.29 million collected fiscal year to date is 94.57% of budget, which is higher than the 94.02% anticipated.

Sales Tax - We received \$528K in sales tax in January, resulting in \$34K or 6.78% more than the funds collected last January. The \$2.39 million collected fiscal year to date is 38.41% of the \$6.23 million budgeted, which is higher than the 33.67% anticipated.

HOT Funds - Lodging establishments have reported \$121K in Hotel Occupancy Taxes through January, as compared to the \$145K through last January. There are two entities one month delinquent. We spent \$184K in Hotel Occupancy Tax funds through fiscal year to date as compared to \$79K last year due to the Day Tripper contract and gateway planning.

Revenue (Budgetary comparison) - The target budget for operating revenue is \$12.91 million. We received \$12.9 million in revenue fiscal year to date, resulting in \$11K under the target budget.

Expenditures (Budgetary comparison) - The target budget for operating expenditures is \$7.2 million. We expended \$6.7 million fiscal year to date resulting in \$478K under the target budget.

Revenue (Prior year comparison) - Operating revenue received last year was \$12.98 million as compared to the current year's \$12.89 million, resulting in an \$86K decrease. Increases in property tax, sales taxes, and building permits offset the reductions in service charges, hotel occupancy taxes, and interest on investments; however, there was no offset for the large insurance proceeds received last year.

Expenditures (Prior year comparison) - Operating expenditures last year were \$6.8 million as compared to the current year's \$6.7 million, resulting in a \$103K decrease.

STEPHENVILLE ECONOMIC DEVELOPMENT AUTHORITY UPDATE

Jeff Sandford, Executive Director, gave the SEDA report.

CONSENT

- 14. Approval of Minutes - Council Work Session - January 12, 2021**
- 15. Approval of Minutes - Regular City Council Meeting - February 2, 2021**
- 16. Approval of Minutes - Special City Council Meeting - February 23, 2021**
- 17. Acceptance of Bid for Asbestos Abatement of Rec Hall Windows**
- 18. Acceptance of Bid for Rec Hall Windows**

MOTION by Mark McClinton, second by Brady Pendleton, to approve the consent agenda as presented.
MOTION CARRIED by unanimous vote.

COMMENTS BY CITY MANAGER

- Council Committee Meetings - March 16, 2021**
- Regular City Council Meetings - April 6, 2021**

COMMENTS BY COUNCIL MEMBERS

Mark McClinton stated he was excited to be able to have public meetings again and thanked the Ministerial Alliance for being present again.

Justin Haschke thanked the city employees who worked tirelessly during the winter storm.

Ricky Thurman thanked the Public Works department, emergency management, and all the other city departments for their hard work. He encouraged everyone to volunteer at the Erath County Vaccination Center.

Alan Nix thanked all city employees for their outstanding job. He commended our entire community for coming together to help each other.

Gerald Cook wished to echo everyone else's comments and added, "We are a town full of heroes."

Brandon Huckabee stated that it was good to see people back in the Council Chambers. He thanked the Water Department crew for their hard work and dedication.

Doug Svien thanked city employees for working hard to ensure that city residents did not go without water or have a need to boil their water, even when other communities in Texas experienced that.

EXECUTIVE SESSION

Mayor Svien called the meeting into Executive Session at 6:39 p.m.

- 19. Section 551.087 Deliberation Regarding Economic Development Negotiations**
Project Bronze Statue
- 20. Section 551.074 Personnel Matters**

To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee - Stephenville Type B Economic Development Authority Executive Director

21. Action Taken on Items Discussed in Executive Session, if Necessary

Mayor Svien called the meeting back into Regular Session at 7:40 p.m.

MOTION by Brandon Huckabee, second by Mark McClinton, to authorize the Stephenville Type B Economic Development Authority to continue to negotiate with Project Bronze Statue for economic incentives in an amount not to exceed that which was discussed in executive session. MOTION CARRIED by unanimous vote.

ADJOURN

The meeting was adjourned at 7:41 p.m.

Doug Svien, Mayor

ATTEST:

Staci L. King, City Secretary



SPECIAL CITY COUNCIL MEETING

City Hall Council Chambers, 298 West Washington Street
Monday, March 08, 2021 at 3:00 PM

MINUTES

The City Council of the City of Stephenville, Texas, convened on Monday, March 8, 2021, in the City Hall Council Chambers, for the purpose of a Special City Council Meeting, with the meeting being open to the public and notice of said meeting, giving the date, time, place and subject thereof, having been posted as prescribed by Chapter 551, Government Code, Vernon's Texas Codes Annotated, with the following members present, to wit:

- COUNCIL PRESENT:**
- Mayor Doug Svien
 - Mayor Pro Tem Mark McClinton
 - Council Member Alan Nix
 - Council Member Gerald Cook
- Via Videoconference:
- Council Member Justin Haschke
 - Council Member Ricky Thurman
 - Council Member Brandon Huckabee
- COUNCIL ABSENT:**
- Council Member Brady Pendleton
 - Council Member Nick Robinson
- OTHERS ATTENDING:**
- Allen Barnes, City Manager
 - Randy Thomas, City Attorney
 - Staci King, City Secretary

CALL TO ORDER

Mayor Svien called the meeting to order at 3:00 p.m.

REGULAR AGENDA

1. **Consider Approval of FY2020-2021 Street Improvement Priorities**

Mayor Svien explained that he had been approached numerous times about paving the streets around the courthouse square with Thurber brick. After discussions with Allen Barnes, City Manager, and Jason King, Assistant City Manager, Mayor Svien asked them to present funding options to council for implementing the project.

Mr. Barnes explained that the contractor for the TxDOT project stated that it would cost approximately \$200,000 to brick the 100 block of South Graham Street. He stated that staff was seeking to allocate approximately \$300,000 for this project. Mr. Barnes also stated that at the time that Washington Street was reconstructed the 100 block of West Washington Street would be bricked as well, with the possibility of extending the bricks through the 300 block.

Mayor Svien asked that a Brick Street Plan be developed and appointed Gerald Cook as the chair of an ad hoc committee to do so.

MOTION by Gerald Cook, second by Mark McClinton, to move forward with the recommendation to brick Graham Street on the east side of the courthouse square. MOTION CARRIED by unanimous vote.

ADJOURN

Notice is hereby given that members of the Stephenville City Council may participate in this meeting via teleconference or videoconference as allowed by Governor's Order due to the COVID-19 pandemic. As allowed by this Order, a quorum may not be present in a physical location.

Pursuant to Section 418.108(g) of the Texas Government Code, a Declaration of Local Disaster issued on April 22, 2020, and in the interest of public health, the city has exercised its right to limit ingress and egress in public buildings. As such, the public will be allowed into city facilities to attend the meeting on a limited basis. Those wishing to address the Stephenville City Council may do so in person. Written correspondence may also be mailed to City Hall or emailed to Staci King, City Secretary, at slking@stephenvilletx.gov. Written correspondence must be received by 3:00 p.m. on May 8, 2021. For alternate arrangements, please contact Staci at least 48 hours prior to the meeting.

The meeting is available for viewing via livestream on the City's Facebook Page (City of Stephenville – City Hall).

Doug Svien, Mayor

ATTEST:

Staci L. King, City Secretary



EMPLOYEE BENEFITS TRUST MEETING

City Hall Council Chambers, 298 West Washington Street
Tuesday, March 16, 2021 at 5:30 PM

MINUTES

The City Council of the City of Stephenville, Texas, convened on Tuesday, March 16, 2021 at 5:30 PM, in the City Hall Council Chambers, for the purpose of an Employee Benefits Trust Meeting, with the meeting being open to the public and notice of said meeting, giving the date, time, place and subject thereof, having been posted as prescribed by Chapter 551, Government Code, Vernon's Texas Codes Annotated, with the following members present, to wit:

COUNCIL PRESENT:

Mayor Doug Svien
Mayor Pro Tem Mark McClinton
Council Member Justin Haschke
Council Member Nick Robinson
Council Member Ricky Thurman
Council Member Alan Nix
Council Member Gerald Cook
Council Member Brandon Huckabee – via videoconference

COUNCIL ABSENT:

Council Member Brady Pendleton

OTHERS ATTENDING:

Allen Barnes, City Manager
Randy Thomas, City Attorney
Staci King, City Secretary

CALL TO ORDER

Mayor Svien called the meeting to order at 5:30 p.m.

EMPLOYEE BENEFITS PACKAGE FOR PLAN YEAR 2021-2022

Allen Barnes, City Manager, and Monica Harris, Director of Finance, gave an overview of the benefits package for plan year 2021-2022. Mr. Barnes explained that the health plan benefits would remain the same, with the only change being that the provider would now be Blue Cross Blue Shield rather than United Health Care. Ms. Harris explained that there were savings from the last benefit plan year.

MOTION by Mark McClinton, second by Ricky Thurman, to recommend acceptance of the benefits package for plan year 2021-2022. MOTION CARRIED by unanimous vote.

ADJOURN

The meeting was adjourned at 5:50 p.m.

Doug Svien, Mayor

ATTEST:

Staci L. King, City Secretary



SPECIAL CITY COUNCIL MEETING

City Hall Council Chambers, 298 West Washington Street
Tuesday, March 16, 2021 at 5:30 PM

MINUTES

The City Council of the City of Stephenville, Texas, convened on Tuesday, March 16, 2021 at 5:30 PM, in the City Hall Council Chambers, for the purpose of a Special City Council Meeting, with the meeting being open to the public and notice of said meeting, giving the date, time, place and subject thereof, having been posted as prescribed by Chapter 551, Government Code, Vernon's Texas Codes Annotated, with the following members present, to wit:

COUNCIL PRESENT:

Mayor Doug Svien
Mayor Pro Tem Mark McClinton
Council Member Justin Haschke
Council Member Nick Robinson
Council Member Ricky Thurman
Council Member Alan Nix
Council Member Gerald Cook
Council Member Brandon Huckabee – via videoconference

COUNCIL ABSENT:

Council Member Brady Pendleton

OTHERS ATTENDING:

Allen Barnes, City Manager
Randy Thomas, City Attorney
Staci King, City Secretary

CALL TO ORDER

Mayor Svien called the meeting to order at 5:51 p.m.

CONSIDER APPROVAL OF EMPLOYEE BENEFITS FOR 2021-2022

MOTION by Mark McClinton, second by Ricky Thurman, to approve the employee benefits package for plan year 2021-2022. MOTION CARRIED by unanimous vote.

ADJOURN

The meeting was adjourned at 5:51 p.m.

Doug Svien, Mayor

ATTEST:

Staci L. King, City Secretary

RESOLUTION NO. 2021-R-__**A RESOLUTION AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AND AUTHORIZING THE PAYMENT OF SIX CENTS PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND LEGAL PROCEEDINGS AND ACTIVITIES RELATED TO ONCOR ELECTRIC DELIVERY COMPANY, LLC.**

WHEREAS, the City of Stephenville, Texas is a regulatory authority under the Public Utility Regulatory Act (PURA) and has exclusive original jurisdiction over the rates and services of Oncor Electric Delivery Company, LLC (Oncor) within the municipal boundaries of the city; and

WHEREAS, the Steering Committee of Cities Served By Oncor (Steering Committee) has historically intervened in Oncor rate proceedings and electric utility related rulemakings to protect the interests of municipalities and electric customers residing within municipal boundaries; and

WHEREAS, the Steering Committee is participating in Public Utility Commission dockets and projects, as well as court proceedings, and legislative activity, affecting transmission and distribution utility rates; and

WHEREAS, the City is a member of the Steering Committee; and

WHEREAS, the Steering Committee functions under the direction of an Executive Committee which sets an annual budget and directs interventions before state and federal agencies, courts and legislatures, subject to the right of any member to request and cause its party status to be withdrawn from such activities; and

WHEREAS, the Steering Committee at its December 2020 meeting set a budget for 2021 that compels an assessment of six cents (\$0.06) per capita; and

WHEREAS, in order for the Steering Committee to continue its participation in these activities which affects the provision of electric utility service and the rates to be charged, it must assess its members for such costs.

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

Section 1.

That the City is authorized to continue its membership with the Steering Committee of Cities Served by Oncor to protect the interests of the City of Stephenville and protect the interests of the customers of Oncor Electric Delivery Company, LLC residing and conducting business within the City limits.

Section 2.

The City is further authorized to pay its assessment to the Steering Committee of six cents (\$0.06) per capita based on the population figures for the City shown in the latest TML Directory of City Officials.

Section 3.

A copy of this Resolution and the assessment payment check made payable to "Steering Committee of Cities Served by Oncor" shall be sent to Brandi Stigler, Steering Committee of Cities Served by Oncor, c/o City Attorney's Office, Mail Stop 63-0300, 101 S. Mesquite St., Suite 300, Arlington, Texas 76010.

PASSED AND APPROVED this 6th day of April, 2021.

Doug Svien, Mayor

ATTEST:

Staci L. King, City Secretary

Allen L. Barnes, City Manager
Reviewed

Randy Thomas, City Attorney
Approved as to form and legality

**STAFF REPORT ON ASSESSMENT RESOLUTION
FOR STEERING COMMITTEE OF CITIES SERVED BY ONCOR**

Purpose of the Resolution The City of Stephenville is a member of a 162-member city coalition known as the Steering Committee of Cities Served by Oncor (Steering Committee). The resolution approves the assessment of a six cent (\$0.06) per capita fee to fund the activities of the Steering Committee.

Why this Resolution is Necessary

The Steering Committee undertakes activities on behalf of municipalities for which it needs funding support from its members. Municipalities have original jurisdiction over the electric distribution rates and services within the city. The Steering Committee has been in existence since the late 1980s. It took on a formal structure in the early 1990s. Empowered by city resolutions and funded by per capita assessments, the Steering Committee has been the primary public interest advocate before the Public Utility Commission, ERCOT, the courts, and the Legislature on electric utility regulation matters for over three decades.

The Steering Committee is actively involved in rate cases, appeals, rulemakings, and legislative efforts impacting the rates charged by Oncor Electric Delivery Company, LLC within the City. Steering Committee representation is also strong at ERCOT. It is possible that additional efforts will be necessary on new issues that arise during the year, and it is important that the Steering Committee be able to fund its participation on behalf of its member cities. A per capita assessment has historically been used, and is a fair method for the members to bear the burdens associated with the benefits received from that membership.

Explanation of “Be It Resolved” Paragraphs

Section 1.

The City is currently a member of the Steering Committee; this paragraph authorizes the continuation of the City’s membership.

Section 2.

This paragraph authorizes payment of the City’s assessment to the Steering Committee in the amount of seven cents (\$0.06) per capita, based on the population figure for the City as shown in the latest TML Directory of City Officials.

Section 3.

This paragraph requires payment of the 2021 assessment be made and a copy of the resolution be sent to the Steering Committee.

Payment of Assessment

A copy of the resolution should be mailed with payment of the fee to Brandi Stigler, Steering Committee of Cities Served by Oncor, c/o City Attorney’s Office, Mail Stop 63-0300, 101 S. Mesquite St., Suite 300, Arlington, Texas 76010. Checks should be made payable to: *Steering Committee of Cities Served by Oncor.*

STEERING COMMITTEE CITIES SERVED BY ONCOR (162)

Addison	Flower Mound	Oak Point
Allen	Forest Hill	Odessa
Alvarado	Forney	O'Donnell
Andrews	Fort Worth	Ovilla
Anna	Frisco	Palestine
Archer City	Frost	Pantego
Argyle	Gainesville	Paris
Arlington	Garland	Parker
Azle	Glenn Heights	Plano
Bedford	Grand Prairie	Pottsboro
Bellmead	Granger	Prosper
Belton	Grapevine	Ranger
Benbrook	Haltom City	Red Oak
Beverly Hills	Harker Heights	Rhome
Big Spring	Haslet	Richardson
Breckenridge	Henrietta	Richland
Bridgeport	Hewitt	Richland Hills
Brownwood	Highland Park	River Oaks
Buffalo	Honey Grove	Roanoke
Burkburnett	Howe	Robinson
Burleson	Hudson Oaks	Rockwall
Caddo Mills	Hurst	Rosser
Cameron	Hutto	Rowlett
Canton	Iowa Park	Sachse
Carrollton	Irving	Saginaw
Cedar Hill	Jolly	Sansom Park
Celina	Josephine	Seagoville
Centerville	Justin	Sherman
Cleburne	Kaufman	Snyder
Coahoma	Keene	Southlake
Colleyville	Keller	Springtown
Collinsville	Kennedale	Stephenville
Colorado City	Kerens	Sulphur Springs
Comanche	Killeen	Sunnyvale
Commerce	Krum	Sweetwater
Coppell	Lake Worth	Temple
Copperas Cove	Lakeside	Terrell
Corinth	Lamesa	The Colony
Cross Roads	Lancaster	Trophy Club
Crowley	Lewisville	Tyler
Dallas	Lindale	University Park
Dalworthington Gardens	Little Elm	Venus
DeLeon	Little River Academy	Waco
De Soto	Malakoff	Watauga
Denison	Mansfield	Waxahachie
Duncanville	McKinney	Westover Hills
Early	Mesquite	Westworth Village
Eastland	Midland	White Settlement
Edgecliff Village	Midlothian	Wichita Falls
Ennis	Murchison	Willow Park
Euless	Murphy	Woodway
Everman	New Chapel Hill	Wylie
Fairview	North Richland Hills	
Farmers Branch	Northlake	
Fate	Oak Leaf	

Invoice

City of Arlington, c/o Oncor Cities
 Steering Committee
 Attn: Brandi Stigler
 101 S. Mesquite St., Ste. 300
 MS # 63-0300
 Arlington, TX 76010

Date	Invoice #
2/24/2021	21-130

Bill To
City of Stephenville

Item	Population	Per Capita	Amount
2021 Membership Assessment	21,247	0.06	1,274.82
Please make check payable to: Oncor Cities Steering Committee and mail to Oncor Cities Steering Committee, Attn: Brandi Stigler, Arlington City Attorney's Office, 101 S. Mesquite St., Ste. 300, MS #63-0300, Arlington, Texas 76010			Total \$1,274.82

Public Works
STAFF REPORT



SUBJECT: 2021 Pavement Maintenance Project – Chip Seal
MEETING: Council Meeting – 06 APR 2021
DEPARTMENT: Public Works
STAFF CONTACT: Nick Williams

RECOMMENDATION:

Staff recommends award of the 2021 Chip Seal project bid to Jay Mills Contracting in the amount of \$778,765.40.

BACKGROUND:

On March 9, 2021, the City of Stephenville opened bids for the above referenced project. The project includes the application of emulsified asphalt, cover coat aggregate and a fog seal to existing roadways.

PROJECT:

The project includes the application of emulsified asphalt, cover coat aggregate and a fog seal to existing roadways.

FISCAL IMPACT SUMMARY:

Project funding was appropriated in the adopted FY20-21 budget.

It is understood that modified brick paving work on Graham Avenue may impact the allocated funding available to complete all of the scheduled chip seal work. In the Contract Documents, the Standard Instruction to Bidders provides: "It is further understood that the supplier shall not have any claim against the City of Stephenville for quantities less than the estimated amount." Therefore, it is recommended that the contract be awarded for the full bid amount, and if necessary, the project quantity be reduced to meet any budgetary restrictions.

ATTACHMENTS:

2021 PAVEMENT MAINTENANCE PROJECT – CHIP SEAL

City of Stephenville, TX
Bid Opened March 9, 2021

	CONTRACTOR	LOCATION	TOTAL BID
1	Peachtree Construction	Keller, TX	\$920,559.02
2	Jay Mills Contracting	Stephenville, TX	\$778,765.40

Public Works
STAFF REPORT



SUBJECT: 2021 Pavement Maintenance Project – Micro-Surface
MEETING: Council Meeting – 06 APR 2021
DEPARTMENT: Public Works
STAFF CONTACT: Nick Williams

RECOMMENDATION:

Staff recommends award of the 2021 Micro-Surface project bid to Intermountain Slurry in the amount of \$397,732.50.

BACKGROUND:

On March 9, 2021, the City of Stephenville opened bids for the above referenced project. Two (2) bids were received with the bid from Intermountain Slurry or Lewisville, TX identified as the lowest responsive bid.

PROJECT:

The annual pavement maintenance project includes the application of a micro-surfacing system using a mixture of cationic polymer-modified asphalt emulsions, mineral aggregates, mineral fillers, water, and mix design additives applied to existing roadways.

Intermountain Slurry has performed similar pavement projects for the city in the past.

A favorable recommendation was received from the design Engineer of Record, Eugene Calvert, PE, PTOE.

FISCAL IMPACT SUMMARY:

Project funding was appropriated in the adopted FY20-21 budget.

It is understood that modified brick paving work on Graham Avenue may impact the allocated funding available to complete all of the scheduled chip seal work. In the Contract Documents, the Standard Instruction to Bidders provides: "It is further understood that the supplier shall not have any claim against the City of Stephenville for quantities less than the estimated amount." Therefore, it is recommended that the contract be awarded for the full bid amount, and if necessary, the project quantity be reduced to meet any budgetary restrictions.

ATTACHMENTS:

2021 PAVEMENT MAINTENANCE PROJECT – MICRO-SURFACE

City of Stephenville, TX
Bid Opened March 9, 2021

	CONTRACTOR	LOCATION	TOTAL BID
1	Intermountain Slurry	Lewisville, TX	\$397,732.50
2	Donelson Construction	Clever, MO	\$403,156.70

RESOLUTION NO. 2021-R-XX

A RESOLUTION OF THE CITY COUNCIL OF STEPHENVILLE, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE DOWNTOWN REVITALIZATION PROGRAM – MAIN STREET FUND; AND AUTHORIZING THE MAYOR AND THE CITY MANAGER TO ACT AS THE CITY'S EXECUTIVE OFFICERS AND AUTHORIZED REPRESENTATIVES IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, the City Council of Stephenville desires to develop a viable 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 interests of the City of Stephenville to apply for funding under the Texas Community Development Block Grant Program;

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

1. That a Texas Community Development Block Grant Program application for the Downtown Revitalization Program – Main Street Fund is hereby authorized to be filed on behalf of the City with the Texas Department of Agriculture.
2. That the City's application be placed in competition for funding under the Downtown Revitalization Program Fund – Main Street Set-Aside.
3. That the application be for \$350,000 of grant funds for sidewalk and accessibility improvements in the designated Main Street Area of the City.
4. That the City Council directs and designates the following to act in all matters in connection with this application and the City's participation in the Texas Community Development Block Grant Program:
 - a. The Mayor and City Manager shall serve as the City's Chief Executive Officers and Authorized Representatives to execute this application and any subsequent contractual documents;
 - b. The Mayor and City Manager are authorized to execute environmental review documents between the Texas Department of Agriculture and the City; and

- c. If this application is funded, the Mayor, Mayor Pro-Tem, City Manager, City Finance Director, and City Secretary are authorized to execute the Request for Payment Form documents and/or other forms required for requesting funds to reimburse project costs.

- 5. That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.

- 6. That it further be stated that the City of Stephenville is committing \$275,000 as a cash contribution toward this project.

PASSED AND APPROVED this 6th day of April, 2021.

Doug Svien, Mayor

ATTEST:

Staci L. King, City Secretary

Allen L. Barnes, City Manager
Reviewed

Randy Thomas, City Attorney
Approved as to form and legality

RESOLUTION NO. 2021-R-__

A RESOLUTION OF THE CITY OF STEPHENVILLE, TEXAS ADOPTING THE 2021 ERATH COUNTY HAZARD MITIGATION ACTION PLAN

WHEREAS the City of Stephenville, Texas recognizes the threat that natural hazards pose to people and property within Erath County; and

WHEREAS Erath County has prepared a multi-jurisdictional, multi-hazard mitigation plan, hereby known as the 2021 Erath County Hazard Mitigation Action Plan in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS the 2021 Erath County Hazard Mitigation Action Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the city of Stephenville from the impacts of future hazards and disasters; and

WHEREAS the plan is not legally binding and mitigation actions identified can be implemented as funding and capabilities allow; and

WHEREAS adoption by the City of Stephenville demonstrates their commitment to hazard mitigation and achieving the goals outlined in the 2021 Erath County Hazard Mitigation Action Plan.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF STEPHENVILLE, TEXAS, THAT:

Section 1.

The City of Stephenville hereby adopts the 2021 Erath County Hazard Mitigation Action Plan.

PASSED AND APPROVED this 6th day of April, 2021.

Doug Svien, Mayor

ATTEST:

Staci L. King, City Secretary

Allen L. Barnes, City Manager
Reviewed

Randy Thomas, City Attorney
Approved as to form and legality