



## REGULAR CITY COUNCIL MEETING

City Hall Council Chambers, 298 West Washington Street  
Tuesday, May 03, 2022 at 5:30 PM

### AGENDA

#### CALL TO ORDER

#### PLEDGES OF ALLEGIANCE

#### INVOCATION

#### CITIZENS GENERAL DISCUSSION

#### REGULAR AGENDA

1. Consider Approval of the Sale, Auction, or Raffle of Autographed Guitar
2. Consider Award of the 536 Transmission Line and Site Civil Project
3. Consider Approval of Development Agreement with The Stable, LLC for Traffic Signal Work

#### PLANNING AND ZONING COMMISSION

Steve Killen, Director of Development Services

#### 4. PUBLIC HEARING

**Case No.: SV2022-002**

Applicant is requesting a Waiver from the City of Stephenville Code of Ordinances, Section 155.6.11 *Sidewalks* to be constructed at 191 Davis Avenue, Parcel R76719, being Block 2, Lot 17 of the McAlister Second Addition of the City of Stephenville, Erath County, Texas

5. Consider Approval of a Waiver from the City of Stephenville Code of Ordinances, Section 155.6.11 *Sidewalks* to be constructed at 191 Davis Avenue, Parcel R76719, being Block 2, Lot 17 of the McAlister Second Addition of the City of Stephenville, Erath County, Texas

#### 6. PUBLIC HEARING

**Case No.: SV2022-003**

Applicant is Requesting a Waiver from the City of Stephenville Code of Ordinances, Section 155.06.08.C *Triangular Sight Visibility Easements* at 222 E. College, Parcel R29239, being Block 14, Lots 1,2,3, and 4 of City Addition to the City of Stephenville, Erath County, Texas

7. Consider Approval of a Waiver from the City of Stephenville Code of Ordinances, Section 155.06.08.C *Triangular Sight Visibility Easements* at 222 E. College, Parcel R29239, being Block 14, Lots 1,2,3, and 4 of City Addition to the City of Stephenville, Erath County, Texas

#### 8. PUBLIC HEARING

**Case No.: SV2022-004**

Applicant is Requesting a Waiver from the City of Stephenville Code of Ordinances, Section 155.06.05.G *Driveway Design for City Maintained Roadways* for the property located at 222 E. College, Parcel R29239, being Block 14, Lots 1,2,3, and 4 of the City Addition to the City of Stephenville, Erath County, Texas

9. Consider Approval of a Waiver from the City of Stephenville Code of Ordinances, Section 155.06.05.G *Driveway Design for City Maintained Roadways* for the property located at 222 E. College, Parcel R29239, being Block 14, Lots 1,2,3, and 4 of the City Addition to the City of Stephenville, Erath County, Texas

**10. PUBLIC HEARING**

**Case No.: RZ2022-004**

Applicant is Requesting a Rezone of the Property Located at 855 College Farm Road, Parcel No. R29923, being Block 87, Lot 2 of the City Addition of the City of Stephenville, Erath County, Texas, from Neighborhood Business District (B-1) to One- and Two-Family Residential District (R-2)

11. Consider Approval of an Ordinance Rezoning the Property Located at 855 College Farm Road, Parcel No. R29923, being Block 87, Lot 2 of the City Addition of the City of Stephenville, Erath County, Texas, from Neighborhood Business District (B-1) to One- and Two-Family Residential District (R-2)

**PARKS AND LEISURE SERVICES COMMITTEE**

Daron Trussell, Chair

12. Committee Report - April 19, 2022
13. Consider Approval of Expenditure for Splash Pad UV System
14. Consider Approval of a Contract for the Parks and Recreation Open Space Master Plan
15. Consider Approval of an Ordinance Creating City of Stephenville Code of Ordinances Chapter 97 *Municipal Parks, Facilities, and Cemeteries*

**NOMINATIONS COMMITTEE**

Gerald Cook, Chair

16. Committee Report - April 19, 2022
17. Consider Approval Changes to the City Council Rules of Procedure

**FINANCIAL REPORTS**

Monica Harris, Director of Finance

18. Budget Report and Quarterly Investment Report for Period Ending March 31, 2022

**STEPHENVILLE ECONOMIC DEVELOPMENT AUTHORITY REPORT**

Jeff Sandford, Executive Director

**CONSENT AGENDA**

19. Approval of Minutes - April 5, 2022 Regular City Council Meeting
20. Approval of Minutes - April 19, 2022 Special City Council Meeting
21. Approval of a Resolution Changing the Designation of Banking Authority
22. Approval of a Contract with Kirbo's Office Systems for Lease of Copiers
23. Authorization to Sell City Property via Online Auction

**COMMENTS BY CITY MANAGER**

**Saturday, May 7**

Election Day

Farmers Market

CincoVille Activities

**Tuesday, May 17**

Special City Council Meeting to Canvass the May General Election  
Reception for Outgoing and Incoming Council Members

**Thursday, May 19**

Concerts in the Park featuring Davin James and Asleep at the Wheel

**Friday, June 3**

Moo-La Fest

**Saturday, June 4**

Moo-La Fest  
Farmers Market

**Tuesday, June 7**

Regular City Council Meeting

**COMMENTS BY COUNCIL MEMBERS**

**EXECUTIVE SESSION**

In compliance with the provisions of the Texas Open Meetings Law, Subchapter D, Government Code, Vernon's Texas Codes, Annotated, in accordance with

**24. Section 551.072 Deliberation Regarding Real Property** - to deliberate the purchase, exchange, lease, or value of real property, to wit: real property located in

1. John Dupuy Survey
2. South Side Addition

**25. Section 551.074 Personnel Matters** to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit: City Secretary

**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.*

***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.***

Public Works  
**STAFF REPORT**



**SUBJECT:** 536 Wellfield Transmission Line and Site Civil Project  
**MEETING:** City Council Meeting - 03 May 2022  
**DEPARTMENT:** Public Works  
**STAFF CONTACT:** Nick Williams

**RECOMMENDATION:**

Staff recommends awarding the contract for \$3,137,010.00 for the 536 Wellfield Transmission Line and Site Civil Project to MH Civil Constructors, Inc. of Amarillo, Texas.

**BACKGROUND:**

The 536 Wellfield Transmission Line and Site Civil Project is the second step in a three-step water production improvement plan with the first step being the Airport Pump Station and Ground Storage Tank project, awarded in December of 2021 and the third step being the 536 Wellfield Development Project.

Bids for the project were publicly opened and read at 2:00 p.m. on April 22, 2022. Five (5) bids were received as shown in the table provided below. The project includes 7,400 LF of 16-inch raw water transmission pipeline along the US 67 highway in TxDOT right-of-way as well as 5,320 LF of 10-inch, and 6,330 LF of 6-inch wellfield collection pipeline within the City of Stephenville 536 Wellfield property. In addition to the pipeline work, the project also includes site grading, fencing as well as road and well pad site construction for five (5) water supply wells.

Two (2) alternate bids were received to use fusible PVC pipe, with fuse-welded joints, for [1] the 16-inch main in the Highway 67 TxDOT right-of-way and [2] the 16-inch main as well as the 10-inch and 6-inch collection lines in the wellfield.

Fused pipe is recommended to protect against the most common location of leaks, at the pipe joints. The transmission line will also fluctuate in pressure due to individual well usage being staggered and rotated. The fused-joint pipe is a superior product in terms of joint leak protection and installation will prevent any joint leaks and/or leak repairs from occurring adjacent to a busy state highway.

A bid recommendation letter from the engineer of record; Provenance Engineering is attached indicating support to award Bid Alternate 2 for MH Civil Constructors, Inc. to install fused-joint piping in the amount of \$3,137,010.00.

**FISCAL IMPACT SUMMARY:**

The project construction was estimated to cost \$3.5 million. A total fused-joint transmission line cost of \$3,137,010.00 leaves approximately \$362,990 available to be applied towards other capital projects.

Below is a tabulation of bids for the project.

**536 Wellfield Transmission Line and Site Civil Project**  
**City of Stephenville, TX**  
**Bids Opened 2:00 p.m. April 22, 2022**

#	VENDOR	LOCATION	BASE BID AMOUNT	ALTERNATE 1 16-INCH FUSED BID AMOUNT	ALTERNATE 2 ALL PIPE FUSED BID AMOUNT
1	Western Municipal	Justin, TX	\$3,179,045.00	\$3,523,377.50	\$3,761,077.50
2	B&L Construction Company	Hico, TX	\$2,972,601.00	\$3,231,776.00	\$3,419,496.00
3	Black Rock Construction Company	Mansfield, TX	\$2,870,263.00	\$3,114,628.00	\$3,203,428.00
4	R Construction Civil, LLC	Buffalo, TX	\$2,699,995.00	\$3,151,700.00	\$3,288,780.00
5	MH Civil Constructors, Inc.	Amarillo, TX	\$2,437,000.00	\$3,044,210.00	\$3,137,010.00

**ATTACHMENTS:**

Attached is copy of the contractor recommendation letter received from Provenance Engineering.

[2022 04-26 536 Transmission Line and Site Civil Project – Award Recommendation Letter](#)





**PROVENANCE**  
ENGINEERING  
Rooted to Be Uniquely Different

April 26, 2022

Mr. Nick Williams, PE, CFM  
Director of Public Works  
City of Stephenville  
298 W. Washington St.  
Stephenville, TX 76401

Subject: 536 Wellfield – Transmission Line & Site Civil – Bid Award Recommendation

Dear Mr. Williams:

Bids were received Friday, April 22, 2022, and publicly read for the 536 Wellfield – Transmission Line & Site Civil Project. Five general contractors submitted bid proposals with each contractor providing a bid bond. The Provenance Engineering team has reviewed the five bids for conformance and completeness. The detailed bid tabulation is enclosed in Attachment A.

The submitted bid proposal includes approximately 7,400 LF of 16-inch raw water transmission pipeline within TxDOT right-of-way and approximately 5,320 LF of 10-inch and 6,330 LF of 6-inch wellfield collection pipeline within the City of Stephenville 536 Wellfield property. In addition to the pipeline work, the project includes the following site work: site grading, fencing, and installation of caliche roads and pad sites for the proposed potable water supply wells (separate contract).

The Engineer's opinion of probable construction cost submitted by Provenance Engineering during the Final Design phase was \$3,330,000.00 with contingencies for the base bid. MH Civil Constructors, Inc. submitted the low bid with a total base bid price of \$2,437,000.00. Three additional bid items were included as alternative bid items in the bid package for the use of Fusible AWWA C905/C900 DR 18 pipe for the 16-inch, 10-inch, and 6-inch pipelines. Provenance Engineering recommends the city strongly consider accepting all Bid Alternative for a total of \$700,000.00. The proposed bid alternatives would provide a superior pipe material to the proposed base bid product. The total project cost to the city would be \$3,137,010.00.

MH Civil Constructors, Inc. bid packets are attached in Attachment B. Provenance Engineering has previously teamed with MH Civil Constructors on a 14-in force main relocation project for the City of Lubbock. Based on our team's experience and feedback received from the City of Lubbock, MH Civil Constructors' work performance has been favorable on past projects. It is our recommendation the City of Stephenville enter into contract with MH Civil Constructors, Inc. to perform the 536 Wellfield - Transmission Line & Site Civil project. Please contact me if you have any questions.

Sincerely,

Kent Riker, PE  
President of Provenance Engineering LLC.

Public Works  
**STAFF REPORT**



**SUBJECT:** The Stable Development Agreement / TxDOT LOSA  
**MEETING:** City Council Meeting - 03 May 2022  
**DEPARTMENT:** Public Works  
**STAFF CONTACT:** Nick Williams

**RECOMMENDATION:**

Staff recommends approval of the proposed Developer Agreement with The Stable, LLC in association with a TxDOT Local On-System Agreement (LOSA). Staff also recommends council grant authorization for staff to execute the TxDOT LOSA once the agreement forms are received and the final version is approved by the city attorney.

**BACKGROUND:**

The Stable Development provides for commercial business growth and the extension of Wolfe Nursery Drive south of Washington Street which requires traffic signal and pavement layout modifications to the intersection. Because the modifications will take place within the TxDOT right-of-way, the state must grant authorization for the developer to perform the work.

The TxDOT LOSA form is a streamlined version of the Advance Funding Agreement, which was used recently for projects such as the traffic signal at Saint Felix and the traffic signal at Christy Plaza. TxDOT does not partner with private developers and the LOSA is the mechanism available for TxDOT to provide support and authorize the work for the project.

**FISCAL IMPACT SUMMARY:**

The LOSA provides formal state acknowledgement and permission to perform the work and places the financial liability with the city for the modifications to be installed in accordance with TxDOT requirements and specifications.

TxDOT has waived all state review fees and there are no costs to the developer or the City of Stephenville for the LOSA. While the LOSA places financial liability on the city for the intersection improvements, the Developer Agreement with The Stable, LLC provides assurance to the city that the developer will “assume all the financial liability to construct the on-site necessary improvements...”

**ATTACHMENTS:**

A template copy of a LOSA form is attached to this memorandum. A copy of the Developer Agreement is also attached to this memorandum. The Developer Agreement has been reviewed and approved by the city attorney.

[TxDOT LOSA form](#)

[Developer Agreement – The Stable](#)

**RESOLUTION NO. 2022-R-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STEPHENVILLE, TEXAS, AUTHORIZING A LOCAL ON-SYSTEM AGREEMENT WITH NO REQUIRED MATCH WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF TRAFFIC CONTROL DEVICES AT THE INTERSECTION OF WEST WASHINGTON STREET / US 377 AND WOLFE NURSERY ROAD.**

**WHEREAS**, the City Council of the City of Stephenville (“City”) wishes to enter into a Local On-System Agreement (“LOSA”) with No Required Match with the Texas Department of Transportation (“TxDOT”) for the construction and installation of traffic control devices in the city of Stephenville, Texas.

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

The City of Stephenville is hereby authorized to enter into a LOSA with TxDOT in accordance with the Texas Government Code Chapter 791 and the Texas Transportation Code Chapter 201.209 and Chapter 221.

**PASSED AND APPROVED** this the 3<sup>rd</sup> day of May, 2022.

\_\_\_\_\_  
Doug Svien, Mayor

ATTEST:

\_\_\_\_\_  
Staci L. King, City Secretary

\_\_\_\_\_  
Jason King,  
Interim City Manager

\_\_\_\_\_  
Randy Thomas, City Attorney  
Approved as to form and legality

CSJ#		<i>Item 3.</i>
District #		
Code Chart 64 #		
Project Name		

STATE OF TEXAS §

COUNTY OF TRAVIS §

**AGREEMENT  
For A  
LOCAL ON-SYSTEM IMPROVEMENT PROJECT**

**THIS AGREEMENT** (Agreement) is made by and between the State of Texas, acting by and through the Texas Department of Transportation called the “State”, and the {Enter Name of Local Government}, acting by and through its duly authorized officials, called the “Local Government.” The State and Local Government shall be collectively referred to as “the parties” hereinafter.

**WITNESSETH**

**WHEREAS**, the Texas Transportation Code, Section 201.103 establishes that the State shall design, construct and operate a system of highways in cooperation with local governments and Section 222.052 authorizes the Texas Transportation Commission to accept contributions from political subdivisions for development and construction of public roads and the state highway system within the political subdivision; and

**WHEREAS**, the Texas Transportation Commission passed Minutes Order Number {Enter MO#}, authorizing the State to accept Local Government funded projects performed on the state highway system. The project covered by this Agreement includes only work within the state right of way as described in the Agreement, Article 2, Scope of Work (Project); and,

**WHEREAS**, the Governing Body of the Local Government has approved entering into this Agreement by resolution, ordinance, or commissioners court order date {Enter Date of Resolution}, which is attached to and made a part of this Agreement as Attachment A, Resolution, Ordinance, or Commissioners Court Order (Attachment A) for the improvement covered by this Agreement. A map showing the Project location appears in Attachment B, Project Location Map (Attachment B), which is attached to and made a part of this Agreement.

**NOW, THEREFORE**, in consideration of the premises and of the mutual covenants and agreements of the parties, to be by them respectively kept and performed as set forth in this Agreement, it is agreed as follows:

**AGREEMENT**

**1. Period of the Agreement**

This Agreement becomes effective when signed by the last party whose signing makes the Agreement fully executed. This Agreement shall remain in effect until the completed Projects accepted by the State or unless terminated as provided below.

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**2. Scope of Work**

The Project consists of (Enter Scope of Work)

(Delete Guidance: In addition to the description of work, the SOW should include the highway name, number, or designation and the start and end points (i.e., mile marker, landmark, etc.) *Example of Scope of Work:* 1) The Project consists of the design and construction of a left turn lane and installation of a flashing traffic caution signal on US 281 at the intersection of Kennedy Avenue and Joann Lane in Marble Falls, TX as shown on Attachment B).

**3. Local Project Sources and Uses of Funds**

- A. The total estimated cost of the Project is shown in Attachment C. Local On-System Improvement Project Budget (Attached C), which is attached to and made a part of this Agreement. The estimated funds from the Local Government are shown in Local Government under this Agreement.
- B. Attachment C shows how necessary resources for completing the Project will be provided by major cost categories. These categories may include but are not limited to: (1) costs of real property (right of way); (2) costs of utility work; (3) costs of environmental assessment and remediation; (4) cost of preliminary engineering and design; (5) cost of construction and construction management; and (6) any other Project costs.
- C. The Local Government shall be solely responsible for all of its costs associated with the Project provided for in this Agreement. The Local Government shall be responsible for cost overruns for the Project in excess of the estimated amount to be paid by the Local Government on Attachment C. The Local Government shall also be responsible for direct and indirect costs incurred by the State related to performance of this project if so indicated on Attachment C. If the State determines that the on-system improvements are of significant operational benefit to the State, the State may waive its direct or indirect costs. The State’s waiver of its direct or indirect costs shall be indicated on Attachment C by showing the State as responsible for these cost. When the Local Government is responsible for the State’s direct or indirect costs, the amount indicated on Attachment C is a fixed fee and not subject to adjustment except through the execution of an amendment to this Agreement.
- D. Prior to the performance of any engineering review work by the State, the Local Government shall pay to the State the amount of direct and indirect State costs specified in Attachment C.
- E. Whenever funds are paid by the Local Government to the State under this Agreement, the Local Government shall remit a check or warrant made payable to the “Texas Department of Transportation” or may use the State’s Automated Clearing House (ACH) system for electronic transfer of funds in accordance with instructions provide by TxDOT’s Financial Management Division. The funds shall be deposited and managed by the State and are not refundable.
- F. The Local Government will begin construction on the Project within (Choose an item) after execution of the Agreement.
- G. The Local Government will complete construction and receive the State’s acceptance of the project within (Choose an item) after the date the State authorizes in writing for the Local Government to commence construction of the Project.

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H. If the Local Government chooses not to or fails to complete the work once construction on the Project commences, the State may terminate this Agreement in accordance with paragraph 4.C below. The State may address unfinished construction work as it determines necessary to project the interests of the State, which includes returning the Project area to its original condition or completing the work using State forces or contractors. The Local Government shall pay all cost incurred by the State under this provision.

**4. Termination of this Agreement**

This agreement shall remain in effect until the Project is completed and accepted by the State, unless:

- A. The Agreement is terminated in writing with the mutual consent of the parties;
- B. The State terminates the Agreement in writing due to the Local Government’s failure to comply with paragraphs 3.F or 3.G; or
- C. The Agreement is terminated by one party because of a breach, in which case any cost incurred because of the breach shall be paid by the breaching party.

**5. Amendments**

Amendments to this Agreement due to changes in the character of the work, terms of the Agreement, or responsibilities of the parties relating to the Project may be enacted through a mutually agreed upon, written amendment. Amendments may not include the addition of State or Federal funds. If any funds other than Local Government funds are proposed, this Agreement must be terminated and new agreement with appropriate terms and clauses executed in its place.

**6. Remedies**

This Agreement shall not be considered as specifying the exclusive remedy for any Agreement default, but all remedies existing at law and in equity may be availed of by either party to this Agreement and shall be cumulative.

**7. Architectural and Engineering Services**

The Local Government has responsibility for the performance of architectural and engineering services. The engineering plans shall be developed in accordance with the applicable *State’s Standard Specification for Construction and Maintenance of Highways, Streets and Bridges* and the special specifications and special provisions related to it. The Project design shall, at a minimum conform to applicable State manuals.

The State shall review the plans, specifications, and estimates provided by the Local Government upon completion or at anytime deemed necessary by the State. Should the State determine that the complete plans, specifications, and estimates for the Project are not acceptable, the Local Government shall correct the design documents to the State’s satisfaction. Should additional specifications or data be required by the State, the Local Government shall redesign the plans and specifications to the State’s satisfaction. The costs for additional work on the plans, specifications, and estimates shall be borne by the Local Government.

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**8. Environmental Assessment and Mitigation**

Development of a transportation project must comply with applicable environmental laws. The Local Government is responsible for:

- A. The identification and assessment of any environmental problems associated with the development of the Project governed by this Agreement.
- B. The cost of any environmental problem’s mitigation and remediation
- C. Providing any public meetings or public hearings required for development of all required environmental documents and obtaining all required permits and approvals.
- D. The preparation of documents required for the environmental clearance of the Project.

Before the advertisement for bids, the Local Government shall provide to the State written documentation from the appropriate regulatory agency or agencies that all environmental clearances and approvals have been obtained

**9. Right of Way and Real Property**

The Local Government shall acquire all required right of way and necessary right of entry for performance of the Project in accordance with applicable requirements of the Texas Department of Transportation Right of Way Manual, State law, and Federal law governing the acquisition of real property including but not limited to Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Title 42 U.S.C.A. Section 4601 et seq. Right of way acquired for improvements to the state highway system shall be acquired in the name of the State. Local Government shall provide right of entry to State personnel and its authorized representatives to areas off the state highway system throughout the duration of the Project for the State to perform inspection and oversight of the Project.

**10. Utilities**

The Local Government shall be responsible for the adjustment, removal, or relocation of utility facilities for the Project in accordance with applicable State and Federal laws, regulations, rules, policies, and procedures, including any cost to the State of a delay resulting from the Local Government’s failure to ensure that utility facilities are adjusted, removed, or relocated before the scheduled beginning of construction. The Local Government will not be reimbursed for the cost of required utility work. The Local Government must obtain advance approval for any variance from established procedures.

**11. Compliance with Texas Accessibility Standards and ADA**

Local Government shall ensure that the plans for and the construction of the Project are in compliance with standards issued or approved by the Texas Department of Licensing and Regulation (TDLR) as meeting or consistent with minimum accessibility requirements of the Americans with Disabilities Act. (P. L. 101-336)(ADA).

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**12. Construction Responsibilities**

- A. The Local Government shall advertise for construction bids, issue bid proposals, receive and tabulate the bids, and award and administer the contract for construction of the Project. Administration of the contract includes the responsibility for construction engineering and for issuance of any change orders, supplemental agreements, amendments, or additional work orders that may become necessary subsequent to the award of the construction contract. Project plans and specifications for improvements on the state highway system must be approved by the State prior to advertising for construction. Upon selection of a contractor and prior to commencing construction within the state highway system right of way, the Local Government shall request and obtain written authorization to commence construction of the Project from the State. The Local Government will supervise and inspect all work performed hereunder and provide such engineering inspection and testing services as may be required to ensure that the construction is accomplished in accordance with the approved plans and specifications. All construction change orders impacting the proposed improvements, traffic control, environmental mitigation, or drainage on the state highway system require written pre-approval by the State prior to execution by the Local Government.
- B. Upon completion of the Project, the Local Government will issue and sign a “Notification of Completion” acknowledging the Project’s construction completion. A copy will be provided to the State prior to State’s final acceptance of the improvements.
- C. Prior to the State’s acceptance of the improvements on the state highway system, Local Government shall furnish to the State written certification from a Texas Registered Professional Engineer that the Project was constructed in substantial compliance with the Project’s plans, specifications, and quality assurance requirements.

**13. Project Maintenance**

After Local Government completion of the work and acceptance by the State, the State will be responsible for maintenance of the improvements within the state highway system right of way outside the boundaries of an incorporated city. This obligation may be fulfilled through other agreements signed by the State.

**14. Notices**

All notices to either party shall be delivered personally or sent by certified or U.S. mail, postage prepaid, addressed to the party at the following address:

<b>Local Government</b>	<b>State</b>
<b>Position</b>	<b>Director of Contract Services</b>
<b>Local Government Name</b>	<b>Texas Department of Transportation</b>
<b>Street Address</b>	<b>125 E 11<sup>th</sup> Street</b>
<b>City, State Zip</b>	<b>Austin, Texas 78701</b>

All notices shall be deemed given on the date delivered in person or deposited in the mail, unless otherwise provided by this Agreement. Either party may change the above address by sending written notice of the change to the other party. Either party may request in writing that notices shall be delivered personally or by certified U.S. mail, and that request shall be carried out by the other party.



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**15. Legal Construction**

If one or more of the provisions contained in this Agreement shall for any reason be held invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions and this Agreement shall be construed as if it did not contain the invalid, illegal, or unenforceable provision.

**16. Responsibilities of the Parties**

The State and the Local Government agree that neither party is an agent, servant, or employee of the other party, and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, representatives, and agents.

**17. Ownership of Documents**

Upon completion of termination of this Agreement, copies of all documents and data prepared under this Agreement by the Local Government for improvements within the state highway system right of way shall be provided to the State prior to State acceptance of the Project without restriction or limitation on their further use. The originals shall remain the property of the Local Government. At the request of the State, the Local Governments shall submit any Project information required by the State in the formal directed by the State.

**18. Compliance with Laws**

The parties shall comply with all federal, state, and local laws, statutes, ordinance, rules and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any manner affecting the performance of this Agreement. When required, the Local Government shall furnish the State with satisfactory proof of this compliance.

**19. Sole Agreement**

This Agreement constitutes the sole and only agreement between the parties and supersedes any prior understandings or written or oral agreements respecting the Agreement's subject matter.

**20. Inspection of Books and Records**

The parties to this Agreements shall maintain all books, documents, papers, accounting records, and other documentation relating to costs incurred and engineering inspection and testing services performed under this Agreement and shall make such materials available to the State and the Local Government or their duly authorized representatives for review and inspection at its office during the Agreement period and for seven (7) years from the date of completion of work defined under this Agreement or until any impending litigation or claims are resolved. Additionally, the State and the Local Government and their duly authorized representatives shall have access to all the governmental records that tare directly applicable to this Agreement for the purpose of making audits, examinations, excerpts, and transcriptions.

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**21. Insurance**

Before beginning work on the state highway system, the Local Government and its contractor performing the work shall provide the State with a fully executed copy of the State’s Form 1560 Certificate of Insurance verifying the existence of coverage in the amounts and types specified on the Certificate of Insurance for all persons and entities working on state right of way. Self-insurance documentation acceptable to the State may be substituted for all or part of the coverage’s required for the Local Government. This coverage shall be maintained until all work on the state right of way is complete. If coverage is not maintained, all work on state right of way shall cease immediately, and the State may recover damages and all costs of completing the work.

**22. Pertinent Non-Discrimination Authorities**

During the performance of this Agreement, the Local Government, for itself, its assignees, and successors in interest agree to comply with all applicable Federal and State nondiscrimination statutes and authorities.

**23. Signatory Warranty**

Each signatory warrants that the signatory has necessary authority to execute this Agreement on behalf of the entity represented.

Each party is signing this agreement on the date stated under that party’s signature.

**THE STATE OF TEXAS**

---

Signature

---

Kenneth Stewart

---

Typed or Printed Name

---

Director of Contract Services

---

Typed or Printed Title

---

Date

**THE LOCAL GOVERNMENT**

---

Signature

---

Typed or Printed Name

---

Typed or Printed Title

---

Date

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Item 3.

**ATTACHED A  
RESOLUTION, ORDINANCE, OR COMMISSIONERS COURT ORDER**

**(Insert Local Government Resolution, Ordinance, or Commissioners Court Order)**

**Attachment A**

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**ATTACHMENT B  
PROJECT LOCATION MAP**

(Insert Map)

**Attachment B**

## **DEVELOPMENT AGREEMENT**

This Development Agreement (“Agreement”) is entered into by and between the City of Stephenville, hereafter **CITY**, and The Stable Development LLC, hereafter **DEVELOPER**, both acting by and through their duly authorized officials, hereinafter collectively referred to as the “Parties” or individually as “Party,” and the Parties agree as follows:

Whereas, **CITY** has entered into or will enter into a Local On-System Agreement (LOSA) with No Required Match with the Texas Department of Transportation, hereafter TXDOT; and

Whereas, **CITY** entered into or will enter into the above referenced LOSA as a facilitator or conduit that allows **DEVELOPER**, with the cooperation of TXDOT and **CITY**, to have installed a traffic signal at the intersection of BU 377 and Wolfe Nursery Road (the “Traffic Signal”), which is located within the boundaries of **CITY**; and

Whereas, **DEVELOPER** has proposed and intends to construct the commercial development, currently referred to as The Stable, which development is directly adjacent to and will include the Traffic Signal according to development and construction submittals to **CITY**.

THEREFORE, in consideration of the premises and of the mutual covenants, benefits, and agreements of the parties hereto the parties agree as follows:

**DEVELOPER** herein agrees to assume and does assume all the financial liability to construct the on-site necessary improvements to complete construction of the Traffic Signal “Necessary improvements,” as that term is used in this Agreement, are those improvements included within the construction submittal drawings to the **TXDOT** by Kimley Horn dated March 24, 2022 for purposes of completing the Traffic Signal.

**CITY** herein warrants that it has the authority to permit **DEVELOPER** to carry out the work to complete the Necessary Improvements.

**CITY** herein agrees to allow **DEVELOPER** to perform the Necessary Improvements, subject to any amendments approved by the **CITY** and to all applicable ordinances, rules, and regulations and TXDOT specifications. **CITY** also agrees to perform under the terms and conditions of the LOSA and to hold **DEVELOPER** harmless for work carried out in furtherance of completing the Necessary Improvements in connection with any performance obligations pursuant to said LOSA. **CITY** will withhold Certificates of Occupancy for the development until the necessary signal improvements are approved and accepted by TXDOT.

The **DEVELOPER** herein stipulates that they are not an agent of the State of Texas by virtue of this Agreement to carry out work agreed upon with the **CITY** and nothing in this Agreement shall be construed as creating a joint partnership or agency relationship with the State of Texas.

The validity of this Agreement and all matters pertaining to this Agreement, including but not limited to, matters of performance, non-performance, breach, remedies, procedures, rights, duties, and interpretation or construction, shall be governed and determined by the Constitution and the laws of the State of Texas. Venue for any suit filed concerning this Agreement shall be in Erath County.

This Agreement and each and all of its covenants, obligations, and conditions shall inure to the benefit of and be binding upon the personal representatives, successors, and permitted assigns of the parties. This agreement shall remain in effect until all the necessary improvements are completed and accepted by TXDOT.

If any term, provision, covenant, or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions of this Agreement will remain in full force and effect and will not be affected, impaired or invalidated.

Any notice required or permitted under this Agreement must be in writing and shall be deemed to be delivered (whether actually received or not) when deposited with the United States Postal Service, postage prepaid, certified mail, return receipt requested, and addressed to the intended recipient at the address set out below. Notice may also be given by regular mail, personal delivery, courier delivery, facsimile transmission, email, or other commercially reasonable means and will be effective when actually received. **DEVELOPER** and **CITY** can change their respective notice address by sending to the other party a notice of the new address. Notices should be addressed as follows:

**CITY:** City of Stephenville  
Attn: Director of Public Works  
298 West Washington  
Stephenville, TX 76401-4257  
Phone: 254-918-1223

**DEVELOPER:** *The Stable Development, LLC*  
Attn: *Preston Atkinson*  
*200 Concord, Ste. 240*  
*San Antonio, Texas 78216*

This Agreement constitutes the entire agreement between **CITY** and **DEVELOPER** and will not be explained, modified, or contradicted by any prior or contemporaneous negotiations, representations, or agreements, either written or oral. This Agreement may only be amended by a subsequent written instrument approved by both parties.

This Agreement is effective the \_\_\_\_\_ day of \_\_\_\_\_ 2022 (the "Effective Date") regardless of the date actually signed.

**CITY OF STEPHENVILLE, a Municipality**

By: \_\_\_\_\_  
**Doug Svien, Mayor**

**Attest:**

\_\_\_\_\_  
**Staci L. King, City Secretary**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**RANDY THOMAS**  
City Attorney  
City of Stephenville

**TERMS AND CONDITIONS EXPRESSLY ACKNOWLEDGED AND ACCEPTED**

**The Stable Development, LLC**  
**Attn: Preston Atkinson**  
**200 Concord, Ste. 240**  
**San Antonio, Texas 78216**

By: Preston Atkinson



# STAFF REPORT

**SUBJECT:** Case No.: SV2022-002

Applicant Daniel Toof, is requesting a Subdivision Waiver from Section 155.6.11 – Sidewalk Requirements, to be constructed at 191 Davis Avenue, Parcel R76719, being Lot 17 of Block 2 of the S5200 McAlister Second of the City of Stephenville, Erath County, Texas.

**DEPARTMENT:** Development Services

**STAFF CONTACT:** Steve Killen, Director of Development Services

**RECOMMENDATION:**

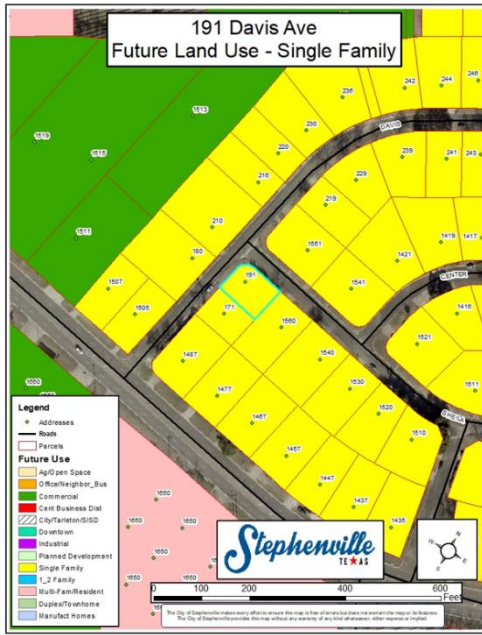
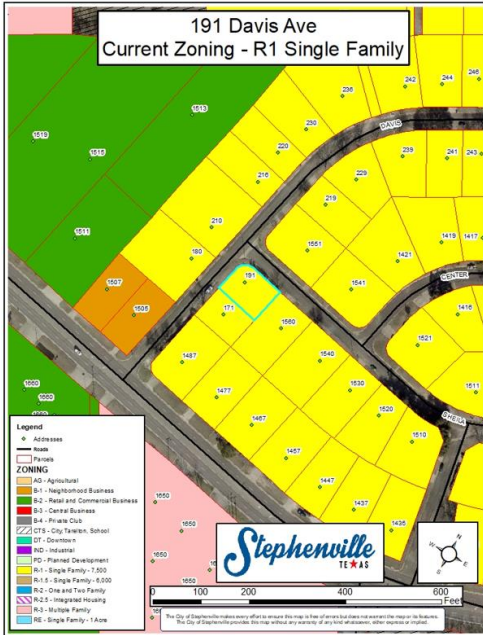
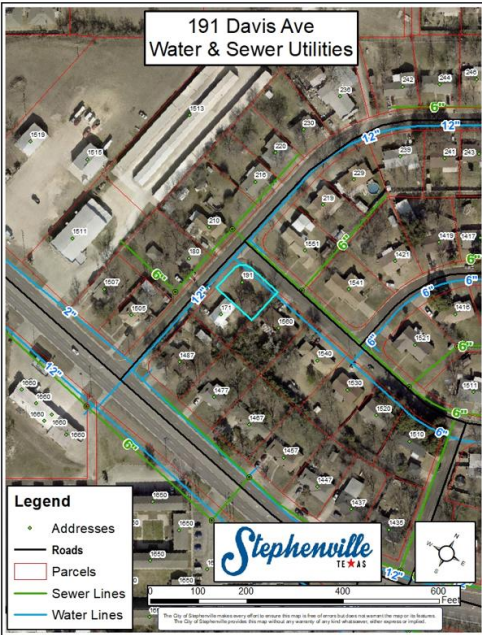
The Planning and Zoning Commission convened on April 20, 2022, and by a vote of 6/1, recommended the City Council approve the waiver request.

**BACKGROUND:**

**APPLICANT REQUEST:**

Because current neighborhood does not include sidewalks, the Applicant is requesting a waiver from sidewalk requirements.

**PROPERTY PROFILE:**



Located north of W Lingleville Road, east of Northwest Loop and west of N Isla Avenue



**DESCRIPTION OF REQUESTED WAIVER:****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.

**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 or Assistant City Manager 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/ Assistant City Manager
1.06.A.8	Thoroughfare Plan	Approve
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.
- 3. *Waiver from the Requirements for Sidewalks, Curbs, and/or Gutters.*
  - a. The City Manager, Assistant City Manager, and the Director of Development Services are authorized to grant waivers for Sidewalks, Curbs, and/or Gutters under the following conditions:
    - i. The property was platted prior to March 1, 2021; and
    - ii. The property is located outside of the City of Stephenville's Sidewalk Improvement Area as defined in Resolution No. 2019-R-05.
  - b. Waivers requested that do not qualify under the conditions outlined in Section 3.a. above must follow the procedure for a Major Subdivision Waiver.

- c. Applicants whose request for waiver is denied by the City Manager, Assistant City Manager, or the Director of Development Services may appeal this decision. Appeals under Section 3 will follow the procedures for appealing a Minor Subdivision Waiver as set forth in Section J.
- d. All approved waivers require the payment of a fee equal to 25% of the total improvement cost as determined by the city's current bid contract for such improvements. Fees collected will be dedicated to the City's Sidewalk Cost Share Program.

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.

(Ord. No. 2020-O-38 , §§ 2, 3, 11-16-2020; Ord. No. 2021-O-06 , § 1, passed 2-2-2021)

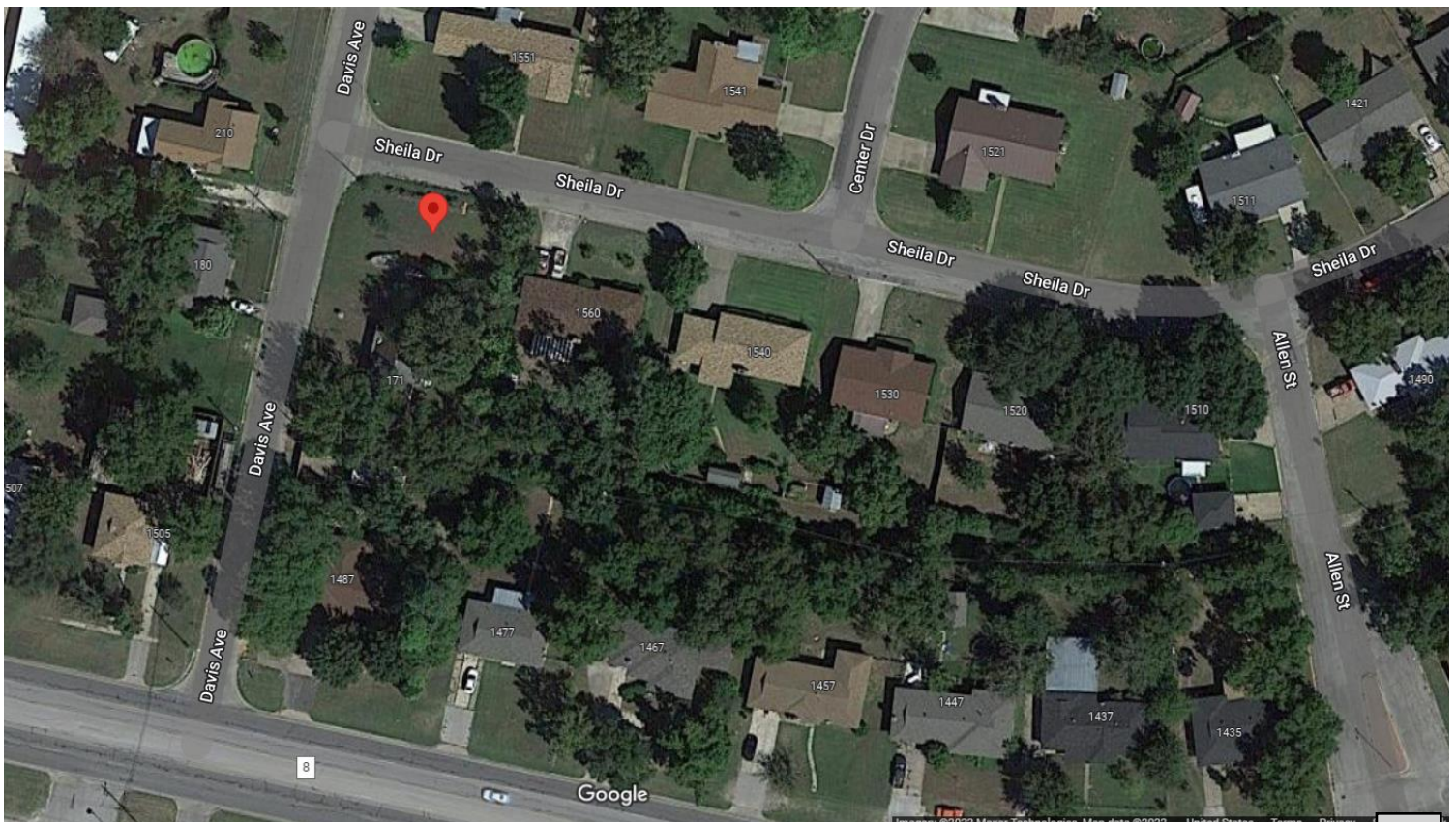
#### FACTORS TO CONSIDER:

- 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 property 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 approve

#### ALTERNATIVES:

- 1) Accept the recommendation and approve the waiver request.
- 2) Reject the recommendation and deny the waiver request.

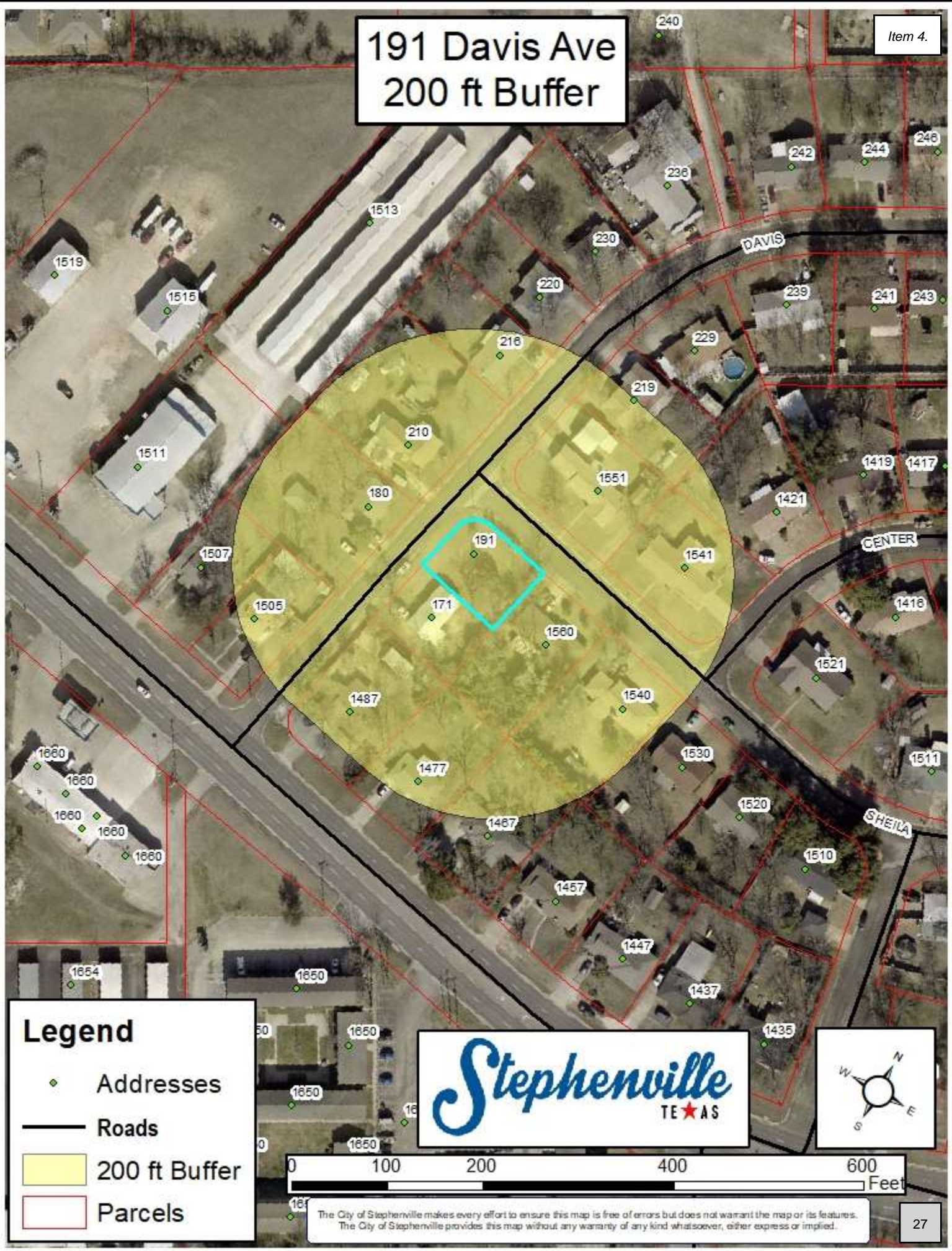
#### Exhibit – Aerial of existing neighborhood





191 Davis Ave  
200 ft Buffer

Item 4.



### Legend

- ◆ Addresses
- Roads
- 200 ft Buffer
- Parcels

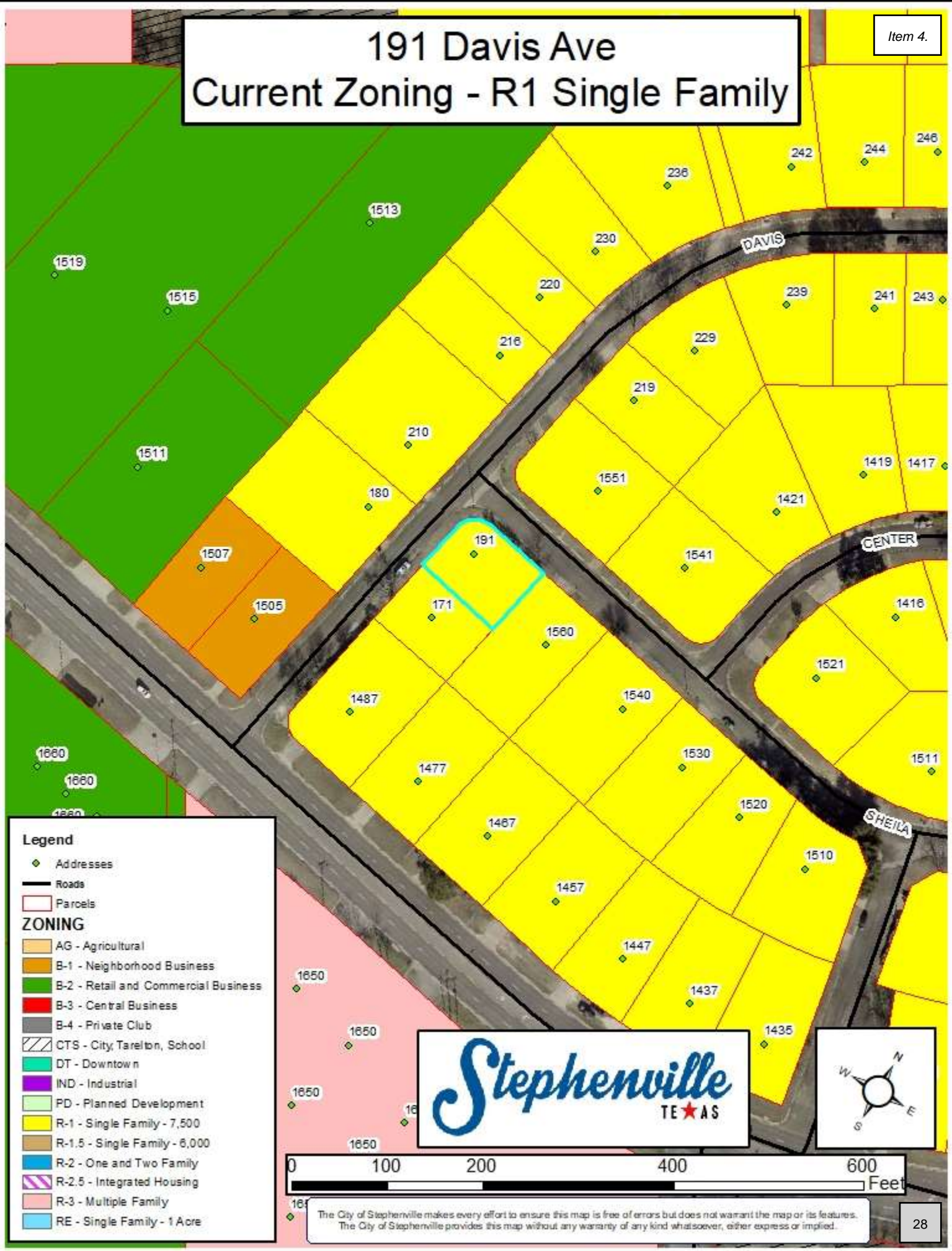


The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.



# 191 Davis Ave Current Zoning - R1 Single Family

Item 4.



### Legend

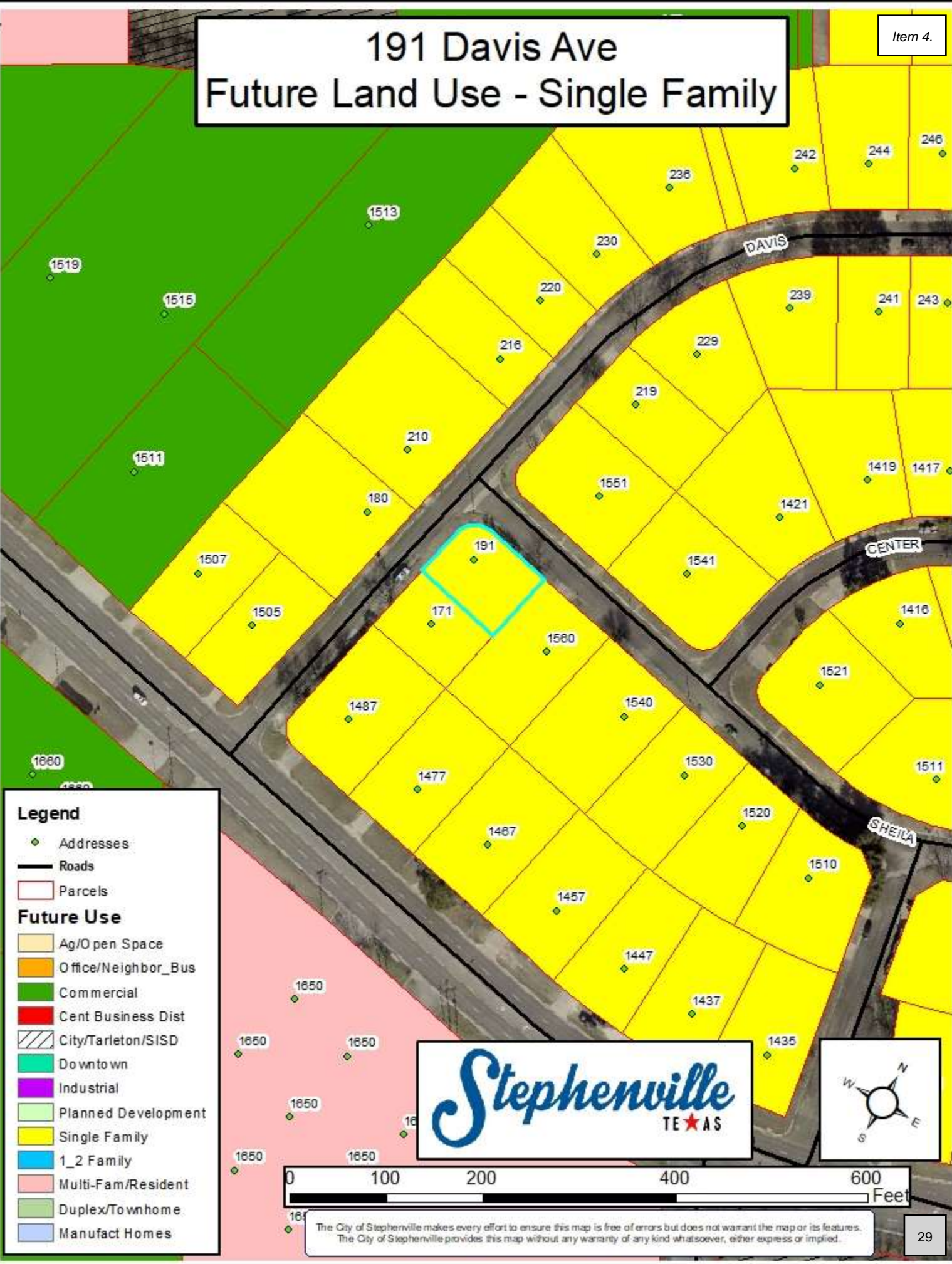
- ◆ Addresses
- Roads
- ▭ Parcels
- ZONING**
- AG - Agricultural
- B-1 - Neighborhood Business
- B-2 - Retail and Commercial Business
- B-3 - Central Business
- B-4 - Private Club
- ▨ CTS - City, Tareyton, School
- DT - Downtown
- IND - Industrial
- PD - Planned Development
- R-1 - Single Family - 7,500
- R-1.5 - Single Family - 6,000
- R-2 - One and Two Family
- R-2.5 - Integrated Housing
- R-3 - Multiple Family
- RE - Single Family - 1 Acre



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# 191 Davis Ave Future Land Use - Single Family



### Legend

- ◆ Addresses
- Roads
- ▭ Parcels
- Future Use**
- 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

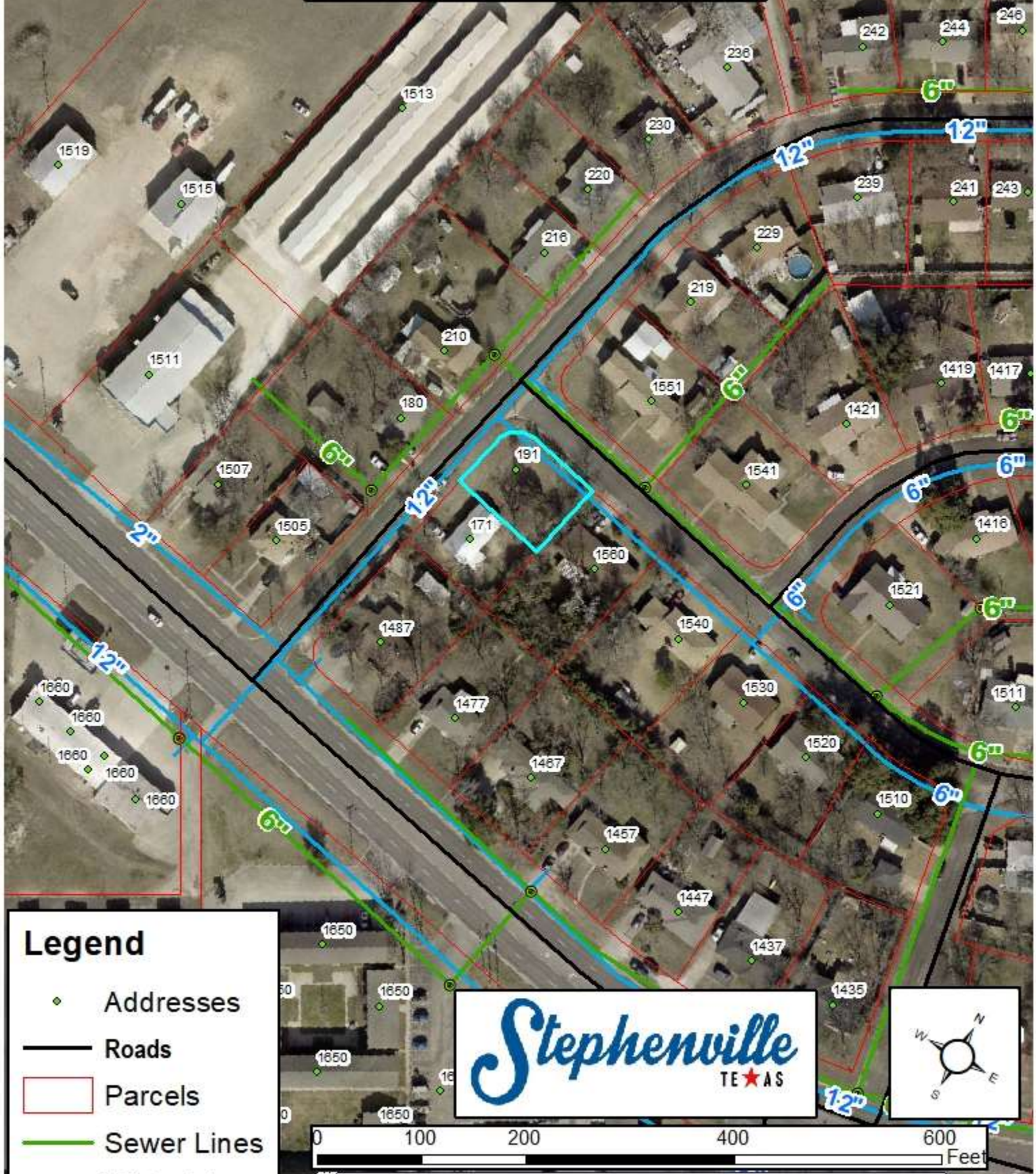


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# 191 Davis Ave Water & Sewer Utilities

Item 4.



### Legend

- ◆ Addresses
- Roads
- ▭ Parcels
- Sewer Lines
- Water Lines



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# 191 Davis Ave. Address List

Item 4.

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000032655	180 DAVIS AVE	BROWN CARRIE	180 DAVIS AVE	STEPHENVILLE	TX	76401
R000032625	219 DAVIS AVE	CONNELLY DENNIS D & GARRY G	219 DAVIS AVE	STEPHENVILLE	TX	76401
R000032623	1541 SHEILA	HALEY BARBARA JUNE	1541 SHEILA	STEPHENVILLE	TX	76401
R000032580	1477 LINGLEVILLE RD	HARGROVE ERIC & NATASHA	14777 N US281	STEPHENVILLE	TX	76401
R000032658	1507 LINGLEVILLE RD	HARRIS DALE & DEBORAH	102 WILLOW LANE	STEPHENVILLE	TX	76401
R000032579	1467 LINGLEVILLE RD	HOLLAND JASON & COURTNEY HOLLAND	1467 LINGLEVILLE RD	STEPHENVILLE	TX	76401
R000032584	1540 SHEILA	HOLLAND KENNETH & JOYCE	1540 SHEILA	STEPHENVILLE	TX	76401
R000032654	210 DAVIS AVE	LEJEUNE FREDDIE	210 DAVIS AVE	STEPHENVILLE	TX	76401
R000032656	1505 LINGLEVILLE RD	LUCAS ROBERT PAUL & FRIEDA LINDA	1505 LINGLEVILLE	STEPHENVILLE	TX	76401-0000
R000032583	1560 SHEILA	MORALES JULIAN & JOEY DEANN MORALES	1560 SHEILA	STEPHENVILLE	TX	76401
R000032651	220 DAVIS AVE	MORRIS WILLIAM	220 DAVIS AVE	STEPHENVILLE	TX	76401
R000032652	216 DAVIS AVE	NELSON KAREN E	455 PR1093	STEPHENVILLE	TX	76401-0000
R000032624	1551 SHEILA	RAMSEY JANUS DON	1551 SHEILA DR	STEPHENVILLE	TX	76401-0000
R000032581	1487 W LINGLEVILLE RD	SHELL JOHN	1487 W LINGLEVILLE ROAD	STEPHENVILLE	TX	76401-2123
R000032585	1530 SHEILA	THREE SISTERS EQUITY LP	181 S GRAHAM	STEPHENVILLE	TX	76401
R000076719	191 DAVIS	TOOF DANIEL & DANIELLE	142 CRENSHAW CT	STEPHENVILLE	TX	76401
R000032582	171 DAVIS AVE	TOOF DANIEL & DANIELLE	142 CRENSHAW CT	STEPHENVILLE	TX	76401
R000032622	1421 CENTER	WADE MICHAEL R & LINDA G	1421 CENTER DR	STEPHENVILLE	TX	76401-0000

## PLANNING AND ZONING COMMISSION APPLICATION

1. APPLICANT/OWNER: Daniel Toof  
First Name Last Name

ADDRESS: 142 Crenshaw CT 254-485-2032  
Street/P.O. Box Phone No  
Stephenville TX 76401  
City State Zip Code

2. PROPERTY DESCRIPTION: 191 Davis Ave  
Street Address

3. LEGAL DESCRIPTION: 17 2 55200 McCallister Second  
Lot(s) Block(s) Addition

4. PRESENT CODES: \_\_\_\_\_  
Code of Ordinance Title

APPLICANTS REQUEST FOR AN APPLICATION PERTAINS TO THE FOLLOWING:

( ) FOR INTERPRETATION of the meaning or intent of the Zoning Ordinance.

(X) A WAIVER from the literal enforcement of the Sub-Divison Ordinance.

5. APPLICANTS REQUEST IS AS FOLLOWS:

Sidewalk waiver

(Attach an additional sheet if necessary).

[Signature]  
Signature of Applicant

3-21-22  
Date

\_\_\_\_\_  
Signature of City Official Received

\_\_\_\_\_  
Date Received by  
Community Dev. Dept.



# STAFF REPORT

**SUBJECT:** Case No.: SV2022-003

Applicant Dee Stephens, representing Erath County, is requesting a Subdivision Waiver from Section 155.06.08.C. for Sight Visibility Easement from 45' x 45' non-residential to 20' x 20' for minimum residential for property located at 222 E College, Parcel R29239, being Lot 1,2,3, &4 of Block 14 of City Addition to the City of Stephenville, Erath County, Texas

**DEPARTMENT:** Development Services

**STAFF CONTACT:** Steve Killen, Director of Development Services

## RECOMMENDATION:

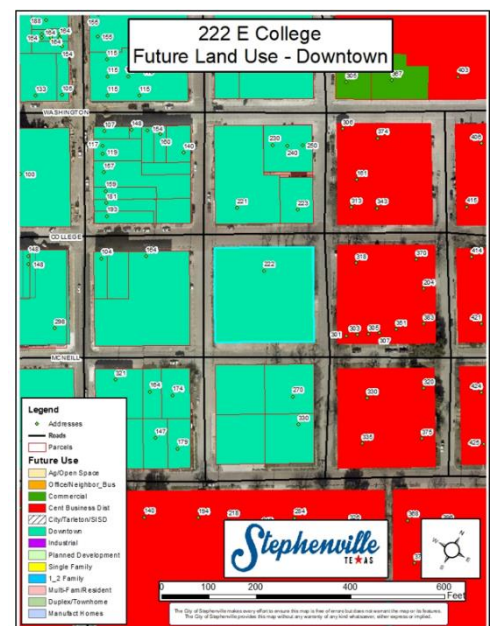
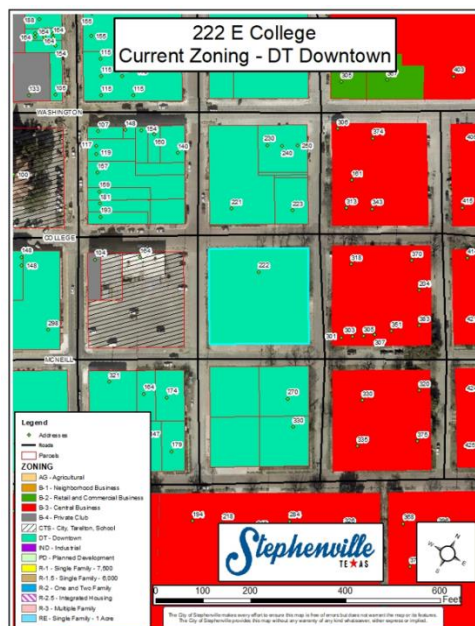
The Planning and Zoning Commission convened on April 20, 2022, and by a vote of 5/2, recommended the City Council approve the waiver request.

## BACKGROUND:

### APPLICANT REQUEST:

Applicant is requesting a waiver from sight visibility easement requirements because of existing conditions on College Street.

### PROPERTY PROFILE:



Located on E College Street between Virginia and Floral

**DESCRIPTION OF REQUESTED WAIVER:****Sec. 155.6.08. Easements and dedications.**

Easements and fee simple dedication of all property needed for the construction of streets, Major Arterial/Thoroughfare Street, alleys, private common access easements, sidewalks, storm drainage facilities, floodways, water mains, wastewater mains and other utilities, retaining walls and any other property necessary to serve the Plat and to implement the requirements of the Subdivision Ordinance and Engineering Standards Manual shall be provided on Subdivision Plats and maintained by the property owner.

**A. Utility Easements.**

1. Where not adjacent to a public Right-of-Way, easements at least sixteen (16) feet wide shall be provided for utility construction, service, and maintenance shall be provided where necessary.
2. Easements accommodating both water and wastewater (sewer) facilities and easements accommodating both public utilities and franchise utilities shall be at least twenty (20) feet wide.
  - a. More easements or additional easement width may be required by the Planning and Zoning Commission if deemed necessary by the City Administrator.
3. Easements at least sixteen (16) feet wide for utility construction, service, and maintenance shall be provided for lots which have frontage along state highways.
4. Easements of at least eight (8) feet in width shall be provided on each side of all rear lot lines and alongside lot lines, where necessary, for utilities to ensure a total easement width of sixteen (16) feet.
5. Easements having greater width dimensions may also be required along or across lots where engineering design or special conditions make it necessary for the installation of utilities and drainage facilities outside public Right-of-Way.
6. The following full statement of restrictions shall be placed in the dedication instrument:

*Easements:* Any public utility, including the City, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths on any of the easements or Right-of-Way shown on the Plat (or filed by separate instrument that is associated with said property); and any public utility, including the City, shall have the right at all times of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone. Easements shall be maintained by property owners. The City can move trees or any other improvements and does not have the responsibility to replace them.

**B. Fire Lane Easement.**

1. Emergency access and fire lane easements shall be provided in locations required by the City and be curbed.
2. These easements shall have a minimum width of twenty-four (24) feet and a minimum height clearance of fourteen and a half feet (14'6"). Internal drives within parking lots are not required to be curbed.
3. All turns shall have a minimum inside radius of twenty-six (26) feet and a minimum outside radius of 50'.

- 4. Any emergency access and fire lane easement more than one hundred and fifty (150') feet in length shall either connect at each end to a dedicated public street or private way or be provided with a cul-de-sac having one hundred and fifty (150') feet diameter of paving with an additional distance of ten (10) feet on all sides clear of permanent structures or other obstructions.
- 5. These easements shall be maintained by the owner or the Homeowners' or Property Owners' Association and a statement shall appear on the face of the Plat indicating maintenance responsibility.

C. *Triangular Sight Visibility Easements.*

- 1. Triangular sight visibility easements shall be required as follows for properties whose zoning falls within one of the following categories:
  - a. Residential zoning districts (including all single family, multi-family, mobile/modular home zoning districts and planned development districts having a single family, multi-family or mobile/modular home use designation):
    - i. 20' x 20' sight visibility easements on corner lots at the intersection of two streets.
  - b. Nonresidential zoning districts (including all commercial, industrial and utility districts and planned development districts having a commercial, industrial or utility use designation):
    - i. 45' x 45' sight visibility easement on corner lots at the intersection of two streets.
  - c. Multi-family and nonresidential zoning districts (including all multi-family, commercial, industrial and utility districts and planned development districts having a commercial, industrial or utility use designation):
    - i. 15' x 15' sight visibility easements at the main driveways.
  - d. All zoning districts (as noted above):
    - i. 15' x 15' sight visibility easements on corner lots at the intersection of an alley and a street.

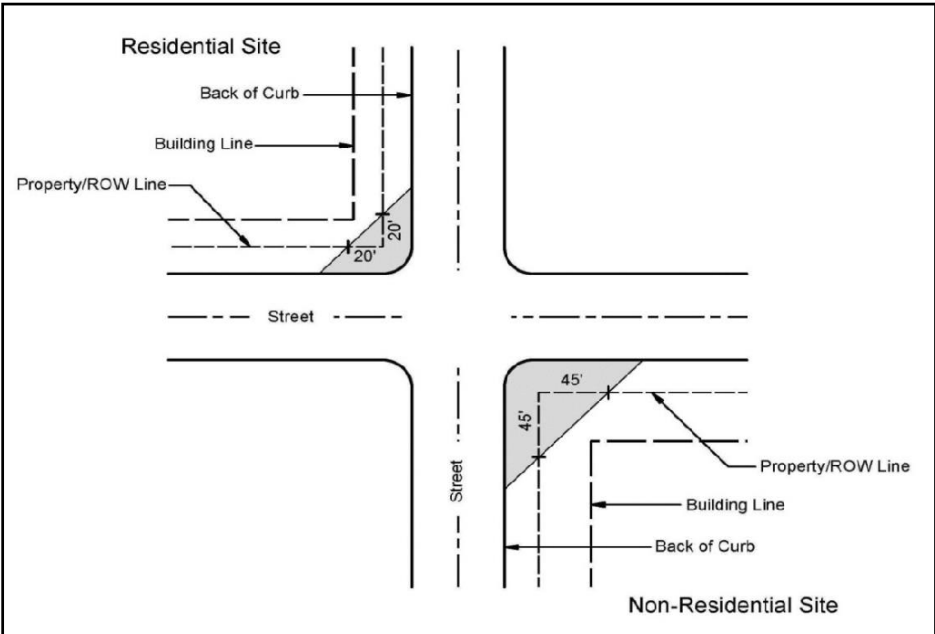


Figure 9: Visibility Triangle

2. The following full statement of restrictions shall be placed in the dedication instrument or on the face of the Plat:

*Sight Visibility Restriction:* No structure, object, or plant of any type may obstruct vision from a height of twenty-four (24) inches to a height of ten (10) feet above the top of the curb, including, but not limited to buildings, fences, walks, signs, trees, shrubs, cars, trucks, etc., in the sight visibility easement as shown on the Plat. These sight visibility easements will remain in effect until vacated by ordinance adopted by the City Council and the property replatted.

3. On commercially zoned lots, the preceding triangular sight visibility restrictions may be altered to permit the placement within the easement area of one single pole sign, not to exceed fourteen (14) inches in diameter, with every portion of said sign allowing minimum height clearance between it and the ground of ten (10) feet.

D. *Drainage Easements.*

1. Easements for storm drainage facilities shall be provided at locations containing proposed or existing drainage ways.
2. Storm drainage easements of sixteen (16) feet minimum width shall be provided for existing and proposed enclosed drainage systems.
  - a. Easements shall be centered over the systems.
  - b. Larger easements, where necessary, shall be provided as directed by the City Administrator.
3. Where lot-to-lot drainage occurs, a drainage easement at least ten (10) feet in width shall be provided along the back and down one side of the downstream property. For information regarding applicable drainage standards see 6.15 Drainage and Storm Water, specifically 6.15.C.1. Lot to Lot Drainage Standards.
4. Storm drainage easements shall be provided for emergency overflow drainage ways of sufficient width to contain within the easement storm water resulting from a 100-year frequency storm less the amount of storm water carried in an enclosed system of a capacity required by the City.
5. Where a Subdivision is bounded by a water-course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage Right-of-Way conforming substantially to the lines of such water course, and of such width to provide for increased drainage from anticipated future upstream developments, plus a minimum of ten (10) feet on each side.
6. As required by the City, drainage easements shall be dedicated up to the full width of easement necessary to construct the ultimate drainage facility (culvert, storm water, channel, etc.) to be constructed within the easement, including provisions for access ingress and egress for maintenance purposes.

E. *Floodplain Easements.*

1. Floodplain easements shall be provided along natural drainage ways, lakes or reservoirs.
2. Floodplain easements shall be provided in accordance with the recommendation of the City Administrator to accommodate the 100 year storm drainage flows or the flow of the flood of record, whichever is greater.
3. Floodplain easements shall encompass all areas beneath the water surface elevation of the Base Flood, plus such additional width as may be required to provide ingress and egress to allow



maintenance of the banks and for the protection of adjacent property, as determined by the City Administrator.

4. The following full statement shall be placed in the dedication instrument of the Plat:

*Floodplain Easement Restriction:* Construction within the floodplain may only occur with the written approval of the City. A request for construction within the floodplain easement must be accompanied with detailed engineering plans and studies indicating that no flooding will result, that no obstruction to the natural flow of water will result; and subject to all owners or the property affected by such construction becoming a party to the request. Where construction is permitted, all finished floor elevations shall be a minimum of one (1) foot above the 100-year flood elevation as determined by analyzing the ultimate build-out conditions of the entire drainage basin.

- a. Existing creeks, lakes, reservoirs, or drainage channels traversing along or across portions of this addition, will remain as an open channel at all times and will be maintained by the individual owners of the lot or lots that are traversed by the drainage courses along or across said lots. The City will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion. Each property owner shall keep the natural drainage channels traversing his/her property clean and free of debris, silt, or any substance, which would result in unsanitary conditions. The City shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions, which may occur.
- b. The natural drainage channel, as in the case of all natural drainage channels, are subject to storm water overflow and natural bank erosion. The City shall not be liable for damages of any nature resulting from the occurrence of these natural phenomena, nor resulting from a failure of any structure(s) within the natural drainage channels. The natural drainage channel crossing each lot is shown by the Floodway easement line as shown on the plat. If a Subdivision alters the horizontal or vertical floodplain, a FEMA Floodway map revision may be required.

F. *Retaining Wall Easements.*

1. If in the opinion of the City Administrator, the grading plans submitted with the Application for approval of a Final Plat indicate a need for the construction of one or more retaining walls over 6' in height, a private retaining wall easement showing the location of the retaining wall(s) and the no-build zone shall be dedicated and shown on the Preliminary Plat and the Final Plat.
  2. The width of the retaining wall easement shall be 10 feet or the width of the retaining wall, whichever is greater, plus the width of the no-building zone, as established by the Applicant's structural engineer and approved by the City Administrator.
  3. The retaining wall easement shall include a no-building zone extending from the retaining wall on both sides, within which any additional load from future construction would exceed the design capacity of the retaining wall.
- a. No structure (other than the retaining wall), swimming pool, landscaping, or any other feature which adds load to the retaining wall, shall be constructed within the no-building zone.
  4. A retaining wall easement shall be located entirely on one lot and shall not straddle property lines unless the wall is constructed within a retaining wall easement dedicated to the Homeowners' or Property Owners' Association in accordance with 6.08.F.5 (below).
  5. The Homeowners' or Property Owners' Association for the subdivision, as applicable, shall be responsible for maintenance of the retaining wall, and a note shall be included to this effect on the Final Plat.

G. *Needs/Benefits Determination.*

- 1. No dedication otherwise required by this ordinance may be imposed upon a property owner unless the City determines that the dedication is related to the impact of the proposed development; is roughly proportional to the needs created by the proposed development; and provides a benefit to the development.
- 2. An Applicant may appeal a staff recommendation that a dedication be required in accordance with the provisions of Section 7 Relief from Subdivision Design Standards.

**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 or Assistant City Manager 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/ Assistant City Manager
1.06.A.8	Thoroughfare Plan	Approve
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.
- 3. *Waiver from the Requirements for Sidewalks, Curbs, and/or Gutters.*
  - a. The City Manager, Assistant City Manager, and the Director of Development Services are authorized to grant waivers for Sidewalks, Curbs, and/or Gutters under the following conditions:
    - i. The property was platted prior to March 1, 2021; and
    - ii. The property is located outside of the City of Stephenville's Sidewalk Improvement Area as defined in Resolution No. 2019-R-05.

- b. Waivers requested that do not qualify under the conditions outlined in Section 3.a. above must follow the procedure for a Major Subdivision Waiver.
- c. Applicants whose request for waiver is denied by the City Manager, Assistant City Manager, or the Director of Development Services may appeal this decision. Appeals under Section 3 will follow the procedures for appealing a Minor Subdivision Waiver as set forth in Section J.
- d. All approved waivers require the payment of a fee equal to 25% of the total improvement cost as determined by the city's current bid contract for such improvements. Fees collected will be dedicated to the City's Sidewalk Cost Share Program.

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.

(Ord. No. 2020-O-38 , §§ 2, 3, 11-16-2020; Ord. No. 2021-O-06 , § 1, passed 2-2-2021)

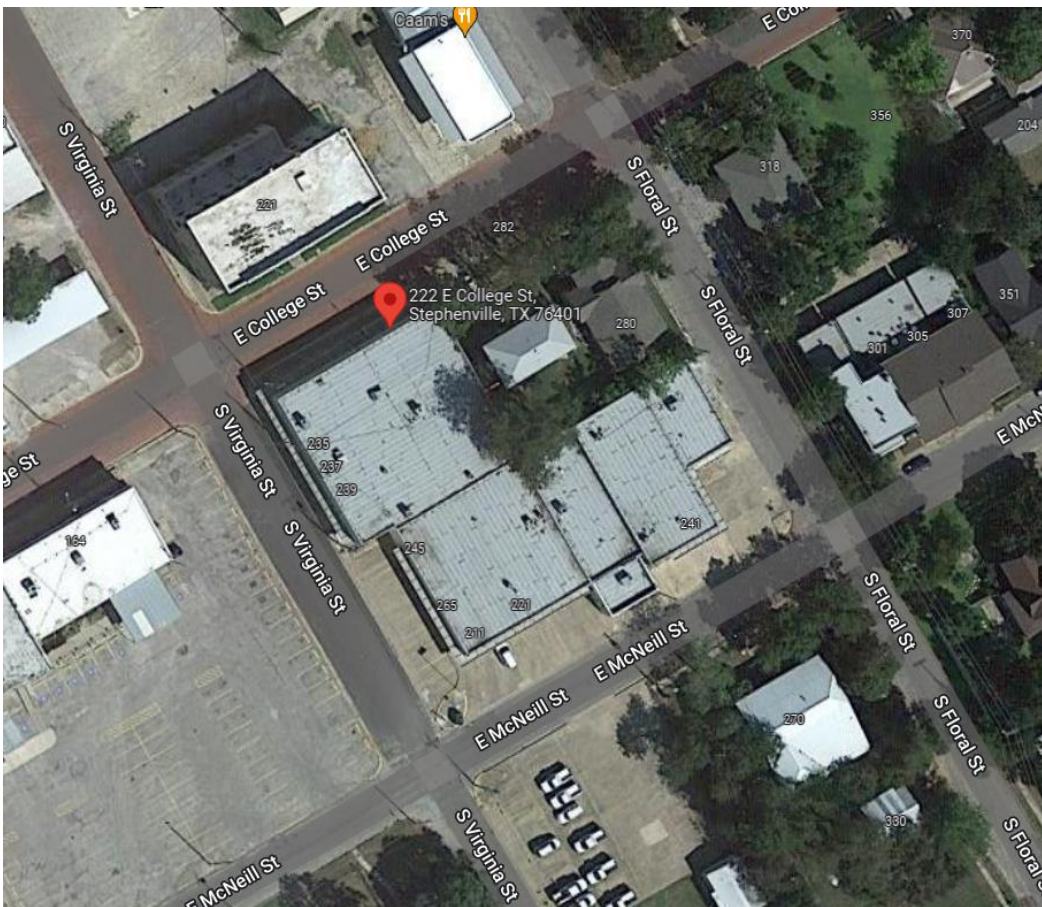
#### FACTORS TO CONSIDER:

- 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 property 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 approve

#### ALTERNATIVES:

- 1) Accept the recommendation and approve the waiver request.
- 2) Reject the recommendation and deny the waiver request.

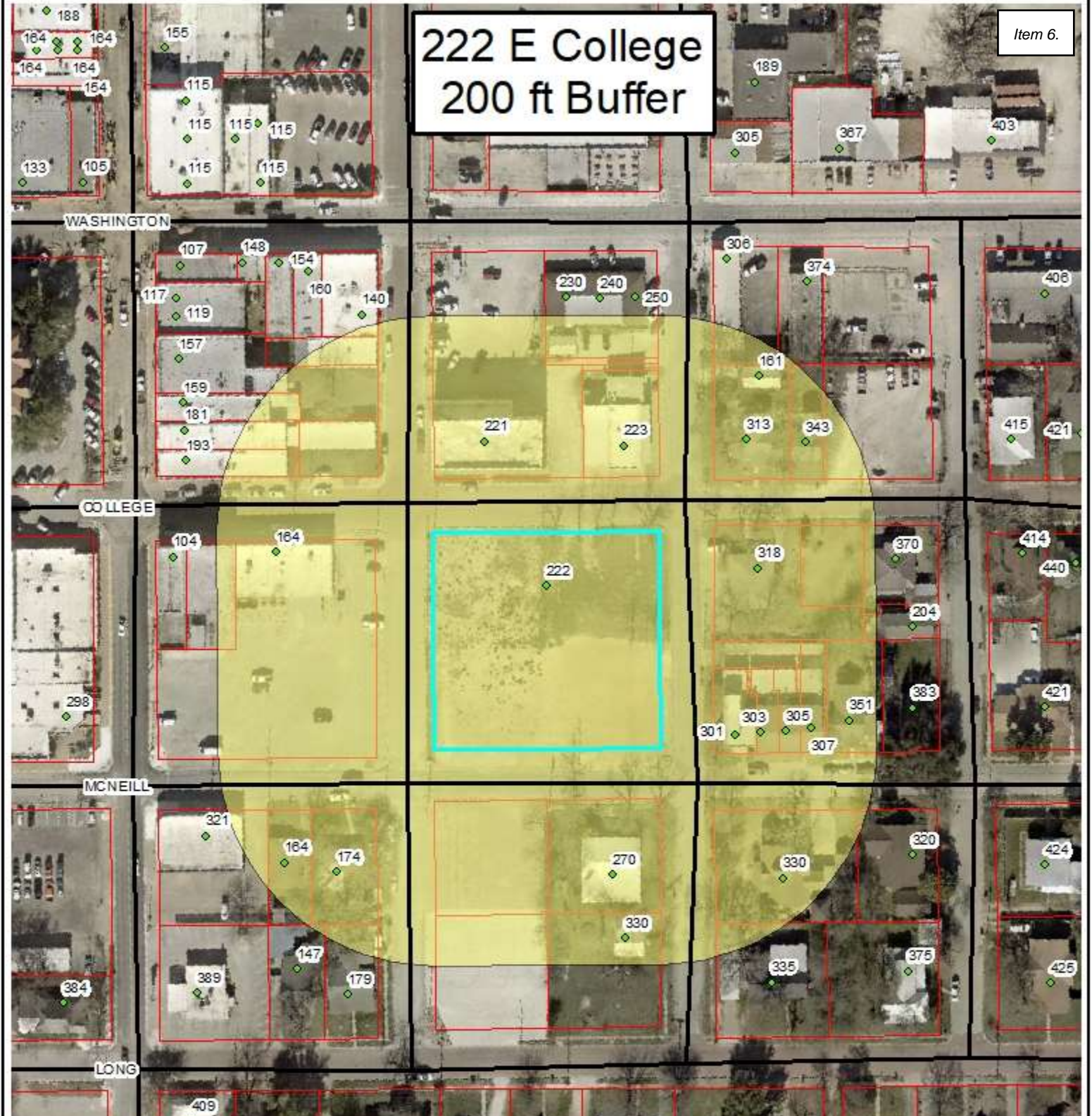
#### Exhibit – Aerial of property





# 222 E College 200 ft Buffer

Item 6.



### Legend

- ◆ Addresses
- Roads
- 200 ft Buffer
- Parcels

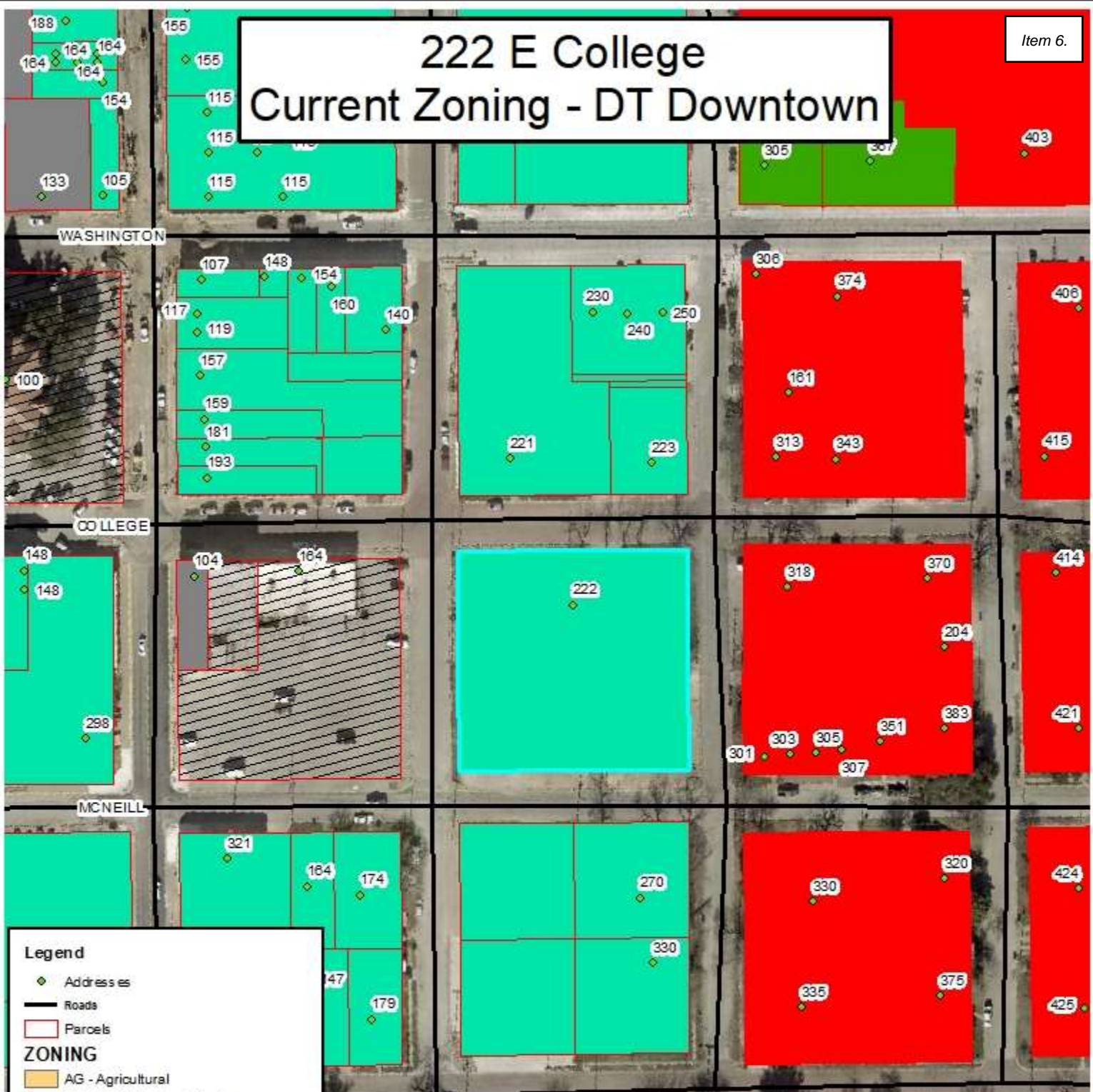


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# 222 E College Current Zoning - DT Downtown

Item 6.



**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-2.5 - Integrated Housing
- R-3 - Multiple Family
- RE - Single Family - 1 Acre

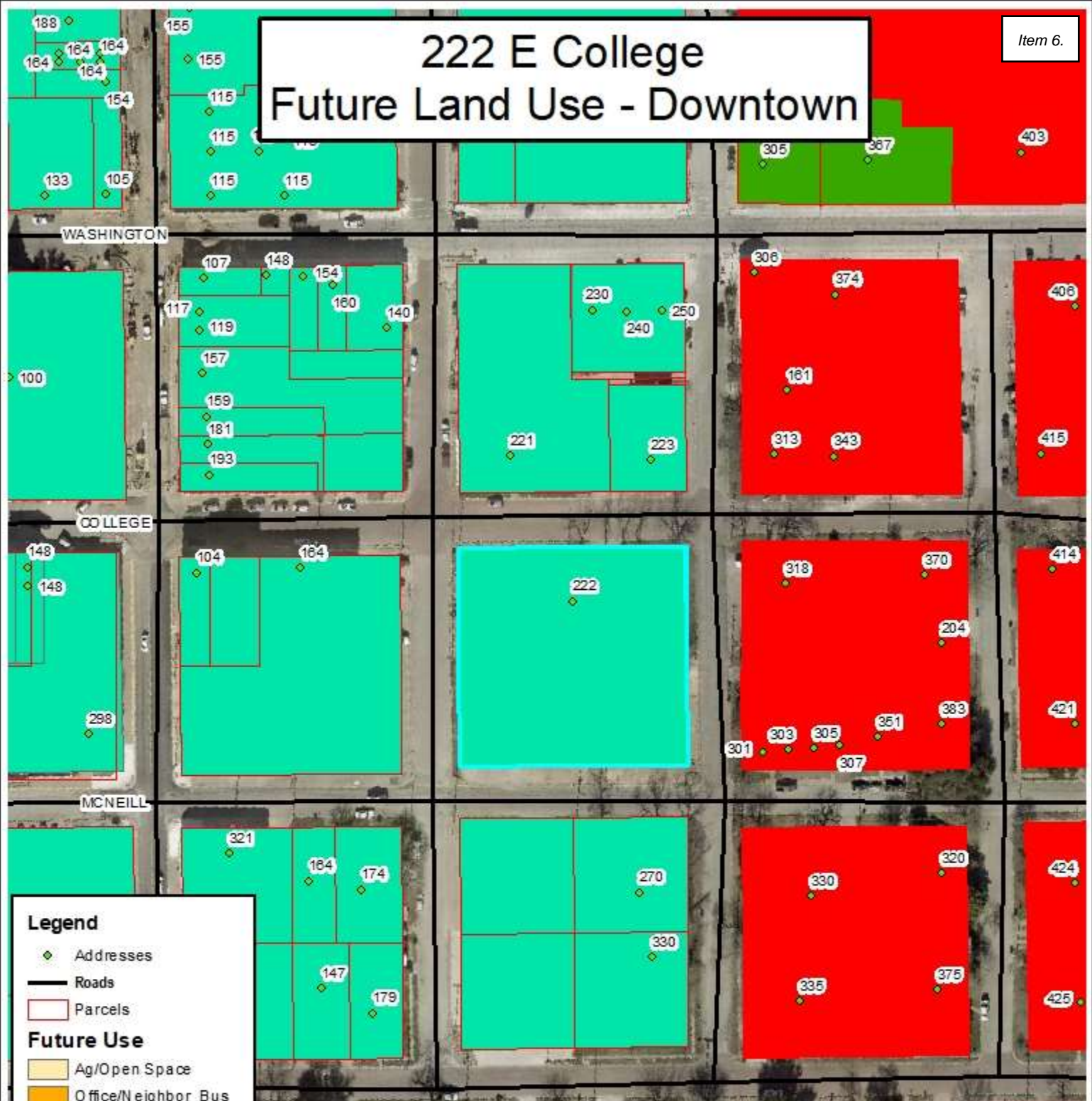


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# 222 E College Future Land Use - Downtown

Item 6.



**Legend**

- ◆ Addresses
- Roads
- ▭ Parcels

**Future Use**

- 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

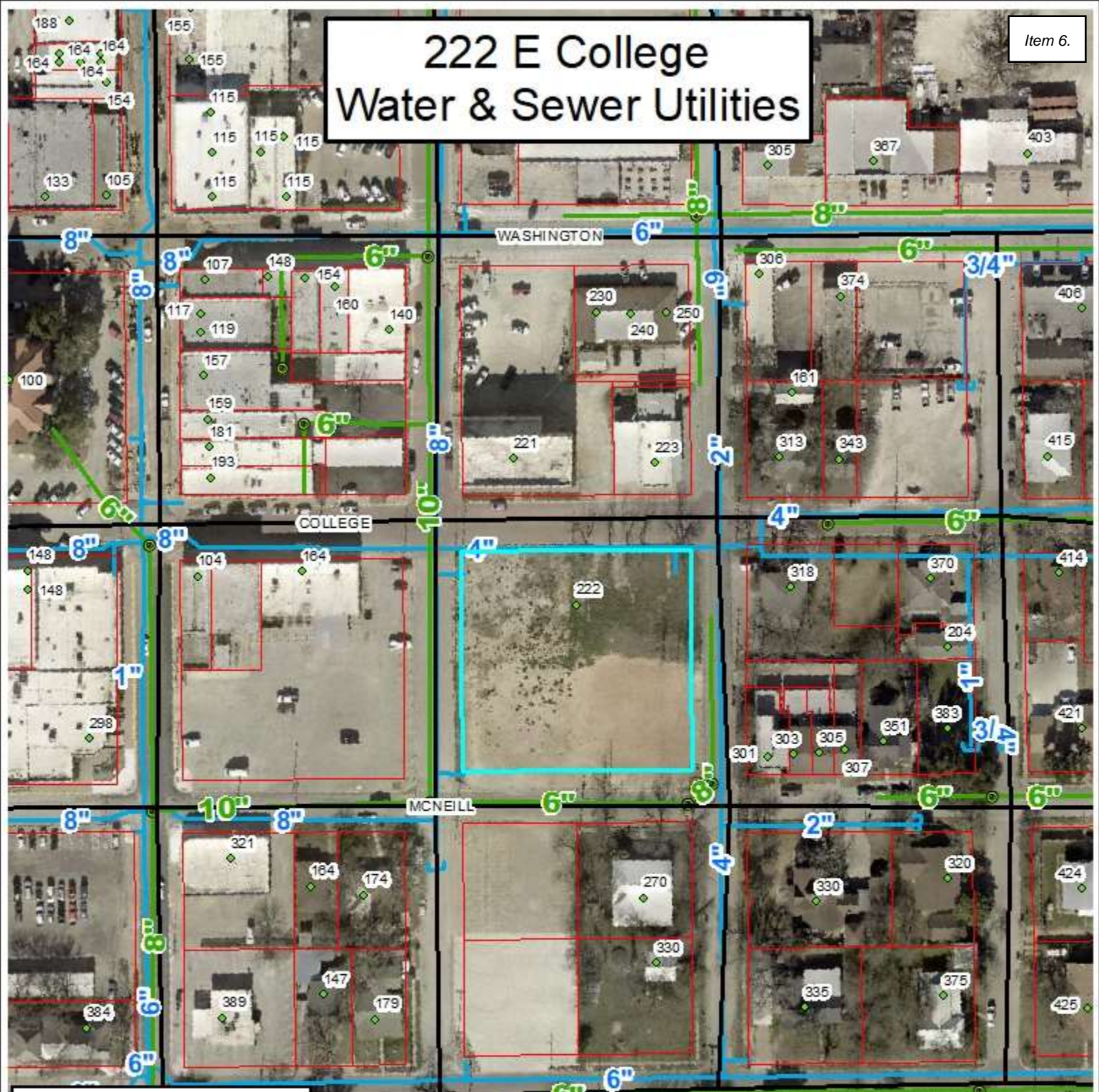


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# 222 E College Water & Sewer Utilities

Item 6.



## Legend

- ◆ Addresses
- Roads
- Parcels
- Sewer Lines
- Water Lines



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# 222 E College Address List

Item 6.

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000029164	159 S GRAHAM	72-WHO INC	159 S GRAHAM	STEPHENVILLE	TX	76401
R000029350	204 VINE	ARRAMBIDE AMANDA & MILDRED TANKERSLEY	204 S VINE	STEPHENVILLE	TX	76401
R000029332	313 COLLEGE	BORGES MARY & JOE BORGES	975 CR356	DUBLIN	TX	76446
R000029233	147 LONG	BOWLES TYLER & CAREY	PO BOX 397	STEPHENVILLE	TX	76401
R000029237	270 E MCNEILL	BRAMLETT ELIZABETH ADELE	270 E MCNEILL	STEPHENVILLE	TX	76401-0000
R000029157	164 E COLLEGE	CITY OF STEPHENVILLE	298 W WASHINGTON	STEPHENVILLE	TX	76401-4257
R000029159	164 E COLLEGE	CITY OF STEPHENVILLE	298 W WASHINGTON	STEPHENVILLE	TX	76401-4257
R000029234	179 LONG	COLE SARAH ELIZABETH & JOSHUA ANDREW COLE	179 E LONG ST	STEPHENVILLE	TX	76401
R000029334	374 E WASHINGTON	COLLIER HUGHBERT ARNOLD & GAIL WHITE	741 W COLLEGE	STEPHENVILLE	TX	76401
R000029236	0 E MCNEILL	ERATH COUNTY	ERATH COUNTY COURTHOUSE	STEPHENVILLE	TX	76401
R000055758	330 S FLORAL	ERATH COUNTY	100 W WASHINGTON	STEPHENVILLE	TX	76401-0000
R000029238	0 E LONG	ERATH COUNTY	ERATH COUNTY COURTHOUSE	STEPHENVILLE	TX	76401
R000029239	222 E COLLEGE	ERATH COUNTY	ERATH COUNTY COURTHOUSE	STEPHENVILLE	TX	76401
R000029243	223 E COLLEGE	GONZALEZ ALVARO & CONSUELO	1726 CR508	DUBLIN	TX	76446
R000076838	0 S FLORAL	GONZALEZ ALVARO & CONSUELO	1726 CR508	DUBLIN	TX	76446
R000029357	330 MCNEILL	GREAT AMERICAN ENTERTAINMENT CO LLC	5396 S US281	STEPHENVILLE	TX	76401
R000029356	307 MCNEILL	HARGROVE ERIC & NATASHA	14777 N US281	STEPHENVILLE	TX	76401
R000029355	305 MCNEILL	HARGROVE ERIC & NATASHA	14777 N US281	STEPHENVILLE	TX	76401
R000029354	303 MCNEILL	HARGROVE ERIC & NATASHA	14777 N US281	STEPHENVILLE	TX	76401
R000029353	301 MCNEILL	HARGROVE ERIC & NATASHA	14777 N US281	STEPHENVILLE	TX	76401
R000076275	301 MCNEILL	HARGROVE ERIC & NATASHA	14777 N US281	STEPHENVILLE	TX	76401
R000029232	174 MCNEILL	HENRY TOMMY MACK TRUST	174 MCNEILL	STEPHENVILLE	TX	76401
R000029242	240 E WASHINGTON	J & S FAMILY HOLDINGS LLC	PO BOX 1201	STEPHENVILLE	TX	76401
R000076839	0 S FLORAL	J & S FAMILY HOLDINGS LLC	PO BOX 1201	STEPHENVILLE	TX	76401
R000029166	157 S GRAHAM	LOKI ENTERPRISES LLC	157 S GRAHAM	STEPHENVILLE	TX	76401
R000029244	221 E COLLEGE	LONG STREET HOTEL LLC	881 FOREST LANE	STEPHENVILLE	TX	76401
R000029231	164 E MCNEILL	LYON JAY MARSHAL	164 E MCNEILL	STEPHENVILLE	TX	76401-4329
R000029352	351 MCNEILL	MENDOZA MISAEL & DEBORAH	2135 FALCON CT	STEPHENVILLE	TX	76401
R000029330	306 E WASHINGTON	MONRREAL REYNALDO & JESUS	810 ALEXANDER RD	STEPHENVILLE	TX	76401-5125
R000029173	140 S VIRGINIA	NANCE JERRY C & KELIJON W	PO BOX 1726	STEPHENVILLE	TX	76401-0000
R000029333	343 COLLEGE	ROACH KERRY JANE	644 EAST RD	STEPHENVILLE	TX	76401-0000
R000029331	0 E COLLEGE	ROACH KERRY JANE	644 EAST RD	STEPHENVILLE	TX	76401-0000
R000029360	335 E LONG	SELF BOBBY & PAMELA J	335 E LONG	STEPHENVILLE	TX	76401
R000029348	356 COLLEGE	SKIPPER ELLEN & ANNALYNN SKIPPER	PO BOX 133	STEPHENVILLE	TX	76401
R000029358	320 VINE	SKIPPER ELLEN & ANNALYNN SKIPPER	PO BOX 133	STEPHENVILLE	TX	76401
R000029347	318 E COLLEGE	SKIPPER REAL ESTATE	PO BOX 133	STEPHENVILLE	TX	76401-0000
R000029174	144 S VIRGINIA	STEPHENVILLE RENTALS LLC	181 S GRAHAM	STEPHENVILLE	TX	76401
R000029163	181 S GRAHAM	STEPHENVILLE RENTALS LLC	181 S GRAHAM	STEPHENVILLE	TX	76401
R000044704	181 S GRAHAM	STEPHENVILLE RENTALS LLC	181 S GRAHAM	STEPHENVILLE	TX	76401
R000029230	321 S GRAHAM	STOKES REAL ESTATE LP	321 S GRAHAM	STEPHENVILLE	TX	76401
R000029349	370 COLLEGE	TUGGLE KENNETH	370 E COLLEGE	STEPHENVILLE	TX	76401-0000
R000029162	193 S GRAHAM	WILSON-FRASER	193 S GRAHAM	STEPHENVILLE	TX	76401



NO. SV2022-003

PLANNING AND ZONING COMMISSION APPLICATION

PCT 1 (DCO) BATH, TX, US

1. APPLICANT/OWNER DEE STEPHENS
First Name Last Name
ADDRESS 100 W. WASHINGTON ST. 254-977-4079
Street/P.O. Box Phone No
STEPHENVILLE TX 76401
City State Zip Code

2. PROPERTY DESCRIPTION: 222 COLLEGE
Street Address

3. LEGAL DESCRIPTION:
Lot(s) Block(s) Addition

4. PRESENT CODES: TRIANGULAR SIGHT VISIBILITY EASEMENT
Code of Ordinance Title

APPLICANTS REQUEST FOR AN APPLICATION PERTAINS TO THE FOLLOWING

- ( ) FOR INTERPRETATION of the meaning or intent of the Zoning Ordinance.
(✓) A WAIVER from the literal enforcement of the Sub-Divison Ordinance.

5. APPLICANTS REQUEST IS AS FOLLOWS:

WE REQUEST A WAIVER OF THE SIGHT VISIBILITY EASEMENT FROM 95'
NOW RESIDENTIAL TO - 20' AS RECOMMEND AS A MINIMUM RESIDENTIALLY.
TYPICALLY THE TRAFFIC IN THIS AREA RESEMBLES RESIDENTIAL MORE SO THAN
COMMERCIAL.

(Attach an additional sheet if necessary).

Signature of Applicant

3/25/22
Date

Signature of City Official Received

3/29/2022
Date Received by
Dev. Services Dept

Please email permit to Christina Moon at cmoon@stephenvilletx.gov 254-918-1281

FOR OFFICE USE ONLY

CHECKLIST

	<i>Initial(s)</i>	<i>Date</i>
1. Application Received.	_____	_____
2. Application Reviewed as Follows:		
a. General Description of Location (Street, address, or "Northwest Corner of Avenue C and Avenue E").	_____	_____
b. Legal Description of Property (Lot and Block Number/Metes and bounds, Survey and Abstract)	_____	_____
c. Size of Tract by Dimensions and Area. (Shown on Plat drawn to scale).	_____	_____
d. Present Zoning Classification	_____	_____
3. Applicant's Fee \$_____ received	_____	_____
4. Site Plan Attached.	_____	_____
5. Property owners of record within 200 feet notified by mail.	_____	_____
6. Notice of public hearing posted.	_____	_____
7. Notice of public hearing delivered to newspaper.	_____	_____
8. Application reviewed by city officials: (Initial where applicable)		
a. Community Development Dept.	_____	_____
b. Public Works Department	_____	_____
c. Fire Department	_____	_____
d. Police Department	_____	_____
e. Other Departments (Specify)	_____	_____
9. Agenda packet mailed to board members.	_____	_____

04/12/2021







# STAFF REPORT

**SUBJECT:** Case No.: SV2022-004

Applicant Dee Stephens, representing Erath County, is requesting a Subdivision Waiver from Section 155.06.05.G. to reduce the distance between driveways along city-maintained streets from 100' to 50' for property located at 222 E College, Parcel R29239, being Lot 1,2,3, & 4 of Block 14 of City Addition to the City of Stephenville, Erath County, Texas.

**DEPARTMENT:** Development Services

**STAFF CONTACT:** Steve Killen, Director of Development Services

## RECOMMENDATION:

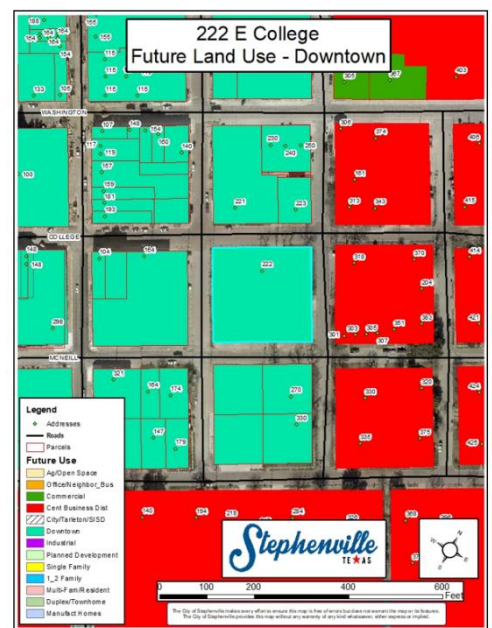
The Planning and Zoning Commission convened on April 20, 2022, and by a vote of 7/0, recommended the City Council approve the waiver request.

## BACKGROUND:

### APPLICANT REQUEST:

Applicant is requesting a waiver from distance between driveways requirements because entire block is being constructed for one use and because of existing conditions on College Street.

### PROPERTY PROFILE:



Located on E College Street between Virginia and Floral

**DESCRIPTION OF REQUESTED ZONING:****Sec. 155.6.05. Access management.**

- A. *Intent of Access Management.* It is the intent of this section to:
1. Prohibit the indiscriminate location and spacing of driveways while maintaining reasonable vehicular access to and from the public street system;
  2. Reduce conflicting turning movements and congestion and thereby reducing vehicular accidents; and
  3. Maintain and enhance a positive image for the attraction of new, high-quality developments in the City.
- B. *Applicability.*
1. A person commits an offense if the person constructs, reconstructs, relocates or in any way alters the design or operation of any driveway without first obtaining a building permit issued by the Building Official.
  2. No driveway shall be allowed or permitted if, in the determination of the City Administrator, it is detrimental to the public health, safety and welfare.
- C. *Street Section Classifications.* Street section classifications shall be defined in accordance with the Transportation element of the City's Comprehensive Plan.
- D. *Traffic Impact Analysis.*
1. A Traffic Impact Analysis (TIA) may be required at the time of Preliminary Plat submittal for all site developments. For phased developments, the TIA shall include an analysis for each phase of the development and the threshold for the TIA shall be for the entire development.
    - a. Threshold for a Traffic Impact Analysis:
      - i. Residentially zoned Subdivisions that are projected to generate more than 1,000 new average daily trips (ADT) shall require a TIA.
      - ii. Office zoned Subdivisions that are projected to generate more than 500 new average daily trips (ADT) shall require a TIA.
      - iii. Nonresidential zoned Subdivisions that are projected to generate more than 2,500 new average daily trips (ADT) shall require a TIA.
      - iv. Industrial zoned Subdivisions that are projected to generate more than 500 new average daily trips (ADT) shall require a TIA.
    - b. Calculation of the ADT for Subdivisions:
      - i. For calculating the ADT for residential zoned Subdivisions, a housing unit shall be considered to generate 10 vehicle trips a day.
      - ii. For calculating the ADT for office zoned Subdivisions, a 50,000 square foot building shall be considered to generate 500 ADT. In order to anticipated if a 50,000 square foot building can be built on a lot, the lot size with all setbacks and other related area zoning standards should be applied.
      - iii. For calculating the ADT for retail zoned Subdivisions, a 60,000 square foot building shall be considered to generate 2,500 ADT. In order to anticipated if a 60,000 square foot building can be built on a lot, the lot size with all setbacks and other related area zoning standards should be applied.



- iv. For calculating the ADT for industrial zoned Subdivisions, a 75,000 square foot building shall be considered to generate 500 ADT. In order to anticipated if a 75,000 square foot building can be built on a lot, the lot size with all setbacks and other related area zoning standards should be applied.
  - c. The TIA impact study area shall include the site and area within one-half (½) mile from the boundary of the site.
  - d. A capacity analysis shall be conducted for all public street intersections and junctions of major driveways with public streets which are significantly impacted within the TIA impact study area. The capacity analysis will follow the principles established in the Transportation Research Board's (TRB) Highway Capacity Manual (HCM).
2. A Minor Subdivision Waiver may be granted by the City Administrator if the roadway is fully built.

E. *Common Access.*

- 1. Lots with sufficient frontage to safely meet the design requirements below may be permitted their own driveways.
- 2. A Common Access Easement may be required between adjacent lots fronting on any street section in order to minimize the total number of access points along those streets and to facilitate traffic flow between lots.
- 3. Common Access Easement.

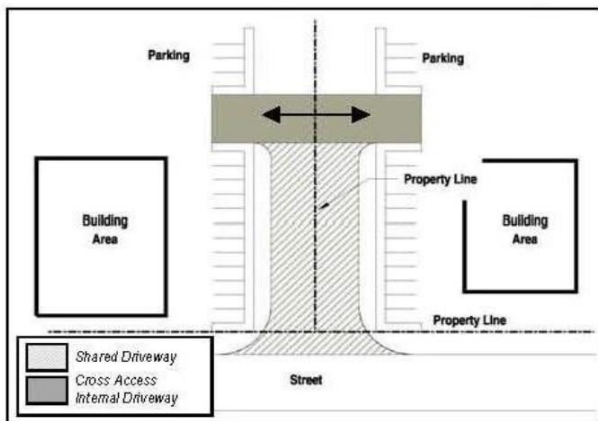


Figure 8: Example of Common Driveway (for illustrative purposes only)

- a. The use of common driveways shall require the dedication of a joint-use private access easement on each affected property.
  - b. Said dedication shall be provided on the Final Plat of the subject properties, or be filed by separate instrument approved by the City Attorney with the County with a copy forwarded to the City.
  - c. The Plat shall state that the easement shall be maintained by the property owner.
  - d. The Common Access Easement shall encompass the entire width of the planned driveway plus an additional width of one foot on both sides of the drive.
- F. *Driveway Design for State Maintained Roadways Criteria.* The following standards shall be followed in the design and construction of driveways. The values in the following tables represent minimum standards to be applied in designing and locating driveways on State maintained roadways.

1. *Driveway Dimensions and Spacing.* The following Table 5: Dimensions for Driveways along State Maintained Roadways indicates the minimum dimensional values required for driveways along State-maintained roadways.

Table 5: Dimensions for Driveways along State Maintained Roadways		
Criteria	Commercial & Multi-Family Driveway	Service Driveway
Driveway Throat Width	24-40 Feet	30-48 Feet
Driveway Curb Radius	20-30 Feet	25-40 Feet
Minimum Distance to Intersection Along Roadway	300 Feet	300 Feet
Minimum Driveway Spacing Along Roadway	300 Feet	300 Feet
Notes:		
1. The requirements for <i>Driveway Throat Width</i> and <i>Driveway Curb Radius</i> are for standard undivided two-way operation and may be varied by the City Administrator if traffic volumes, truck usage, common driveways, and other factors warrant such. 2. Distance measured from the proposed driveway face of curb to the face of the nearest curb of the nearest driveway. Minimum spacing does not implicitly determine the number of driveways allowed. See 6.05.F.2 (below) for additional restrictions on driveway locations along State-maintained roadways. 3. Distance measured from the intersection street nearest face of curb to the face of the curb of the proposed driveway. See 6.05.F.2 (below) for additional restrictions on driveway locations along State-maintained roadways. 4. Service driveway spacing may be reduced to 150 feet if the ingress/egress volume is less than 50 vehicles per day and if the service driveway is a secondary driveway ancillary to a commercial driveway within the same development. See 6.05.F.2 (below) below for additional restrictions on driveway locations along State-maintained roadways. 5. Driveway spacing may be reduced to 250 feet if the driveway is right-in/right-out only. Appropriate signage, pavement markings, and traffic control devices must be provided to limit turning movements to right-in/right-out.		

2. *Additional Design Requirements.*
  - a. Plans for all work within State Right-of-Way shall be submitted to the City Administrator.
  - b. A driveway permit from TXDOT shall be acquired prior to Preliminary Plat approval. Driveways shall be in accordance with TXDOT standards.
  - c. Deceleration Lane.
    - i. When the turning volume for a driveway exceeds 60 vehicles per hour during the peak hour, a deceleration lane shall be provided on highways with a posted speed of 40 mph or less.
    - ii. When the turning volume for a driveway exceeds 50 vehicles per hour during the peak hour, a deceleration lane shall be provided on highways with a posted speed of 45 mph or greater.

G. *Driveway Design for City Maintained Roadways.* The following standards shall be followed in the design and construction of driveways. The values in the following tables represent minimum standards to be applied in designing and locating driveways on City streets.

1. *Driveway Dimensions and Spacing (City Maintained Roadways).* The following Table 6: Dimensions for Driveways along City Maintained Roadways indicates the minimum dimensional values required for driveways along City maintained roadways (local streets, collectors, Major Arterial/Thoroughfare Streets).

Table 6: Dimensions for Driveways along City Maintained Roadways			
Criteria	Street Classification	Commercial & Multi-Family Driveway	Service Driveway
Driveway Throat Width	Major Arterial/Thoroughfare Street	24-60 Feet	30-48 Feet
	Collectors	24-40 Feet	30-48 Feet
	Minor/Local Streets	24-40 Feet	24-36 Feet

Driveway Curb Radius	Major Arterial/Thoroughfare Street	30-35 Feet	25-30 Feet
	Collectors	25 Feet	10-20 Feet
	Minor/Local Streets	25 Feet	10-20 Feet
Minimum Distance to Intersection Along Roadway	Major Arterial/Thoroughfare Street	150 Feet	200 Feet
	Collectors	120 Feet	150 Feet
	Minor/Local Streets	100 Feet	100 Feet
Minimum Centerline Driveway Spacing Along Roadway	Major Arterial/Thoroughfare Street	230 Feet	250 Feet
	Collectors	120 Feet	150 Feet
	Minor/Local Streets	70 Feet	100 Feet
Notes:			
1. The requirements for <i>Driveway Throat Width</i> and <i>Driveway Curb Radius</i> are for standard undivided two-way operation and may be varied by the City Administrator if traffic volumes, truck usage, common driveways, and other factors warrant such.			
2. Minimum centerline spacing does not implicitly determine the number of driveways allowed. Driveways served by deceleration lanes may be spaced at closer intervals if approved by the City Administrator.			
3. Distance measured from the intersection Right-of-Way line to the centerline of the proposed driveway.			
4. Refer to 6.05.G.2 (below). Commercial, multi-family and service driveways may not be permitted on local streets.			

## 2. Additional Design Requirements (City Maintained Roadways).

### a. Driveways Prohibited.

- i. Nonresidential, multi-family and service driveways shall not be permitted on local streets unless the tract or lot has no other public access.
- ii. In the event there is no other access to a public street, commercial, multi-family and service driveways shall be permitted on local streets provided that they meet the design standards in Table 5: Dimensions for Driveways along State Maintained Roadways.

### b. Deceleration Lanes for Driveways on Major Arterial/Thoroughfare Streets Required

### c. The driveway dimensions and spacing for residential driveways are provided in the Engineering Standards Manual.

- i. When the turning volume for a driveway exceeds 60 vehicles per hour during the peak hour, a deceleration lane shall be provided on Major Arterial/Thoroughfare Streets with a posted speed of 40 mph to 45 mph.
- ii. When the turning volume for a driveway exceeds 50 vehicles per hour during the peak hour, a deceleration lane shall be provided on Major Arterial/Thoroughfare Streets with a posted speed greater than 45 mph.

## H. Required Internal Storage (Minimum throat Length/Stacking).

1. *Minimum Throat Length.* The driveway for any multi-family or nonresidential property that connects to a highway, Major Arterial/Thoroughfare Street, or collector or local street shall extend onto private property a minimum distance of 15 feet, but not less than the required front landscape edge width, from the Right-of-Way line before intersecting any internal circulation drive.
2. *Internal Storage (Stacking).* Internal storage (stacking) shall be provided on multi-family, commercial or industrial properties for corresponding driveways in accordance with Table 7: Required Internal Storage for driveways that provide ingress/egress to parking areas of 20 or greater spaces.

Table 7: Required Internal Storage		
Average Number of Parking Spaces per Driveway*	Total Number of Parking Spaces**	Minimum Storage length
20-49	20-49	Landscape edge width +20'
	50-199	50'
	200+	75'
50-199	50-199	75'
	200+	100'
200+	200+	100'

Notes:  
 1. The average number of parking spaces per driveway is calculated by dividing the total number of parking spaces by the number of commercial and multi-family driveways. (Service driveways are not included in the calculation.)

- I. *Adequate Sight Distance.*
  - 1. Driveways shall be prohibited where adequate sight distance is not available for the established speed limit.
  - 2. Sight distances shall be calculated in accordance with the latest edition of the AASHTO "A Policy on Geometric Design of Highways and Streets."
  - 3. If a field inspection indicates that driveway sight distance may be insufficient, the Applicant will be required to submit vertical and horizontal information prepared by a registered professional engineer to the City Administrator that verifies adequate sight distance is available for the proposed driveway location.
  - 4. For sight triangle requirements, (i.e., visibility triangles), please refer to 6.08.C. Triangular Sight Visibility Easements (see also Figure 9: Visibility Triangles).

**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 or Assistant City Manager 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/ Assistant City Manager
1.06.A.8	Thoroughfare Plan	Approve
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.

3. *Waiver from the Requirements for Sidewalks, Curbs, and/or Gutters.*

- a. The City Manager, Assistant City Manager, and the Director of Development Services are authorized to grant waivers for Sidewalks, Curbs, and/or Gutters under the following conditions:

- i. The property was platted prior to March 1, 2021; and  
ii. The property is located outside of the City of Stephenville's Sidewalk Improvement Area as defined in Resolution No. 2019-R-05.

- b. Waivers requested that do not qualify under the conditions outlined in Section 3.a. above must follow the procedure for a Major Subdivision Waiver.

- c. Applicants whose request for waiver is denied by the City Manager, Assistant City Manager, or the Director of Development Services may appeal this decision. Appeals under Section 3 will follow the procedures for appealing a Minor Subdivision Waiver as set forth in Section J.

- d. All approved waivers require the payment of a fee equal to 25% of the total improvement cost as determined by the city's current bid contract for such improvements. Fees collected will be dedicated to the City's Sidewalk Cost Share Program.

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.

(Ord. No. 2020-O-38 , §§ 2, 3, 11-16-2020; Ord. No. 2021-O-06 , § 1, passed 2-2-2021)

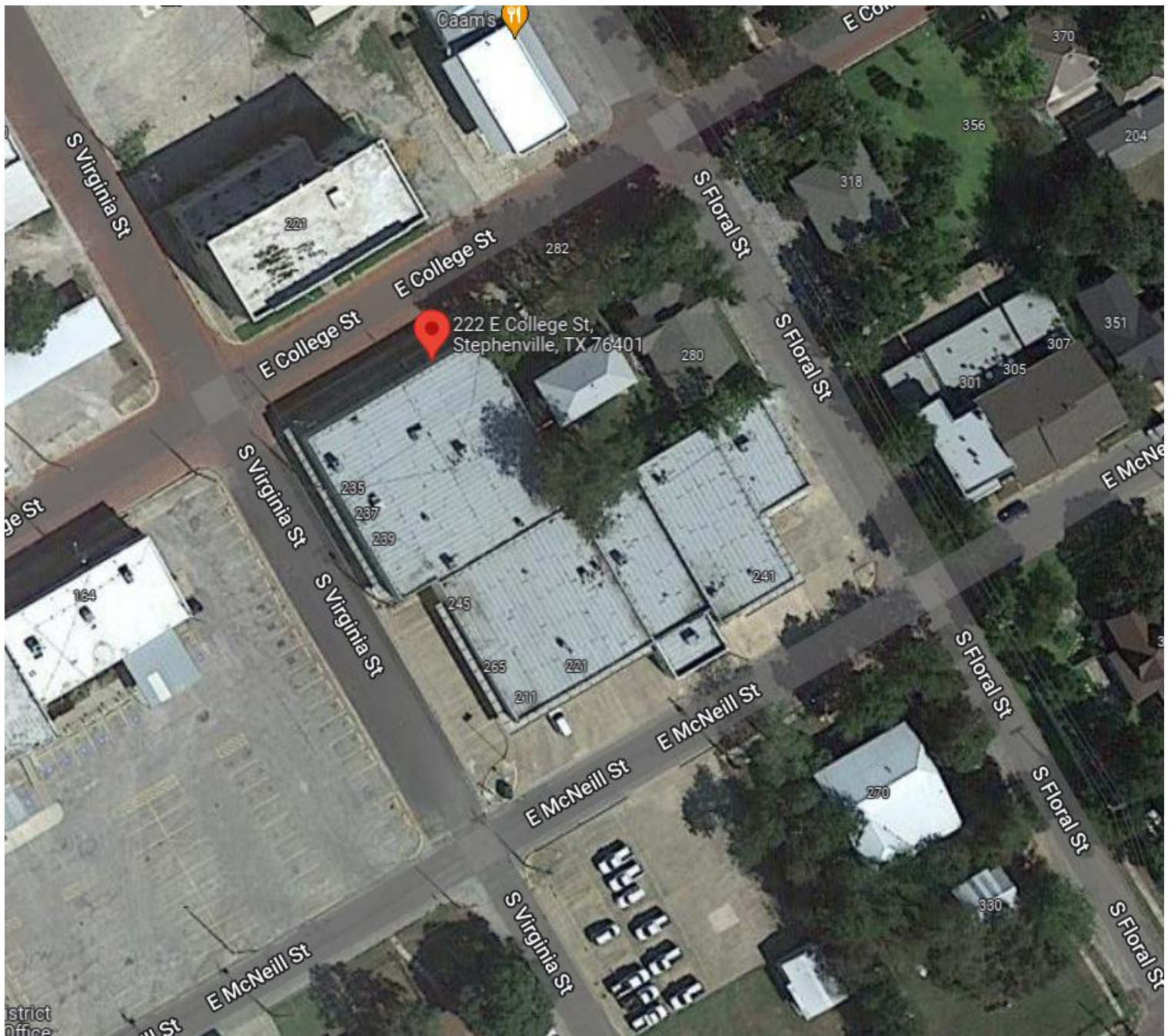
**FACTORS TO CONSIDER:**

- 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 property 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 approve

**ALTERNATIVES:**

- 1) Recommend the City Council approve the waiver request.
- 2) Recommend the City Council deny the waiver request.

Exhibit – Aerial of property







NO. SV2022-004

PLANNING AND ZONING COMMISSION  
APPLICATION

1. APPLICANT/OWNER: DEE STEPHENS  
First Name Last Name

ADDRESS: 100 W. WASHINGTON ST. 254-965-1982  
Street/P.O. Box Phone No

STEPHENVILLE TX. 76401  
City State Zip Code

2. PROPERTY DESCRIPTION: 222 COLLAGE  
Street Address

3. LEGAL DESCRIPTION: \_\_\_\_\_  
Lot(s) Block(s) Addition

4. PRESENT CODES: TABLE III-7 DRIVEWAY REQUIREMENTS  
Code of Ordinance Title

APPLICANTS REQUEST FOR AN APPLICATION PERTAINS TO THE FOLLOWING:

- ( ) FOR INTERPRETATION of the meaning or intent of the Zoning Ordinance.
- (  ) A WAIVER from the literal enforcement of the Sub-Divison Ordinance.

5. APPLICANTS REQUEST IS AS FOLLOWS: TABLE III-7 DRIVEWAY REQUIREMENTS (C)  
MINIMUM DISTANCE FROM DRIVE TO INTERSECTION, ORDINANCE SAYS COMMERCIAL  
MUST BE 100'. WE WOULD LIKE TO REQUEST A WAIVER TO DROP BACK TO  
50'-0" EQUAL TO LOCAL RESIDENTIAL WHICH BETTER REFLECTS THE TRAFFIC  
PATTERNS IN THAT AREA.

(Attach an additional sheet if necessary).

Dee Stephens  
Signature of Applicant

3/25/22  
Date

Christina Moon  
Signature of City Official Received

3/29/2022  
Date Received by  
Dev. Services Dept.

Please email permit to Christina Moon at [cmoon@stephenvilletx.gov](mailto:cmoon@stephenvilletx.gov) 254-918-1281



**FOR OFFICE USE ONLY**

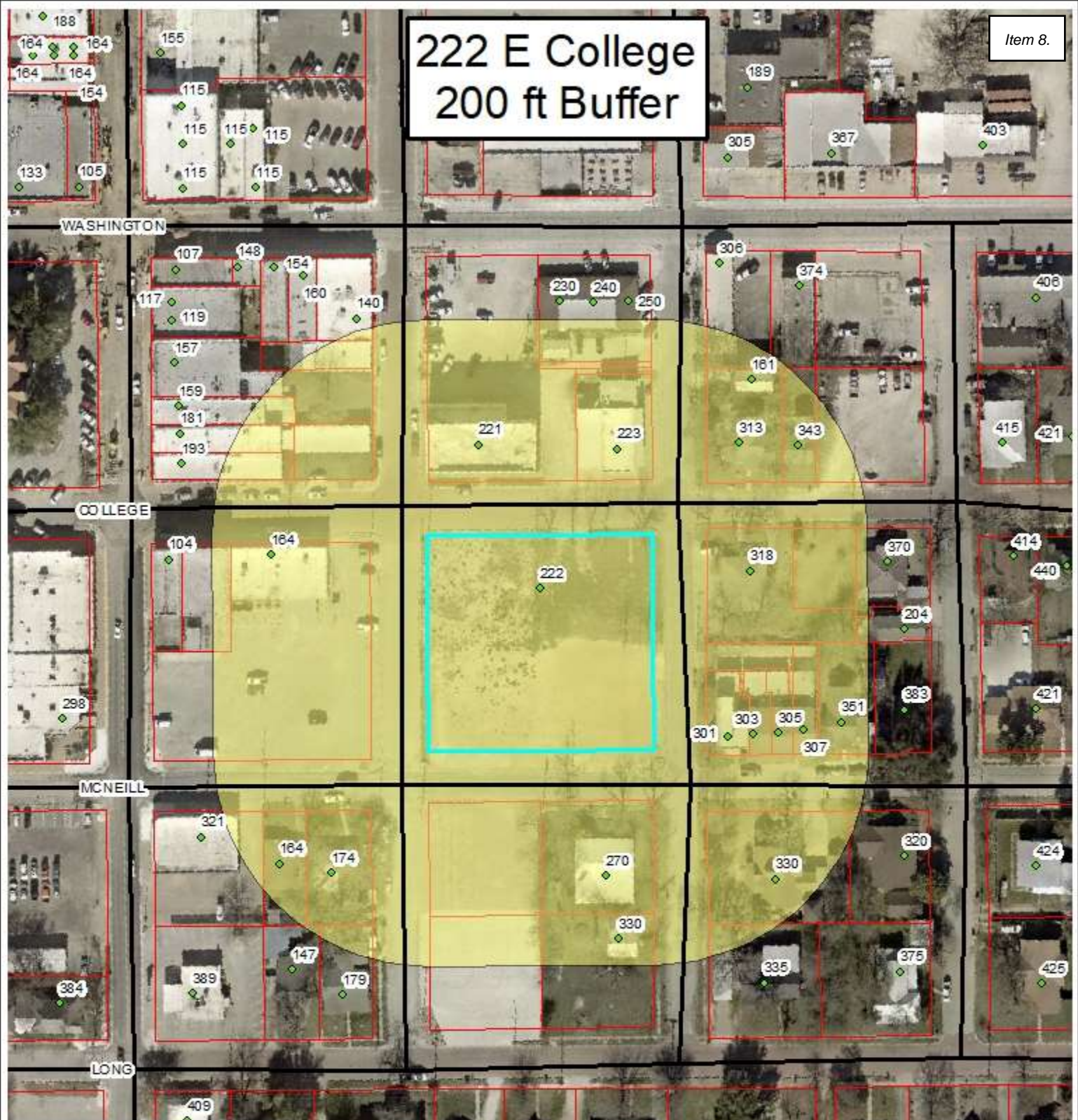
**CHECKLIST**

	<i>Initial(s)</i>	<i>Date</i>
1. Application Received:	_____	_____
2. Application Reviewed as Follows:		
a. General Description of Location (Street, address, or "Northwest Corner of Avenue C and Avenue E")	_____	_____
b. Legal Description of Property (Lot and Block Number/Metes and bounds, Survey and Abstract)	_____	_____
c. Size of Tract by Dimensions and Area. (Shown on Plat drawn to scale).	_____	_____
d. Present Zoning Classification	_____	_____
3. Applicant's Fee \$ _____ received.	_____	_____
4. Site Plan Attached.	_____	_____
5. Property owners of record within 200 feet notified by mail.	_____	_____
6. Notice of public hearing posted.	_____	_____
7. Notice of public hearing delivered to newspaper.	_____	_____
8. Application reviewed by city officials: (Initial where applicable)		
a. Community Development Dept.	_____	_____
b. Public Works Department	_____	_____
c. Fire Department	_____	_____
d. Police Department	_____	_____
e. Other Departments (Specify)	_____	_____
9. Agenda packet mailed to board members.	_____	_____

04/12/2021

# 222 E College 200 ft Buffer

Item 8.



### Legend

- ◆ Addresses
- Roads
- 200 ft Buffer
- Parcels

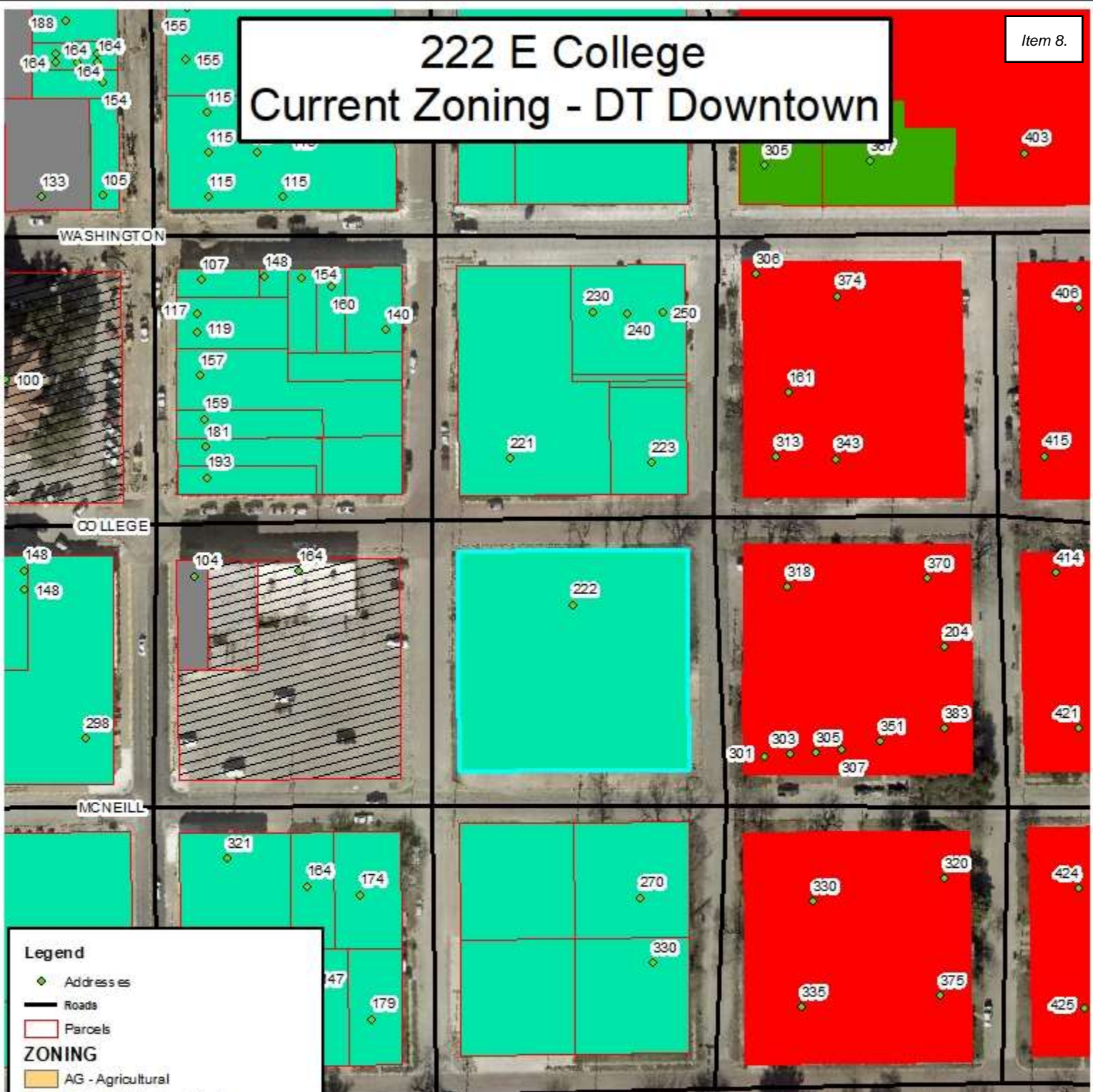


The City of Stephenville makes every effort to ensure this map is free of errors but does not warrant the map or its features. The City of Stephenville provides this map without any warranty of any kind whatsoever, either express or implied.



# 222 E College Current Zoning - DT Downtown

Item 8.



**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-2.5 - Integrated Housing
- R-3 - Multiple Family
- RE - Single Family - 1 Acre

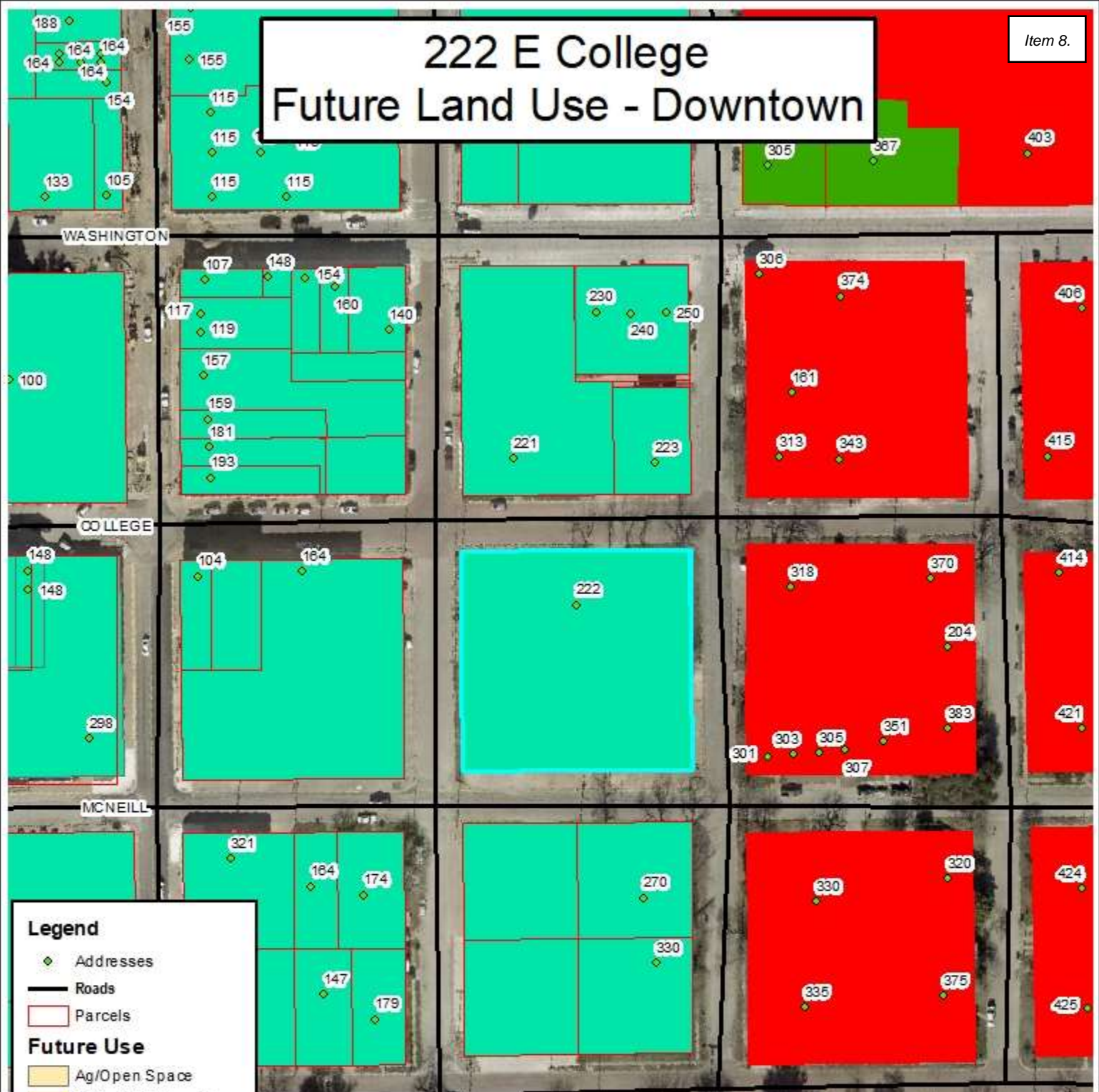


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# 222 E College Future Land Use - Downtown

Item 8.



**Legend**

- ◆ Addresses
- Roads
- Parcels

**Future Use**

- Ag/Open Space
- Office/Neighbor\_Bus
- Commercial
- Cent Business Dist
- City/Tarleton/SISD
- Downtown
- Industrial
- Planned Development
- Single Family
- 1\_2 Family
- Multi-F am/Resident
- Duplex/Townhome
- Manufact Homes

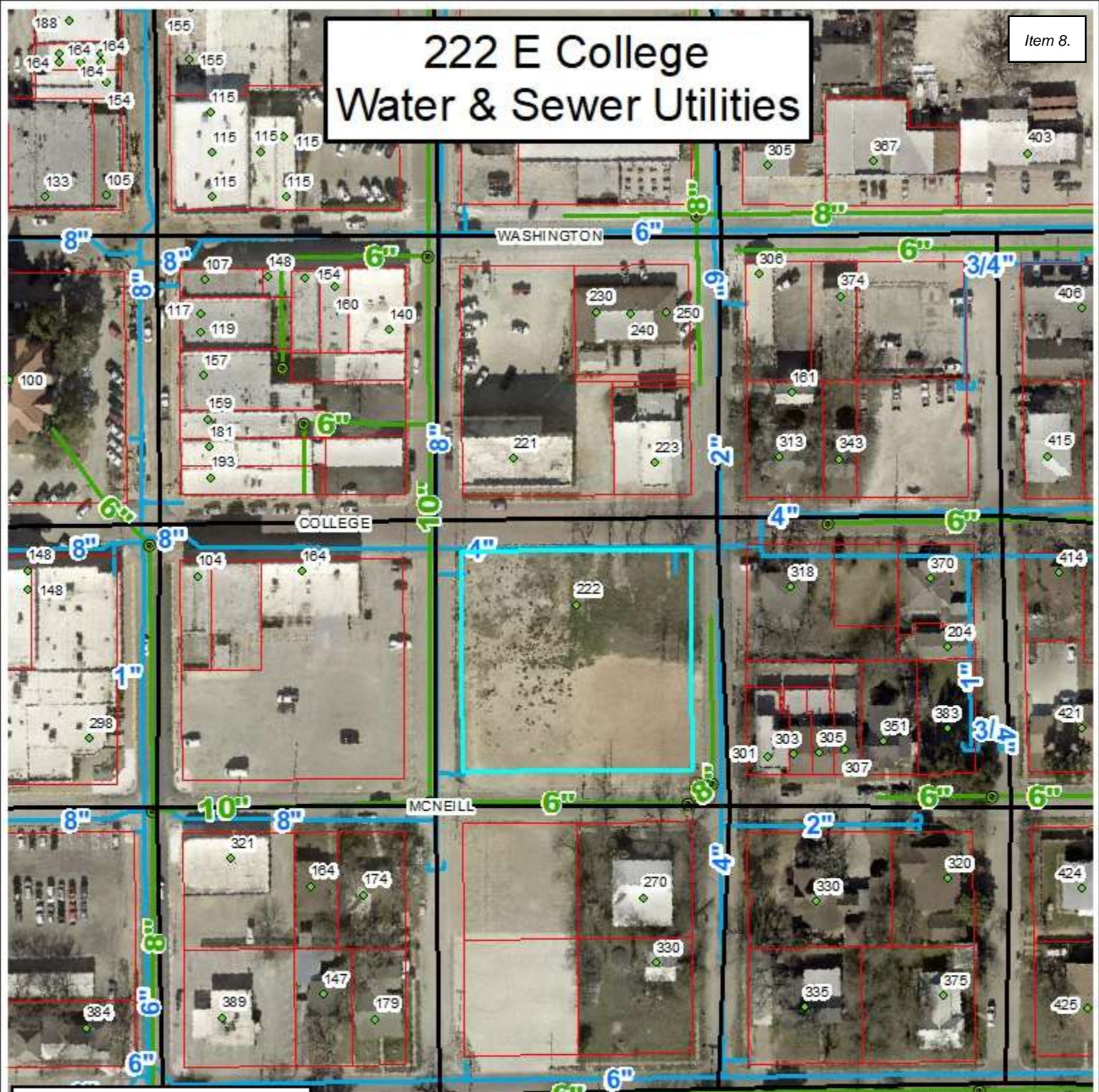


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# 222 E College Water & Sewer Utilities

Item 8.



## Legend

- ◆ Addresses
- Roads
- Parcels
- Sewer Lines
- Water Lines



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# 222 E College Address List

Item 8.

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000029164	159 S GRAHAM	72-WHO INC	159 S GRAHAM	STEPHENVILLE	TX	76401
R000029350	204 VINE	ARRAMBIDE AMANDA & MILDRED TANKERSLEY	204 S VINE	STEPHENVILLE	TX	76401
R000029332	313 COLLEGE	BORGES MARY & JOE BORGES	975 CR356	DUBLIN	TX	76446
R000029233	147 LONG	BOWLES TYLER & CAREY	PO BOX 397	STEPHENVILLE	TX	76401
R000029237	270 E MCNEILL	BRAMLETT ELIZABETH ADELE	270 E MCNEILL	STEPHENVILLE	TX	76401-0000
R000029157	164 E COLLEGE	CITY OF STEPHENVILLE	298 W WASHINGTON	STEPHENVILLE	TX	76401-4257
R000029159	164 E COLLEGE	CITY OF STEPHENVILLE	298 W WASHINGTON	STEPHENVILLE	TX	76401-4257
R000029234	179 LONG	COLE SARAH ELIZABETH & JOSHUA ANDREW COLE	179 E LONG ST	STEPHENVILLE	TX	76401
R000029334	374 E WASHINGTON	COLLIER HUGHBERT ARNOLD & GAIL WHITE	741 W COLLEGE	STEPHENVILLE	TX	76401
R000029236	0 E MCNEILL	ERATH COUNTY	ERATH COUNTY COURTHOUSE	STEPHENVILLE	TX	76401
R000055758	330 S FLORAL	ERATH COUNTY	100 W WASHINGTON	STEPHENVILLE	TX	76401-0000
R000029238	0 E LONG	ERATH COUNTY	ERATH COUNTY COURTHOUSE	STEPHENVILLE	TX	76401
R000029239	222 E COLLEGE	ERATH COUNTY	ERATH COUNTY COURTHOUSE	STEPHENVILLE	TX	76401
R000029243	223 E COLLEGE	GONZALEZ ALVARO & CONSUELO	1726 CR508	DUBLIN	TX	76446
R000076838	0 S FLORAL	GONZALEZ ALVARO & CONSUELO	1726 CR508	DUBLIN	TX	76446
R000029357	330 MCNEILL	GREAT AMERICAN ENTERTAINMENT CO LLC	5396 S US281	STEPHENVILLE	TX	76401
R000029356	307 MCNEILL	HARGROVE ERIC & NATASHA	14777 N US281	STEPHENVILLE	TX	76401
R000029355	305 MCNEILL	HARGROVE ERIC & NATASHA	14777 N US281	STEPHENVILLE	TX	76401
R000029354	303 MCNEILL	HARGROVE ERIC & NATASHA	14777 N US281	STEPHENVILLE	TX	76401
R000029353	301 MCNEILL	HARGROVE ERIC & NATASHA	14777 N US281	STEPHENVILLE	TX	76401
R000076275	301 MCNEILL	HARGROVE ERIC & NATASHA	14777 N US281	STEPHENVILLE	TX	76401
R000029232	174 MCNEILL	HENRY TOMMY MACK TRUST	174 MCNEILL	STEPHENVILLE	TX	76401
R000029242	240 E WASHINGTON	J & S FAMILY HOLDINGS LLC	PO BOX 1201	STEPHENVILLE	TX	76401
R000076839	0 S FLORAL	J & S FAMILY HOLDINGS LLC	PO BOX 1201	STEPHENVILLE	TX	76401
R000029166	157 S GRAHAM	LOKI ENTERPRISES LLC	157 S GRAHAM	STEPHENVILLE	TX	76401
R000029244	221 E COLLEGE	LONG STREET HOTEL LLC	881 FOREST LANE	STEPHENVILLE	TX	76401
R000029231	164 E MCNEILL	LYON JAY MARSHAL	164 E MCNEILL	STEPHENVILLE	TX	76401-4329
R000029352	351 MCNEILL	MENDOZA MISAEL & DEBORAH	2135 FALCON CT	STEPHENVILLE	TX	76401
R000029330	306 E WASHINGTON	MONRREAL REYNALDO & JESUS	810 ALEXANDER RD	STEPHENVILLE	TX	76401-5125
R000029173	140 S VIRGINIA	NANCE JERRY C & KELIJON W	PO BOX 1726	STEPHENVILLE	TX	76401-0000
R000029333	343 COLLEGE	ROACH KERRY JANE	644 EAST RD	STEPHENVILLE	TX	76401-0000
R000029331	0 E COLLEGE	ROACH KERRY JANE	644 EAST RD	STEPHENVILLE	TX	76401-0000
R000029360	335 E LONG	SELF BOBBY & PAMELA J	335 E LONG	STEPHENVILLE	TX	76401
R000029348	356 COLLEGE	SKIPPER ELLEN & ANNALYNN SKIPPER	PO BOX 133	STEPHENVILLE	TX	76401
R000029358	320 VINE	SKIPPER ELLEN & ANNALYNN SKIPPER	PO BOX 133	STEPHENVILLE	TX	76401
R000029347	318 E COLLEGE	SKIPPER REAL ESTATE	PO BOX 133	STEPHENVILLE	TX	76401-0000
R000029174	144 S VIRGINIA	STEPHENVILLE RENTALS LLC	181 S GRAHAM	STEPHENVILLE	TX	76401
R000029163	181 S GRAHAM	STEPHENVILLE RENTALS LLC	181 S GRAHAM	STEPHENVILLE	TX	76401
R000044704	181 S GRAHAM	STEPHENVILLE RENTALS LLC	181 S GRAHAM	STEPHENVILLE	TX	76401
R000029230	321 S GRAHAM	STOKES REAL ESTATE LP	321 S GRAHAM	STEPHENVILLE	TX	76401
R000029349	370 COLLEGE	TUGGLE KENNETH	370 E COLLEGE	STEPHENVILLE	TX	76401-0000
R000029162	193 S GRAHAM	WILSON-FRASER	193 S GRAHAM	STEPHENVILLE	TX	76401





# STAFF REPORT

**SUBJECT:** Case No.: RZ2022-004

Applicant William Oxford is requesting a rezone of property located at 855 College Farm Road, Parcel R29923 of Block 87, Lot 2, S2600 City Addition of the City of Stephenville, Erath County, Texas, from Neighborhood Business District (B-1) to One- and Two-Family Residential District (R-2).

**DEPARTMENT:** Development Services

**STAFF CONTACT:** Steve Killen, Director of Development Services

## RECOMMENDATION:

The Planning and Zoning Commission convened on April 20, 2022, and by a vote of 7/0, recommended the City Council approve the rezoning request.

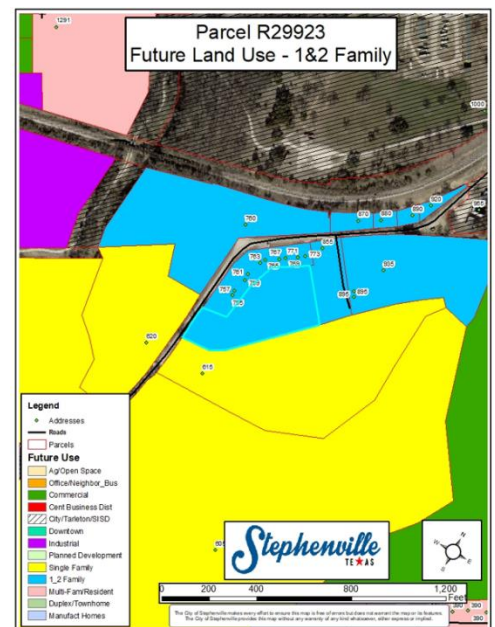
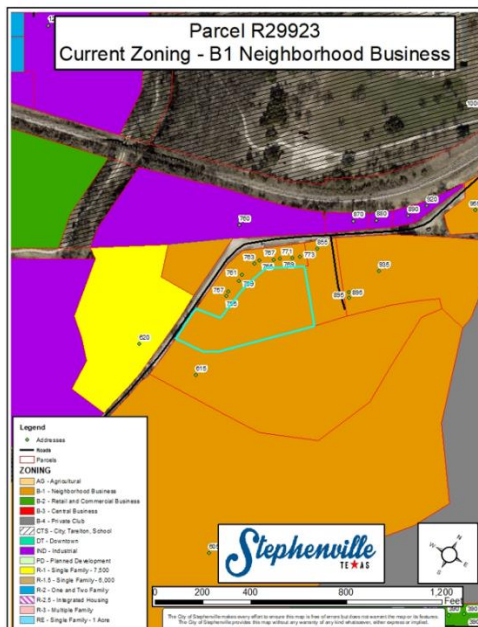
## BACKGROUND:

### APPLICANT REQUEST:

Applicant is requesting to rezone the property to R-2 one and two family residential district in order to add a new single family dwelling unit.

The Comprehensive Plan for future land use designates this property to be One and Two Family Residential.

### PROPERTY PROFILE:



Located west of Morgan Mill Road, east of N Graham, south of Lingleville Road, and north of Washington Street.

**DESCRIPTION OF REQUESTED ZONING:****Sec. 154.05.5. One- and two-family residential district (R-2).**

**5.5.A Description.** This residential district provides for a neighborhood development of medium density. The primary land use allows for single-family dwellings, along with two family dwelling units. Recreational, religious and educational uses normally appropriate to such a residential neighborhood are also permitted to contribute to the natural elements of a convenient, balanced and attractive neighborhood. Development within this district is intended to be separate from and protected from the encroachment of land activities that do not contribute to the esthetic and functional well being of the intended district environment.

**5.5.B Permitted Uses.**

- (1) Single-family detached dwelling, limited to occupancy by a family having no more than three individuals who are unrelated by blood, legal adoption, marriage or conservatorship. The owner and any agent of the owner shall be legally responsible for directly or indirectly allowing, permitting, causing or failing to prohibit residential use of a dwelling in this district by more than three unrelated individuals;
- (2) Two-family dwelling units, with each family limited as in division (1) above;
- (3) Accessory buildings;
- (4) Churches, temples, mosques and related facilities;
- (5) Community home;
- (6) Park or playground; and
- (7) SISD school—public.

**5.5.C Conditional Uses.**

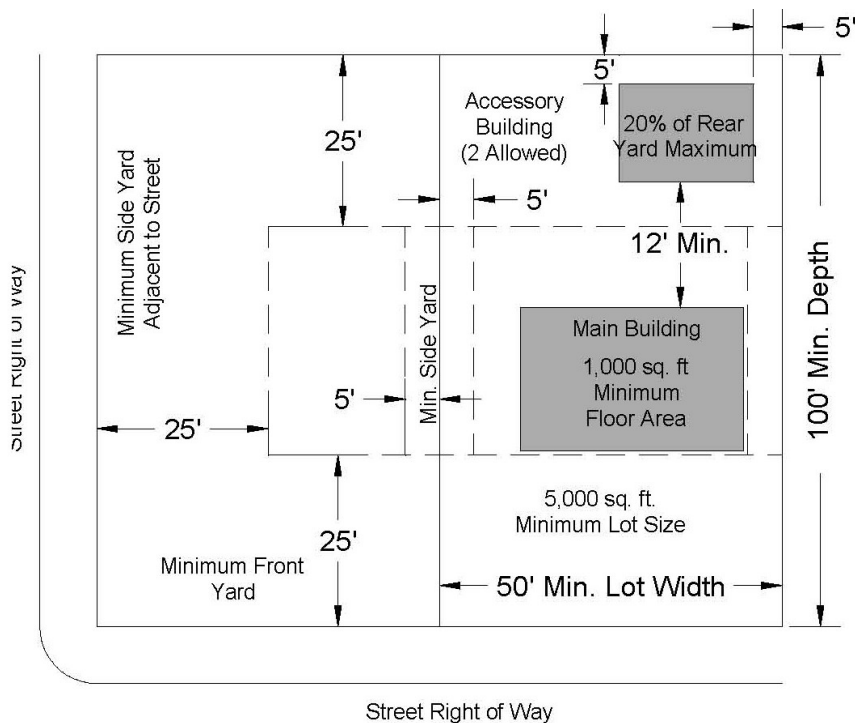
- (1) Home occupation;
- (2) Common facilities as the principal use of one or more platted lots in a subdivision;
- (3) Child care—registered family home and group day care home; and
- (4) Foster group home.

**5.5.D Height, Area, Yard and Lot Coverage Requirements.**

- (A) *Single family.*
  - (1) Minimum lot area: 5,000 ft<sup>2</sup>.
  - (2) Minimum lot width and lot frontage: 50 feet.
  - (3) Minimum lot depth: 100 feet.
  - (4) Minimum depth of front setback: 25 feet.
  - (5) Minimum depth of rear setback: 25 feet.
  - (6) Minimum width of side setback:
    - (a) Internal lot: five feet.
    - (b) Corner lot: 25 feet from intersecting side street.
  - (7) Building size:

- (a) Maximum main building coverage as a percentage of lot area: 40%.
  - (b) Minimum area of main building: 1,000 ft<sup>2</sup>.
- (8) Accessory buildings:
- (a) Maximum accessory buildings 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.
- (9) Maximum height of structures: 35 feet.
- (10) 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  
Single-Family Dwelling



**5.5.E Parking Regulations.** A Single-Family, R-2 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 this ordinance, Section 11, Parking Regulations of this ordinance.

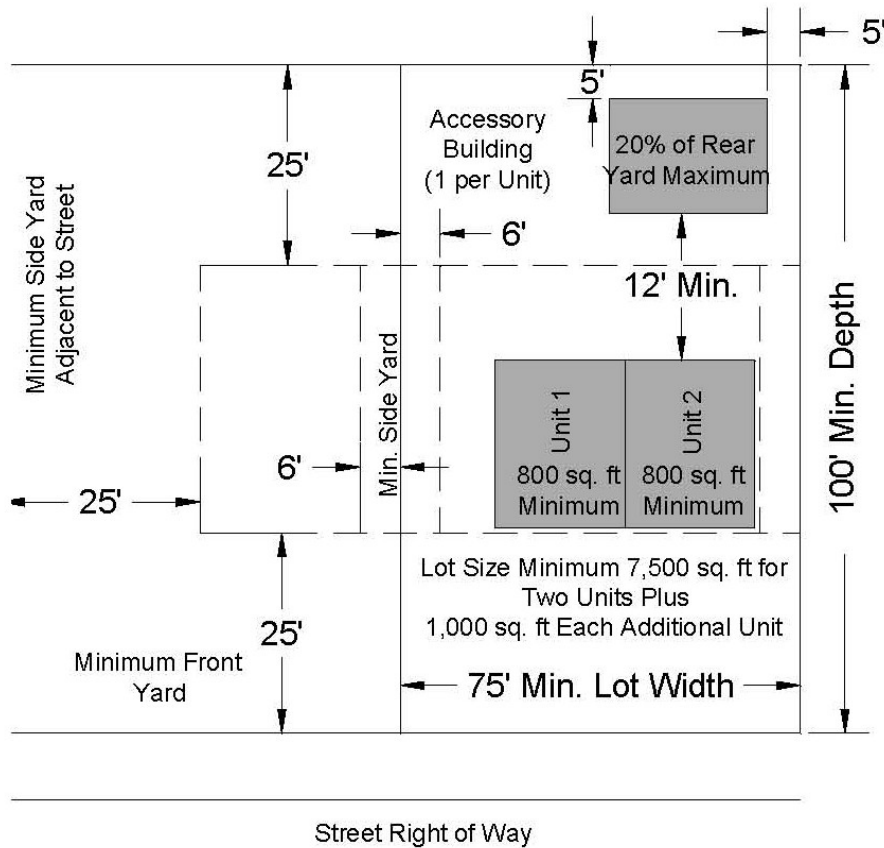
(B) *Two-family.*

- (1) Minimum lot area: minimum of 7,500 ft<sup>2</sup> for two-family dwelling unit.
- (2) Minimum lot width and lot frontage: 75 feet.
- (3) Minimum lot depth: 100 feet.



- (4) Minimum depth of front setback: 25 feet.
- (5) Minimum depth of rear setback: 25 feet.
- (6) Minimum width of side setback:
  - (a) Internal lot: six feet.
  - (b) Corner lot: 25 feet from intersecting side street.
- (7) Building size:
  - (a) Maximum main building coverage as a percentage of lot area: 40%.
  - (b) Minimum area of each dwelling unit: 800 (two-family unit = 1,600 ft<sup>2</sup>; two units of 800 ft<sup>2</sup> each).
- (8) Accessory buildings:
  - (a) Maximum accessory building coverage of rear yard: 20%.
  - (b) Maximum area of each accessory building: 200 ft<sup>2</sup>.
  - (c) Maximum number of accessory buildings: one per unit.
  - (d) Minimum depth of side setback: five feet.
  - (e) Minimum depth of rear setback: five feet.
  - (f) Minimum depth from the edge of the main building: 12 feet.
- (9) Maximum height of structures: 35 feet.
- (10) 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  
Two-Family Dwelling

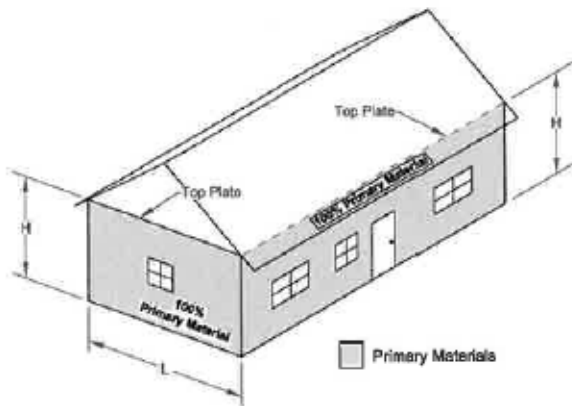


A Two-Family, R-2 District lot shall provide a minimum of two vehicle parking spaces, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this ordinance.

**5.5.F Type of Construction.**

- (1) The exterior walls of all new dwellings to the top plate, shall be constructed exclusively of primary materials, excluding doors, windows, and porches. See Section 10.E(1): Exterior Building Material Standard—Primary Materials.
- (2) 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.
- (3) Existing dwellings expanding the total square footage of the building by more than 50%, or proposing to use a material consistent with the primary structure for any expansion must use primary materials, Section 10.E(1): Exterior Building Material Standard—Primary Materials, for the expansion area.

5.4.F Exterior Building Material Standards



**NEW CONSTRUCTION**

Total Exterior Wall shall equal,  
100% of Primary Materials.  
(Windows & Doors are excluded)

**EXISTING STRUCTURES**

1. Expanding or modifying the footage of the building 50% or less, may use the same exterior material as the existing primary building. If not available, approval is need from the Community Development Director.
2. Expanding or modifying the footage of the building 50% or more, must use 100% Primary Materials of the exterior wall.
3. Windows and Doors are excluded.

(Ord. 2011-26, passed 12-6-2011)

**ALTERNATIVES:**

- 1) Accept the recommendation and approve the rezoning request.
- 2) Reject the recommendation and deny the rezoning request.

**Exhibit – Existing survey**



**ZONING AMENDMENT APPLICATION**

**CITY OF STEPHENVILLE**

1. **APPLICANT/OWNER:** WILLIAM OXFORD First Name Last Name  
**ADDRESS:** 159 S. GRAHAM Street/P.O. Box Phone No.  
STEPHENVILLE TX 76401 City State Zip Code

2. **PROPERTY DESCRIPTION:** 855 College Farm Rd, Stephenville  
Street Address

3. **LEGAL DESCRIPTION:** \_\_\_\_\_ Lot(s) Block(s) Addition

4. **PRESENT ZONING:** B-1 Zoning District Title

**PROPOSED ZONING:** B-2 Zoning District Title

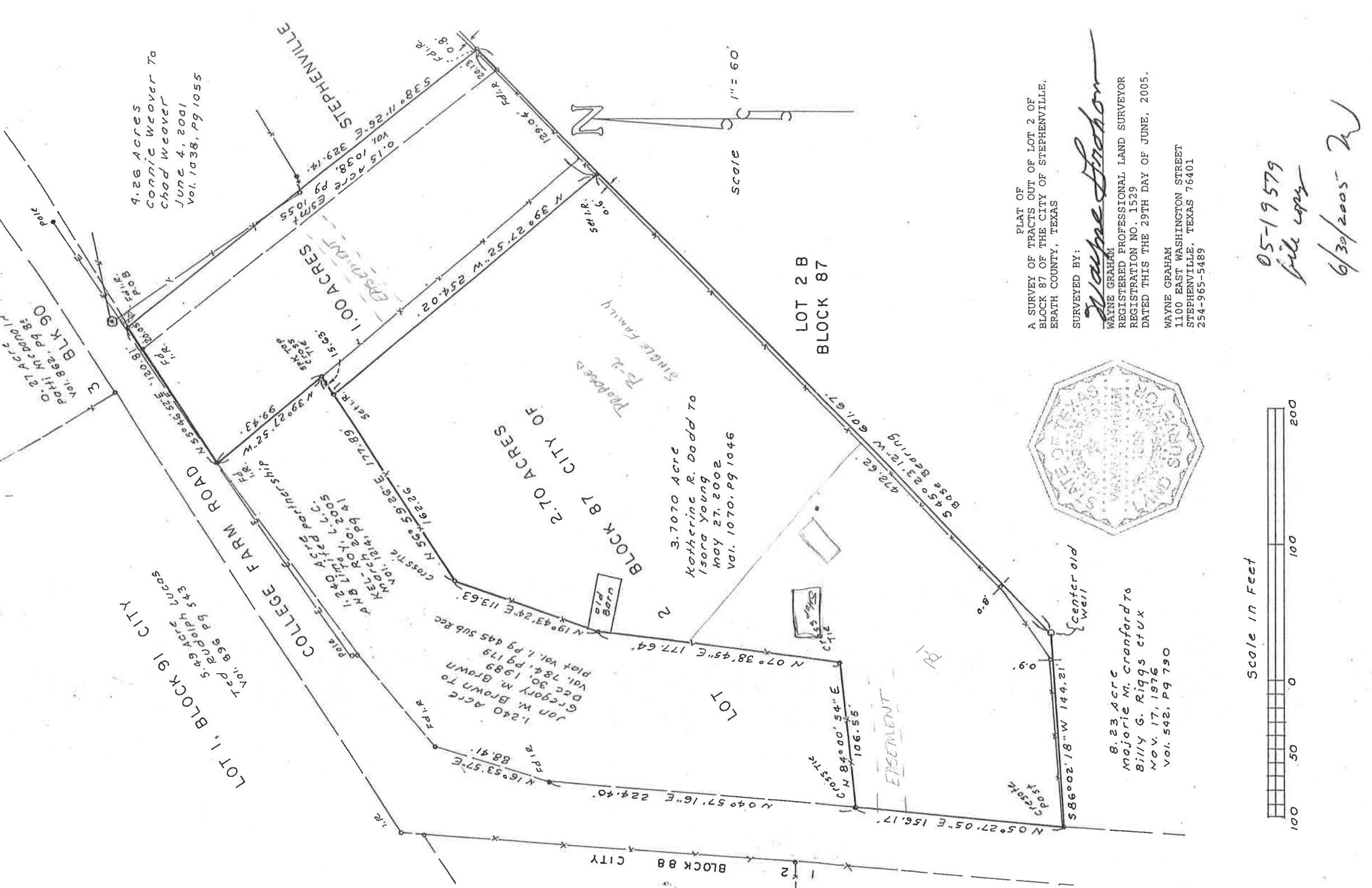
5. **APPLICANTS REQUEST FOR ZONING CHANGE IS AS FOLLOWS:** \_\_\_\_\_  
to allow a single family dwelling  
\_\_\_\_\_  
\_\_\_\_\_

(Attach an additional sheet if necessary)

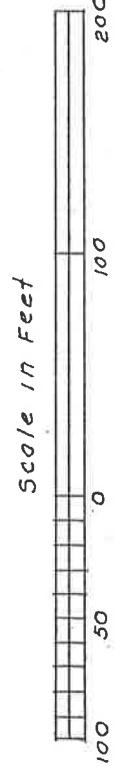
William Oxford Signature of Applicant 2/18/22 Date

\_\_\_\_\_  
Signature of City Official Received Date Received



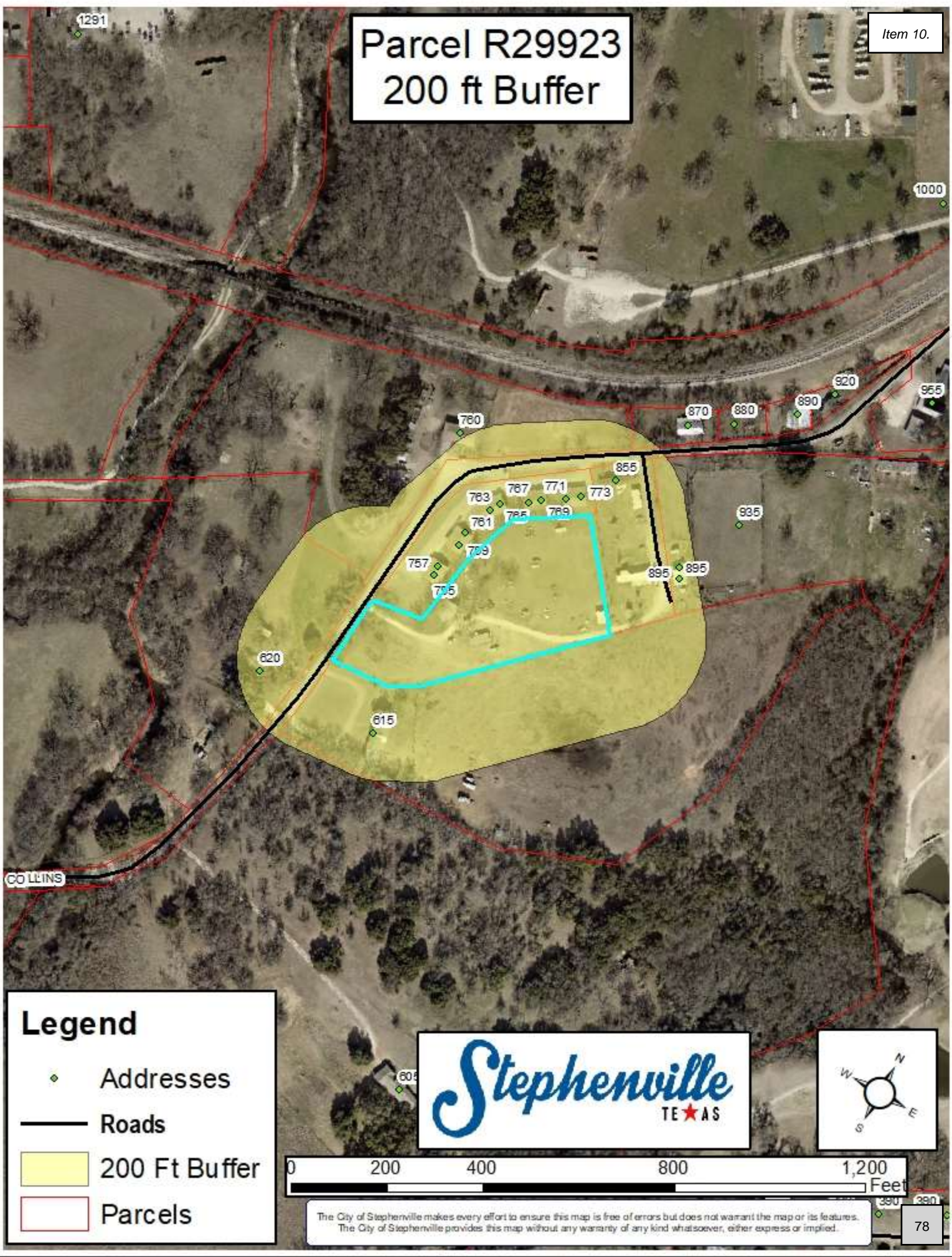


SURVEYED BY:  
**Wayne Graham**  
 WAYNE GRAHAM  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 REGISTRATION NO. 1529  
 DATED THIS THE 29TH DAY OF JUNE, 2005.  
 WAYNE GRAHAM  
 1100 EAST WASHINGTON STREET  
 STEPHENVILLE, TEXAS 76401  
 254-965-5489



05-19579  
 file copy  
 6/30/2005 W

# Parcel R29923 200 ft Buffer



## Legend

- ◆ Addresses
- Roads
- 200 Ft Buffer
- Parcels



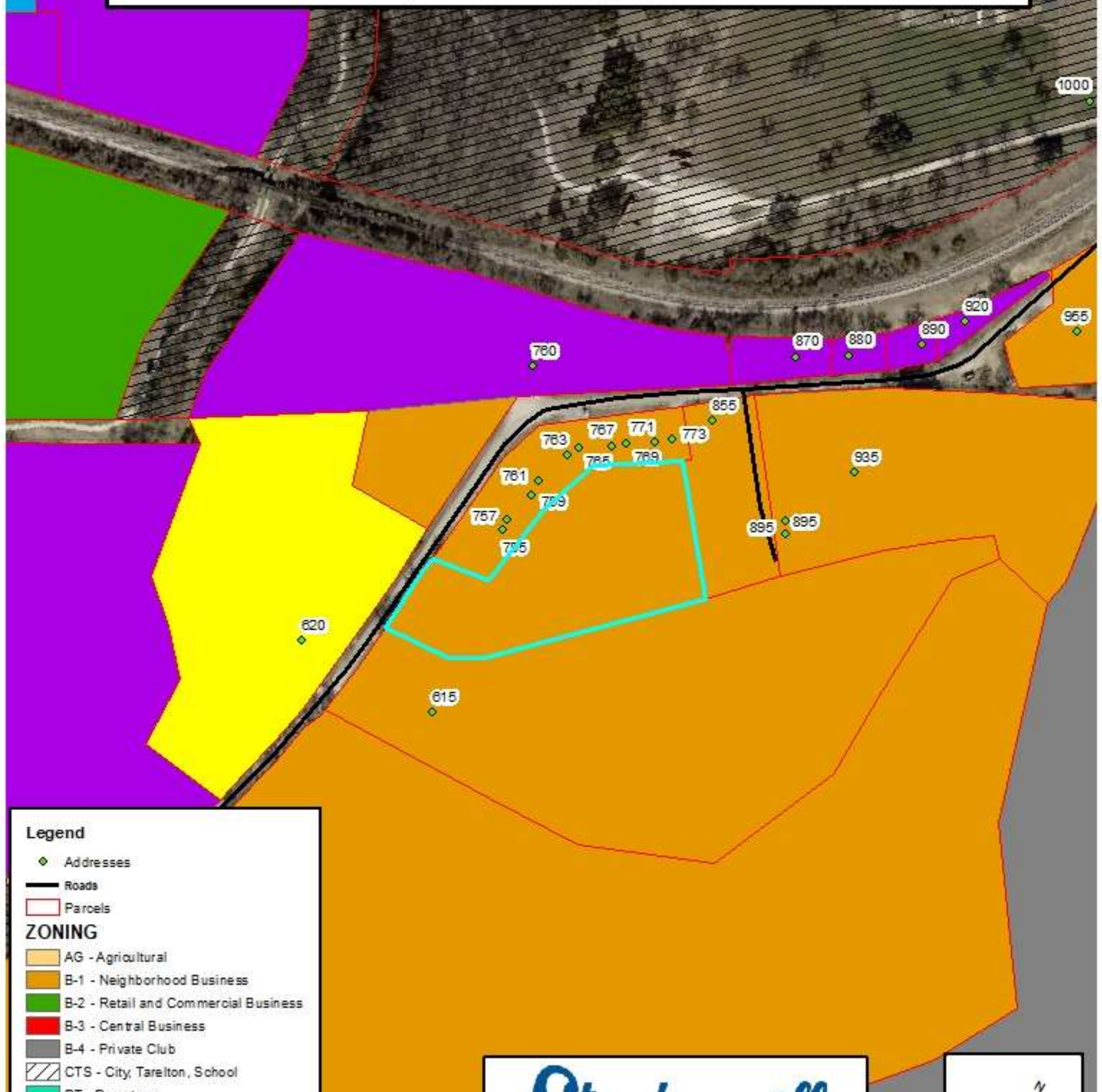
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# Parcel R29923

## Current Zoning - B1 Neighborhood Business

Item 10.

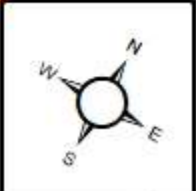


**Legend**

- ◆ Addresses
- Roads
- ▭ Parcels

**ZONING**

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- B-4 - Private Club
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- PD - Planned Development
- R-1 - Single Family - 7,500
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- R-2.5 - Integrated Housing
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- RE - Single Family - 1 Acre

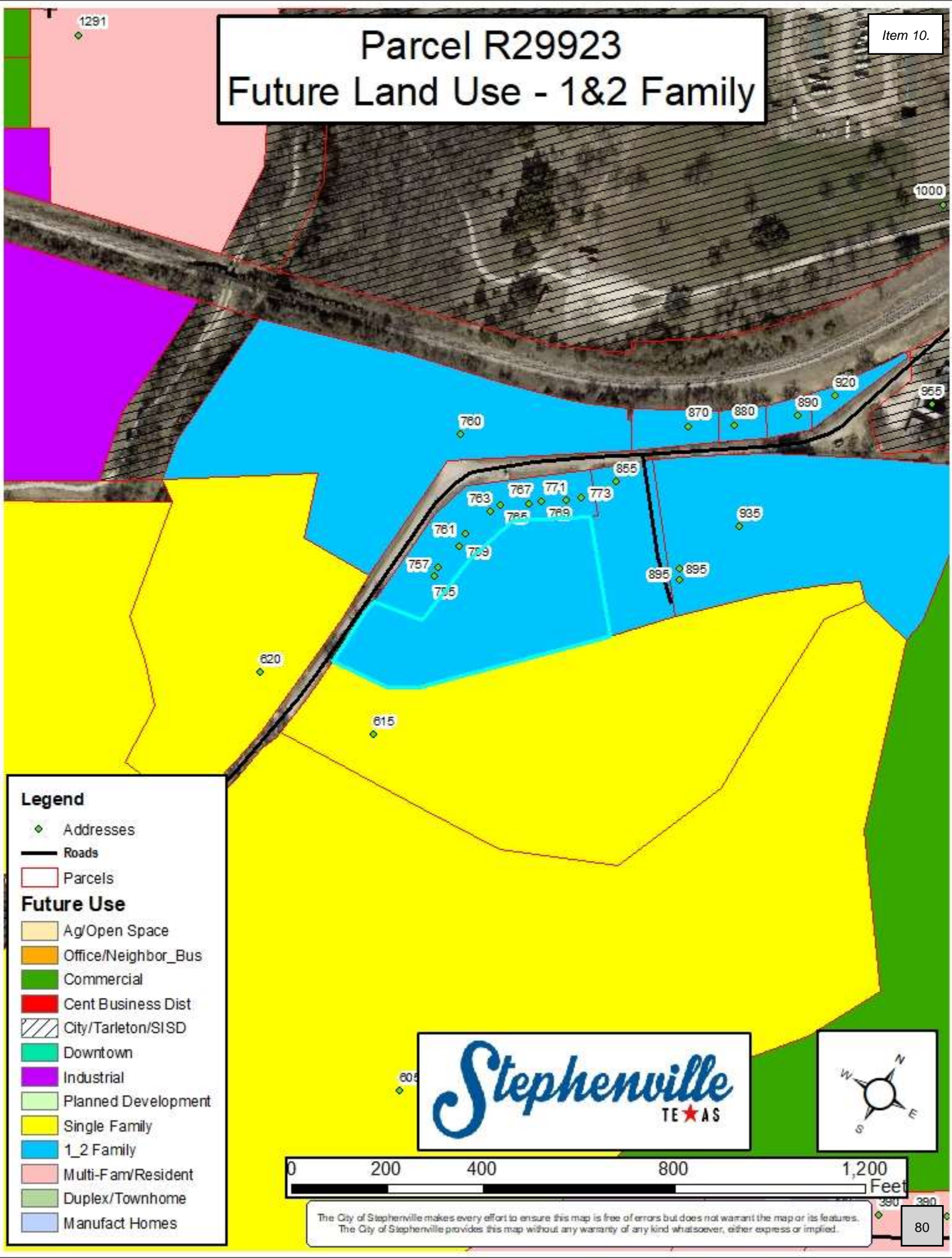


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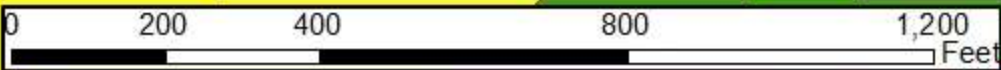
# Parcel R29923 Future Land Use - 1&2 Family

Item 10.



### Legend

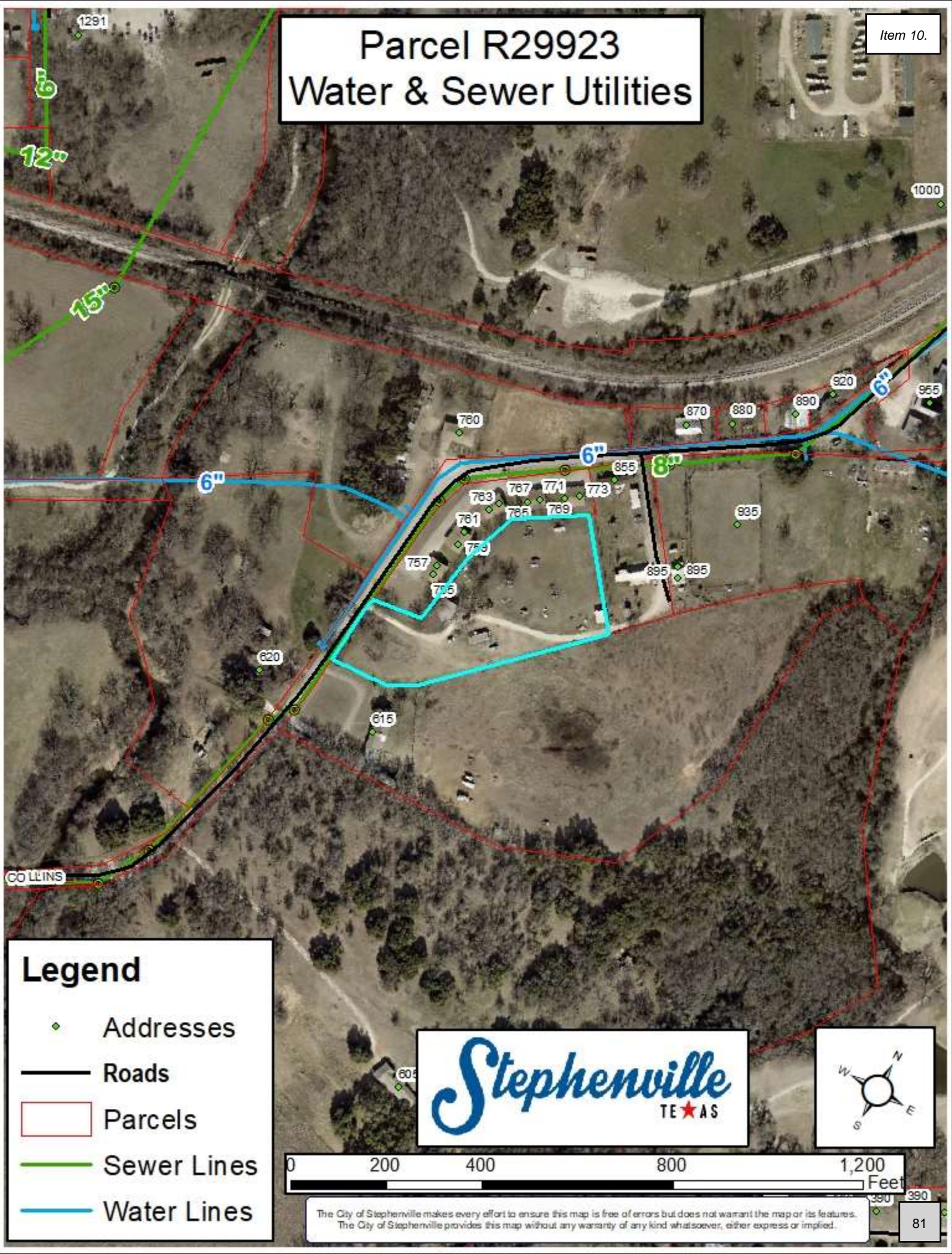
- ◆ Addresses
- Roads
- ▭ Parcels
- Future Use**
- Ag/Open Space
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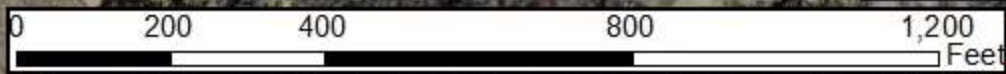


# Parcel R29923 Water & Sewer Utilities



## Legend

- ◆ Addresses
- Roads
- Parcels
- Sewer Lines
- Water Lines



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# Parcel R29923 Address List

Item 10.

Parcel ID	Parcel Address	Parcel Owner	Owner Address	City	State	Zip Code
R000029922	755 COLLEGE FARM RD	BACHUS JAMES O FAMILY TRUST	PO BOX 552	STEPHENVILLE	TX	76401
R000040797	935 COLLEGE FARM RD	GALE RONALD	895 COLLEGE FARM RD APT 11	STEPHENVILLE	TX	76401
R000029920	605 COLLEGE FARM RD	KOCH JUDITH FREY	PO BOX 386	STEPHENVILLE	TX	76401
R000029924	615 COLLEGE FARM RD	LIEB RICHARD J & REBECCA R LIEB	615 COLLEGE FARM RD	STEPHENVILLE	TX	76401
R000029926	620 COLLEGE FARM RD	MITCHELL DEBRA J	620 COLLEGE FARM ROAD	STEPHENVILLE	TX	76401
R000072743	855 COLLEGE FARM RD	OXFORD WILLIAM H	159 S GRAHAM	STEPHENVILLE	TX	76401
R000029923	0 COLLEGE FARM RD	OXFORD WILLIAM H	PO BOX1298	STEPHENVILLE	TX	76401
R000029950	760 COLLEGE FARM RD	REED DEBORAH	760 COLLEGE FARM RD	STEPHENVILLE	TX	76401
R000029945	870 COLLEGE FARM RD	STEWART DENNY J	870 COLLEGE FARM RD	STEPHENVILLE	TX	76401

**ORDINANCE NO. 2022-O-XX**

**AN ORDINANCE REZONING THE LAND DESCRIBED FROM THE ZONING NEIGHBORHOOD BUSINESS DISTRICT (B-1) TO ONE- AND TWO-FAMILY RESIDENTIAL DISTRICT (R-2)**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STEPHENVILLE, TEXAS, THAT:**

All that lot, tract or parcel of land legally described as follows:

Being Block 87, Lot 2 of the City Addition of the City of Stephenville, Erath County, Texas, located at 855 College Farm Road, and identified as Parcel No. R29923 in the Erath County Appraisal District Records

is hereby rezoned and the zoning classification changed from the classification of Neighborhood Business District (B-1) to One- and Two-Family Residential District (R-2), in accordance with the Zoning Ordinance of the City of Stephenville.

**PASSED AND APPROVED** this the 3<sup>rd</sup> day of May, 2022.

\_\_\_\_\_  
Doug Svien, Mayor

ATTEST:

\_\_\_\_\_  
Staci L. King, City Secretary

\_\_\_\_\_  
Reviewed by Allen L. Barnes,  
City Manager

\_\_\_\_\_  
Randy Thomas, City Attorney  
Approved as to form and legality





## COMMITTEE REPORT

**REPORT TYPE:** Parks and Leisure Services Committee Report

**MEETING:** April 19, 2022

**Present:** Daron Trussell, Chair; Justin Haschke, Alan Nix, Ricky Thurman

**Absent:**

**DEPARTMENT:** Parks and Leisure Services

**STAFF CONTACT:** Kelli Votyпка- Director

### Park Master Plan

Staff presented at the April 19, 2022, Committee meeting a desire to contract with Vista Planning & Design for professional services to develop a Parks and Recreation Open Space Master Plan in the amount of \$49,750.00. City Council approved \$50,000 in FY21/22 budget for a park master plan.

After discussion, a motion was made followed by a second with a recommendation to be presented to City Council for approval.

### Splashville Splash Pad UV System

Staff discussed with Committee at the April 19, 2022, meeting the need to upgrade the UV system at the splashpad. The need for a UV system was discussed on the importance for operating the splash pad effectively and safely. The controller panel needs to be completely replaced so the UV system is eliminating pathogens, viruses and chloramines. This will ensure the safety of the water for the babies, and children of Stephenville.

Staff is recommending the purchase of a new Hanovia 1200+ UV system to replace the non-functional existing system through the utilization of funds for other budgeted projects.

This repair is critical to the operation of Splashville and has exceeded other budgetary priorities within the Parks and Leisure Services department.

Park Improvements 01-501-55272

OYC outfield fencing - \$25,000

Building Maintenance (Aquatics) 01-507-54210

Sound System - \$5,000

**Combined Total: \$30,00**

After discussion, a motion was made followed by a second with a recommendation to be presented to City Council for approval.



**Progressive Commercial Aquatics, Inc.**

**Quote**



2510 Farrell Rd  
Houston TX 77073  
281-982-0212

**Quote #:** QA1560  
**Date:** 4/7/2022  
**Shipping Method:**  
**Salesperson:** Myles  
**Exp Date:** 5/7/2022

**Bill To**

City of Stephenville (STEUIL)  
Hanovia uv system splashpad buyboard#613-20  
298 W Washington St  
cblack@stephenvilletx.gov

Stephenville TX 76401

**Ship To**

City of Stephenville (STEUIL)  
Hanovia uv system splashpad buyboard#613-20  
Accounts Payable  
cblack@stephenvilletx.gov  
298 W Washington

Stephenville TX 76401  
(254)918-1220

Item	Description	Qty	UOM	Unit Price	Tax	Total
NONSTOCK	Hanovia I200+ UV system to replace existing	1	EA	\$22,600.00	\$0.00	\$22,600.00
LABOR	Labor to remove and replace UV with new	1	EA	\$3,950.00	\$0.00	\$3,950.00
NONSTOCK	Sch 80 pvc and fittings needed to reconfigure	1	EA	\$900.00	\$0.00	\$900.00
TRAVEL	Travel Related Expenses	1	EA	\$1,500.00	\$0.00	\$1,500.00

EXMPT \$0.00

**Total Weight of Items 0 lbs**

**Total \$28,950.00**  
**Tax Total \$0.00**  
**Grand Total \$28,950.00**

Effective 01/01/2020 a Convenience Fee of 4% will be charged on all credit/debit card transactions  
There will be a 25% restocking fee on all returned items.

**Thank you for your business**

# Quote

## Progressive Commercial Aquatics, Inc.



2510 Farrell Rd  
Houston TX 77073  
281-982-0212

**Quote #:** QA1560  
**Date:** 4/7/2022  
**Shipping Method:**  
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**Exp Date:** 5/7/2022

### Bill To

City of Stephenville (STEUIL)  
Hanovia uv system splashpad buyboard#613-20  
298 W Washington St  
cblack@stephenvilletx.gov

Stephenville TX 76401

### Ship To

City of Stephenville (STEUIL)  
Hanovia uv system splashpad buyboard#613-20  
Accounts Payable  
cblack@stephenvilletx.gov  
298 W Washington

Stephenville TX 76401  
(254)918-1220

Item	Description	Qty	UOM	Unit Price	Tax	Total
	<p>This will fully remove what you have and replace with new instead of servicing the chamber like we were going to do and then having to replace everything in the cabinet.</p> <p>***City to have their electrician hang the cabinet and reconnect the wiring and is not included in this cost, we will provide the cabinet but they will need to set the new one and energize as that needs to be done by a certified electrician.</p> <p>Lead time is 2 weeks on this unit from date of order</p>					

EXMPT \$0.00

**Total Weight of Items 0 lbs**

<b>Total</b>	<b>\$28,950.00</b>
<b>Tax Total</b>	<b>\$0.00</b>
<b>Grand Total</b>	<b>\$28,950.00</b>

Effective 01/01/2020 a Convenience Fee of 4% will be charged on all credit/debit card transactions  
There will be a 25% restocking fee on all returned items.

### Thank you for your business

March 28th, 2022

Proposal For:

Stephenville, Texas  
**Parks, Recreation & Open Space  
Master Plan**



vista   
Planning & Design



vista  
 Planning and Design  
 E mitch@vistaplanningdesign.com 19 Sugar Shack Dr.  
 T 512 673 8274 West Lake Hills, Tx 78746

March 28, 2022

City of Stephenville Parks and Recreation Department  
Parks, Recreation & Open Space Master Plan

Project Schedule and Work Plan:

The Stephenville Parks, Recreation & Open Space Master Plan project will take a comprehensive look at the parks and recreation facilities and programs to develop a pathway forward for a new master plan to guide City planning and budgets for the improvements of the parks and recreation system over time. The process includes an extensive review of existing conditions, a broad public engagement process, and through the lens of best management practices, develop the master plan that best serves the community’s expectations and the City’s vision moving forward. Importantly, this plan integrates elements of the downtown master planning by incorporating elements and themes supported in that process. This includes work on the Courthouse Square and its importance to city recreation and leisure; City Park as well as the Healthy Care district as described in that report.

The project will be graphic heavy with site photography, maps articulating different opportunities or elements, and survey results with graphs. The graphics will be accompanied by extensive writing of observations and analysis, standards to strive for, survey results and their interpretation as well as final determination of projects and priorities. The implementation section will include these priorities and list them in a matrix with a timeline for anticipated accomplishment. The projects will also be tied to a matrix for the overall goals of the project to ensure balance and equity.

The plan will also identify important projects that could have an impact of economic development and tourism such as hike and bike trails or sports complex may generate. Strategies outlined in the Downtown Master Plan as well describe parks and recreation concepts and strategies that tie directly into the parks and recreation master plan.

Overall Project & Tasks	Project Tasks	Department Lead	Project Team Lead	Priority Level	Cost	Funding Source	Economic Development	2021	2022	2023	2024	2025	2026	2027
<b>Overall Park System</b>														
Overall Park System	Overall Park System	Parks & Recreation	John Smith	High	\$5,000,000	City	High							
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## Work Plan Outline

### 1. Initial Project Setup

To launch the project, the team consisting of Vista and select leaders will meet to discuss schedules, timelines, scope, and set milestones and meeting dates. A group consisting of residents with strong interest in parks will comprise a Steering Committee and will be identified in the beginning for team meetings moving forward. The Steering Committee should include the parks director and one city council member. The process for public engagement will be discussed and decided upon including what stakeholder groups would be included for focused topics meetings. Scheduling an online survey open to all residents of Stephenville will be discussed along with a process of outreach.

### 2. Existing Conditions & Base Data Compilation

To begin, Vista will need all available data on the sites. Information needed will be topographic information, preferably in digital form (LIDAR) if available. All mapping that shows parks, roads, sidewalks, trails, existing facilities, city-owned property, and any places that are not official parks but function as parks. Once assimilated into Vista's formatting then additional data can be input such as high resolution aerial photography. With maps in hand, Vista anticipates trips to the City to photograph, drone fly, and inventory the parks while working on mapping key areas and concepts.

This front end activity is considered Vista's Parks 101 analysis and is comprised of extensive notes on existing conditions and potential opportunities.

### 3. Public Engagement

One of the most important phases in the project will be the public engagement. In the project beginning, Vista with the Steering Committee will identify several groups that have a little higher stake in the parks and recreation planning than the general citizens. Among the stakeholders maybe groups like sports leagues, river enthusiasts, educators, service organizations, or EMS and City personnel. The list will be determined with the Steering Committee. The fees listed anticipate a series of a maximum of 5 stakeholder meetings, each meeting with no more than about 8 people over a two day period. These meetings will have representatives of different organizations or groups to voice their opinion about the uses and planning of the parks. Meetings will be grouped by similar interests such as all representatives of the different sports leagues, or informal groups like cycling and running clubs. Another would be City personnel; maintenance, public works, EMS or police. Maps will be available showing the planning to date to keep the conversation focused on the topics central to that particular group.

Separately an online survey will be conducted. Vista will write the questions and the City will post on the official City website or Facebook page and advertise the survey through appropriate



outlets. The survey should be conducted with Survey Monkey or other quality online tool so that analytics can be generated for the results.

With public meetings a powerpoint will be shown to talk about the issues with the parks system and Mentimeter for short polls during the presentation which will show real time results during the meeting. Vista will report on the findings and dialog from stakeholders, online survey and public meetings in a report that will be a summary of all public engagement process.

#### **4. Conceptual Master Plan**

The largest park, City Park, is an important space and if a redesign of this park is important, then Vista would suggest a workshop format where ideas are presented up front and discussed in a forum, then concepts worked on as a group and a new concept presented. Many large investment features are existing in the park and so sensitivity to these will be important.

Another area of interest was an overall trails masterplan and an overall cycling plan. Although discussed, it has been decided that these efforts would be best served to delay to a future point in time. Comments that tie directly into the intersections of the downtown plan and the parks plan may be made as concepts emerge through site research or discussions.

Vista has been informed that a wetland creation project is anticipated south of the City. As with the cycling and trails planning, this area of interest will be deferred to a later date but commentary may be included based on research and discussions.

#### **5. Vision, Goals, Priorities, Timeline and Implementation**

This section of the project extends throughout the process of the project starting with the first Steering Committee meeting when we seek to learn what Stephenville's true vision for parks and recreation is. The goals that come out of this process eventually will have projects tied to each one. All projects identified through the process will be assigned to one or more goals as a check on being true to the vision and goals. Through the public survey and stakeholder process, there will be a lot of knowledge about what is needed and most important in projects or programming. These will be assigned a priority status and a timing over a 5-10 year period. The implementation will address funding sources and responsibilities so that twice a year, a checkup at council will be held and the status of each will be reviewed. The information regarding funding sources and responsibilities will be in concert with the staff and steering committee as they will be more aware of which department is capable of taking the lead. Funding sources will likely vary over time but a first round of suggestions might be assigned.

#### **6. Report Writing, Council Updates and Final Approval Process**

Report writing starts near the beginning of the project, as certain phases or tasks are worked on, notes and reports are generated. Vista uses InDesign for the final report production of the project so that written material and graphics can be inserted with ease. The format of the report will be presented early, likely with the first steering committee meeting. This will include a table



of contents written as a general outline. Changes to the organization will be discussed at that presentation to set the style and organization up front. The final deliverable will be a high resolution digital version of the report that can be published inhouse or at a local service provider.

The fee schedule accounts for three Council updates and a final presentation for approval. This way the Council will have confidence that the work on the project, is going as expected but also to give valuable feedback on the various elements and results.

**1. Excluded Items from this Proposal**

The following items **are not** included in this project scope and fee proposal and can be added as additional services and billed at \$140.00 per hour or with a lump sum proposal. With some of the services below, Vista would be outsourcing the work due to expertise or seal and therefore the project would be subject to the fee proposal generated by that sub:

- Wetland concepts
- Cycling trail concepts
- Trail master planning concepts
- Significant formatting changes to the report
- Construction document level of information
- Geotech or soils investigations, dam analysis or any structural /engineering analysis or design
- Site surveying
- Slopes or detailed ADA analysis
- Site layout (dimensioning) of any conceptual features
- Reproduction, materials cost or time
- Additional site concepts after conceptual plan is produced
- Engineering or architecture as defined by seal
- Sketchup 3D models, perspectives and rendering
- Educational interpretation other than indicating features worthy of this effort
- Revisions as a result of political changes, elections, or influence by interest groups

**2. Summary of Fees and Reimbursements**

Proposed project fees are based on an estimated amount of time of tasks performed by Mitch Wright. Mr. Wright’s fee is set at \$140.00 per hour and includes an averaging of time accumulated for the full range of actions (project administration, CAD or Photoshop work, public and client meetings, and design expertise) required for accomplishing the tasks as listed in the scope of services above. Driving time is included at \$50/hour as it is routine to make notes pre and post trip. The fee listed below represents a ceiling not to exceed without written confirmation of additional services. The ceiling is for the overall fee, not the individual tasks.

Project Initiation + Existing Conditions & Base Data _____	\$ 13,340.00
Public Engagement _____	\$ 13,740.00
Conceptual Design _____	\$ 7,110.00
Goals, Priorities, Timeline, Implementation _____	\$ 5,320.00
Report Writing _____	\$ 5,040.00
Council Presentations and Final Approval _____	\$ 5,200.00



TOTAL FEE \_\_\_\_\_ \$ 49,750.00  
Receipt of the signed contract will be required to initiate the contract.

Reimbursable Expenses:

Reproduction costs \_\_\_\_\_ cost plus 10%  
Travel per IRS \_\_\_\_\_ \$ .56/mile  
Hotel costs limited to 5 nights (Super 8 south of park is fine)

Invoices will be billed monthly based on percentage of work completed. Terms are thirty (30) days upon receipt of invoice by the client. Payments beyond that date are subject to a 4% per month additional charge. In the event of any additional consultation required of Vista Planning & Design and its sub-consultants for unforeseen or protracted developments in the project, work will be billed at the specified hourly rate as an addition to the specified contract fee. An estimate of time and fee will be provided to the client for approval prior to commencement of work and will be added as Addenda to the main contract.

If any errors occur during the project process that are the responsibility or oversight of Vista Planning & Design, then Vista Planning & Design reserves the right to address and correct this work without a formal legal process. Mr. Wright and Vista Planning & Design is a landscape architecture and certified land planning firm and though elements of a design may represent engineering or architectural related elements, We do not perform engineering or architecture tasks as regulated by the state and no work from Vista Planning & Design is to be misconstrued to be certified engineering or architectural work.

We would like to thank you for the opportunity to submit this proposal for master planning services for this project. We look forward to working with you and earning your work in the future. We would be happy to meet with you to discuss any items outlined above at your convenience and are ready to proceed immediately with all necessary resources to meet your overall schedule.

Accepting this proposal:

\_\_\_\_\_  
Kelli Votypka or City Representative

\_\_\_\_\_  
Date

Submitted By:

  
E. Mitchell Wright  
Vista Planning & Design



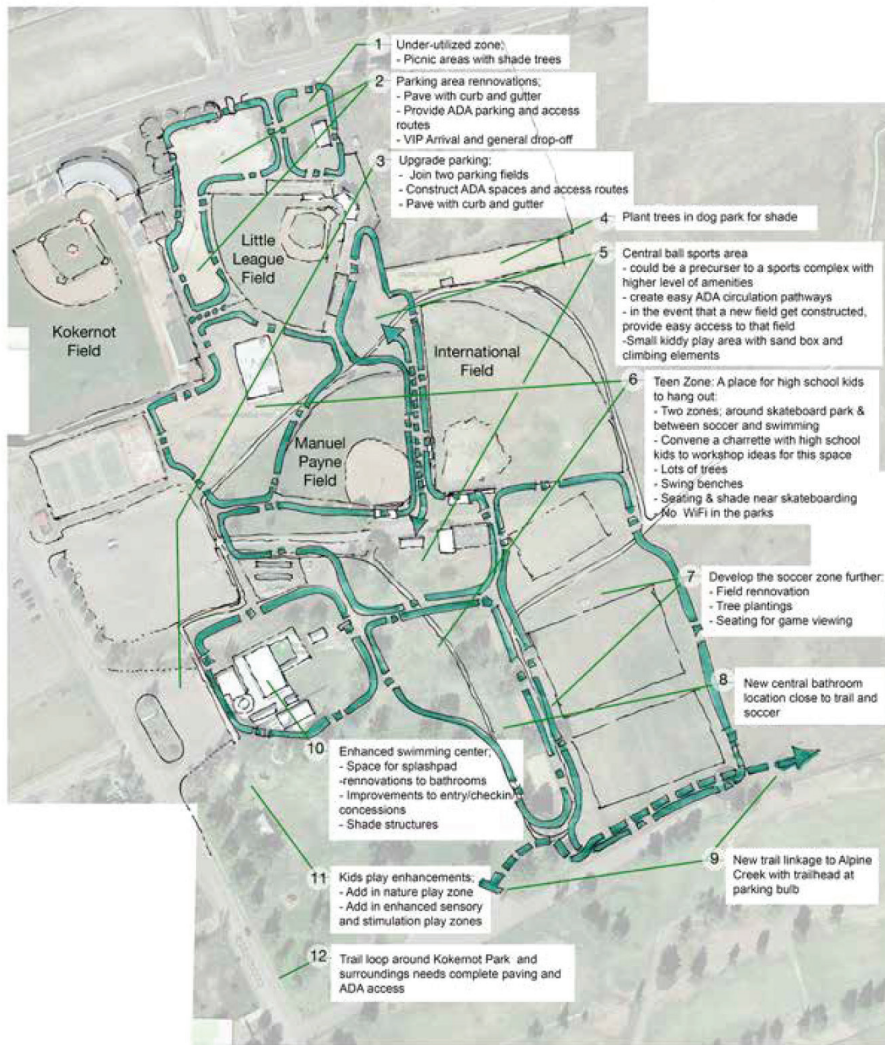
# Potential Preliminary Schedule

		Month 1				Month 2				Month 3				Month 4				Month 5				Month 6			
	<b>Monday week dates</b>	Wk1	Wk2	Wk3	Wk4	Wk1	Wk2	Wk3	Wk4	Wk1	Wk2	Wk3	Wk4	Wk1	Wk2	Wk3	Wk4	Wk1	Wk2	Wk3	Wk4	Wk1	Wk2	Wk3	Wk4
B	Initial project setup																								
C	Existing Conditions & Base Data Compilations																								
D	Public Engagement																								
E	Conceptual Design																								
F	Goals, Priorities, Timeline, Implementation																								
G	Report Writing																								
H	Council Updates and final Approval Process																								
I																									
J																									

The preliminary schedule is dependent on several factors including City scheduling and holidays

Below is a sample concept developed for the City of Alpine’s most significant park that was included in the City of Alpine Parks and Recreation Master Plan

## Kokernot Park Concepts





## STAFF REPORT

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**SUBJECT:** Proposed Ordinance- Chapter 97 Municipal Parks, Facilities, and Cemeteries

**DEPARTMENT:** Parks and Leisure Services

**STAFF CONTACT:** Kelli Votypka

### RECOMMENDATION:

Staff is recommending council support on the proposed Ordinance- Chapter 97 Municipal Parks, Facilities and Cemeteries as presented.

### BACKGROUND:

Staff presented to the Parks and Leisure Services Committee the first draft of Chapter 97 Municipal Parks, Facilities, and Cemeteries on February 15, 2022, with suggested modifications. At the March 15, 2022, Committee Meeting, staff presented the updated and recommended language for Ordinance Chapter 97.

After discussion at the March 15, 2022 meeting, a motion was made followed by a second with a recommendation to be presented to City Council for final approval and adoption.

**ORDINANCE NO. 2022-O-04****AN ORDINANCE OF THE CITY OF STEPHENVILLE CREATING CHAPTER 97 OF THE CITY OF STEPHENVILLE CODE OF ORDINANCES TO BE TITLED “MUNICIPAL PARKS, FACILITIES, AND CEMETERIES” AND PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the Parks and Leisure Services Department worked with the Parks and Recreation Advisory Board to present for consideration rules and regulations to ensure the enjoyment and safety of all city parks, facilities, and cemeteries; and

WHEREAS, the City Council of the City of Stephenville wishes to formally establish rules and regulations for the operation and use of city parkland, facilities, and cemeteries.

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

**SECTION 1.**

The Code of Ordinances of the City of Stephenville is hereby amended by the addition of the following:

**TITLE 9 - GENERAL REGULATIONS  
CHAPTER 97 - MUNICIPAL PARKS, FACILITIES, AND CEMETERIES**

**ARTICLE I – GENERAL PROVISIONS****Sec. 97.01 Definitions**

For the purposes of this chapter, the following words, terms and phrases shall have the meaning ascribed to them except where the context clearly indicates a different meaning:

*City Parks.* All parks inside the limits of the City of Stephenville that have been dedicated to the public, or leased by the City of Stephenville, including all such parks that are subsequently annexed into the city’s corporate limits. This includes both developed and undeveloped lands.

*Bosque River Trail.* Walking and biking trail system located along the Bosque River.

*Splashville.* City-owned waterpark.

*Recreation Facilities.* City-owned facilities such as pavilions, Recreation Center, Senior Center, gazebos, etc.

*Municipal Cemeteries.* West End Cemetery, East Memorial Cemetery, and Mount Olive Cemetery.

*Department.* The City of Stephenville Parks and Leisure Services Department.

*Director.* The Director of the Parks and Leisure Services Department or his/her designee.

*Cemetery Supervisor.* Person assigned to oversee the operations of all municipal cemeteries.

*Parks and Recreation Advisory Board.* An advisory board, appointed by the City Council, to advise the Council on policy matters affecting the city’s parks and recreation facilities.

*Community Event.* An event in the City that is open to the public in general and that enjoys widespread support from the citizens of Stephenville and surrounding areas.

*Special Event.* Any community event requiring a permit or involving a road closure, sale of goods or services, or charging of admissions.

*Commercial Activity* –An event held by any person, group, or organization, that makes or attempts to make profit, vend a service or product, receive money, or obtain goods or services as compensation from participants in activities occurring on public parkland owned and operated by the City of Stephenville, to include nonprofit training or fundraising activities, outdoor revenue generating programs, and educational groups that receive money from participants.

1. *Fundraising Activity* – a program created to seek financial support for a charity, institution, or other enterprise.
2. *Indoor/Outdoor Revenue Generating Program-* Activities/events held three or more times a month that charge a fee to generate revenue. (Ex. Sports association, Exercise training programs, etc.)
3. *Educational Program-* Program or activity to enrich educational opportunities. Can be fee based or free of charge to participants.
4. *Sports Associations, Organizations or Foundations* – any outside organized non-profit sports program not operated and staffed by the City of Stephenville.

*Commercial Use Permit* – written authorization from the Parks and Leisure Services Director to the applicant conducting organized educational/leisure classes at designated park sites that charge a fee to participants who desire to attend or participate in the commercial activity whether it is for profit or fundraising.

*Sections 97.02 - 97.09 Reserved for future use*

## **ARTICLE II. PARKS**

### **Section 97.10 Public Park Hours of Operation**

- (A) All public parks owned, leased, and/or managed by the city , except parkland listed in Section 130.05 of this Code, shall be closed between the hours of 11:00 p.m. and 5:00 a.m. It shall be unlawful for any person or persons to remain or be found in any area or facility outside of the designated hours that said area or facility is open to the public.
- (B) This section shall not apply to the following parks and recreation sponsored/sanctioned functions:
  1. Parks and recreation community events, sanctioned athletic events, leagues or tournaments.
  2. Any activity properly permitted through the office of the Director of Parks and Leisure Services.
  3. Permitted camping at City of Stephenville RV Park.



### Section 97.11 Applicability of Local, State, and Federal Laws

- (A) All terms and provisions of the Texas Water Safety Act shall be applicable to Stephenville City Park, the Bosque River Trail, and, where applicable, to other parkland owned or leased by the City of Stephenville.
- (B) All rules and regulations promulgated by the Texas Parks and Wildlife Department pursuant to the Texas Water Safety Act shall be applicable to Stephenville City Park, the Bosque River Trail, and, where applicable, to parkland owned or leased by the City of Stephenville.
- (C) All applicable rules and regulations of the U.S. Army Corps of Engineers including Title 36, Code of Federal Regulations Chapter 111, Part 327, and any amendments or revisions thereto shall be applicable to all parklands owned or leased by the City of Stephenville.

### Section 97.12 General Regulations

- (A) Children under ten (10) years of age must be accompanied by a parent, legal guardian, or person over the age of eighteen (18) years who is in a designated role of responsible care while using municipal parks or facilities.
- (B) Overnight camping in the City RV Park by persons under eighteen (18) years of age may not occur unless the individual is accompanied by parent, legal guardian, or as part of an approved, permitted group.
- (C) No person shall modify the natural conditions of topography and terrain of parkland owned by the City of Stephenville by excavating, filling, dredging, or any other means unless the city has issued a license authorizing such modification.
- (D) The city shall have the right to revoke, suspend, or refuse to reissue the permit of any individual upon the violation of rules, contract terms, regulations, standards or ordinances of the city, United States, State of Texas, or other local government entity.
- (E) No person in any park shall operate a motor-driven model airplane or drone, shoot a bow and arrow, discharge firearms, or hit golf balls except in an area designated for that purpose by the director.
- (F) Weapons shall not be discharged in any city parkland unless approved by The Director and allowed by state law.

### Section 97.13 Vehicle and traffic laws

- (A) **Traffic Regulations.** All applicable state and local vehicle and traffic laws and ordinances shall be in full force and effect in all parks.
- (B) **Speed Limit.** The speed limit in all parkland shall not exceed 10 MPH.

- (C) **Direction of traffic.** All law enforcement officers shall have the authority to limit traffic as needed in any park in order to control pedestrian and vehicular movement and park capacity in accordance with the provisions of this chapter or any other applicable laws and ordinances.
- (D) **Special provisions applicable to motorcycles, motor scooters, minibikes, electric bikes and electronic vehicles.** The director may, in reasonable discretion and through park rules and regulations, set aside or designate areas, paths, trails, or roads in a park where operating motorcycles, motor scooters, minibikes, electric bikes and electronic vehicles shall be allowed. Motorcycles, motor scooters, minibikes, electronic bikes and electronic vehicles are prohibited on the Bosque River Trail.
- (E) **Operating or parking vehicles**
- a. No person shall operate or park a vehicle over, through, or on any park ground except along or upon park roadways and designated parking areas as set forth in park rules and regulations.
  - b. No person shall operate a non-city vehicle on city parkland between the hours of 11:00 p.m. and 5:00 a.m., except as provided in Section 130.05 of this Code, and except for emergency or law enforcement purposes or in conjunction with special activities permitted by the director.
  - c. No person shall park or place an inoperable motor vehicle or allow an inoperable motor vehicle to remain on city parkland for a period of more than twenty-four (24) continuous hours. Violators will be towed at owner's expense.

#### **Section 97.14 Buildings and Other Property**

No person, in any city park, shall do or cause to be done any of the following without first obtaining a permit from the director:

- (A) Mark, deface, injure, displace, remove, or tamper with any park property or any park grounds.
- (B) Construct or erect any building or structure of any kind, whether permanent or temporary.
- (C) Store or stockpile any equipment, material, or product on park property, or within any structure or compound located in a park.
- (D) Cut, gather, or remove trees or parts of trees from any park without written approval of the director.
- (E) Construct, place, or operate any pier, bulkhead, wharf, boathouse, dock, barge, building, boat ship, boat stall, fixture, or other structure or facility of any kind or character upon, in, or over the portion of the Stephenville City Park and Bosque River Trail where river water is present, or other applicable parkland, unless a permit or other appropriate written agreement has been issued by the director.
- (F) Construct or place any structure, including, but not limited to, roads, trails, signs, or landscape features, of any kind under, upon, in, or over any parkland owned or leased by the City, unless a permit or other appropriate written agreement has been issued by the director.
- (G) Items (E) and (F) above shall not apply to bulkheads, rip rap or soil conservation measures, or other facilities constructed by or on behalf of the city or USACOE (United States Army Corps of Engineers)

**Section 97.15 Sanitation**

No person in any park or facility shall:

- (A) Throw, discharge or otherwise place or cause to be placed in the waters of any fountain, pond, stream or other body of water in or adjacent to any park, any substance, matter of thing, liquid or solid, which will or may result in the pollution of said waters.
- (B) Dump, deposit, or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage or refuse, or other trash.
- (C) Spill, pump, or otherwise discharge contaminants, pollutants, or other wastes, including, but not limited to, human or animal waste, petroleum, industrial or commercial products or by-products.
- (D) The owners and/or operators of all commercial ventures and operations shall provide on-site facilities satisfactory to the city for the collection of all trash, rubbish, and other forms of waste.

**Section 97.16 Swimming**

No person in any park, with the exception of Splashville, shall:

- (A) Swim, bathe, or wade in any water or waterway in or adjacent to any park, except in designated areas in accordance with the terms of this chapter and the regulations.
- (B) Swim, bathe, or wade except during those hours established for such activities.
- (C) Dive or jump from bridges or other structures which cross park waters or Bosque River Trail.

**Section 97.17 Boating**

- (A) No person shall bring into or operate any vessel upon any park waters.
- (B) The use of waters considered to be state waters that lay within or adjacent to city parks shall be subject to the Texas Water Safety Act, Texas Parks and Wild. Code Ann. §§ 31.001-31.142.
- (C) No person shall leave any private vessel unattended on city parkland, the Bosque River Trail, or in the portion of the Bosque River regulated by the city.

**Section 97.18 Camping**

- (A) No person shall camp overnight in a park or on the Bosque River Trail without first obtaining written permission from the director or his/her designee. Camping will only be allowed in designated areas.
- (B) Campers, picnickers, and all other persons shall keep their sites free of trash and litter during the period of occupancy and shall remove all personal equipment and clean their sites upon departure.
- (C) No person shall place camping equipment or other items on a campsite, nor physically occupy a campsite-overnight without payment of appropriate fees. No person shall place another person, equipment, or other items at a campsite for the purpose of reserving a campsite for future occupancy.

- (D) No person shall alter any campsite, dig or level any ground, nor construct any structure without written permission from the director.

### **Section 97.19 Fires**

No person in any City Park or parkland shall:

- (A) Start or maintain any outdoor fire except for cooking fires. Such fires shall be started and maintained only in a stove, fireplace, barbecue pit, fire ring, or portable camp stove.
- (B) Leave any fire started or maintained unattended without first completely extinguishing the fire.
- (C) Gather or remove firewood for use on or removal from any park.
- (D) Burn any material that produces toxic fumes, including but not limited to tires, plastic, or treated wood products.
- (E) Carry onto or store gasoline or other fuels, except that which is contained in storage tanks of vehicles, vessels, camping equipment, or hand portable containers designed for such purpose.

### **Section 97.20 Animals.**

#### **(A) General Regulations**

1. No person shall abandon any animal in any park.
2. Dogs are not allowed on playing fields or spectator areas of athletic fields. Dogs specially trained to assist the disabled may be on the fields to assist their owner during programs designed for the disabled.
3. Animals and pets, except properly trained animals assisting the disabled, are prohibited in sanitary facilities such as restrooms or locker rooms.
4. Persons bringing or allowing pets in parks areas shall be responsible for proper removal and disposal of waste produced by those animals.
5. All animals and pets are prohibited in Splashville, except at special events permitted by the Director.
6. Riding horses or other animals is only allowed in areas, or on paths or trails designated by park rules and regulations. Any animal ridden in a park shall be properly restrained, ridden with due care, and shall not be allowed to go unattended. Horses, ponies, donkeys, or mules shall have successfully passed a Coggins test prior to using any park areas, paths or trails.
7. No person shall bring or allow wild or domestic animals, reptiles, bird, fish, horses, cattle or other livestock on parkland owned or leased by the City of Stephenville except in areas designated by the director.



8. Ranging, grazing, watering, or allowing livestock on parkland owned by the City of Stephenville is prohibited except when authorized by lease or license.
  9. No person shall, without first obtaining permission from the director:
    - i. Capture, attempt to capture, hunt, molest, injure, trap or administer or set out any trap or harmful substance for any wild or domestic animal, reptile or bird; or
    - ii. Remove or have in possession the young, eggs, or nest of any animal, reptile, or bird.
- (B) Animals prohibited in parks during activities
1. Animals, except for dogs, are prohibited in any of the parks located within the city limits during any organized special event.
  2. For purposes of this section, an organized activity includes any city-sponsored activity or event, including, but not limited to, festivals, shows, or athletic events.
  3. Exceptions:
    - a. Display of animals for viewing, petting zoos, or similar activities is allowed with the permission of the director.
    - b. Canine assistance for the disabled.

**Section 97.21 Merchandising, Advertising, Signs, Commercial Use**

No person in any park shall:

- (A) Expose or offer for sale or hire any article, thing, or service, nor station or place any stand, cart, or vehicle for the transportation, sale, or display of any article, thing, or service unless written permission has been obtained from the director.
- (B) Announce, advertise, or call the public's attention in any way to any article, thing, or service for sale or hire unless written permission has been obtained from the director.
- (C) Paste, glue, tack, or otherwise place any sign, placard, advertisement, or inscription on park property, nor erect or cause to be erected any sign on any public lands, highways, or roads adjacent to a park, unless written permission has been obtained from the director.
- (D) Provide and/or sell any food- or drink-based product to the public for free or for a fee without the provider and/or dispenser obtaining written permission from the director and having obtained all applicable health code licenses and permits.
- (E) Construct, operate, or otherwise engage in any retail or wholesale sales or commercial operation unless the city has granted a license and/or sublease for such operation.
- (F) Commercial use of public parkland is not authorized without approval from the City of Stephenville. Individuals or entities engaged with the provision and sale of goods and/or services on City of Stephenville parkland will be required to provide all necessary documentation provided by the Parks and Recreation division of the Parks and Leisure Services Department. Upon the completion of all

required documentation, it is the City of Stephenville's sole discretion to approve or deny the application.

- (G) Exceptions: Any exceptions to the requirements of this section are authorized only by council approval. Upon approval, the person or organization must show and have all proper insurance and permits pertaining to their event or organization

#### **Section 97.22 - Interference with users**

- (A) No person shall prevent, disturb, or unreasonably interfere with any other persons occupying any area or participating in any lawful activity permitted within any City Park.
- (B) No person shall act in a boisterous, rowdy, disorderly manner or otherwise disturb the peace in any city park.
- (C) No person shall disrobe in public or display public nudity in any city park in accordance with State Law.
- (D) No person shall use or operate rollerblades, skates, scooters, or skateboards in and/or around concession areas, spectator seating, parking lots, and adjacent walkways during athletic events, concerts or special events.
- (E) No person shall make any use of any tobacco product (including e-cigarettes) within one hundred (100) feet of the boundaries of youth athletic fields or concessions facilities, or at organized events.

#### **Section 97.23 Permits**

- (A) **Event Permit Required.** In addition to any other provision of this chapter that requires obtaining a permit prior to engaging in a given activity, no person in any City Park shall conduct, operate, present, manage, or take part in any of the following activities unless written permission has been obtained from the director prior to the start of the activity:
1. Any organized sporting event using park ballgame facilities that are designated for permit use only;
  2. Any exhibit, dramatic performance, play, motion picture, radio or television broadcast, fair, circus, carnival, musical event, or any similar event;
  3. Any public meeting, assembly, parade, ceremony, address, speech, political meeting, or other gathering composed of one hundred (100) or more persons;
  4. Any use of any park facility by a group of persons to the exclusion of others;
  5. Any use involving amplified sound;
  6. Any use involving firearms or guns; or
  7. Any use of parks and recreation facilities in violation of park hours of operation.

**(B) Permit application procedure**

1. A person seeking the issuance of a permit to conduct an activity in a park shall file an application with the director or his/her designee. The application shall state:
  - a. The name, address and telephone number of the person and organization and its officers applying for the permit;
    - i. If the use or activity is to be conducted for, on behalf of, or by any person other than the applicant, the name, address and telephone number of that person;
  - b. The exact nature of the use or activity for which the permit is being sought;
  - c. The day and hours for which the permit is desired;
  - d. The specific park and portion of the park desired to be used to carry out the proposed use or activity;
  - e. An estimate of the anticipated attendance;
  - f. Any other information that the director finds to be reasonably necessary in order to determine whether to issue a permit.
2. Applications shall be filed with the director for consideration not less than thirty (30) days or more than three hundred sixty-five (365) days before the date of the proposed use or activity.
3. The director shall evaluate the application and render a decision in accordance with Section C, below.

**(C) Standards for issuance of permit; procedures**

1. A permit for an activity in or use of a park shall be issued unless it is found:
  - a. That the proposed activity or use of the park will unreasonably interfere with or detract from the general public use and enjoyment of the park; or
  - b. That the proposed activity or use of the park will unreasonably interfere with or detract from the public health, safety or welfare; or
  - c. That the conduct of the proposed activity or use is reasonably likely to result in or create a clear and present danger of violence by the applicant or by others toward persons or property resulting in serious harm to the public; or
  - d. That the requested facilities have been reserved for another activity or use at the day and hour requested in the application; or
  - e. That false or misleading information is contained in the application or required information is omitted; or
  - f. That the event would violate any federal, state or municipal law; or
  - g. It is found or determined that the requested facility or park is unable to support, through physical space, infrastructure, or other factors, the proposed event or activity.
2. The director may impose reasonable conditions or restrictions on the granting of a permit, including, but not limited to, any of the following:

- a. Restrictions on fires, fireworks, amplified sound, use of alcoholic beverages, dancing, sports, the use of animals, equipment, or vehicles, the number of persons to be present, the location of any bandstand or stage, or any other use which appears likely to create a risk to the reasonable use and enjoyment of the park property;
  - b. A refundable security deposit for the repair of any damage to Park property and/or the cost of cleanup as set in the city's fee schedule.
  - c. A reasonable fee to defray the cost of furnishing adequate security forces by the city at the proposed use or activity.
  - d. Additional sanitary and refuse facilities that might be reasonably necessary, based on the use or activity for which the permit is being sought.
3. Within seven (7) days after submission of an application, the director shall apprise an applicant, in writing, of its approval or reasons for refusing a permit.
    - a. Applicants requesting removal of any conditions attached to the issuance of a permit or wishing to appeal a permit refusal shall have the right to appeal the director's decision in writing within six (6) days to the City Manager's Office. The City Manager or his/her designee shall consider the application under the standards set forth in this section and/or other reasons deemed by the City Manager to be detrimental to the use of the public parks. After review, the City Manager will sustain or overrule the director's decision.
  4. An applicant shall be bound by all ordinances fully as though the same were inserted in such person's permit.
  5. The person to whom a permit is issued shall be liable for any loss, damage, or injury to any person or property due to negligence of the person and/or organization to whom the permit was issued.
  6. The director or his/her designee shall have the authority to revoke a permit upon a finding of violation of ordinance, state or federal law, or upon the violation of any condition or restriction under which the permit was issued.
  7. Permits shall not be transferable without the written consent of the director.

**(D) Posting and Exhibiting Permits**

Permits required by this chapter shall be posted in the area where the activity is conducted or produced and must be shown upon the demand of any law enforcement officer or authorized City Park employee.

**Section 97.24 Closed areas**

Any section or part of any City Park may be declared closed to the public by the director or a law enforcement officer at any time and for any interval of time, either temporarily or at regular, stated intervals (daily or otherwise), either entirely or for certain uses, as the director or law enforcement officer shall find reasonably necessary.

**Section 97.25 Naming parklands, park roads, major improvements, and facilities**



- (A) The Parks and Recreation Advisory Board chairperson shall appoint a committee to be responsible for research, study, and recommendation of proposed names of parks, park roads, major improvements, facilities, or similar.
1. Recommendations for proposed names shall be presented to the Parks and Recreation Advisory Board for approval or disapproval. A resume stating the reason for the recommendation of a name shall be submitted in writing. If the board disapproves the committee's recommendation, the matter may be referred back to the committee for further action.
- (B) The Parks and Recreation Advisory Board's recommendation for naming parklands, park roads, major improvements, or facilities shall be submitted to the city council within sixty (60) days of acquisition, construction, or completion, or at the earliest possible time thereafter. The City Council shall have the final authority for the naming of parklands, park roads, major improvements, or facilities.
- (C) The naming of park roads, major improvements, or facilities shall permit ready identification and/or geographical association by the public. The following guidelines shall be considered:
1. Outstanding and/or predominate physical characteristics of the land.
  2. Financial or real property contributions of fifty percent (50%) or more by individuals or organizations.
  3. Outstanding community leaders, living or deceased.
  4. National, state, or local historical leaders or heroes, both past and present.
  5. Predominant plant materials.
  6. Streams, rivers, lakes and creeks.
  7. Outstanding environmentalists or parks and recreation notables.
  8. No park site shall be given the same name as an existing school site or public facility except where sites abut one another.
  9. Subdivision names where parklands are adjacent to or lie within the subdivision.
- (D) Proposed names shall be kept confidential by members of the committee until they are presented to the Parks and Recreation Advisory Board, except that the proposed name may be disclosed to the individual or family of the individual that is the subject of the proposed name. An individual or relative of an individual after whom a park or recreation facility is proposed to be named shall be provided the opportunity to oppose such designation.

### **Section 97.26 Park Facility Rental**

- (A) Facility Rentals - Individuals or groups wanting exclusive use of any Stephenville City Parks and Recreation facilities must fill out the Community / Special event application. The Exclusive Rental rate will be applied for every 24-hour period the park is rented.

1. The following facilities are available for rental:
  - a. Large Pavilion – City Park
  - b. Small Pavilion – City Park
  - c. Century Park Gazebo – City Park
  - d. Birdsong Amphitheatre – City Park
  - e. Recreation Hall – City Park
  - f. Sports Complex – City Park
  - g. Senior Citizens Center
  - h. Other facilities as approved by the director or his/her designee
  
2. The following facilities are available for practices, tournaments, 5K runs, and other special events:
  - a. Baseball fields
  - b. Softball fields
  - c. Tennis courts
  - d. Bosque River Trail

**(B) Fees for use of park facilities**

1. Fees shall be approved by the city council as part of the city’s fee schedule.
  
2. Waiving of Fees: The City of Stephenville may waive all or a portion of the fee with the recommendation of the Director of Parks and Leisure Services.
  
3. Any person or persons occupying park space or using such facilities where that occupancy or use requires a fee, but where said fee has not been paid, shall be considered to be trespassing.

**(C) Sports Association / Organization / Foundation Facility Fees**

1. These groups must meet with the Parks and Leisure Services Director and agree to terms in a written contract agreement. This contract will cover fees, policies and procedures, maintenance, and operational standards by which the City of Stephenville facilities will be utilized.
  
2. Individuals or entities must provide documentation of transactions for goods and/or services and proof of a current liability insurance policy naming the City of Stephenville as an additional insured party when appropriate.

**(D) Refunds**

1. Refundable Deposits will be processed upon inspection of parks and/or facilities by Parks and Leisure Services staff. The standard of cleanup is leaving the park and/or facilities in the same condition as it was at the time the rental period began.
  
2. Pavilions, Birdsong Amphitheater – no refunds will be issued for inclement weather.
  
3. Recreation Center – refunds will be issued if reservations are cancelled no less than seven (7) business days from event date.

**Section 97.27 Insurance and Liability**

- (A) The City of Stephenville and its agents disclaim all liability resulting from the exclusive use of a municipal park, its facilities and/or equipment, gazebo, and/or pavilions for events open to the public (community events, special events, or any other activity specified in these policies.)
- (B) Organizers of these public events must provide proof of insurance indemnifying the City of Stephenville against any liability arising from such exclusive use. Closed events (birthday parties, family reunions, etc.) will not require liability insurance.
- (C) The Director of Parks and Leisure Services shall have the right to waive the insurance requirement for events. The waiver will be made on a case-by-case basis. A waiver shall not be granted without adequate protection for the city, such as a sufficient indemnity agreement.
- (D) Minimum Coverage shall include: Bodily Injury coverage of at least \$100,000 per person and \$500,000 per occurrence.

*Sections 97.28 – 97.39 Reserved for future use.*

### **ARTICLE III. MUNICIPAL CEMETERIES**

#### **Section 97.40 General Rules and Operation**

The Municipal Cemeteries of the City of Stephenville shall be reserved for the burial of human remains in accordance with State and Federal law. The city Manager or his/her designee shall have the authority to promulgate rules and regulations for its use and control the use of the facility in accordance with state law. Fees for services and the sale of burial plots shall be approved by the city council as part of the city's fee schedule.

#### **Section 97.41 Burial in accordance with laws of the State of Texas**

No person shall purchase or allow any cemetery lot or niche to be used for any purpose other than the burial of human remains in accordance with the laws of the State of Texas.

#### **Section 97.42 Parking and/or driving in gardens; speed limit**

- (A) No person shall use the cemetery land as a thoroughfare and the right to use automobiles or other vehicles in the cemetery is authorized solely and exclusively for transporting persons to visit burial plots.
- (B) Parking and/or driving on any gardens or grassy areas are prohibited for purposes other than those obtained from the cemetery.
- (C) The speed limit within the cemetery is ten (10) miles per hour.

#### **Section 97.43 Possession of drugs or alcohol in cemetery**

No person shall possess alcoholic beverages or illegal drugs in any Municipal Cemetery.

#### **Section 97.44 Right of cemetery staff to enter upon lot**

The cemetery supervisor shall have the right to authorize persons to enter upon or use any adjoining cemetery lot or lots to carry out duties related to interments, erection of monuments or markers, etc., without prior notice to the lot owner.

**Section 97.45 Headstones**

No headstones shall be installed, moved, repaired, or removed without first obtaining the approval of the Cemetery Supervisor. Temporary placeholders may be used for a period of no longer than 12 months, after which time a permanent headstone or marker shall be placed.

**Section 97.46 Prohibitions**

Administration of this Article shall not infringe on an individual’s right to beautify or maintain a grave or burial lot in accordance with Section 713.010 of the Texas Health and Safety Code. Decorative elements including curbing, landscaping, and trees located on gravesites existing on the date of this ordinance may be repaired and maintained.

**ARTICLE IV. PENALTIES**

**Section 97.99 Penalties for Violations**

Penalties for violations of this chapter are subject to the general penalty set out in 10.99 of the City of Stephenville Code of Ordinances.

SECTION 2.

**Section 90.10 *Animals prohibited in parks during special activities*** is hereby repealed in its entirety, as it has been incorporated into Chapter 97 *Municipal Parks, Facilities, and Cemeteries*.

SECTION 3.

Except as amended herein, the City of Stephenville ordinances shall remain in full force and effect as presently enacted and amended from time to time. To the extent of a conflict between this Ordinance and any other ordinances of the City of Stephenville as same may have existed prior to the adoption of this Ordinance, this Ordinance shall control.

SECTION 4.

If any section or part of this ordinance is held by a court of competent jurisdiction to be unconstitutional or invalid, such judgement shall not affect, impair, or invalidate the remaining provisions of this Ordinance but shall be confined in its operation to the specific section or sections that are held unconstitutional or invalid.

SECTION 5.

This ordinance shall become effective immediately upon its passage.

**PASSED AND APPROVED** this 3<sup>rd</sup> day of May, 2022.

\_\_\_\_\_  
Doug Svien, Mayor

ATTEST:

\_\_\_\_\_  
Staci L. King, City Secretary



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Reviewed by Jason King,  
Interim City Manager

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Randy Thomas, City Attorney  
Approved as to form and legality



## COMMITTEE REPORT

**REPORT TYPE:** Nominations Committee Report

**MEETING:** April 19, 2022

**Present:** Gerald Cook, chair; LeAnn Durfey, Justin Haschke, Alan Nix

**Absent:**

**DEPARTMENT:** Administration

**STAFF CONTACT:** Staci L. King

### PROPOSAL FOR DEVELOPMENT OF HISTORIC DOWNTOWN DISTRICT FACEBOOK PAGE

Staff received a proposal from Marla Bush to create a Facebook page for the Historic Downtown District. After discussion, it was determined that Ms. Bush would be referred to the Main Street Advisory Board.

### REVIEW COUNCIL RULES OF PROCEDURE

The Council Rules of Procedure were discussed and various changes proposed. The Committee voted unanimously to forward the recommended changes to council for action.

### DISCUSS VACANCIES ON BOARDS AND COMMISSIONS

The Committee discussed various vacancies on Boards and Commissions. Council member Alan Nix, who has applied for a vacant seat after his council term, abstained and left the room during discussion.

After discussion, the committee voted to take the following recommendations to council at the special meeting on May 17:

Appoint Kellijon Nance to SEDA

Appoint Alan Nix to Board of Adjustment

### DOWNTOWN LIGHTING

After discussion of price and location of lighting, the committee recommended gathering more information before presenting the downtown lighting to full council.

**CITY OF STEPHENVILLE CITY COUNCIL  
RULES OF PROCEDURE**

**PROLOGUE**

These rules and procedures represent an effort to clarify unwritten policies, to expedite matters needing council attention, and to streamline agendas. They are intended to supplement the existing Code of Ordinances and City Charter by addressing areas either left unclear or not addressed at all. Unlike the Charter and Code of Ordinances, these rules and procedures can be modified to fit the personality of the Mayor and Councilmembers. No conflict with the Charter or the Code of Ordinances should exist.

It is the purpose of this document to present guidelines for the maintenance of decorum and presentation of a favorable impression to the public and press in attendance at the meetings of the City Council.

**SECTION 1. AUTHORITY**

Charter. The City Council of the City of Stephenville shall establish its own rules of procedure for meetings as provided by City Charter. The following set of rules shall be in effect upon their adoption by the Council, and until such time as they are amended, or new rules adopted in the manner provided by these rules.

**SECTION 2. GENERAL RULES**

- 2.1 Meetings to be Public. All official meetings of the Council shall be open to the public (except where State or local law allows Executive Sessions for certain limited topics). The journal of proceedings shall be open to public inspection.
- 2.2 Quorum. The presence of at least five (5) members of the Council shall constitute a quorum and be necessary for the transaction of business.
- 2.3 Compelling Attendance. The Council may adjourn from day to day to compel the attendance of absent members. The names of Councilmembers arriving late shall be noted upon the minute pages of the City Council.
- 2.4 Journal of Proceedings. An account of all proceedings of the Council shall be kept by the City Secretary and shall be entered in a book constituting the official record of the Council.
- 2.5 Right of Floor. Any member desiring to speak shall be recognized by the Chair and shall confine his or her remarks to one subject under consideration or to be considered.
- 2.6 City Manager. The City Manager shall attend all meetings of the Council unless excused. The City Manager may make recommendations to the Council and shall have the right to take part in all discussions of the Council but shall have no vote.
- 2.7 City Attorney. The City Attorney or his/her official designee shall attend all meetings of the Council unless excused and shall, upon request, give an opinion, either written or oral, on questions of the law. The City Attorney shall act as the Council's parliamentarian.
- 2.8 City Secretary. The City Secretary or his/her designee shall attend all meetings of the Council unless excused and shall keep the official minutes and perform such other duties as may be requested by the Council.

- 2.9 Officers and Employees. Department Heads of the City, when there is pertinent business from their departments on the Council agenda, shall attend such Council meetings. Department Heads are encouraged to attend all meetings of the City Council as information or their expertise may be required.
- 2.10 Rules of Order. "Roberts Rules of Order Revised" shall govern the proceedings of the Council in all cases unless they are in conflict with these rules.
- 2.11 City Stationery. City Stationery will be used for official business only and will be kept at City Hall. All Mayor and City Council correspondence will be handled through the City Secretary's office and kept on file in that office.
- 2.12 Compensation. The City Council shall be compensated at the rate of \$200.00 per month. The Mayor shall be compensated at the rate of \$400.00 per month.

### **SECTION 3. TYPES OF MEETINGS**

- 3.1 Regular Business Meeting: The Council shall meet in City Hall for Regular Business, Adjourned, and Special Meetings. The Regular Business Meetings are to commence at 5:30 p.m. on the first and third Tuesday of each month, unless otherwise specified in accordance with state law.
- 3.2 Special Meetings. Special meetings may be called by the Mayor or by a majority of the members of the Council. Any individual member may call a special meeting upon securing concurrence of four other members, whom he must personally contact and upon confirmation, each of the four concurring members must personally contact the City Secretary. Councilmembers may only state the reason for the called meeting when contacting other Councilmembers. No further discussion may take place regarding the subject(s) of the meeting.
- The call for a special meeting shall specify the day, the hour, and the location of the special meeting and shall list the subject or subjects to be considered. No special meeting shall be held until at least seventy-two hours (72) after the call is issued. No item will be placed on the agenda unless submitted to the City Manager at least twenty-four (24) hours prior to the posting of the called meeting agenda.
- 3.3 Recessed Meetings. Any meeting of the Council may be recessed to a later date and time, provided that no recess shall be for a longer period than until the next Regular Meeting.
- 3.4 Emergency Meetings. The City Council may hold meetings dealing with emergency conditions as provided by state law.
- 3.5 Work Sessions. The Council may meet informally in Work Sessions (open to the public), at the call of the Mayor or of a majority of the Council, to review forthcoming programs of the City, receive progress reports on current programs or projects, or receive other similar information from the City Manager, provided that all discussions and conclusions thereon shall be informal. On-site inspections of project sites and facilities by individual Councilmembers are strongly encouraged. Department Heads will schedule times to accompany any councilmember who wishes to tour city facilities.



- 3.6 Executive Sessions. Executive Sessions or closed meetings may be held in accordance with the provisions of the Texas Open Meetings Act, Texas Government Code Chapter 551. Topics that may be discussed would include, but are not limited to: (1) Consultation with Attorney, (2) Deliberations Regarding Real Property, (3) Deliberation Regarding Prospective Gift, (4) Personnel Matters, (5) Deliberation Regarding Security Devices, (6) Meeting Concerning a Municipally Owned Utility, (6) Deliberation Regarding Economic Development Negotiation. The City Council may convene into executive session on any matter related to agenda items for a purpose, such closed session allowed under Chapter 551, Texas Government Code.
- 3.7 Committee Meetings and Reports.
- A. Standing Committees shall be appointed annually following the City's General Election in May.
- B. The Mayor shall submit suggestions for committee assignment and chairmanship designation to the City Council not later than the second regular council meeting following the City General Election in May. In formulating recommendations, the Mayor shall be guided by the following considerations:
1. At the first regular council meeting following each council election, the Mayor shall request that each council member submit their prioritized request for committee assignments. These requests shall be submitted to the Mayor within 14 days of being requested.
  2. The Mayor shall consider each council member's request for committee assignments in arriving at a recommendation. In the event a council member fails to submit a committee assignment request, the Mayor shall attempt to make fair and equitable assignment recommendations for that council member. In arriving at recommendations, the Mayor shall consider the following factors in the priority listed:
    - a. The Mayor shall serve as a non-voting member of all committees. The Mayor shall not serve as the chairman of any committee.
    - b. Council members may serve as chairman of only one committee unless the number of standing council committees is expanded to more than eight.
    - c. Incumbent council members shall retain their current chairmanship assignments unless they request and receive assignment as chairman of another committee.
    - d. Open chairmanship recommendations shall be based on council member's seniority of total council service and prioritized written assignment requests, in that order.
    - e. Council members who are not selected as chairmen shall receive their first four prioritized committee assignment requests.
    - f. The Mayor shall make committee assignment recommendations to achieve a fair and equitable distribution based on council member's prioritized written requests.
    - g. The assignments shall be approved by a majority vote of the City Council.
    - h. Special Committees may be appointed by the City Council as needs arise and the

membership of such special committees shall remain intact until the committee's assignment is completed.

C. It is the duty of the committee chairman to call meetings and see that the committee's assignment is completed. Each committee that has met since the last Regular Business Meeting shall be required to give a status report to the City Council at each monthly meeting. All final committee recommendations shall be filed in written form with the City Secretary and included with the Council's agenda packet.

3.8 Attendance of Media at Council Meetings. All official meetings of the City Council and its committees shall be open to the media, freely subject to recording by radio, television, and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings. Exceptions to this rule will apply to meetings or parts of meetings which are held in accordance with Vernon's Texas Civil Statutes regarding executive sessions.

#### **SECTION 4. CHAIRMAN AND DUTIES**

4.1 Chairman. The Mayor, if present, shall preside as Chairman at all meetings of the Council. In the absence of the Mayor, the Mayor Pro Tem shall preside. In the absence of both the Mayor and the Mayor Pro Tem, the Council shall elect a Chairman.

4.2 Call to Order. The meetings of the Council shall be called to order by the Mayor, or in his/her absence, by the Mayor Pro Tem. In the absence of both the Mayor and the Mayor Pro Tem, the meeting shall be called to order by the City Secretary for the election of a temporary Chairman.

4.3 Preservation of Order. The Chairman shall preserve order and decorum, prevent attacks on personalities or the impugning of members' motives, and confine members in debate to the question under discussion.

4.4 Points of Order. The Chairman shall determine all points of order, subject to the right of any member to appeal to the Council. If any appeal is taken, the question shall be, "Shall the decision of the Chairman be sustained?"

4.5 Questions to be Stated. The Chairman shall state all questions submitted for a vote and announce the result. A roll call vote shall be taken upon the request of any member, in the manner provided in Section 6.7 of these rules. Before taking a final vote, the Chairman shall ask for discussion on the motion.

#### **SECTION 5. ORDER OF BUSINESS AND AGENDA**

5.1 Order of Business. The general rule as to the order of business in regular meetings shall be as follows:

##### **AGENDA OF THE CITY COUNCIL**

- I. Call to Order
- II. Pledges of Allegiance
- III. Invocation
- IV. Proclamations, Recognitions, and Presentations

- V. Citizens' General Discussion
- VI. Regular Agenda Items (these are items not discussed in committee)
- VII. Planning and Zoning Commission
- VIII. Reports from Boards and Commissions
- IX. Council Committee Reports
- X. Consent Agenda
  - i. Approval of Minutes
  - j. Bid Considerations
  - k. Resolutions
- XI. Comments by City Manager
- XII. Comments by Council Members and Items for Future Discussion
- XIII. Executive Session
- XIV. Action Taken on Items Discussed in Executive Session, if necessary
- XV. Adjourn

The Mayor may, at his/her discretion, limit the amount of time allowed for the agenda item, "Citizens' General Discussion".

- 5.2 Agenda. The order of business of each council meeting shall be as contained in the agenda prepared by the City Secretary. The Agenda shall be delivered to members of the Council at least seventy-two (72) hours preceding the meeting to which it pertains. The order of the agenda may be adjusted by the Mayor as situations warrant. The Mayor shall announce at the opening of the meeting any items which have been removed.

The order of business of the City Council shall include a Consent Agenda. The Consent Agenda is used as a tool to help shorten council meetings. It contains routine items which are not controversial in nature and do not need further discussion. The Consent Agenda can be handled with one motion from the City Council, "I move that the Consent Agenda be approved as presented." If an item needs to be removed from the Consent Agenda and discussed separately, a typical motion to affect this might be, "I move that we approve the Consent Agenda Items "A" through "D" with the exception of Item "C".

- 5.3 Comments by Council Members and Items for Future Discussion. The Agenda shall provide a time when the Mayor or any Councilmember may bring before the Council any business that he/she feels should be deliberated upon by the Council. These matters need not be specifically listed on the agenda, however, discussion and formal action on such matters shall be deferred until a subsequent council meeting.
- 5.4 Placing Items on the Agenda. Any member of the City Council or general public may place items on the agenda by submitting such items to the City Secretary, City Manager, Mayor or applicable Committee Chairman, in writing, by 5:00 p.m. seven (7) days preceding the Regular Business Council Meeting or applicable committee meeting.
- 5.5 Reading of Minutes. Unless a reading of the minutes of a council meeting is requested by a member of the Council, such minutes may be approved without reading, if the City Secretary previously furnished each member with a copy.

## SECTION 6. ORDINANCES, RESOLUTIONS, AND MOTIONS

- 6.1 Form. Ordinances and resolutions shall be presented to the Council only in printed or typewritten form.
- 6.2 Funding. All ordinances authorizing an expenditure of money shall include the exact source of the funds to be expended.
- 6.3 City Attorney to Approve. All ordinances and resolutions shall be "Approved as to Form and Legality" by the City Attorney. Such approval shall be so indicated by signature on the last page of the ordinance or resolution. Ordinances or Resolutions shall not be presented to the Council without first being approved by the City Attorney.
- 6.4 City Manager to Review. All ordinances and resolutions shall be "Reviewed By" the City Manager. Such review shall be so indicated by signature on the last page of the ordinance or resolution.
- 6.5 Distribution of Ordinances. Copies of all proposed ordinances shall be distributed to all members of the Council at least twenty-four (24) hours before the council meeting as part of the agenda packet in which the ordinance is to be introduced. If the ordinance carries an emergency clause, copies of the ordinance must be distributed at least twelve (12) hours prior to the meeting of the Council at which said ordinance is to be considered.
- 6.6 Recording of Votes. The ayes and noes shall be taken upon the passage of all ordinances and resolutions and entered upon the official record of the Council.
- 6.7 Majority Vote Required. Where a quorum of the City Council is present, a proposition is carried by a majority of the votes cast, although some of the members present refuse to vote. Where a member of the City Council is present, but has not voted on a matter, his or her silence shall be construed as concurring with the majority, at least where such concurrence is needed for adoption of the matter before the deliberative body. Abstaining votes shall therefore be construed as concurring with the majority favoring adoption of the matter. Councilmembers filing Conflict of Interest affidavits with the City Secretary shall be considered as not casting any vote on the issue at hand.

Exceptions to the majority vote rule shall apply where required by Charter, ordinance, or state law.

- 6.8 Voting. Two voting methods will be used by the City Council – voice votes and roll call votes. Voice votes are votes cast by the City Council in unison, either aye or nay, when requested by the Mayor. Roll call votes are votes which are cast individually. Voice votes will be used on all issues unless the Mayor or a councilmember requests a roll call vote. When roll call votes are used, the Mayor will be the last councilmember to vote.

When any vote is called, each Councilmember shall respond "yes (aye)", "no (nay)", "abstain", or "pass". Any Councilmember who responds "pass" shall be given an opportunity at the end of the roll call to change his or her vote to "yes (aye)", "no (nay)", or "abstain". Any "pass" response not so changed shall be recorded as an abstention.

In the event of a tie in votes on any motion, the motion shall be considered lost.

- 6.9 Numbering Ordinances and Resolutions. Upon passage, a number shall be assigned to each



ordinance or resolution by the City Secretary.

- 6.10 Ordinance Passage Procedure. When passed by the City Council, an ordinance shall be signed by the Mayor or Mayor Pro Tem and be attested by the City Secretary; and it shall be immediately filed and thereafter preserved in the office of the City Secretary. Ordinances shall be adopted in accordance with City Charter Article III, §19.

Any ordinance imposing a penalty, fine, or forfeiture for a violation of its provisions shall become effective not less than ten (10) days from the date of its passage. The City Secretary shall give notice of the passage of every ordinance imposing a penalty, fine, or forfeiture for a violation of the provisions thereof, by causing the caption or title, including the penalty, of any such ordinance to be published in a newspaper of general circulation in Stephenville at least within ten (10) days after the passage of said ordinance.

- 6.11 Requests for Ordinances or Legal Opinions. Any member of the City Council may request the City Manager to have prepared proposed ordinances with such ordinances to be placed on the agenda of the next scheduled Council meeting, provided the ordinance can be drafted and distributed to members of the Council in accordance with time schedules set forth in Section 6.5 of these rules. Any member of the City Council may request written legal opinions, relating to City business, from the City Manager. Upon receiving requests for a proposed ordinance or a written legal opinion, the City Manager shall forthwith request same from the City Attorney; and upon return receipt thereof, the City Administrator shall forthwith cause to have distributed the subject ordinance or written legal opinion to all members of the Council so that all members of the Council may be fully informed of the status of City affairs. Any member of the Council may, for purposes of inquiry, request verbal opinion or advice on City legal matters directly from the Attorney.

## **SECTION 7. CREATION OF COMMITTEES, BOARDS AND COMMISSIONS**

- 7.1 Citizen Committees, Boards and Commissions. The Council may create committees, boards, and commissions to assist in the conduct of the operation of the City government with such duties as the Council may specify not inconsistent with the City Charter or City Code.
- 7.2 Membership and Selections. Membership and selection of members shall be as provided by the Council if not specified by the City Charter or City Code. Any committee, board, or commission so created shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the Council. No committee so appointed shall have powers other than advisory to the Council or to the City Administrator, except as otherwise specified by the City Charter or City Code.
- 7.3 Removal of Members of Boards and Commissions. The Council may remove any member of any board or commission which it has created or as created by the City Charter or by a vote of at least a majority of the Council.

## **SECTION 8. CITIZENS' RIGHTS**

- 8.1. Addressing the Council During a Regular Business Meeting. Persons addressing the Council shall complete a Registration Form prior to the Call to Order and present it to the City Secretary. Questions from citizens will be directed to the Mayor, and the Mayor will inform the citizen that the question will be directed to the appropriate person, staff, or Councilmember.

- 8.2 Time Limit. Each person addressing the Council shall step up to the microphone, shall give his/her name and address in an audible tone of voice for the record. Individual citizen presentations shall be limited to three (3) minutes, and group presentations shall be limited to ten (10) minutes. At least three members of the group or organization shall be in attendance and their names shall be listed on the Registration Card. The Mayor, at his/her discretion, may reasonably extend these limits.
- 8.3 Manner of Addressing the Council. All remarks shall be addressed to the Council as a body, and not to any member thereof. No person, other than members of the Council and the person having the floor, shall be permitted to enter into any discussion, either directly or through the members of the Council. No questions shall be asked of the Councilmembers, except through the presiding officer.
- 8.4 Personal and Slanderous Remarks. The Mayor may, at his or her discretion, have removed any person making personal, impertinent or slanderous remarks while addressing the Council and may bar such persons from further audience before the Council.
- 8.5 Reading of Protests. Interested persons, or their authorized representatives, may address the Council for the reading of protests, petitions, or communications relating to any matter over which the Council has control when the item is under consideration by the Council, if a majority of the Council present agrees to let them be heard.
- 8.6 Mayor May Appoint Committee or Refer Citizen's Complaints. The Mayor may appoint a committee of three members of the City Council to hear citizens' complaints, or may refer citizens' complaints to an Executive Session of the City Council, whenever the subject would be appropriate.
- 8.7 Written Communications. Interested parties, or their authorized representatives, may address the council by written communication in regard to any matter concerning the city's business or over which the council has control at any time by mailing or emailing such communication to the City Secretary, or mailing or emailing such communication to individual Councilmembers. All members of the Council shall have an email address issued by the City.

## **SECTION 9. SUSPENSION AND AMENDMENT OF THESE RULES**

- 9.1 Suspension of These Rules. Any provision of these rules not governed by the City Charter or City Code may be temporarily suspended by a vote of a majority of the Council. The vote on any such suspension shall be taken by ayes and nays and entered upon the record.
- 9.2 Amendment of These Rules. These rules may be amended, or new rules adopted, by a majority vote of all members of the council, provided that the proposed amendments or new rules shall have been introduced into the record at a prior council meeting.

Resolution No. 1986-3. Revised February 7, 1990; April 3, 1990; October 3, 1995; April 1, 1997; November 3, 1998; March 7, 2000; June 17, 2003; September 9, 2008; March 1, 2016



## STAFF REPORT

**SUBJECT:** Monthly Budget Report for the period Ending March 31, 2022

**DEPARTMENT:** Finance

**STAFF CONTACT:** Monica Harris

### BACKGROUND:

In reviewing the financial statements ending March 31, 2022, the financial indicators are overall as or better than anticipated.

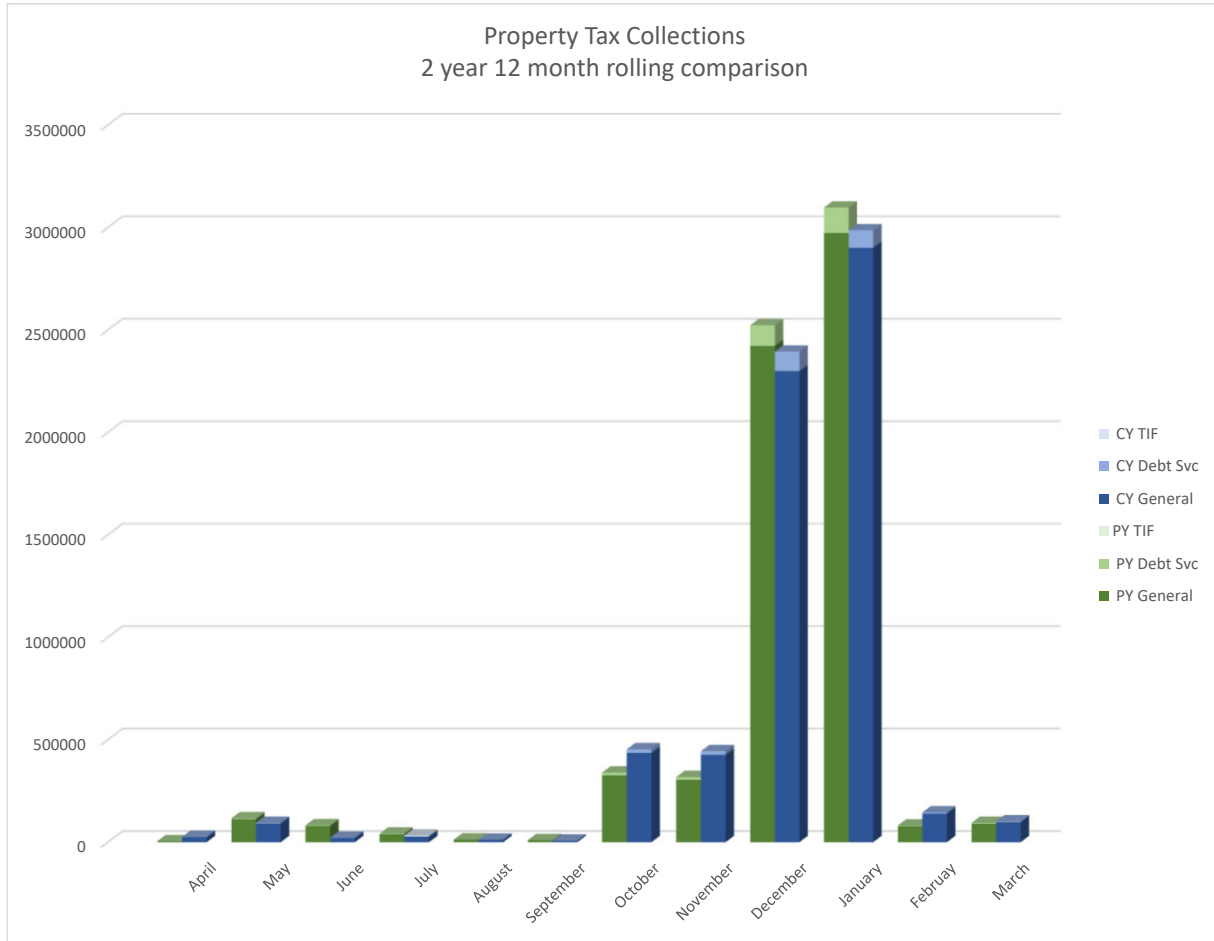
- **Property Tax**  
We received \$101K in property taxes in the month of March, resulting in \$71K or 1.11% increase over funds collected last fiscal year to date. The amount collected is 96.16% of budget, which is .28% or \$18K more than anticipated.
- **Sales Tax**  
We received \$651K in sales tax in March, resulting in \$305K or 7.85% more than the funds collected last fiscal year to date. The amount collected is 57.31% of the \$7.3 million budgeted, which is 6.33% or \$463K higher than anticipated.
- **Revenue (Budgetary comparison)**  
The target budget for operating revenue is \$16.9 million. We received \$18.7 million in operating revenue fiscal year to date, resulting in \$1.8 million over the target budget due to sales taxes, franchise tax, hotel occupancy tax, sports venue tax, service charges, insurance proceeds, sale of assets, and donations.
- **Expenditures (Budgetary comparison)**  
The target budget for operating expenditures is \$11.3 million. We expended \$10.3 million in operating expenditures fiscal year to date, resulting in \$1 million under the target budget; 78% of the \$969K variance in the general fund is salary savings.
- **Revenue (Prior year comparison)**  
Operating revenue received last year was \$16.8 million as compared to the current year's \$18.7 million, resulting in a \$1.98 million increase due to property tax, sales taxes, franchise taxes, hotel occupancy taxes, sports venue taxes, service charges, insurance proceeds, sale of assets, and donations.
- **Expenditures (Prior year comparison)**  
Operating expenditures last year were \$9.9 million as compared to the current year's \$10.3 million, resulting in a \$383K increase due to personnel, outside professional services, utilities, and maintenance.

- **Investments**

The total market value of cash and investments on March 31, 2022 was \$52,814,605. This is allocated 3% in demand accounts, 32% in TexStar investment pool, and 65% in TexPool investment pool.

We earned \$9,656 in interest for the quarter. The average yield to maturity for all account types for the quarter was 0.10%. The average yield to maturity for investment accounts for the quarter was 0.06%. The average yield to maturity for a 3-month treasury bill for the quarter was .31%.

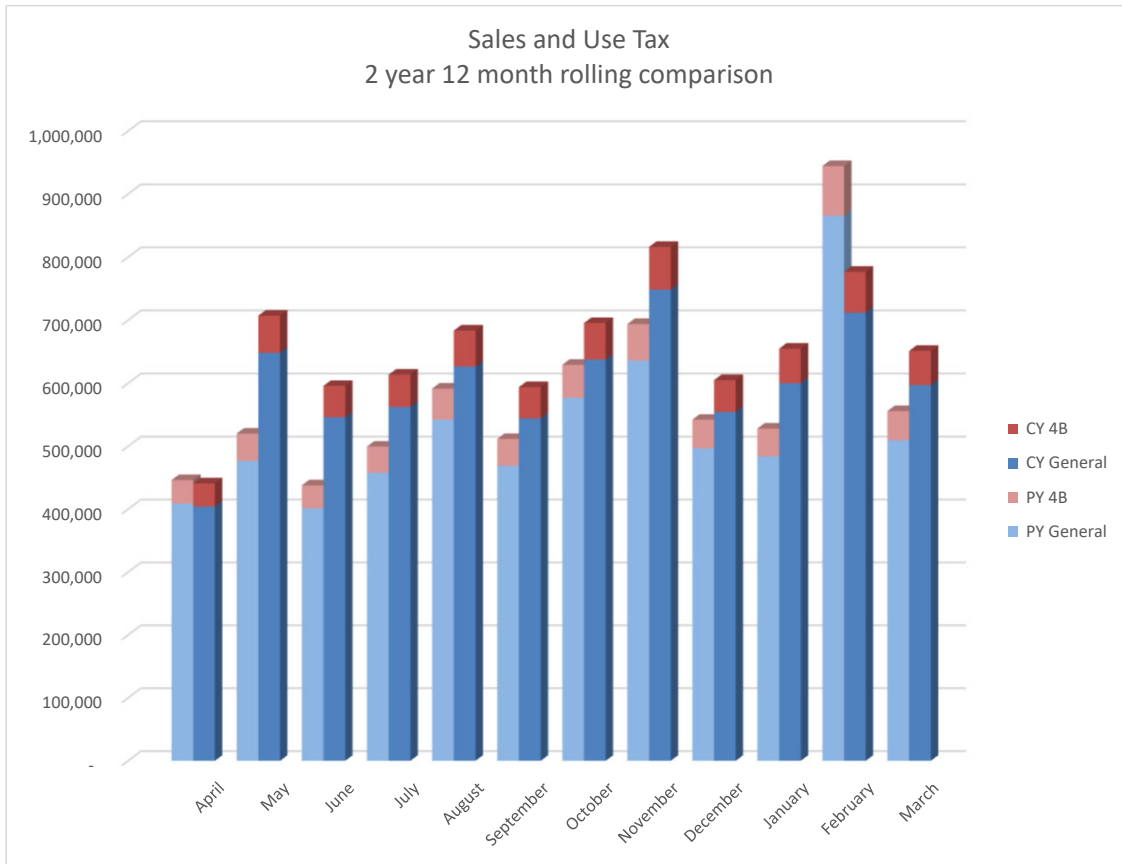




Month	General Fund	Debt Svc	Total	Month	General Fund	Debt Svc	TIF	Total
Apr-20	4,688	163	4,851	Apr-21	24,696	1,064	-	25,760
May-20	112,150	4,518	116,668	May-21	90,794	3,893	-	94,687
Jun-20	79,259	3,379	82,637	Jun-21	20,314	1,266	-	21,580
Jul-20	39,473	2,238	41,712	Jul-21	27,201	1,304	3,789	32,294
Aug-20	11,762	824	12,585	Aug-21	11,946	476	-	12,422
Sep-20	9,736	485	10,222	Sep-21	7,059	300	-	7,359
Oct-20	325,732	13,700	339,432	Oct-21	435,350	17,955	-	453,305
Nov-20	304,970	12,804	317,774	Nov-21	426,306	17,588	-	443,894
Dec-20	2,421,750	100,945	2,522,695	Dec-21	2,299,000	94,802	-	2,393,802
Jan-21	2,973,159	123,936	3,097,096	Jan-22	2,900,794	84,898	-	2,985,692
Feb-21	78,158	3,268	81,427	Feb-22	139,716	5,791	-	145,507
Mar-21	90,202	3,822	94,024	Mar-22	97,776	4,018	-	101,794
12 month total		<u>6,721,122</u>		12 month total		<u>6,718,095</u>		
Oct 2020 - Mar 2021		<u>6,452,447</u>		Oct 2021 - Mar 2022		<u>6,523,994</u>		
FY 2020-2021 Total		6,646,548		FY 2021-2022 Budget		6,784,860		

Collection to date as percentage of fiscal year total 97.08%

Collection to date as percentage of fiscal year budget 96.16%



Month	General	4B	Total	Month	General	4B	Total	% Change +/-
Apr-20	409,098	37,191	446,289	Apr-21	404,427	36,766	441,193	-1.14%
May-20	476,944	43,359	520,302	May-21	648,372	58,943	707,314	35.94%
Jun-20	401,495	36,500	437,994	Jun-21	546,259	49,660	595,919	36.06%
Jul-20	458,003	41,637	499,639	Jul-21	562,550	51,141	613,691	22.83%
Aug-20	542,275	49,298	591,573	Aug-21	626,605	56,964	683,569	15.55%
Sep-20	469,140	42,649	511,790	Sep-21	544,489	49,499	593,988	16.06%
Oct-20	576,942	52,449	629,391	Oct-21	637,613	57,965	695,578	10.52%
Nov-20	636,149	57,832	693,981	Nov-21	748,251	68,023	816,274	17.62%
Dec-20	497,048	45,186	542,234	Dec-20	554,591	50,417	605,009	11.58%
Jan-21	484,228	44,021	528,249	Jan-22	600,295	54,572	654,868	23.97%
Feb-21	865,761	78,706	944,466	Feb-22	712,030	64,730	776,760	-17.76%
Mar-21	509,621	46,329	555,950	Mar-22	597,069	54,279	651,348	17.16%
12 month total		<u>6,901,858</u>		12 month total		<u>7,835,511</u>		13.53%
Oct 2020 - Mar 2021		<u>3,894,271</u>		Oct 2021- Mar 2022		<u>4,199,837</u>		7.85%
FY 2020-2021 Total		7,529,945		FY 2021-2022 Budget		7,328,610		
Collection to date as percentage of fiscal year total		51.72%		Collection to date as percentage of fiscal year budget		57.31%		



**Budget vs. YTD Actual  
March 31, 2022**

Date Prepared: May 2, 2022

Source of Funds	Approved Budget 2021-2022	Target Budget	03/31/22 Current YTD Actual	Dollar Variance Favorable (Unfavorable)	Percent Variance Favorable (Unfavorable)	Notes
Property Taxes	\$ 6,812,364	\$ 6,497,265	\$ 6,546,282	\$ 49,017	0.75%	
Sales Taxes	7,328,610	3,738,292	4,199,837	461,544	12.35%	
Other Taxes	2,427,418	769,159	879,778	110,619	14.38%	Franchise, Hotel Occupancy, Sports Venue taxes
Licenses and permits	378,385	184,531	269,783	85,252	46.20%	Building permits, Food Svc permits, Plan review
Fines and forfeitures	78,825	41,504	81,445	39,940	96.23%	Increased citations and collections
Service charges	12,154,965	5,716,902	6,539,318	822,416	14.39%	EMS collections. Water, Sewer, Storm, and Landfill fees, Hangar Rentals, Rec fees
Interest on investments	15,001	12,234	12,892	658	5.38%	Cash flow and rate dependent
Other Income	1,490,418	22,010	250,315	228,305	1037.27%	Sale of assets, Insurance proceeds, Donations
<b>Total Operating Revenue</b>	<u>30,685,986</u>	<u>16,981,899</u>	<u>18,779,650</u>	<u>1,797,751</u>	<u>10.586%</u>	
Intergovernmental grants	1,590,242	730,221	1,135,041	404,820	55.44%	Project Driven grants
Debt Proceeds	0	0	3,088,357	3,088,357	0.00%	Loan Proceeds
<b>Total Revenue</b>	<u>32,276,228</u>	<u>17,712,120</u>	<u>23,003,048</u>	<u>5,290,928</u>	<u>29.87%</u>	
<b>Transfers-In</b>	\$ 2,912,040	\$ 2,585,517	\$ 2,172,534	\$ (412,983)	(15.97%)	
<b>Transfers-Out</b>	(2,912,040)	(2,585,517)	(2,172,534)	412,983	(15.97%)	
<b>Expenditures</b>						
General Fund	\$ 15,291,409	\$ 7,786,459	\$ 6,817,323	\$ 969,135	12.45%	Salary savings is 78% of the variance
Utility Fund	4,916,175	2,558,630	2,563,608	(4,979)	(0.19%)	Maintenance
Landfill Fund	582,019	302,230	236,915	65,315	21.61%	Salary savings is 62% of the variance
Airport Fund	78,935	42,369	45,179	(2,810)	(6.63%)	AWOS Maintenance & Utilities
Storm Water Drainage Fund	129,270	64,635	234,061	(169,426)	(262.13%)	Flood Protection Planning Study
Special Revenue Funds	462,222	196,885	128,931	67,954	34.51%	Contractual and grant disbursements
Stephenville Economic Dev Authority	608,500	305,724	228,174	77,551	25.37%	Grant disbursements, Personnel, Maint.
<b>Total Operating Expenditures</b>	<u>22,068,530</u>	<u>11,256,931</u>	<u>10,254,192</u>	<u>1,002,740</u>	<u>8.91%</u>	
Capital	29,297,012	14,648,505	2,470,577	12,177,929	83.13%	
Debt Service	2,955,514	2,342,515	2,387,694	(45,179)	(1.93%)	PD Tahoes down payment
<b>Total Expenditures</b>	<u>54,321,056</u>	<u>28,247,952</u>	<u>15,112,462</u>	<u>13,135,490</u>	<u>46.50%</u>	



**Prior YTD Actual vs Current YTD Actual  
March 31, 2022**

Date Prepared: May 2, 2022

Source of Funds	Prior YTD Actual	Current YTD Actual	Dollar Variance Favorable (Unfavorable)	% Variance Favorable (Unfavorable)	Notes
Property Taxes	\$ 6,445,415	\$ 6,546,282	\$ 100,868	1.56%	Increased assessment.
Sales Taxes	3,894,271	4,199,837	305,566	7.85%	
Other Taxes	641,052	879,778	238,726	37.24%	Mixed Drinks Tax, Franchise taxes, Hotel Occupancy tax, Sports Venue tax
Licenses and permits	168,938	269,783	100,845	59.69%	Building permits, Food service permits
Fines and forfeitures	58,676	81,445	22,768	38.80%	Increased citations and continued issuance of warrants
Service charges	5,520,973	6,539,318	1,018,345	18.45%	Ambulance fees, Recreation fees, Water charges, Sewer charges, Landfill fees, Hanger Rentals, & Storm Water charges,
Interest on investments	16,805	12,892	(3,913)	(23.29%)	Cash flow and rate dependent
Other Income	50,121	250,315	200,193	399.42%	Sale of assets, Insurance proceeds, Donations
<b>Total Operating Revenue</b>	<u>16,796,252</u>	<u>18,779,650</u>	<u>1,983,398</u>	<u>11.81%</u>	
Intergovernmental grants	895,916	1,135,041	239,125	26.69%	Grants differ from year to year.
Debt Proceeds	0	3,088,357	3,088,357	100.00%	Debt proceeds differ from year to year.
<b>Total Revenue</b>	<u>17,692,168</u>	<u>23,003,048</u>	<u>5,310,879</u>	<u>30.02%</u>	
<b>Transfers-In</b>	\$ -	\$ 2,172,534	\$ 2,172,534	100.00%	Timing of transfers
<b>Transfers-Out</b>	\$ -	\$ (2,172,534)	\$ (2,172,534)	100.00%	Timing of transfers
<b>Expenditures</b>					
General Fund	\$ 7,084,427	\$ 6,817,323	\$ 267,103	3.77%	
Utility Fund	2,064,825	2,563,608	(498,783)	(24.16%)	Personnel - additional positions, Outside Professionals, Maintenance
Landfill Fund	215,457	236,915	(21,458)	(9.96%)	Outside Professionals - Expansion permit
Airport Fund	33,368	45,179	(11,811)	(35.39%)	Utilities and AWOS maintenance
Storm Water Drainage Fund	15,132	234,061	(218,929)	(1446.81%)	Flood Protection Planning Study
Special Revenue Funds	227,333	128,931	98,402	43.29%	PY-Outside Professionals, Advertising
Stephenville Economic Dev Authority	230,745	228,174	2,571	1.11%	PY-Outside Professionals, Marketing
<b>Total Operating Expenditures</b>	<u>9,871,287</u>	<u>10,254,192</u>	<u>(382,905)</u>	<u>(3.88%)</u>	
Capital	4,044,193	2,470,577	1,573,616	38.91%	Capital purchases differ from year to year
Debt Service	2,404,511	2,387,694	16,817	0.70%	Debt Service differs from year to year
<b>Total Expenditures</b>	<u>16,319,991</u>	<u>15,112,462</u>	<u>1,207,529</u>	<u>7.40%</u>	



# Budget Variance Report

Item 18.

As Of: 03/31/2022

**Fund: 01 - GENERAL FUND**

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
<b><u>REVENUE SUMMARY</u></b>										
TAXES	775,133.49	654,747.30	120,386.19	10,788,506.90	10,243,947.12	544,559.78	72	15,087,472.00	(4,298,965.10)	28
LICENSES AND PERMITS	32,883.19	21,091.96	11,791.23	268,981.61	165,031.19	103,950.42	79	339,385.00	(70,403.39)	21
FINES AND FORFEITURES	2,341.63	6,577.92	(4,236.29)	76,019.22	37,213.38	38,805.84	106	71,875.00	4,144.22	-6
INTERGOVERNMENTAL	50,621.94	43,764.08	6,857.86	77,837.13	312,584.48	(234,747.35)	10	748,169.00	(670,331.87)	90
CHARGES FOR SERVICES	120,090.96	112,199.57	7,891.39	488,920.69	529,435.67	(40,514.98)	39	1,257,333.00	(768,412.31)	61
OTHER REVENUE	709,206.98	572.41	708,634.57	3,340,630.54	8,226.17	3,332,404.37	7,519	44,427.00	3,296,203.54	-7,419
TRANSFER	0.00	0.00	0.00	832,071.00	957,579.00	(125,508.00)	87	957,579.00	(125,508.00)	13
<b>TOTAL REVENUE</b>	<b>1,690,278.19</b>	<b>838,953.24</b>	<b>851,324.95</b>	<b>15,872,967.09</b>	<b>12,254,017.01</b>	<b>3,618,950.08</b>	<b>86</b>	<b>18,506,240.00</b>	<b>(2,633,272.91)</b>	<b>14</b>
<b><u>EXPENSE SUMMARY</u></b>										
CITY COUNCIL	3,283.67	8,773.45	5,489.78	30,881.61	55,368.70	24,487.09	29	108,010.00	(77,128.39)	71
CITY MANAGER	32,366.36	35,820.14	3,453.78	205,205.95	219,084.84	13,878.89	47	434,006.00	(228,800.05)	53
CITY SECRETARY	8,086.16	13,164.94	5,078.78	97,683.47	80,613.64	(17,069.83)	61	159,604.00	(61,920.53)	39
EMERGENCY MANAGEMENT	69.09	416.66	347.57	13,599.56	15,499.96	1,900.40	76	18,000.00	(4,400.44)	24
MUNICIPAL BUILDING	3,985.20	7,148.04	3,162.84	41,557.70	55,333.24	13,775.54	42	98,222.00	(56,664.30)	58
MUNICIPAL SERVICES CTR	12,359.90	8,186.06	(4,173.84)	63,431.14	52,516.36	(10,914.78)	62	101,633.00	(38,201.86)	38
HUMAN RESOURCES	17,570.38	19,806.29	2,235.91	97,572.96	136,559.74	38,986.78	38	255,398.00	(157,825.04)	62
DOWNTOWN	40.70	4,863.29	4,822.59	31,147.02	29,261.74	(1,885.28)	53	58,442.00	(27,294.98)	47
FINANCE	42,137.26	51,635.53	9,498.27	243,340.47	316,281.18	72,940.71	39	626,095.00	(382,754.53)	61
INFORMATION TECHNOLOGY	33,578.07	39,027.55	5,449.48	241,889.71	236,099.30	(5,790.41)	51	470,265.00	(228,375.29)	49
TAX	42,517.84	583.33	(41,934.51)	130,524.40	86,876.99	(43,647.41)	75	174,491.00	(43,966.60)	25
LEGAL COUNSEL	8,981.55	9,351.98	370.43	64,834.67	56,248.88	(8,585.79)	58	112,361.00	(47,526.33)	42
MUNICIPAL COURT	9,557.66	9,767.79	210.13	62,281.87	59,786.74	(2,495.13)	53	118,394.00	(56,112.13)	47
STREET MAINTENANCE	60,960.31	81,043.31	20,083.00	343,602.47	511,065.86	167,463.39	34	997,327.00	(653,724.53)	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	181,649.53	198,194.37	16,544.84	814,172.70	1,219,741.22	405,568.52	34	2,428,810.00	(1,614,637.30)	66
PARK MAINTENANCE	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
LIBRARY	22,782.59	22,216.49	(566.10)	110,117.48	135,356.94	25,239.46	41	268,657.00	(158,539.52)	59
SENIOR CENTER	9,350.51	14,187.19	4,836.68	58,770.29	89,066.14	30,295.85	34	174,190.00	(115,419.71)	66
AQUATIC CENTER	17,173.69	11,528.21	(5,645.48)	39,691.22	74,560.26	34,869.04	17	239,146.00	(199,454.78)	83
FIRE DEPARTMENT	312,411.47	284,212.19	(28,199.28)	2,131,452.08	1,942,690.14	(188,761.94)	58	3,647,965.00	(1,516,512.92)	42
POLICE DEPARTMENT	512,728.60	509,433.33	(3,295.27)	2,669,591.88	3,049,607.98	380,016.10	45	5,919,968.00	(3,250,376.12)	55
DEVELOPMENT SERVICES	39,584.92	50,431.08	10,846.16	227,638.46	308,668.48	81,030.02	37	611,256.00	(383,617.54)	63
TRANSFERS	0.00	0.00	0.00	1,321,768.00	1,321,768.00	0.00	90	1,476,466.00	(154,698.00)	10
NON-DEPARTMENTAL	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
<b>TOTAL EXPENSE</b>	<b>1,371,175.46</b>	<b>1,379,791.22</b>	<b>8,615.76</b>	<b>9,040,755.11</b>	<b>10,052,056.33</b>	<b>1,011,301.22</b>	<b>49</b>	<b>18,498,706.00</b>	<b>9,457,950.89</b>	<b>51</b>
<b>REVENUE OVER/(UNDER) EXPENDITURE</b>	<b>319,102.73</b>	<b>(540,837.98)</b>	<b>859,940.71</b>	<b>6,832,211.98</b>	<b>2,201,960.68</b>	<b>4,630,251.30</b>		<b>7,534.00</b>	<b>(12,091,223.80)</b>	

Budget Variance Report

Fund: 02 - WATER AND WASTEWATER FUND

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
<b>REVENUE SUMMARY</b>										
LICENSES AND PERMITS	0.00	750.00	(750.00)	0.00	4,500.00	(4,500.00)	0	9,000.00	(9,000.00)	100
INTERGOVERNMENTAL	5,202.37	0.00	5,202.37	5,202.37	0.00	5,202.37		0.00	5,202.37	
CHARGES FOR SERVICES	757,489.89	721,497.19	35,992.70	4,996,867.23	4,259,202.08	737,665.15	56	8,877,223.00	(3,880,355.77)	44
OTHER REVENUE	2,297.44	1,882.45	414.99	5,863.44	23,366.58	(17,503.14)	17	33,709.00	(27,845.56)	83
TRANSFER	0.00	0.00	0.00	0.00	50,219.00	(50,219.00)	0	50,219.00	(50,219.00)	100
<b>TOTAL REVENUE</b>	<b>764,989.70</b>	<b>724,129.64</b>	<b>40,860.06</b>	<b>5,007,933.04</b>	<b>4,337,287.66</b>	<b>670,645.38</b>	<b>56</b>	<b>8,970,151.00</b>	<b>(3,962,217.96)</b>	<b>44</b>
<b>EXPENSE SUMMARY</b>										
UTILITIES ADMINISTRATION	142,802.84	50,664.29	(92,138.55)	320,107.53	314,599.74	(5,507.79)	52	618,586.00	(298,478.47)	48
WATER PRODUCTION	115,605.77	110,052.93	(5,552.84)	749,512.74	820,992.58	71,479.84	51	1,480,448.00	(730,935.26)	49
WATER DISTRIBUTION	84,665.07	75,645.41	(9,019.66)	538,455.53	461,502.46	(76,953.07)	59	915,376.00	(376,920.47)	41
CUSTOMER SERVICE	15,126.58	23,912.04	8,785.46	143,833.61	148,044.24	4,210.63	49	291,517.00	(147,683.39)	51
WASTEWATER COLLECTION	30,686.59	1,152,689.34	1,122,002.75	198,510.61	6,926,382.04	6,727,871.43	1	13,842,519.00	(13,644,008.39)	99
WASTEWATER TREATMENT	80,207.66	105,019.32	24,811.66	500,872.88	636,809.92	135,937.04	40	1,266,926.00	(766,053.12)	60
BILLING & COLLECTION	41,253.07	28,938.09	(12,314.98)	199,324.24	174,041.54	(25,282.70)	57	347,671.00	(148,346.76)	43
NON-DEPARTMENTAL	232,090.02	224,667.70	(7,422.32)	2,434,215.53	2,388,357.40	(45,858.13)	82	2,973,928.00	(539,712.47)	18
<b>TOTAL EXPENSE</b>	<b>742,437.60</b>	<b>1,771,589.12</b>	<b>1,029,151.52</b>	<b>5,084,832.67</b>	<b>11,870,729.92</b>	<b>6,785,897.25</b>	<b>23</b>	<b>21,736,971.00</b>	<b>16,652,138.33</b>	<b>77</b>
<b>REVENUE OVER/(UNDER) EXPENDITURE</b>	<b>22,552.10</b>	<b>(1,047,459.48)</b>	<b>1,070,011.58</b>	<b>(76,899.63)</b>	<b>(7,533,442.26)</b>	<b>7,456,542.63</b>		<b>(12,766,820.00)</b>	<b>(20,614,356.29)</b>	

Budget Variance Report

Fund: 03 - SANITARY LANDFILL FUND

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
<b><u>REVENUE SUMMARY</u></b>										
CHARGES FOR SERVICES	94,116.37	59,345.71	34,770.66	510,297.97	424,758.04	85,539.93	53	960,000.00	(449,702.03)	47
OTHER REVENUE	189.22	218.58	(29.36)	796.50	1,696.99	(900.49)	26	3,019.00	(2,222.50)	74
TRANSFER	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
<b>TOTAL REVENUE</b>	<b>94,305.59</b>	<b>59,564.29</b>	<b>34,741.30</b>	<b>511,094.47</b>	<b>426,455.03</b>	<b>84,639.44</b>	<b>53</b>	<b>963,019.00</b>	<b>(451,924.53)</b>	<b>47</b>
<b><u>EXPENSE SUMMARY</u></b>										
LANDFILL	136,409.02	66,631.34	(69,777.68)	468,563.55	503,769.04	35,205.49	52	903,558.00	(434,994.45)	48
<b>TOTAL EXPENSE</b>	<b>136,409.02</b>	<b>66,631.34</b>	<b>(69,777.68)</b>	<b>468,563.55</b>	<b>503,769.04</b>	<b>35,205.49</b>	<b>52</b>	<b>903,558.00</b>	<b>434,994.45</b>	<b>48</b>
<b>REVENUE OVER/(UNDER) EXPENDITURE</b>	<b>(42,103.43)</b>	<b>(7,067.05)</b>	<b>(35,036.38)</b>	<b>42,530.92</b>	<b>(77,314.01)</b>	<b>119,844.93</b>		<b>59,461.00</b>	<b>(886,918.98)</b>	

Budget Variance Report  
Fund: 04 - AIRPORT FUND

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
<b>REVENUE SUMMARY</b>										
INTERGOVERNMENTAL	0.00	0.00	0.00	0.00	0.00	0.00	0	10,000.00	(10,000.00)	100
CHARGES FOR SERVICES	9,065.74	9,234.33	(168.59)	74,756.89	56,312.70	18,444.19	67	112,280.00	(37,523.11)	33
OTHER REVENUE	0.00	0.00	0.00	0.00	0.00	0.00	0	1,423,040.00	(1,423,040.00)	100
TRANSFER	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
<b>TOTAL REVENUE</b>	<b>9,065.74</b>	<b>9,234.33</b>	<b>(168.59)</b>	<b>74,756.89</b>	<b>56,312.70</b>	<b>18,444.19</b>	<b>5</b>	<b>1,545,320.00</b>	<b>(1,470,563.11)</b>	<b>95</b>
<b>EXPENSE SUMMARY</b>										
AIRPORT	3,329.11	136,292.02	132,962.91	45,178.97	823,555.12	778,376.15	3	1,641,308.00	(1,596,129.03)	97
<b>TOTAL EXPENSE</b>	<b>3,329.11</b>	<b>136,292.02</b>	<b>132,962.91</b>	<b>45,178.97</b>	<b>823,555.12</b>	<b>778,376.15</b>	<b>3</b>	<b>1,641,308.00</b>	<b>1,596,129.03</b>	<b>97</b>
<b>REVENUE OVER/(UNDER) EXPENDITURE</b>	<b>5,736.63</b>	<b>(127,057.69)</b>	<b>132,794.32</b>	<b>29,577.92</b>	<b>(767,242.42)</b>	<b>796,820.34</b>		<b>(95,988.00)</b>	<b>(3,066,692.14)</b>	

Budget Variance Report

Fund: 05 - STORM WATER DRAINAGE FUND

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
<b><u>REVENUE SUMMARY</u></b>										
LICENSES AND PERMITS	0.00	2,083.33	(2,083.33)	0.00	12,499.98	(12,499.98)	0	25,000.00	(25,000.00)	100
INTERGOVERNMENTAL	0.00	69,072.75	(69,072.75)	1,016,222.95	414,436.50	601,786.45	123	828,873.00	187,349.95	-23
CHARGES FOR SERVICES	87,711.92	72,466.16	15,245.76	468,475.23	434,796.96	33,678.27	54	869,594.00	(401,118.77)	46
OTHER REVENUE	35.80	12.66	23.14	73.87	75.96	(2.09)	49	152.00	(78.13)	51
<b>TOTAL REVENUE</b>	<b>87,747.72</b>	<b>143,634.90</b>	<b>(55,887.18)</b>	<b>1,484,772.05</b>	<b>861,809.40</b>	<b>622,962.65</b>	<b>86</b>	<b>1,723,619.00</b>	<b>(238,846.95)</b>	<b>14</b>
<b><u>EXPENSE SUMMARY</u></b>										
STORM WATER DRAINAGE	14,092.45	114,240.15	100,147.70	696,016.87	1,346,134.90	650,118.03	33	2,115,412.00	(1,419,395.13)	67
<b>TOTAL EXPENSE</b>	<b>14,092.45</b>	<b>114,240.15</b>	<b>100,147.70</b>	<b>696,016.87</b>	<b>1,346,134.90</b>	<b>650,118.03</b>	<b>33</b>	<b>2,115,412.00</b>	<b>1,419,395.13</b>	<b>67</b>
<b>REVENUE OVER/(UNDER) EXPENDITURE</b>	<b>73,655.27</b>	<b>29,394.75</b>	<b>44,260.52</b>	<b>788,755.18</b>	<b>(484,325.50)</b>	<b>1,273,080.68</b>		<b>(391,793.00)</b>	<b>(1,658,242.08)</b>	



Budget Variance Report

Fund: 07 - HOTEL OCCUPANCY TAX FUND

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
<b>REVENUE SUMMARY</b>										
TAXES	73,116.63	38,561.22	34,555.41	261,197.43	185,794.97	75,402.46	45	584,261.00	(323,063.57)	55
INTERGOVERNMENTAL	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
CHARGES FOR SERVICES	0.00	3,762.53	(3,762.53)	0.00	7,929.18	(7,929.18)	0	69,600.00	(69,600.00)	100
OTHER REVENUE	91.48	4.56	86.92	197.93	140.93	57.00	109	181.00	16.93	-9
TRANSFER	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
<b>TOTAL REVENUE</b>	<b>73,208.11</b>	<b>42,328.31</b>	<b>30,879.80</b>	<b>261,395.36</b>	<b>193,865.08</b>	<b>67,530.28</b>	<b>40</b>	<b>654,042.00</b>	<b>(392,646.64)</b>	<b>60</b>
<b>EXPENSE SUMMARY</b>										
TOURISM	42,836.68	34,444.08	(8,392.60)	138,336.80	190,015.15	51,678.35	31	448,482.00	(310,145.20)	69
<b>TOTAL EXPENSE</b>	<b>42,836.68</b>	<b>34,444.08</b>	<b>(8,392.60)</b>	<b>138,336.80</b>	<b>190,015.15</b>	<b>51,678.35</b>	<b>31</b>	<b>448,482.00</b>	<b>310,145.20</b>	<b>69</b>
<b>REVENUE OVER/(UNDER) EXPENDITURE</b>	<b>30,371.43</b>	<b>7,884.23</b>	<b>22,487.20</b>	<b>123,058.56</b>	<b>3,849.93</b>	<b>119,208.63</b>		<b>205,560.00</b>	<b>(702,791.84)</b>	

Budget Variance Report

Fund: 08 - DEBT SERVICE FUND

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
<b><u>REVENUE SUMMARY</u></b>										
TAXES	4,018.40	1,847.32	2,171.08	226,206.83	258,407.89	(32,201.06)	83	271,045.00	(44,838.17)	17
OTHER REVENUE	12.40	1.90	10.50	44.11	18.29	25.82	210	21.00	23.11	-110
TRANSFER	0.00	0.00	0.00	0.00	171,825.00	(171,825.00)	0	343,650.00	(343,650.00)	100
<b>TOTAL REVENUE</b>	<b>4,030.80</b>	<b>1,849.22</b>	<b>2,181.58</b>	<b>226,250.94</b>	<b>430,251.18</b>	<b>(204,000.24)</b>	<b>37</b>	<b>614,716.00</b>	<b>(388,465.06)</b>	<b>63</b>
<b><u>EXPENSE SUMMARY</u></b>										
DEBT SERVICE	0.00	24.99	24.99	408,050.00	408,104.48	54.48	67	613,400.00	(205,350.00)	33
<b>TOTAL EXPENSE</b>	<b>0.00</b>	<b>24.99</b>	<b>24.99</b>	<b>408,050.00</b>	<b>408,104.48</b>	<b>54.48</b>	<b>67</b>	<b>613,400.00</b>	<b>205,350.00</b>	<b>33</b>
<b>REVENUE OVER/(UNDER) EXPENDITURE</b>	<b>4,030.80</b>	<b>1,824.23</b>	<b>2,206.57</b>	<b>(181,799.06)</b>	<b>22,146.70</b>	<b>(203,945.76)</b>		<b>1,316.00</b>	<b>(593,815.06)</b>	

Budget Variance Report

Fund: 10 - CAPITAL PROJECTS FUND

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
<b>REVENUE SUMMARY</b>										
LICENSES AND PERMITS	0.00	416.66	(416.66)	801.56	2,499.96	(1,698.40)	16	5,000.00	(4,198.44)	84
INTERGOVERNMENTAL	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
CHARGES FOR SERVICES	0.00	744.58	(744.58)	0.00	4,467.48	(4,467.48)	0	8,935.00	(8,935.00)	100
OTHER REVENUE	1,324.11	11.20	1,312.91	3,020.94	332.43	2,688.51	771	392.00	2,628.94	-671
TRANSFER	0.00	0.00	0.00	1,234,069.00	1,234,069.00	0.00	100	1,234,069.00	0.00	0
<b>TOTAL REVENUE</b>	<b>1,324.11</b>	<b>1,172.44</b>	<b>151.67</b>	<b>1,237,891.50</b>	<b>1,241,368.87</b>	<b>(3,477.37)</b>	<b>99</b>	<b>1,248,396.00</b>	<b>(10,504.50)</b>	<b>1</b>
<b>EXPENSE SUMMARY</b>										
STREET MAINTENANCE	533,207.45	859,114.07	325,906.62	1,175,121.23	5,154,684.42	3,979,563.19	11	10,309,369.00	(9,134,247.77)	89
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	
TRANSFERS	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
<b>TOTAL EXPENSE</b>	<b>533,207.45</b>	<b>859,114.07</b>	<b>325,906.62</b>	<b>1,175,121.23</b>	<b>5,154,684.42</b>	<b>3,979,563.19</b>	<b>11</b>	<b>10,309,369.00</b>	<b>9,134,247.77</b>	<b>89</b>
<b>REVENUE OVER/(UNDER) EXPENDITURE</b>	<b>(531,883.34)</b>	<b>(857,941.63)</b>	<b>326,058.29</b>	<b>62,770.27</b>	<b>(3,913,315.55)</b>	<b>3,976,085.82</b>		<b>(9,060,973.00)</b>	<b>(9,144,752.27)</b>	

Budget Variance Report

Fund: 11 - CHILD SAFETY FUND

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
<b><u>REVENUE SUMMARY</u></b>										
FINES AND FORFEITURES	291.01	344.13	(53.12)	1,312.74	1,836.93	(524.19)	53	2,500.00	(1,187.26)	47
OTHER REVENUE	0.78	0.00	0.78	2.03	2.91	(0.88)	68	3.00	(0.97)	32
TRANSFER	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
<b>TOTAL REVENUE</b>	<b>291.79</b>	<b>344.13</b>	<b>(52.34)</b>	<b>1,314.77</b>	<b>1,839.84</b>	<b>(525.07)</b>	<b>53</b>	<b>2,503.00</b>	<b>(1,188.23)</b>	<b>47</b>
<b><u>EXPENSE SUMMARY</u></b>										
CHILD SAFETY	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
<b>TOTAL EXPENSE</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	
<b>REVENUE OVER/(UNDER) EXPENDITURE</b>	<b>291.79</b>	<b>344.13</b>	<b>(52.34)</b>	<b>1,314.77</b>	<b>1,839.84</b>	<b>(525.07)</b>		<b>2,503.00</b>	<b>(1,188.23)</b>	

Budget Variance Report

Fund: 12 - COURT TECHNOLOGY FUND

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
<b>REVENUE SUMMARY</b>										
FINES AND FORFEITURES	856.07	459.00	397.07	4,112.71	2,454.05	1,658.66	92	4,450.00	(337.29)	8
OTHER REVENUE	1.80	0.06	1.74	3.76	5.62	(1.86)	54	7.00	(3.24)	46
<b>TOTAL REVENUE</b>	<b>857.87</b>	<b>459.06</b>	<b>398.81</b>	<b>4,116.47</b>	<b>2,459.67</b>	<b>1,656.80</b>	<b>92</b>	<b>4,457.00</b>	<b>(340.53)</b>	<b>8</b>
<b>EXPENSE SUMMARY</b>										
COURT TECHNOLOGY	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
<b>TOTAL EXPENSE</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>		<b>0.00</b>	<b>0.00</b>	
<b>REVENUE OVER/(UNDER) EXPENDITURE</b>	<b>857.87</b>	<b>459.06</b>	<b>398.81</b>	<b>4,116.47</b>	<b>2,459.67</b>	<b>1,656.80</b>		<b>4,457.00</b>	<b>(340.53)</b>	



Budget Variance Report

Fund: 13 - PUBLIC SAFETY FUND

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
<b><u>REVENUE SUMMARY</u></b>										
FINES AND FORFEITURES	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	
INTERGOVERNMENTAL	0.00	0.00	0.00	2,778.50	3,200.00	(421.50)	87	3,200.00	(421.50)	13
OTHER REVENUE	9.57	0.69	8.88	21.23	17.59	3.64	101	21.00	0.23	-1
<b>TOTAL REVENUE</b>	<b>9.57</b>	<b>0.69</b>	<b>8.88</b>	<b>2,799.73</b>	<b>3,217.59</b>	<b>(417.86)</b>	<b>87</b>	<b>3,221.00</b>	<b>(421.27)</b>	<b>13</b>
<b><u>EXPENSE SUMMARY</u></b>										
PUBLIC SAFETY	0.00	1,144.99	1,144.99	0.00	6,869.94	6,869.94	0	13,740.00	(13,740.00)	100
<b>TOTAL EXPENSE</b>	<b>0.00</b>	<b>1,144.99</b>	<b>1,144.99</b>	<b>0.00</b>	<b>6,869.94</b>	<b>6,869.94</b>	<b>0</b>	<b>13,740.00</b>	<b>13,740.00</b>	<b>100</b>
<b>REVENUE OVER/(UNDER) EXPENDITURE</b>	<b>9.57</b>	<b>(1,144.30)</b>	<b>1,153.87</b>	<b>2,799.73</b>	<b>(3,652.35)</b>	<b>6,452.08</b>		<b>(10,519.00)</b>	<b>(14,161.27)</b>	

Budget Variance Report

Fund: 20 - TAX INCREMENT FINANCING FUND

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
<b><u>REVENUE SUMMARY</u></b>										
TAXES	0.00	1,250.00	(1,250.00)	0.00	1,875.00	(1,875.00)	0	17,127.00	(17,127.00)	100
OTHER REVENUE	14.11	0.00	14.11	18.28	0.00	18.28		0.00	18.28	
TRANSFER	0.00	0.00	0.00	106,394.00	171,825.00	(65,431.00)	33	326,523.00	(220,129.00)	67
<b>TOTAL REVENUE</b>	<b>14.11</b>	<b>1,250.00</b>	<b>(1,235.89)</b>	<b>106,412.28</b>	<b>173,700.00</b>	<b>(67,287.72)</b>	<b>31</b>	<b>343,650.00</b>	<b>(237,237.72)</b>	<b>69</b>
<b><u>EXPENSE SUMMARY</u></b>										
TAX INCREMENT FINANCING	0.00	0.00	0.00	0.00	171,825.00	171,825.00	0	343,650.00	(343,650.00)	100
<b>TOTAL EXPENSE</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>171,825.00</b>	<b>171,825.00</b>	<b>0</b>	<b>343,650.00</b>	<b>343,650.00</b>	<b>100</b>
<b>REVENUE OVER/(UNDER) EXPENDITURE</b>	<b>14.11</b>	<b>1,250.00</b>	<b>(1,235.89)</b>	<b>106,412.28</b>	<b>1,875.00</b>	<b>104,537.28</b>		<b>0.00</b>	<b>(580,887.72)</b>	

Budget Variance Report  
Fund: 79 - SEDA

	CURRENT MONTH			YEAR TO DATE				ANNUAL BUDGET		
	ACTUAL	BUDGETED	VARIANCE	ACTUAL	BUDGETED	VARIANCE	%	TOTAL	REMAINING	%
<b><u>REVENUE SUMMARY</u></b>										
TAXES	54,279.03	44,925.76	9,353.27	349,986.38	314,691.91	35,294.47	58	608,487.00	(258,500.62)	42
INTERGOVERNMENTAL	0.00	0.00	0.00	33,000.00	0.00	33,000.00		0.00	33,000.00	
OTHER REVENUE	156.13	14.80	141.33	850.36	360.91	489.45	190	447.00	403.36	-90
<b>TOTAL REVENUE</b>	<b>54,435.16</b>	<b>44,940.56</b>	<b>9,494.60</b>	<b>383,836.74</b>	<b>315,052.82</b>	<b>68,783.92</b>	<b>63</b>	<b>608,934.00</b>	<b>(225,097.26)</b>	<b>37</b>
<b><u>EXPENSE SUMMARY</u></b>										
SEDA	37,373.41	50,462.40	13,088.99	228,140.72	305,724.40	77,583.68	37	608,500.00	(380,359.28)	63
<b>TOTAL EXPENSE</b>	<b>37,373.41</b>	<b>50,462.40</b>	<b>13,088.99</b>	<b>228,140.72</b>	<b>305,724.40</b>	<b>77,583.68</b>	<b>37</b>	<b>608,500.00</b>	<b>380,359.28</b>	<b>63</b>
<b>REVENUE OVER/(UNDER) EXPENDITURE</b>	<b>17,061.75</b>	<b>(5,521.84)</b>	<b>22,583.59</b>	<b>155,696.02</b>	<b>9,328.42</b>	<b>146,367.60</b>		<b>434.00</b>	<b>(605,456.54)</b>	

# Prior-Year Comparative Income Statement

## Group Summary

For the Period Ending 03/31/2022



Categor...	2020-2021 March Activity	2021-2022 March Activity	March Variance Favorable / (Unfavorable)	Variance %	2020-2021 YTD Activity	2021-2022 YTD Activity	YTD Variance Favorable / (Unfavorable)	Variance %
<b>Fund: 01 - GENERAL FUND</b>								
<b>Revenue</b>								
40 - TAXES	709,164.99	775,133.49	65,968.50	9.30%	10,233,112.63	10,788,506.90	555,394.27	5.43%
41 - LICENSES AND PERMITS	27,133.95	32,883.19	5,749.24	21.19%	168,491.71	268,981.61	100,489.90	59.64%
42 - FINES AND FORFEITURES	6,351.04	2,341.63	-4,009.41	-63.13%	54,928.64	76,019.22	21,090.58	38.40%
43 - INTERGOVERNMENTAL	300.00	50,621.94	50,321.94	16,773.98%	845,109.11	77,837.13	-767,271.98	-90.79%
44 - CHARGES FOR SERVICES	101,044.55	120,090.96	19,046.41	18.85%	453,432.15	488,920.69	35,488.54	7.83%
45 - OTHER REVENUE	1,161.06	709,206.98	708,045.92	60,982.72%	21,735.21	3,340,630.54	3,318,895.33	15,269.67%
49 - TRANSFER	0.00	0.00	0.00	0.00%	0.00	832,071.00	832,071.00	0.00%
<b>Revenue Total:</b>	<b>845,155.59</b>	<b>1,690,278.19</b>	<b>845,122.60</b>	<b>100.00%</b>	<b>11,776,809.45</b>	<b>15,872,967.09</b>	<b>4,096,157.64</b>	<b>34.78%</b>
<b>Expense</b>								
<b>Department: 101 - CITY COUNCIL</b>								
51 - PERSONNEL	2,153.00	1,937.70	215.30	10.00%	11,651.36	10,382.51	1,268.85	10.89%
52 - CONTRACTUAL	2,861.50	1,345.97	1,515.53	52.96%	94,273.17	20,399.15	73,874.02	78.36%
53 - GENERAL SERVICES	68.75	0.00	68.75	100.00%	2,446.33	99.95	2,346.38	95.91%
54 - MACHINE & EQUIPMENT MAI	0.00	0.00	0.00	0.00%	10,113.00	0.00	10,113.00	100.00%
58 - GRANT DISBURSEMENTS	0.00	0.00	0.00	0.00%	74,748.11	0.00	74,748.11	100.00%
<b>Department 101 - CITY COUNCIL Total:</b>	<b>5,083.25</b>	<b>3,283.67</b>	<b>1,799.58</b>	<b>35.40%</b>	<b>193,231.97</b>	<b>30,881.61</b>	<b>162,350.36</b>	<b>84.02%</b>
<b>Department: 102 - CITY MANAGER</b>								
51 - PERSONNEL	31,521.17	30,430.76	1,090.41	3.46%	191,525.49	186,433.47	5,092.02	2.66%
52 - CONTRACTUAL	1,051.46	1,774.71	-723.25	-68.79%	6,953.83	17,760.36	-10,806.53	-155.40%
53 - GENERAL SERVICES	0.00	160.89	-160.89	0.00%	4,836.02	1,012.12	3,823.90	79.07%
<b>Department 102 - CITY MANAGER Total:</b>	<b>32,572.63</b>	<b>32,366.36</b>	<b>206.27</b>	<b>0.63%</b>	<b>203,315.34</b>	<b>205,205.95</b>	<b>-1,890.61</b>	<b>-0.93%</b>
<b>Department: 103 - CITY SECRETARY</b>								
51 - PERSONNEL	6,646.86	7,156.70	-509.84	-7.67%	41,230.18	43,383.30	-2,153.12	-5.22%
52 - CONTRACTUAL	2,108.63	929.46	1,179.17	55.92%	11,372.80	9,751.14	1,621.66	14.26%
53 - GENERAL SERVICES	0.00	0.00	0.00	0.00%	250.07	466.53	-216.46	-86.56%
54 - MACHINE & EQUIPMENT MAI	0.00	0.00	0.00	0.00%	27,638.70	39,547.39	-11,908.69	-43.09%
55 - CAPITAL OUTLAY	0.00	0.00	0.00	0.00%	20,500.00	4,535.11	15,964.89	77.88%
<b>Department 103 - CITY SECRETARY Total:</b>	<b>8,755.49</b>	<b>8,086.16</b>	<b>669.33</b>	<b>7.64%</b>	<b>100,991.75</b>	<b>97,683.47</b>	<b>3,308.28</b>	<b>3.28%</b>
<b>Department: 104 - EMERGENCY MANAGEMENT</b>								
52 - CONTRACTUAL	172.30	69.09	103.21	59.90%	13,205.07	13,599.56	-394.49	-2.99%
54 - MACHINE & EQUIPMENT MAI	0.00	0.00	0.00	0.00%	1,545.00	0.00	1,545.00	100.00%
<b>Department 104 - EMERGENCY MANAGEMENT Total:</b>	<b>172.30</b>	<b>69.09</b>	<b>103.21</b>	<b>59.90%</b>	<b>14,750.07</b>	<b>13,599.56</b>	<b>1,150.51</b>	<b>7.80%</b>

Prior-Year Comparative Income Statement

For the Period Ending 03 Item 18.

Categor...	2020-2021	2021-2022	March Variance		2020-2021	2021-2022	YTD Variance	
	March Activity	March Activity	Favorable / (Unfavorable)	Variance %	YTD Activity	YTD Activity	Favorable / (Unfavorable)	Variance %
<b>Department: 105 - MUNICIPAL BUILDING</b>								
51 - PERSONNEL	963.33	1,619.96	-656.63	-68.16%	6,123.46	10,052.12	-3,928.66	-64.16%
52 - CONTRACTUAL	2,184.17	1,358.22	825.95	37.82%	17,529.22	12,047.84	5,481.38	31.27%
53 - GENERAL SERVICES	2,173.17	585.74	1,587.43	73.05%	7,508.41	5,627.04	1,881.37	25.06%
54 - MACHINE & EQUIPMENT MAI	2,006.00	421.28	1,584.72	79.00%	17,664.95	13,830.70	3,834.25	21.71%
55 - CAPITAL OUTLAY	0.00	0.00	0.00	0.00%	869.12	0.00	869.12	100.00%
<b>Department 105 - MUNICIPAL BUILDING Total:</b>	<b>7,326.67</b>	<b>3,985.20</b>	<b>3,341.47</b>	<b>45.61%</b>	<b>49,695.16</b>	<b>41,557.70</b>	<b>8,137.46</b>	<b>16.37%</b>
<b>Department: 106 - MUNICIPAL SERVICES CTR</b>								
51 - PERSONNEL	0.00	4,430.00	-4,430.00	0.00%	14,403.71	26,021.15	-11,617.44	-80.66%
52 - CONTRACTUAL	4,091.18	2,893.44	1,197.74	29.28%	15,972.95	15,279.69	693.26	4.34%
53 - GENERAL SERVICES	4,083.54	4,925.03	-841.49	-20.61%	18,645.30	20,813.49	-2,168.19	-11.63%
54 - MACHINE & EQUIPMENT MAI	365.99	111.43	254.56	69.55%	1,619.38	1,316.81	302.57	18.68%
<b>Department 106 - MUNICIPAL SERVICES CTR Total:</b>	<b>8,540.71</b>	<b>12,359.90</b>	<b>-3,819.19</b>	<b>-44.72%</b>	<b>50,641.34</b>	<b>63,431.14</b>	<b>-12,789.80</b>	<b>-25.26%</b>
<b>Department: 107 - HUMAN RESOURCES</b>								
51 - PERSONNEL	5,916.57	6,463.05	-546.48	-9.24%	43,364.61	44,369.54	-1,004.93	-2.32%
52 - CONTRACTUAL	11,606.89	11,107.33	499.56	4.30%	42,588.55	53,143.99	-10,555.44	-24.78%
53 - GENERAL SERVICES	7.75	0.00	7.75	100.00%	1,440.56	59.43	1,381.13	95.87%
54 - MACHINE & EQUIPMENT MAI	0.00	0.00	0.00	0.00%	14,999.00	0.00	14,999.00	100.00%
<b>Department 107 - HUMAN RESOURCES Total:</b>	<b>17,531.21</b>	<b>17,570.38</b>	<b>-39.17</b>	<b>-0.22%</b>	<b>102,392.72</b>	<b>97,572.96</b>	<b>4,819.76</b>	<b>4.71%</b>
<b>Department: 108 - DOWNTOWN</b>								
51 - PERSONNEL	3,567.22	0.00	3,567.22	100.00%	5,257.78	10,902.73	-5,644.95	-107.36%
52 - CONTRACTUAL	40.70	40.70	0.00	0.00%	759.50	13,348.37	-12,588.87	-1,657.52%
53 - GENERAL SERVICES	-1,127.06	0.00	-1,127.06	-100.00%	2,161.47	4,739.73	-2,578.26	-119.28%
55 - CAPITAL OUTLAY	0.00	0.00	0.00	0.00%	0.00	2,156.19	-2,156.19	0.00%
<b>Department 108 - DOWNTOWN Total:</b>	<b>2,480.86</b>	<b>40.70</b>	<b>2,440.16</b>	<b>98.36%</b>	<b>8,178.75</b>	<b>31,147.02</b>	<b>-22,968.27</b>	<b>-280.83%</b>
<b>Department: 201 - FINANCE</b>								
51 - PERSONNEL	26,434.58	27,102.96	-668.38	-2.53%	160,840.45	162,825.28	-1,984.83	-1.23%
52 - CONTRACTUAL	12,177.10	14,914.30	-2,737.20	-22.48%	45,403.90	56,703.22	-11,299.32	-24.89%
53 - GENERAL SERVICES	1,127.06	0.00	1,127.06	100.00%	1,435.66	438.93	996.73	69.43%
54 - MACHINE & EQUIPMENT MAI	0.00	0.00	0.00	0.00%	18,875.82	22,605.79	-3,729.97	-19.76%
56 - BANK CHARGES	276.13	120.00	156.13	56.54%	1,539.49	767.25	772.24	50.16%
<b>Department 201 - FINANCE Total:</b>	<b>40,014.87</b>	<b>42,137.26</b>	<b>-2,122.39</b>	<b>-5.30%</b>	<b>228,095.32</b>	<b>243,340.47</b>	<b>-15,245.15</b>	<b>-6.68%</b>
<b>Department: 203 - INFORMATION TECHNOLOGY</b>								
51 - PERSONNEL	15,006.32	20,007.05	-5,000.73	-33.32%	97,379.34	111,734.68	-14,355.34	-14.74%
52 - CONTRACTUAL	8.60	0.83	7.77	90.35%	592.34	2,763.76	-2,171.42	-366.58%
53 - GENERAL SERVICES	467.20	2,342.98	-1,875.78	-401.49%	1,021.84	16,245.34	-15,223.50	-1,489.81%
54 - MACHINE & EQUIPMENT MAI	14,684.92	11,227.21	3,457.71	23.55%	33,306.04	91,691.33	-58,385.29	-175.30%
55 - CAPITAL OUTLAY	0.00	0.00	0.00	0.00%	0.00	19,454.60	-19,454.60	0.00%
<b>Department 203 - INFORMATION TECHNOLOGY Total:</b>	<b>30,167.04</b>	<b>33,578.07</b>	<b>-3,411.03</b>	<b>-11.31%</b>	<b>132,299.56</b>	<b>241,889.71</b>	<b>-109,590.15</b>	<b>-82.83%</b>



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Categor...	2020-2021	2021-2022	March Variance		2020-2021	2021-2022	YTD Variance	
	March Activity	March Activity	Favorable / (Unfavorable)	Variance %	YTD Activity	YTD Activity	Favorable / (Unfavorable)	Variance %
<b>Department: 204 - TAX</b>								
52 - CONTRACTUAL	319.20	42,517.84	-42,198.64	-13,220.13%	126,530.16	130,524.40	-3,994.24	-3.16%
<b>Department 204 - TAX Total:</b>	<b>319.20</b>	<b>42,517.84</b>	<b>-42,198.64</b>	<b>-13,220.13%</b>	<b>126,530.16</b>	<b>130,524.40</b>	<b>-3,994.24</b>	<b>-3.16%</b>
<b>Department: 301 - LEGAL COUNSEL</b>								
51 - PERSONNEL	7,823.58	8,981.55	-1,157.97	-14.80%	42,455.17	46,122.56	-3,667.39	-8.64%
52 - CONTRACTUAL	7.00	0.00	7.00	100.00%	144.29	18,712.11	-18,567.82	-12,868.40%
<b>Department 301 - LEGAL COUNSEL Total:</b>	<b>7,830.58</b>	<b>8,981.55</b>	<b>-1,150.97</b>	<b>-14.70%</b>	<b>42,599.46</b>	<b>64,834.67</b>	<b>-22,235.21</b>	<b>-52.20%</b>
<b>Department: 302 - MUNICIPAL COURT</b>								
51 - PERSONNEL	4,000.17	5,390.72	-1,390.55	-34.76%	23,959.72	33,442.67	-9,482.95	-39.58%
52 - CONTRACTUAL	3,649.23	3,669.43	-20.20	-0.55%	22,414.79	21,093.40	1,321.39	5.90%
53 - GENERAL SERVICES	247.66	497.51	-249.85	-100.88%	2,063.81	3,213.92	-1,150.11	-55.73%
54 - MACHINE & EQUIPMENT MAI	0.00	0.00	0.00	0.00%	4,387.50	4,531.88	-144.38	-3.29%
<b>Department 302 - MUNICIPAL COURT Total:</b>	<b>7,897.06</b>	<b>9,557.66</b>	<b>-1,660.60</b>	<b>-21.03%</b>	<b>52,825.82</b>	<b>62,281.87</b>	<b>-9,456.05</b>	<b>-17.90%</b>
<b>Department: 402 - STREET MAINTENANCE</b>								
51 - PERSONNEL	29,543.91	30,057.71	-513.80	-1.74%	197,669.72	181,565.54	16,104.18	8.15%
52 - CONTRACTUAL	3,644.57	26,084.47	-22,439.90	-615.71%	100,581.06	106,457.43	-5,876.37	-5.84%
53 - GENERAL SERVICES	1,276.93	3,848.21	-2,571.28	-201.36%	9,392.39	12,966.03	-3,573.64	-38.05%
54 - MACHINE & EQUIPMENT MAI	20,122.17	969.92	19,152.25	95.18%	36,836.23	42,613.47	-5,777.24	-15.68%
55 - CAPITAL OUTLAY	0.00	0.00	0.00	0.00%	43,847.00	0.00	43,847.00	100.00%
<b>Department 402 - STREET MAINTENANCE Total:</b>	<b>54,587.58</b>	<b>60,960.31</b>	<b>-6,372.73</b>	<b>-11.67%</b>	<b>388,326.40</b>	<b>343,602.47</b>	<b>44,723.93</b>	<b>11.52%</b>
<b>Department: 501 - PARKS &amp; RECREATION</b>								
51 - PERSONNEL	70,146.65	66,997.16	3,149.49	4.49%	364,873.15	381,558.99	-16,685.84	-4.57%
52 - CONTRACTUAL	14,084.41	46,186.79	-32,102.38	-227.93%	242,404.84	161,387.92	81,016.92	33.42%
53 - GENERAL SERVICES	8,808.50	7,538.13	1,270.37	14.42%	46,541.48	52,057.15	-5,515.67	-11.85%
54 - MACHINE & EQUIPMENT MAI	3,346.28	5,525.72	-2,179.44	-65.13%	25,756.07	46,289.22	-20,533.15	-79.72%
55 - CAPITAL OUTLAY	10,820.26	55,401.73	-44,581.47	-412.02%	377,870.18	172,878.34	204,991.84	54.25%
56 - BANK CHARGES	0.00	0.00	0.00	0.00%	0.00	1.08	-1.08	0.00%
<b>Department 501 - PARKS &amp; RECREATION Total:</b>	<b>107,206.10</b>	<b>181,649.53</b>	<b>-74,443.43</b>	<b>-69.44%</b>	<b>1,057,445.72</b>	<b>814,172.70</b>	<b>243,273.02</b>	<b>23.01%</b>
<b>Department: 504 - LIBRARY</b>								
51 - PERSONNEL	14,645.60	14,627.36	18.24	0.12%	89,291.37	87,012.67	2,278.70	2.55%
52 - CONTRACTUAL	85.22	1,322.24	-1,237.02	-1,451.56%	6,722.09	8,602.99	-1,880.90	-27.98%
53 - GENERAL SERVICES	1,345.53	551.64	793.89	59.00%	5,332.64	6,771.75	-1,439.11	-26.99%
54 - MACHINE & EQUIPMENT MAI	5,230.68	5,891.14	-660.46	-12.63%	6,129.65	7,339.86	-1,210.21	-19.74%
55 - CAPITAL OUTLAY	0.00	390.21	-390.21	0.00%	0.00	390.21	-390.21	0.00%
<b>Department 504 - LIBRARY Total:</b>	<b>21,307.03</b>	<b>22,782.59</b>	<b>-1,475.56</b>	<b>-6.93%</b>	<b>107,475.75</b>	<b>110,117.48</b>	<b>-2,641.73</b>	<b>-2.46%</b>
<b>Department: 506 - SENIOR CENTER</b>								
51 - PERSONNEL	4,832.52	5,026.92	-194.40	-4.02%	31,076.80	33,491.89	-2,415.09	-7.77%
52 - CONTRACTUAL	617.40	3,536.75	-2,919.35	-472.85%	7,148.23	18,513.15	-11,364.92	-158.99%
53 - GENERAL SERVICES	1,333.09	601.34	731.75	54.89%	5,893.86	5,447.94	445.92	7.57%
54 - MACHINE & EQUIPMENT MAI	79.79	185.50	-105.71	-132.49%	4,496.64	1,317.31	3,179.33	70.70%

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Categor...	March Variance				YTD Variance			
	2020-2021 March Activity	2021-2022 March Activity	Favorable / (Unfavorable)	Variance %	2020-2021 YTD Activity	2021-2022 YTD Activity	Favorable / (Unfavorable)	Variance %
<b>Department 506 - SENIOR CENTER Total:</b>	<b>6,862.80</b>	<b>9,350.51</b>	<b>-2,487.71</b>	<b>-36.25%</b>	<b>48,615.53</b>	<b>58,770.29</b>	<b>-10,154.76</b>	<b>-20.89%</b>
<b>Department: 507 - AQUATIC CENTER</b>								
51 - PERSONNEL	0.00	0.00	0.00	0.00%	1,892.00	2,521.91	-629.91	-33.29%
52 - CONTRACTUAL	251.57	2,163.69	-1,912.12	-760.07%	10,918.64	17,046.90	-6,128.26	-56.13%
53 - GENERAL SERVICES	1,115.16	10.00	1,105.16	99.10%	2,452.66	4,368.46	-1,915.80	-78.11%
54 - MACHINE & EQUIPMENT MAI	2,031.06	15,000.00	-12,968.94	-638.53%	2,656.36	15,753.95	-13,097.59	-493.07%
<b>Department 507 - AQUATIC CENTER Total:</b>	<b>3,397.79</b>	<b>17,173.69</b>	<b>-13,775.90</b>	<b>-405.44%</b>	<b>17,919.66</b>	<b>39,691.22</b>	<b>-21,771.56</b>	<b>-121.50%</b>
<b>Department: 601 - FIRE DEPARTMENT</b>								
51 - PERSONNEL	240,043.59	264,632.01	-24,588.42	-10.24%	1,366,574.69	1,514,713.65	-148,138.96	-10.84%
52 - CONTRACTUAL	5,338.47	17,442.64	-12,104.17	-226.73%	65,752.04	81,345.55	-15,593.51	-23.72%
53 - GENERAL SERVICES	19,178.58	22,801.13	-3,622.55	-18.89%	163,379.20	67,139.75	96,239.45	58.91%
54 - MACHINE & EQUIPMENT MAI	9,674.70	7,294.18	2,380.52	24.61%	59,137.72	48,060.18	11,077.54	18.73%
55 - CAPITAL OUTLAY	0.00	241.51	-241.51	0.00%	8,287.11	282,256.01	-273,968.90	-3,305.96%
56 - BANK CHARGES	0.42	0.00	0.42	100.00%	0.42	1.03	-0.61	-145.24%
57 - DEBT SERVICE	0.00	0.00	0.00	0.00%	232,124.01	137,935.91	94,188.10	40.58%
<b>Department 601 - FIRE DEPARTMENT Total:</b>	<b>274,235.76</b>	<b>312,411.47</b>	<b>-38,175.71</b>	<b>-13.92%</b>	<b>1,895,255.19</b>	<b>2,131,452.08</b>	<b>-236,196.89</b>	<b>-12.46%</b>
<b>Department: 701 - POLICE DEPARTMENT</b>								
51 - PERSONNEL	334,229.25	357,323.40	-23,094.15	-6.91%	2,011,397.30	2,031,493.68	-20,096.38	-1.00%
52 - CONTRACTUAL	24,061.19	20,143.31	3,917.88	16.28%	485,173.76	201,963.23	283,210.53	58.37%
53 - GENERAL SERVICES	12,902.73	21,214.94	-8,312.21	-64.42%	103,821.93	86,609.86	17,212.07	16.58%
54 - MACHINE & EQUIPMENT MAI	11,933.38	6,853.50	5,079.88	42.57%	111,597.22	67,467.59	44,129.63	39.54%
55 - CAPITAL OUTLAY	0.00	71,467.36	-71,467.36	0.00%	147,449.95	169,909.18	-22,459.23	-15.23%
56 - BANK CHARGES	0.07	0.00	0.07	100.00%	0.07	0.00	0.07	100.00%
57 - DEBT SERVICE	35,726.09	35,726.09	0.00	0.00%	60,613.69	112,148.34	-51,534.65	-85.02%
<b>Department 701 - POLICE DEPARTMENT Total:</b>	<b>418,852.71</b>	<b>512,728.60</b>	<b>-93,875.89</b>	<b>-22.41%</b>	<b>2,920,053.92</b>	<b>2,669,591.88</b>	<b>250,462.04</b>	<b>8.58%</b>
<b>Department: 801 - DEVELOPMENT SERVICES</b>								
51 - PERSONNEL	29,116.03	32,887.82	-3,771.79	-12.95%	175,294.74	175,785.91	-491.17	-0.28%
52 - CONTRACTUAL	6,244.28	5,616.17	628.11	10.06%	41,708.28	37,792.02	3,916.26	9.39%
53 - GENERAL SERVICES	332.32	1,080.93	-748.61	-225.27%	3,060.76	5,559.10	-2,498.34	-81.62%
54 - MACHINE & EQUIPMENT MAI	0.00	0.00	0.00	0.00%	10,284.33	8,501.43	1,782.90	17.34%
58 - GRANT DISBURSEMENTS	0.00	0.00	0.00	0.00%	5,000.00	0.00	5,000.00	100.00%
<b>Department 801 - DEVELOPMENT SERVICES Total:</b>	<b>35,692.63</b>	<b>39,584.92</b>	<b>-3,892.29</b>	<b>-10.91%</b>	<b>235,348.11</b>	<b>227,638.46</b>	<b>7,709.65</b>	<b>3.28%</b>
<b>Department: 900 - TRANSFERS</b>								
59 - TRANSFER	0.00	0.00	0.00	0.00%	0.00	1,321,768.00	-1,321,768.00	0.00%
<b>Department 900 - TRANSFERS Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00%</b>	<b>0.00</b>	<b>1,321,768.00</b>	<b>-1,321,768.00</b>	<b>0.00%</b>
<b>Expense Total:</b>	<b>1,090,834.27</b>	<b>1,371,175.46</b>	<b>-280,341.19</b>	<b>-25.70%</b>	<b>7,975,987.70</b>	<b>9,040,755.11</b>	<b>-1,064,767.41</b>	<b>-13.35%</b>
<b>Total Revenues</b>	<b>845,155.59</b>	<b>1,690,278.19</b>	<b>845,122.60</b>	<b>100.00%</b>	<b>11,776,809.45</b>	<b>15,872,967.09</b>	<b>4,096,157.64</b>	<b>34.78%</b>
<b>Fund 01 Surplus (Deficit):</b>	<b>-245,678.68</b>	<b>319,102.73</b>	<b>564,781.41</b>	<b>229.89%</b>	<b>3,800,821.75</b>	<b>6,832,211.98</b>	<b>3,031,390.23</b>	<b>79.76%</b>

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Categor...	2020-2021 March Activity	2021-2022 March Activity	March Variance Favorable / (Unfavorable)	Variance %	2020-2021 YTD Activity	2021-2022 YTD Activity	YTD Variance Favorable / (Unfavorable)	Variance %
<b>Fund: 02 - WATER AND WASTEWATER FUND</b>								
<b>Revenue</b>								
41 - LICENSES AND PERMITS	0.00	0.00	0.00	0.00%	223.17	0.00	-223.17	-100.00%
43 - INTERGOVERNMENTAL	0.00	5,202.37	5,202.37	0.00%	0.00	5,202.37	5,202.37	0.00%
44 - CHARGES FOR SERVICES	736,111.45	757,489.89	21,378.44	2.90%	4,230,013.23	4,996,867.23	766,854.00	18.13%
45 - OTHER REVENUE	271.29	2,297.44	2,026.15	746.86%	17,526.40	5,863.44	-11,662.96	-66.55%
<b>Revenue Total:</b>	<b>736,382.74</b>	<b>764,989.70</b>	<b>28,606.96</b>	<b>3.88%</b>	<b>4,247,762.80</b>	<b>5,007,933.04</b>	<b>760,170.24</b>	<b>17.90%</b>
<b>Expense</b>								
<b>Department: 000 - UTILITIES ADMINISTRATION</b>								
51 - PERSONNEL	18,439.54	29,982.37	-11,542.83	-62.60%	114,900.10	182,151.08	-67,250.98	-58.53%
52 - CONTRACTUAL	1,469.43	2,260.02	-790.59	-53.80%	27,089.18	26,413.20	675.98	2.50%
53 - GENERAL SERVICES	60.49	90.48	-29.99	-49.58%	3,899.47	1,073.28	2,826.19	72.48%
54 - MACHINE & EQUIPMENT MAI	0.00	0.00	0.00	0.00%	110.00	0.00	110.00	100.00%
55 - CAPITAL OUTLAY	0.00	110,469.97	-110,469.97	0.00%	0.00	110,469.97	-110,469.97	0.00%
<b>Department 000 - UTILITIES ADMINISTRATION Total:</b>	<b>19,969.46</b>	<b>142,802.84</b>	<b>-122,833.38</b>	<b>-615.11%</b>	<b>145,998.75</b>	<b>320,107.53</b>	<b>-174,108.78</b>	<b>-119.25%</b>
<b>Department: 001 - WATER PRODUCTION</b>								
51 - PERSONNEL	22,640.35	15,481.93	7,158.42	31.62%	108,028.50	109,719.59	-1,691.09	-1.57%
52 - CONTRACTUAL	24,944.48	14,448.05	10,496.43	42.08%	328,632.14	362,002.81	-33,370.67	-10.15%
53 - GENERAL SERVICES	313.01	880.22	-567.21	-181.21%	3,183.63	4,707.31	-1,523.68	-47.86%
54 - MACHINE & EQUIPMENT MAI	43,758.98	1,895.57	41,863.41	95.67%	103,484.93	73,863.03	29,621.90	28.62%
55 - CAPITAL OUTLAY	70,650.00	82,900.00	-12,250.00	-17.34%	88,050.00	199,220.00	-111,170.00	-126.26%
<b>Department 001 - WATER PRODUCTION Total:</b>	<b>162,306.82</b>	<b>115,605.77</b>	<b>46,701.05</b>	<b>28.77%</b>	<b>631,379.20</b>	<b>749,512.74</b>	<b>-118,133.54</b>	<b>-18.71%</b>
<b>Department: 002 - WATER DISTRIBUTION</b>								
51 - PERSONNEL	17,480.33	10,254.26	7,226.07	41.34%	95,447.23	64,803.19	30,644.04	32.11%
52 - CONTRACTUAL	8,970.04	20,301.55	-11,331.51	-126.33%	56,483.86	125,670.10	-69,186.24	-122.49%
53 - GENERAL SERVICES	1,074.86	8,815.86	-7,741.00	-720.19%	11,862.65	24,944.95	-13,082.30	-110.28%
54 - MACHINE & EQUIPMENT MAI	3,197.00	37,593.40	-34,396.40	-1,075.90%	56,394.62	216,887.29	-160,492.67	-284.59%
55 - CAPITAL OUTLAY	25,170.00	7,700.00	17,470.00	69.41%	63,175.48	106,150.00	-42,974.52	-68.02%
<b>Department 002 - WATER DISTRIBUTION Total:</b>	<b>55,892.23</b>	<b>84,665.07</b>	<b>-28,772.84</b>	<b>-51.48%</b>	<b>283,363.84</b>	<b>538,455.53</b>	<b>-255,091.69</b>	<b>-90.02%</b>
<b>Department: 003 - CUSTOMER SERVICE</b>								
51 - PERSONNEL	15,287.29	13,720.39	1,566.90	10.25%	83,829.38	83,623.72	205.66	0.25%
52 - CONTRACTUAL	242.28	249.10	-6.82	-2.81%	3,687.02	23,998.73	-20,311.71	-550.90%
53 - GENERAL SERVICES	400.14	1,157.09	-756.95	-189.17%	3,250.26	4,712.11	-1,461.85	-44.98%
54 - MACHINE & EQUIPMENT MAI	21,159.05	0.00	21,159.05	100.00%	35,155.70	31,499.05	3,656.65	10.40%
<b>Department 003 - CUSTOMER SERVICE Total:</b>	<b>37,088.76</b>	<b>15,126.58</b>	<b>21,962.18</b>	<b>59.22%</b>	<b>125,922.36</b>	<b>143,833.61</b>	<b>-17,911.25</b>	<b>-14.22%</b>
<b>Department: 011 - WASTEWATER COLLECTION</b>								
51 - PERSONNEL	16,948.49	21,164.94	-4,216.45	-24.88%	91,337.73	112,814.68	-21,476.95	-23.51%
52 - CONTRACTUAL	180.27	117.17	63.10	35.00%	35,264.40	26,254.46	9,009.94	25.55%
53 - GENERAL SERVICES	956.54	2,450.10	-1,493.56	-156.14%	7,513.09	6,311.14	1,201.95	16.00%
54 - MACHINE & EQUIPMENT MAI	633.44	2,565.63	-1,932.19	-305.03%	16,849.21	26,996.33	-10,147.12	-60.22%

Prior-Year Comparative Income Statement

For the Period Ending 03

Item 18.

Categor...	2020-2021	2021-2022	March Variance		2020-2021	2021-2022	YTD Variance	
	March Activity	March Activity	Favorable / (Unfavorable)	Variance %	YTD Activity	YTD Activity	Favorable / (Unfavorable)	Variance %
55 - CAPITAL OUTLAY	38,723.69	4,388.75	34,334.94	88.67%	123,807.02	26,134.00	97,673.02	78.89%
<b>Department 011 - WASTEWATER COLLECTION Total:</b>	<b>57,442.43</b>	<b>30,686.59</b>	<b>26,755.84</b>	<b>46.58%</b>	<b>274,771.45</b>	<b>198,510.61</b>	<b>76,260.84</b>	<b>27.75%</b>
<b>Department: 012 - WASTEWATER TREATMENT</b>								
52 - CONTRACTUAL	68,617.32	79,897.90	-11,280.58	-16.44%	471,638.85	497,080.67	-25,441.82	-5.39%
54 - MACHINE & EQUIPMENT MAI	0.00	309.76	-309.76	0.00%	19,278.00	3,792.21	15,485.79	80.33%
55 - CAPITAL OUTLAY	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
<b>Department 012 - WASTEWATER TREATMENT Total:</b>	<b>68,617.32</b>	<b>80,207.66</b>	<b>-11,590.34</b>	<b>-16.89%</b>	<b>490,916.85</b>	<b>500,872.88</b>	<b>-9,956.03</b>	<b>-2.03%</b>
<b>Department: 020 - BILLING &amp; COLLECTION</b>								
51 - PERSONNEL	7,850.92	6,977.35	873.57	11.13%	48,581.04	39,494.34	9,086.70	18.70%
52 - CONTRACTUAL	13,451.45	12,091.34	1,360.11	10.11%	40,623.92	45,436.36	-4,812.44	-11.85%
53 - GENERAL SERVICES	16,794.77	21,919.38	-5,124.61	-30.51%	56,918.31	87,245.50	-30,327.19	-53.28%
54 - MACHINE & EQUIPMENT MAI	530.00	265.00	265.00	50.00%	23,263.49	27,148.04	-3,884.55	-16.70%
<b>Department 020 - BILLING &amp; COLLECTION Total:</b>	<b>38,627.14</b>	<b>41,253.07</b>	<b>-2,625.93</b>	<b>-6.80%</b>	<b>169,386.76</b>	<b>199,324.24</b>	<b>-29,937.48</b>	<b>-17.67%</b>
<b>Department: 901 - NON-DEPARTMENTAL</b>								
56 - BANK CHARGES	0.45	0.00	0.45	100.00%	2.40	13.55	-11.15	-464.58%
57 - DEBT SERVICE	184,337.00	177,137.00	7,200.00	3.91%	1,300,883.00	1,310,023.25	-9,140.25	-0.70%
59 - TRANSFER	39,161.36	54,953.02	-15,791.66	-40.32%	218,116.37	1,124,178.73	-906,062.36	-415.40%
<b>Department 901 - NON-DEPARTMENTAL Total:</b>	<b>223,498.81</b>	<b>232,090.02</b>	<b>-8,591.21</b>	<b>-3.84%</b>	<b>1,519,001.77</b>	<b>2,434,215.53</b>	<b>-915,213.76</b>	<b>-60.25%</b>
<b>Expense Total:</b>	<b>663,442.97</b>	<b>742,437.60</b>	<b>-78,994.63</b>	<b>-11.91%</b>	<b>3,640,740.98</b>	<b>5,084,832.67</b>	<b>-1,444,091.69</b>	<b>-39.66%</b>
<b>Total Revenues</b>	<b>736,382.74</b>	<b>764,989.70</b>	<b>28,606.96</b>	<b>3.88%</b>	<b>4,247,762.80</b>	<b>5,007,933.04</b>	<b>760,170.24</b>	<b>17.90%</b>
<b>Fund 02 Surplus (Deficit):</b>	<b>72,939.77</b>	<b>22,552.10</b>	<b>-50,387.67</b>	<b>-69.08%</b>	<b>607,021.82</b>	<b>-76,899.63</b>	<b>-683,921.45</b>	<b>-112.67%</b>

Prior-Year Comparative Income Statement

For the Period Ending 03 Item 18.

Categor...	2020-2021		2021-2022		March Variance		YTD Variance	
	March Activity	March Activity	Favorable / (Unfavorable)	Variance %	YTD Activity	YTD Activity	Favorable / (Unfavorable)	Variance %
<b>Fund: 03 - SANITARY LANDFILL FUND</b>								
<b>Revenue</b>								
44 - CHARGES FOR SERVICES	63,324.00	94,116.37	30,792.37	48.63%	453,232.05	510,297.97	57,065.92	12.59%
45 - OTHER REVENUE	16.81	189.22	172.41	1,025.64%	865.45	796.50	-68.95	-7.97%
<b>Revenue Total:</b>	<b>63,340.81</b>	<b>94,305.59</b>	<b>30,964.78</b>	<b>48.89%</b>	<b>454,097.50</b>	<b>511,094.47</b>	<b>56,996.97</b>	<b>12.55%</b>
<b>Expense</b>								
<b>Department: 030 - LANDFILL</b>								
51 - PERSONNEL	16,317.62	17,380.61	-1,062.99	-6.51%	106,539.67	109,004.01	-2,464.34	-2.31%
52 - CONTRACTUAL	237.53	4,776.87	-4,539.34	-1,911.06%	23,263.27	45,520.49	-22,257.22	-95.68%
53 - GENERAL SERVICES	5,998.29	11,811.98	-5,813.69	-96.92%	26,189.27	40,324.97	-14,135.70	-53.98%
54 - MACHINE & EQUIPMENT MAI	3,646.24	8,637.21	-4,990.97	-136.88%	59,464.97	42,055.22	17,409.75	29.28%
55 - CAPITAL OUTLAY	0.00	93,802.35	-93,802.35	0.00%	0.00	150,109.13	-150,109.13	0.00%
56 - BANK CHARGES	0.00	0.00	0.00	0.00%	0.00	10.73	-10.73	0.00%
59 - TRANSFER	0.00	0.00	0.00	0.00%	0.00	81,539.00	-81,539.00	0.00%
<b>Department 030 - LANDFILL Total:</b>	<b>26,199.68</b>	<b>136,409.02</b>	<b>-110,209.34</b>	<b>-420.65%</b>	<b>215,457.18</b>	<b>468,563.55</b>	<b>-253,106.37</b>	<b>-117.47%</b>
<b>Expense Total:</b>	<b>26,199.68</b>	<b>136,409.02</b>	<b>-110,209.34</b>	<b>-420.65%</b>	<b>215,457.18</b>	<b>468,563.55</b>	<b>-253,106.37</b>	<b>-117.47%</b>
<b>Total Revenues</b>	<b>63,340.81</b>	<b>94,305.59</b>	<b>30,964.78</b>	<b>48.89%</b>	<b>454,097.50</b>	<b>511,094.47</b>	<b>56,996.97</b>	<b>12.55%</b>
<b>Fund 03 Surplus (Deficit):</b>	<b>37,141.13</b>	<b>-42,103.43</b>	<b>-79,244.56</b>	<b>-213.36%</b>	<b>238,640.32</b>	<b>42,530.92</b>	<b>-196,109.40</b>	<b>-82.18%</b>



Prior-Year Comparative Income Statement

For the Period Ending 03 Item 18.

Categor...	2020-2021	2021-2022	March Variance	Variance %	2020-2021	2021-2022	YTD Variance	Variance %
	March Activity	March Activity	Favorable / (Unfavorable)		YTD Activity	YTD Activity	Favorable / (Unfavorable)	
<b>Fund: 04 - AIRPORT FUND</b>								
<b>Revenue</b>								
44 - CHARGES FOR SERVICES	9,273.98	9,065.74	-208.24	-2.25%	56,269.86	74,756.89	18,487.03	32.85%
<b>Revenue Total:</b>	<b>9,273.98</b>	<b>9,065.74</b>	<b>-208.24</b>	<b>-2.25%</b>	<b>56,269.86</b>	<b>74,756.89</b>	<b>18,487.03</b>	<b>32.85%</b>
<b>Expense</b>								
<b>Department: 040 - AIRPORT</b>								
51 - PERSONNEL	398.56	452.90	-54.34	-13.63%	2,813.33	1,743.45	1,069.88	38.03%
52 - CONTRACTUAL	5,112.16	2,876.21	2,235.95	43.74%	22,720.12	31,452.43	-8,732.31	-38.43%
53 - GENERAL SERVICES	0.00	0.00	0.00	0.00%	71.00	34.80	36.20	50.99%
54 - MACHINE & EQUIPMENT MAI	444.00	0.00	444.00	100.00%	7,763.91	11,948.29	-4,184.38	-53.90%
<b>Department 040 - AIRPORT Total:</b>	<b>5,954.72</b>	<b>3,329.11</b>	<b>2,625.61</b>	<b>44.09%</b>	<b>33,368.36</b>	<b>45,178.97</b>	<b>-11,810.61</b>	<b>-35.39%</b>
<b>Expense Total:</b>	<b>5,954.72</b>	<b>3,329.11</b>	<b>2,625.61</b>	<b>44.09%</b>	<b>33,368.36</b>	<b>45,178.97</b>	<b>-11,810.61</b>	<b>-35.39%</b>
<b>Total Revenues</b>	<b>9,273.98</b>	<b>9,065.74</b>	<b>-208.24</b>	<b>-2.25%</b>	<b>56,269.86</b>	<b>74,756.89</b>	<b>18,487.03</b>	<b>32.85%</b>
<b>Fund 04 Surplus (Deficit):</b>	<b>3,319.26</b>	<b>5,736.63</b>	<b>2,417.37</b>	<b>72.83%</b>	<b>22,901.50</b>	<b>29,577.92</b>	<b>6,676.42</b>	<b>29.15%</b>

Prior-Year Comparative Income Statement

For the Period Ending 03 Item 18.

Categor...	March				YTD			
	2020-2021 March Activity	2021-2022 March Activity	March Variance Favorable / (Unfavorable)	Variance %	2020-2021 YTD Activity	2021-2022 YTD Activity	YTD Variance Favorable / (Unfavorable)	Variance %
<b>Fund: 05 - STORM WATER DRAINAGE FUND</b>								
<b>Revenue</b>								
41 - LICENSES AND PERMITS	0.00	0.00	0.00	0.00%	223.17	0.00	-223.17	-100.00%
43 - INTERGOVERNMENTAL	47,600.00	0.00	-47,600.00	-100.00%	47,600.00	1,016,222.95	968,622.95	2,034.92%
44 - CHARGES FOR SERVICES	54,434.15	87,711.92	33,277.77	61.13%	325,526.00	468,475.23	142,949.23	43.91%
45 - OTHER REVENUE	8.66	35.80	27.14	313.39%	369.29	73.87	-295.42	-80.00%
<b>Revenue Total:</b>	<b>102,042.81</b>	<b>87,747.72</b>	<b>-14,295.09</b>	<b>-14.01%</b>	<b>373,718.46</b>	<b>1,484,772.05</b>	<b>1,111,053.59</b>	<b>297.30%</b>
<b>Expense</b>								
<b>Department: 050 - STORM WATER DRAINAGE</b>								
52 - CONTRACTUAL	5,744.55	14,092.45	-8,347.90	-145.32%	14,684.34	233,413.37	-218,729.03	-1,489.54%
55 - CAPITAL OUTLAY	207,099.41	0.00	207,099.41	100.00%	637,143.06	42,420.00	594,723.06	93.34%
56 - BANK CHARGES	0.00	0.00	0.00	0.00%	447.50	647.50	-200.00	-44.69%
57 - DEBT SERVICE	0.00	0.00	0.00	0.00%	409,990.00	419,536.00	-9,546.00	-2.33%
<b>Department 050 - STORM WATER DRAINAGE Total:</b>	<b>212,843.96</b>	<b>14,092.45</b>	<b>198,751.51</b>	<b>93.38%</b>	<b>1,062,264.90</b>	<b>696,016.87</b>	<b>366,248.03</b>	<b>34.48%</b>
<b>Expense Total:</b>	<b>212,843.96</b>	<b>14,092.45</b>	<b>198,751.51</b>	<b>93.38%</b>	<b>1,062,264.90</b>	<b>696,016.87</b>	<b>366,248.03</b>	<b>34.48%</b>
<b>Total Revenues</b>	<b>102,042.81</b>	<b>87,747.72</b>	<b>-14,295.09</b>	<b>-14.01%</b>	<b>373,718.46</b>	<b>1,484,772.05</b>	<b>1,111,053.59</b>	<b>297.30%</b>
<b>Fund 05 Surplus (Deficit):</b>	<b>-110,801.15</b>	<b>73,655.27</b>	<b>184,456.42</b>	<b>166.48%</b>	<b>-688,546.44</b>	<b>788,755.18</b>	<b>1,477,301.62</b>	<b>214.55%</b>

Prior-Year Comparative Income Statement

For the Period Ending 03 Item 18.

Categor...	2020-2021				2021-2022			
	March Activity	March Activity	March Variance Favorable / (Unfavorable)	Variance %	YTD Activity	YTD Activity	YTD Variance Favorable / (Unfavorable)	Variance %
<b>Fund: 07 - HOTEL OCCUPANCY TAX FUND</b>								
<b>Revenue</b>								
40 - TAXES	76,101.85	73,116.63	-2,985.22	-3.92%	163,526.76	261,197.43	97,670.67	59.73%
44 - CHARGES FOR SERVICES	2,500.00	0.00	-2,500.00	-100.00%	2,500.00	0.00	-2,500.00	-100.00%
45 - OTHER REVENUE	3.85	91.48	87.63	2,276.10%	118.82	197.93	79.11	66.58%
<b>Revenue Total:</b>	<b>78,605.70</b>	<b>73,208.11</b>	<b>-5,397.59</b>	<b>-6.87%</b>	<b>166,145.58</b>	<b>261,395.36</b>	<b>95,249.78</b>	<b>57.33%</b>
<b>Expense</b>								
<b>Department: 070 - TOURISM</b>								
51 - PERSONNEL	6,008.70	6,158.74	-150.04	-2.50%	36,903.64	36,047.46	856.18	2.32%
52 - CONTRACTUAL	400.59	9,687.48	-9,286.89	-2,318.30%	141,623.47	57,314.31	84,309.16	59.53%
53 - GENERAL SERVICES	0.00	24.00	-24.00	0.00%	781.40	123.88	657.52	84.15%
55 - CAPITAL OUTLAY	0.00	9,405.54	-9,405.54	0.00%	0.00	9,405.54	-9,405.54	0.00%
58 - GRANT DISBURSEMENTS	5,582.96	17,560.92	-11,977.96	-214.54%	48,024.54	35,445.61	12,578.93	26.19%
<b>Department 070 - TOURISM Total:</b>	<b>11,992.25</b>	<b>42,836.68</b>	<b>-30,844.43</b>	<b>-257.20%</b>	<b>227,333.05</b>	<b>138,336.80</b>	<b>88,996.25</b>	<b>39.15%</b>
<b>Expense Total:</b>	<b>11,992.25</b>	<b>42,836.68</b>	<b>-30,844.43</b>	<b>-257.20%</b>	<b>227,333.05</b>	<b>138,336.80</b>	<b>88,996.25</b>	<b>39.15%</b>
<b>Total Revenues</b>	<b>78,605.70</b>	<b>73,208.11</b>	<b>-5,397.59</b>	<b>-6.87%</b>	<b>166,145.58</b>	<b>261,395.36</b>	<b>95,249.78</b>	<b>57.33%</b>
<b>Fund 07 Surplus (Deficit):</b>	<b>66,613.45</b>	<b>30,371.43</b>	<b>-36,242.02</b>	<b>-54.41%</b>	<b>-61,187.47</b>	<b>123,058.56</b>	<b>184,246.03</b>	<b>301.12%</b>

Prior-Year Comparative Income Statement

For the Period Ending 03 Item 18.

Categor...	2020-2021 March Activity	2021-2022 March Activity	March Variance Favorable / (Unfavorable)	Variance %	2020-2021 YTD Activity	2021-2022 YTD Activity	YTD Variance Favorable / (Unfavorable)	Variance %
<b>Fund: 08 - DEBT SERVICE FUND</b>								
<b>Revenue</b>								
40 - TAXES	4,188.09	4,018.40	-169.69	-4.05%	259,576.00	226,206.83	-33,369.17	-12.86%
45 - OTHER REVENUE	7.84	12.40	4.56	58.16%	75.46	44.11	-31.35	-41.55%
<b>Revenue Total:</b>	<b>4,195.93</b>	<b>4,030.80</b>	<b>-165.13</b>	<b>-3.94%</b>	<b>259,651.46</b>	<b>226,250.94</b>	<b>-33,400.52</b>	<b>-12.86%</b>
<b>Expense</b>								
<b>Department: 080 - DEBT SERVICE</b>								
57 - DEBT SERVICE	0.00	0.00	0.00	0.00%	400,900.00	408,050.00	-7,150.00	-1.78%
<b>Department 080 - DEBT SERVICE Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00%</b>	<b>400,900.00</b>	<b>408,050.00</b>	<b>-7,150.00</b>	<b>-1.78%</b>
<b>Expense Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00%</b>	<b>400,900.00</b>	<b>408,050.00</b>	<b>-7,150.00</b>	<b>-1.78%</b>
<b>Total Revenues</b>	<b>4,195.93</b>	<b>4,030.80</b>	<b>-165.13</b>	<b>-3.94%</b>	<b>259,651.46</b>	<b>226,250.94</b>	<b>-33,400.52</b>	<b>-12.86%</b>
<b>Fund 08 Surplus (Deficit):</b>	<b>4,195.93</b>	<b>4,030.80</b>	<b>-165.13</b>	<b>-3.94%</b>	<b>-141,248.54</b>	<b>-181,799.06</b>	<b>-40,550.52</b>	<b>-28.71%</b>

Prior-Year Comparative Income Statement

For the Period Ending 03 Item 18.

Categor...	2020-2021	2021-2022	March Variance		2020-2021	2021-2022	YTD Variance	
	March Activity	March Activity	Favorable / (Unfavorable)	Variance %	YTD Activity	YTD Activity	Favorable / (Unfavorable)	Variance %
<b>Fund: 10 - CAPITAL PROJECTS FUND</b>								
<b>Revenue</b>								
41 - LICENSES AND PERMITS	0.00	0.00	0.00	0.00%	0.00	801.56	801.56	0.00%
45 - OTHER REVENUE	184.26	1,324.11	1,139.85	618.61%	25,827.53	3,020.94	-22,806.59	-88.30%
49 - TRANSFER	0.00	0.00	0.00	0.00%	0.00	1,234,069.00	1,234,069.00	0.00%
<b>Revenue Total:</b>	<b>184.26</b>	<b>1,324.11</b>	<b>1,139.85</b>	<b>618.61%</b>	<b>25,827.53</b>	<b>1,237,891.50</b>	<b>1,212,063.97</b>	<b>4,692.91%</b>
<b>Expense</b>								
<b>Department: 402 - STREET MAINTENANCE</b>								
55 - CAPITAL OUTLAY	397,776.33	533,207.45	-135,431.12	-34.05%	2,533,194.08	1,175,121.23	1,358,072.85	53.61%
<b>Department 402 - STREET MAINTENANCE Total:</b>	<b>397,776.33</b>	<b>533,207.45</b>	<b>-135,431.12</b>	<b>-34.05%</b>	<b>2,533,194.08</b>	<b>1,175,121.23</b>	<b>1,358,072.85</b>	<b>53.61%</b>
<b>Expense Total:</b>	<b>397,776.33</b>	<b>533,207.45</b>	<b>-135,431.12</b>	<b>-34.05%</b>	<b>2,533,194.08</b>	<b>1,175,121.23</b>	<b>1,358,072.85</b>	<b>53.61%</b>
<b>Total Revenues</b>	<b>184.26</b>	<b>1,324.11</b>	<b>1,139.85</b>	<b>618.61%</b>	<b>25,827.53</b>	<b>1,237,891.50</b>	<b>1,212,063.97</b>	<b>4,692.91%</b>
<b>Fund 10 Surplus (Deficit):</b>	<b>-397,592.07</b>	<b>-531,883.34</b>	<b>-134,291.27</b>	<b>-33.78%</b>	<b>-2,507,366.55</b>	<b>62,770.27</b>	<b>2,570,136.82</b>	<b>102.50%</b>



Prior-Year Comparative Income Statement

For the Period Ending 03 Item 18.

Categor...	2020-2021 March Activity	2021-2022 March Activity	March Variance Favorable / (Unfavorable)	Variance %	2020-2021 YTD Activity	2021-2022 YTD Activity	YTD Variance Favorable / (Unfavorable)	Variance %
<b>Fund: 11 - CHILD SAFETY FUND</b>								
<b>Revenue</b>								
42 - FINES AND FORFEITURES	261.15	291.01	29.86	11.43%	1,393.99	1,312.74	-81.25	-5.83%
45 - OTHER REVENUE	0.00	0.78	0.78	0.00%	1.39	2.03	0.64	46.04%
<b>Revenue Total:</b>	<b>261.15</b>	<b>291.79</b>	<b>30.64</b>	<b>11.73%</b>	<b>1,395.38</b>	<b>1,314.77</b>	<b>-80.61</b>	<b>-5.78%</b>
<b>Total Revenues</b>	<b>261.15</b>	<b>291.79</b>	<b>30.64</b>	<b>11.73%</b>	<b>1,395.38</b>	<b>1,314.77</b>	<b>-80.61</b>	<b>-5.78%</b>
<b>Fund 11 Total:</b>	<b>261.15</b>	<b>291.79</b>	<b>30.64</b>	<b>11.73%</b>	<b>1,395.38</b>	<b>1,314.77</b>	<b>-80.61</b>	<b>-5.78%</b>

Prior-Year Comparative Income Statement

For the Period Ending 03 Item 18.

Categor...	2020-2021 March Activity	2021-2022 March Activity	March Variance Favorable / (Unfavorable)	Variance %	2020-2021 YTD Activity	2021-2022 YTD Activity	YTD Variance Favorable / (Unfavorable)	Variance %
<b>Fund: 12 - COURT TECHNOLOGY FUND</b>								
<b>Revenue</b>								
42 - FINES AND FORFEITURES	440.42	856.07	415.65	94.38%	2,353.61	4,112.71	1,759.10	74.74%
45 - OTHER REVENUE	0.03	1.80	1.77	5,900.00%	2.59	3.76	1.17	45.17%
<b>Revenue Total:</b>	<b>440.45</b>	<b>857.87</b>	<b>417.42</b>	<b>94.77%</b>	<b>2,356.20</b>	<b>4,116.47</b>	<b>1,760.27</b>	<b>74.71%</b>
<b>Total Revenues</b>	<b>440.45</b>	<b>857.87</b>	<b>417.42</b>	<b>94.77%</b>	<b>2,356.20</b>	<b>4,116.47</b>	<b>1,760.27</b>	<b>74.71%</b>
<b>Fund 12 Total:</b>	<b>440.45</b>	<b>857.87</b>	<b>417.42</b>	<b>94.77%</b>	<b>2,356.20</b>	<b>4,116.47</b>	<b>1,760.27</b>	<b>74.71%</b>

Prior-Year Comparative Income Statement

For the Period Ending 03 Item 18.

Categor...	2020-2021 March Activity	2021-2022 March Activity	March Variance Favorable / (Unfavorable)	Variance %	2020-2021 YTD Activity	2021-2022 YTD Activity	YTD Variance Favorable / (Unfavorable)	Variance %
<b>Fund: 13 - PUBLIC SAFETY FUND</b>								
<b>Revenue</b>								
43 - INTERGOVERNMENTAL	0.00	0.00	0.00	0.00%	3,206.87	2,778.50	-428.37	-13.36%
45 - OTHER REVENUE	1.15	9.57	8.42	732.17%	29.30	21.23	-8.07	-27.54%
<b>Revenue Total:</b>	<b>1.15</b>	<b>9.57</b>	<b>8.42</b>	<b>732.17%</b>	<b>3,236.17</b>	<b>2,799.73</b>	<b>-436.44</b>	<b>-13.49%</b>
<b>Total Revenues</b>	<b>1.15</b>	<b>9.57</b>	<b>8.42</b>	<b>732.17%</b>	<b>3,236.17</b>	<b>2,799.73</b>	<b>-436.44</b>	<b>-13.49%</b>
<b>Fund 13 Total:</b>	<b>1.15</b>	<b>9.57</b>	<b>8.42</b>	<b>732.17%</b>	<b>3,236.17</b>	<b>2,799.73</b>	<b>-436.44</b>	<b>-13.49%</b>

Prior-Year Comparative Income Statement

For the Period Ending 03 Item 18.

Categor...	2020-2021 March Activity	2021-2022 March Activity	March Variance Favorable / (Unfavorable)	Variance %	2020-2021 YTD Activity	2021-2022 YTD Activity	YTD Variance Favorable / (Unfavorable)	Variance %
<b>Fund: 20 - TAX INCREMENT FINANCING FUND</b>								
<b>Revenue</b>								
45 - OTHER REVENUE	0.00	14.11	14.11	0.00%	0.00	18.28	18.28	0.00%
49 - TRANSFER	0.00	0.00	0.00	0.00%	0.00	106,394.00	106,394.00	0.00%
<b>Revenue Total:</b>	<b>0.00</b>	<b>14.11</b>	<b>14.11</b>	<b>0.00%</b>	<b>0.00</b>	<b>106,412.28</b>	<b>106,412.28</b>	<b>0.00%</b>
<b>Total Revenues</b>	<b>0.00</b>	<b>14.11</b>	<b>14.11</b>	<b>0.00%</b>	<b>0.00</b>	<b>106,412.28</b>	<b>106,412.28</b>	<b>0.00%</b>
<b>Fund 20 Total:</b>	<b>0.00</b>	<b>14.11</b>	<b>14.11</b>	<b>0.00%</b>	<b>0.00</b>	<b>106,412.28</b>	<b>106,412.28</b>	<b>0.00%</b>

Prior-Year Comparative Income Statement

For the Period Ending 03 Item 18.

Categor...	2020-2021				2021-2022			
	March Activity	March Activity	March Variance Favorable / (Unfavorable)	Variance %	YTD Activity	YTD Activity	YTD Variance Favorable / (Unfavorable)	Variance %
<b>Fund: 79 - SEDA</b>								
<b>Revenue</b>								
40 - TAXES	46,329.20	54,279.03	7,949.83	17.16%	324,522.58	349,986.38	25,463.80	7.85%
43 - INTERGOVERNMENTAL	0.00	0.00	0.00	0.00%	0.00	33,000.00	33,000.00	0.00%
45 - OTHER REVENUE	15.40	156.13	140.73	913.83%	375.33	850.36	475.03	126.56%
<b>Revenue Total:</b>	<b>46,344.60</b>	<b>54,435.16</b>	<b>8,090.56</b>	<b>17.46%</b>	<b>324,897.91</b>	<b>383,836.74</b>	<b>58,938.83</b>	<b>18.14%</b>
<b>Expense</b>								
<b>Department: 790 - SEDA</b>								
51 - PERSONNEL	16,959.65	18,670.40	-1,710.75	-10.09%	104,174.40	118,544.08	-14,369.68	-13.79%
52 - CONTRACTUAL	9,511.96	18,703.01	-9,191.05	-96.63%	110,273.77	74,235.49	36,038.28	32.68%
53 - GENERAL SERVICES	278.85	0.00	278.85	100.00%	1,722.61	1,048.80	673.81	39.12%
54 - MACHINE & EQUIPMENT MAI	649.00	0.00	649.00	100.00%	649.00	178.13	470.87	72.55%
55 - CAPITAL OUTLAY	0.00	0.00	0.00	0.00%	0.00	-33.00	33.00	0.00%
56 - BANK CHARGES	0.00	0.00	0.00	0.00%	0.00	42.22	-42.22	0.00%
58 - GRANT DISBURSEMENTS	0.00	0.00	0.00	0.00%	13,924.79	34,125.00	-20,200.21	-145.07%
<b>Department 790 - SEDA Total:</b>	<b>27,399.46</b>	<b>37,373.41</b>	<b>-9,973.95</b>	<b>-36.40%</b>	<b>230,744.57</b>	<b>228,140.72</b>	<b>2,603.85</b>	<b>1.13%</b>
<b>Expense Total:</b>	<b>27,399.46</b>	<b>37,373.41</b>	<b>-9,973.95</b>	<b>-36.40%</b>	<b>230,744.57</b>	<b>228,140.72</b>	<b>2,603.85</b>	<b>1.13%</b>
<b>Total Revenues</b>	<b>46,344.60</b>	<b>54,435.16</b>	<b>8,090.56</b>	<b>17.46%</b>	<b>324,897.91</b>	<b>383,836.74</b>	<b>58,938.83</b>	<b>18.14%</b>
<b>Fund 79 Surplus (Deficit):</b>	<b>18,945.14</b>	<b>17,061.75</b>	<b>-1,883.39</b>	<b>-9.94%</b>	<b>94,153.34</b>	<b>155,696.02</b>	<b>61,542.68</b>	<b>65.36%</b>
<b>Total Surplus (Deficit):</b>	<b>-550,214.47</b>	<b>-100,302.72</b>	<b>449,911.75</b>	<b>81.77%</b>	<b>1,372,177.48</b>	<b>7,890,545.41</b>	<b>6,518,367.93</b>	<b>475.04%</b>



**Fund Summary**

Fund	2020-2021		2021-2022		March Variance		2020-2021		2021-2022		YTD Variance	
	March Activity	March Activity	March Activity	March Activity	Favorable / (Unfavorable)	Variance %	YTD Activity	YTD Activity	YTD Activity	YTD Activity	Favorable / (Unfavorable)	Variance %
01 - GENERAL FUND	-245,678.68	319,102.73			564,781.41	229.89%	3,800,821.75	6,832,211.98			3,031,390.23	79.76%
02 - WATER AND WASTEWATE...	72,939.77	22,552.10			-50,387.67	-69.08%	607,021.82	-76,899.63			-683,921.45	-112.67%
03 - SANITARY LANDFILL FUND	37,141.13	-42,103.43			-79,244.56	-213.36%	238,640.32	42,530.92			-196,109.40	-82.18%
04 - AIRPORT FUND	3,319.26	5,736.63			2,417.37	72.83%	22,901.50	29,577.92			6,676.42	29.15%
05 - STORM WATER DRAINAGE...	-110,801.15	73,655.27			184,456.42	166.48%	-688,546.44	788,755.18			1,477,301.62	214.55%
07 - HOTEL OCCUPANCY TAX F...	66,613.45	30,371.43			-36,242.02	-54.41%	-61,187.47	123,058.56			184,246.03	301.12%
08 - DEBT SERVICE FUND	4,195.93	4,030.80			-165.13	-3.94%	-141,248.54	-181,799.06			-40,550.52	-28.71%
10 - CAPITAL PROJECTS FUND	-397,592.07	-531,883.34			-134,291.27	-33.78%	-2,507,366.55	62,770.27			2,570,136.82	102.50%
11 - CHILD SAFETY FUND	261.15	291.79			30.64	11.73%	1,395.38	1,314.77			-80.61	-5.78%
12 - COURT TECHNOLOGY FU...	440.45	857.87			417.42	94.77%	2,356.20	4,116.47			1,760.27	74.71%
13 - PUBLIC SAFETY FUND	1.15	9.57			8.42	732.17%	3,236.17	2,799.73			-436.44	-13.49%
20 - TAX INCREMENT FINANCI...	0.00	14.11			14.11	0.00%	0.00	106,412.28			106,412.28	0.00%
79 - SEDA	18,945.14	17,061.75			-1,883.39	-9.94%	94,153.34	155,696.02			61,542.68	65.36%
<b>Total Surplus (Deficit):</b>	<b>-550,214.47</b>	<b>-100,302.72</b>			<b>449,911.75</b>	<b>81.77%</b>	<b>1,372,177.48</b>	<b>7,890,545.41</b>			<b>6,518,367.93</b>	<b>475.04%</b>



**Quarterly Investment Report  
For the Quarter Ending  
March 31, 2022**

City of Stephenville, Texas  
Quarterly Investment Report  
March 31, 2022  
Portfolio Summary Management Report

<b><i>Portfolio as of January 31, 2022:</i></b>		<b><i>Portfolio as of March 31, 2022:</i></b>	
Beginning Book Value	\$ 50,932,536	Ending Book Value	\$ 52,814,605
Beginning Market Value	\$ 50,932,536	Ending Market Value	\$ 52,814,605
		Total Income for Quarter	\$ 9,656
		Change in Book Value	\$ 1,882,069
		Change in Market Value	\$ 1,882,069
		Net Change in Value	\$ -

**Average Yield to Maturity for period - Total** 0.10%  
**Average Yield to Maturity for period - Non-Demand** 0.06%  
**3 Month Treasury Average October - December 2021** 0.31%

*/s/ Monica D. Harris*

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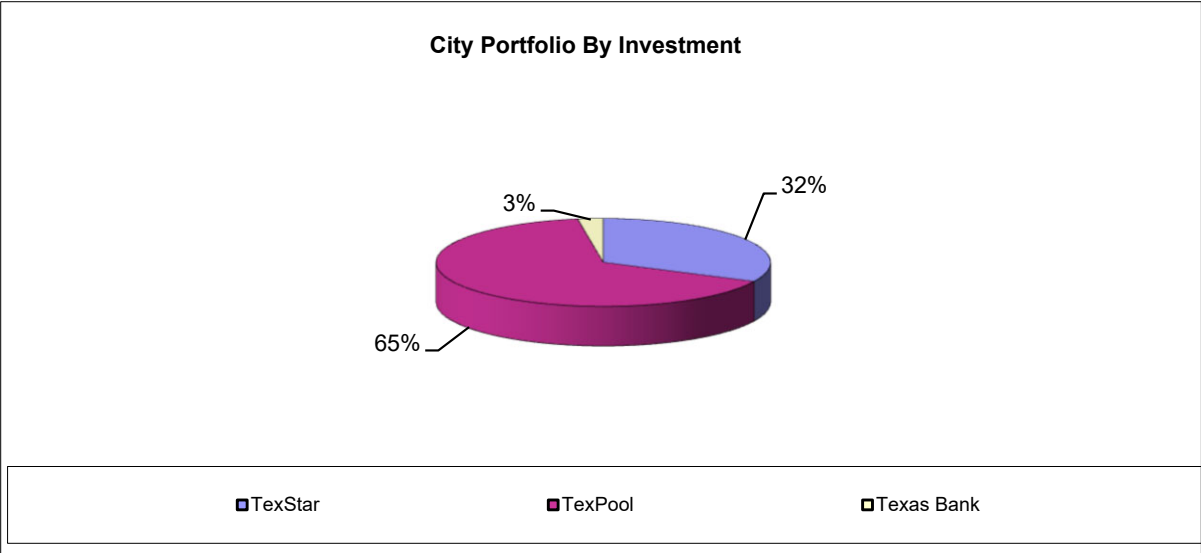
Monica D. Harris, CPA  
Director of Finance and Administration  
City of Stephenville

City of Stephenville, TX  
Investment Report  
3/31/2022

Purchase Date	Maturity Date	CUSIP	Investment Type	Par Amount	Coupon	Purchase Price	Purchase Yield	Beginning Book Value	Interest Earned January 2022	Interest Earned February 2022	Interest Earned March 2022	Interest Earned for the Quarter	Ending Book Value	Earnings YTD	Market Price	Market Value
<b><u>Pooled Cash</u></b>																
3/31/2022	4/1/2022	N/A	Demand	1,097,306.72	0.220%	100.000	0.220%	1,097,306.72	110.68	194.83	280.09	585.60	1,097,306.72	738.42	100.0000	1,097,306.72
<b>Sub Total</b>				<u>1,097,306.72</u>				<u>1,097,306.72</u>	<u>110.68</u>	<u>194.83</u>	<u>280.09</u>	<u>585.60</u>	<u>1,097,306.72</u>	<u>738.42</u>		<u>1,097,306.72</u>
<b><u>General Fund</u></b>																
3/31/2022	4/1/2022	N/A	Texpool	14,003,580.61	0.154%	100.000	0.154%	14,003,580.61	358.43	626.64	1,819.37	2,804.44	14,003,580.61	3,508.90	100.0000	14,003,580.61
3/31/2022	4/1/2022	N/A	TexSTAR	2,762,437.28	0.107%	100.000	0.107%	2,762,437.28	23.51	22.05	250.92	296.48	2,762,437.28	375.71	100.0000	2,762,437.28
<b>Sub Total</b>				<u>16,766,017.89</u>				<u>16,766,017.89</u>	<u>381.94</u>	<u>648.69</u>	<u>2,070.29</u>	<u>3,100.92</u>	<u>16,766,017.89</u>	<u>3,884.61</u>		<u>16,766,017.89</u>
<b><u>Enterprise</u></b>																
3/31/2022	4/1/2022	N/A	Texpool	6,989,496.91	0.154%	100.0000	0.154%	6,989,496.91	248.51	338.19	862.53	1,449.23	6,989,496.91	2,116.88	100.0000	6,989,496.91
3/31/2022	4/1/2022	N/A	Texpool	1,443,047.31	0.154%	100.0000	0.154%	1,443,047.31	48.37	71.94	189.22	309.53	1,443,047.31	446.50	100.0000	1,443,047.31
3/31/2022	4/1/2022	N/A	TexSTAR	1,794,490.43	0.107%	100.0000	0.107%	1,794,490.43	14.94	14.03	163.00	191.97	1,794,490.43	241.85	100.0000	1,794,490.43
3/31/2022	4/1/2022	N/A	TexSTAR	12,430,392.61	0.107%	100.0000	0.107%	12,430,392.61	105.75	99.20	1,129.12	1,334.07	12,430,392.61	1,691.33	100.0000	12,430,392.61
<b>Sub Total</b>				<u>22,657,427.26</u>				<u>22,657,427.26</u>	<u>417.57</u>	<u>523.36</u>	<u>2,343.87</u>	<u>3,284.80</u>	<u>22,657,427.26</u>	<u>4,496.56</u>		<u>22,657,427.26</u>
<b><u>Storm Drainage</u></b>																
3/31/2022	4/1/2022	N/A	Texpool	219,089.26	0.154%	100.0000	0.154%	219,089.26	1.44	13.38	23.67	38.49	219,089.26	45.46	100.0000	219,089.26
3/31/2022	4/1/2022	N/A	Texpool	93,508.30	0.154%	100.0000	0.154%	93,508.30	2.99	4.52	12.13	19.64	93,508.30	28.41	100.0000	93,508.30
<b>Sub Total</b>				<u>312,597.56</u>				<u>312,597.56</u>	<u>4.43</u>	<u>17.90</u>	<u>35.80</u>	<u>58.13</u>	<u>312,597.56</u>	<u>73.87</u>		<u>312,597.56</u>
<b><u>Hotel Occupancy Tax</u></b>																
3/31/2022	4/1/2022	N/A	Texpool	714,995.66	0.154%	100.0000	0.154%	714,995.66	20.17	33.13	91.48	144.78	714,995.66	197.93	100.0000	714,995.66
<b>Sub Total</b>				<u>714,995.66</u>				<u>714,995.66</u>	<u>20.17</u>	<u>33.13</u>	<u>91.48</u>	<u>144.78</u>	<u>714,995.66</u>	<u>197.93</u>		<u>714,995.66</u>
<b><u>Child Safety</u></b>																
3/31/2022	4/1/2022	N/A	Texpool	6,340.11	0.154%	100.0000	0.154%	6,340.11	0.26	0.28	0.78	1.32	6,340.11	2.03	100.0000	6,340.11
<b>Sub Total</b>				<u>6,340.11</u>				<u>6,340.11</u>	<u>0.26</u>	<u>0.28</u>	<u>0.78</u>	<u>1.32</u>	<u>6,340.11</u>	<u>2.03</u>		<u>6,340.11</u>
<b><u>Court Technology</u></b>																
3/31/2022	4/1/2022	N/A	Texpool	14,307.00	0.154%	100.0000	0.154%	14,307.00	0.34	0.70	1.80	2.84	14,307.00	3.76	100.0000	14,307.00
<b>Sub Total</b>				<u>14,307.00</u>				<u>14,307.00</u>	<u>0.34</u>	<u>0.70</u>	<u>1.80</u>	<u>2.84</u>	<u>14,307.00</u>	<u>3.76</u>		<u>14,307.00</u>
<b><u>Public Safety</u></b>																
3/31/2022	4/1/2022	N/A	Texpool	74,531.91	0.154%	100.0000	0.154%	74,531.91	2.24	3.47	9.57	15.28	74,531.91	21.23	100.0000	74,531.91
<b>Sub Total</b>				<u>74,531.91</u>				<u>74,531.91</u>	<u>2.24</u>	<u>3.47</u>	<u>9.57</u>	<u>15.28</u>	<u>74,531.91</u>	<u>21.23</u>		<u>74,531.91</u>
<b><u>SEDA</u></b>																
3/31/2022	4/1/2022	N/A	Texpool	1,184,107.17	0.154%	100.0000	0.154%	1,184,107.17	36.21	57.65	156.13	249.99	1,184,107.17	350.36	100.0000	1,184,107.17
<b>Sub Total</b>				<u>1,184,107.17</u>				<u>1,184,107.17</u>	<u>36.21</u>	<u>57.65</u>	<u>156.13</u>	<u>249.99</u>	<u>1,184,107.17</u>	<u>350.36</u>		<u>1,184,107.17</u>
<b><u>Debt Service</u></b>																
3/31/2022	4/1/2022	N/A	Demand	67,448.43	0.220%	100.0000	0.220%	67,448.43	9.59	15.35	12.40	37.34	67,448.43	44.11	100.0000	67,448.43
<b>Sub Total</b>				<u>67,448.43</u>				<u>67,448.43</u>	<u>9.59</u>	<u>15.35</u>	<u>12.40</u>	<u>37.34</u>	<u>67,448.43</u>	<u>44.11</u>		<u>67,448.43</u>
<b><u>Employee Benefit</u></b>																
3/31/2022	4/1/2022	N/A	Demand	135,941.09	0.220%	100.0000	0.220%	135,941.09	4.51	10.21	20.66	35.38	135,941.09	40.19	100.0000	135,941.09
<b>Sub Total</b>				<u>135,941.09</u>				<u>135,941.09</u>	<u>4.51</u>	<u>10.21</u>	<u>20.66</u>	<u>35.38</u>	<u>135,941.09</u>	<u>40.19</u>		<u>135,941.09</u>
<b><u>Capital Projects</u></b>																
3/31/2022	4/1/2022	N/A	Texpool	9,673,383.33	0.154%	100.0000	0.154%	9,673,383.33	304.18	492.90	1,324.11	2,121.19	9,673,383.33	3,020.94	100.0000	9,673,383.33
<b>Sub Total</b>				<u>9,673,383.33</u>				<u>9,673,383.33</u>	<u>304.18</u>	<u>492.90</u>	<u>1,324.11</u>	<u>2,121.19</u>	<u>9,673,383.33</u>	<u>3,020.94</u>		<u>9,673,383.33</u>
<b><u>Tax Increment Financing</u></b>																
3/31/2022	4/1/2022	N/A	Texpool	110,201.07	0.154%	100.0000	0.154%	110,201.07	-	4.17	14.11	18.28	110,201.07	18.28		110,201.07
<b>Sub Total</b>				<u>110,201.07</u>				<u>110,201.07</u>	<u>-</u>	<u>4.17</u>	<u>14.11</u>	<u>18.28</u>	<u>110,201.07</u>	<u>18.28</u>		<u>110,201.07</u>
<b>Grand Total</b>				<u>52,814,605.20</u>				<u>52,814,605.20</u>	<u>1,292.12</u>	<u>2,002.64</u>	<u>6,361.09</u>	<u>9,655.85</u>	<u>52,814,605.20</u>	<u>12,892.29</u>		<u>52,814,605.20</u>

**City of Stephenville  
Investment Diversification  
For Month Ending March 31, 2022**

<b>Investments</b>	<b>Par Value</b>	<b>Market Value</b>	<b>% of Portfolio</b>	<b>Avg Yield</b>
TexStar	16,987,320.32	16,987,320.32	32.16%	0.11%
TexPool	34,526,588.64	34,526,588.64	65.37%	0.15%
Texas Bank	1,300,696.24	1,300,696.24	2.46%	0.22%
	<b>52,814,605.20</b>	<b>52,814,605.20</b>	<b>100.00%</b>	



City of Stephenville, TX  
**Consolidated Yield Worksheet**  
 January - March 2022

<u>January</u>	<u>Average Monthly Balance</u>	<u>Net Monthly Earnings</u>	<u>Average Monthly Rate</u>
Demand - Operating	2,134,490.24	110.68	0.06%
Demand - Others	262,843.49	14.10	0.06%
Texpool	32,203,887.65	1,023.14	0.04%
TexSTAR	16,985,497.80	144.20	0.01%
<b><i>Totals for January</i></b>	<b>51,586,719.18</b>	<b>1,292.12</b>	<b>0.04%</b>
<u>February</u>			
Demand - Operating	1,846,667.79	194.83	0.14%
Demand - Others	237,776.13	25.56	0.14%
Texpool	33,937,760.12	1,646.97	0.06%
TexSTAR	16,985,642.00	135.28	0.01%
<b><i>Totals for February</i></b>	<b>53,007,846.04</b>	<b>2,002.64</b>	<b>0.09%</b>
<u>March</u>			
Demand - Operating	1,518,342.48	280.09	0.22%
Demand - Others	173,666.10	33.06	0.22%
Texpool	34,522,229.04	4,504.90	0.15%
TexSTAR	16,985,777.28	1,543.04	0.11%
<b><i>Totals for March</i></b>	<b>53,200,014.90</b>	<b>6,361.09</b>	<b>0.18%</b>





## REGULAR CITY COUNCIL MEETING

City Hall Council Chambers, 298 West Washington Street  
Tuesday, April 05, 2022 at 5:30 PM

### MINUTES

The City Council of the City of Stephenville, Texas, convened on Tuesday, April 5, 2022 at 5:30 p.m., in City Hall Council Chambers, 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  
Council Member LeAnn Durfey  
Council Member Justin Haschke – via Zoom (left at 7:27 p.m.)  
Council Member Daron Trussell  
Council Member Brady Pendleton  
Council Member Ricky Thurman  
Council Member Alan Nix  
Council Member Gerald Cook  
Mayor Pro Tem 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.

#### PLEDGES OF ALLEGIANCE

Council member Brady Pendleton led the Pledges of Allegiance to the United States and Texas flags.

#### INVOCATION

Curt Plaxco, Stephenville Church of the Nazarene, led the invocation.

#### PRESENTATIONS AND RECOGNITIONS

##### 1. Proclamation Recognizing Erath County Fire Departments

Mayor Svien presented the following proclamation:

##### PROCLAMATION RECOGNIZING THE COLLABORATION OF ERATH COUNTY FIRE FIGHTERS

WHEREAS, on March 17, 2022, at 6:42 p.m., what would become known as the Eastland Complex Fire began; and

WHEREAS, the Eastland Complex Fire, which burned over 54,500 acres in 13 days, was the largest wildland fire in Eastland County History; and

WHEREAS, on March 20, 2022, at 1:26 p.m., the Big “L” Fire started in Erath County and ultimately burned over 10,000 acres in 10 days; and

WHEREAS, these wildland fires, while catastrophic to property and livestock, brought the residents of Erath County and the surrounding areas together to provide support for the victims of these two devastating fires; and

WHEREAS, not only did private citizens come together to help their neighbors in their time of need, but multiple volunteer, city, county, and state fire agencies banded together to prevent further loss of life, property, and livestock.

NOW, THEREFORE, I, Doug Svien, Mayor, on behalf of the City Council of the City of Stephenville, Texas, do hereby recognize and honor the efforts of the following agencies for their selflessness and bravery:

Bluff Dale VFD	Huckabay VFD
Dublin VFD	Lingleville VFD
Erath County EMS	Morgan Mill VFD
Erath County Fire & Rescue	Selden VFD
Harbin VFD	Stephenville FD
Hico VFD	

and encourage the residents of Stephenville, Erath, and surrounding counties to show their appreciation to the men and women who came together to protect their neighbors.

## 2. Proclamation for Stop the Silence

Mayor Svien presented the following proclamation:

Whereas, National Crime Victims’ Rights Week was established in 1981 by President Ronald Reagan as part of an effort to bring attention and support to victims of crime and is being observed the week of April 24-30, 2022 with the theme of “Rights, Access, Equity, for all victims.” to recognize victims of crime in the United States. National Crime Victims’ Rights Week provides an opportunity to recommit to ensuring that accessible, appropriate, and trauma-informed services are offered to all victims of crime; and

Whereas, in 1983, April was designated National Child Abuse Prevention Month, and our community acknowledges that we must work together as a community to increase awareness about child abuse and contribute to promote the social and emotional well-being of children and families in a safe, stable, nurturing environment; and

Whereas, National Sexual Assault Awareness month was first nationally recognized in April 2001 as an effort to bring awareness about sexual assault and educate communities and individuals on prevention of sexual violence; and

Whereas, our community has dedicated individuals and organizations who work daily to counter the problems and provide resources to victims of violent crimes, child abuse and neglect, and sexual assault; and

Whereas, since the passage of the Victims of Crime Act in 1984, and through the dedicated work of advocates, lawmakers, and victims service providers, there is a growing array of services and resources available to victims and their loved ones; and

Whereas, Stop the Silence has been created to combine awareness of these causes in Erath County.

NOW, THEREFORE, reaffirming this, the City of Stephenville, City of Dublin, Erath County and Tarleton State University commit to creating a victim service and criminal justice response that assists all victims of crimes throughout the year; and do hereby proclaim the week of April 24-30, 2022 as Crime Victims' Rights Week.

### 3. Proclamation for Autism Awareness Month

Mayor Svien presented the following proclamation:

Proclamation in Recognition of World Autism Awareness Day and World Autism Month

WHEREAS autism spectrum disorder affects an estimated 1 in 44 U.S. children and 1 in 45 U.S. adults and is a complex condition that affects each person differently, resulting in unique strengths and challenges; and

WHEREAS autism can cause challenges with verbal and nonverbal communication, social interaction, and repetitive behaviors, and can affect anyone, regardless of race, ethnicity, gender, or socioeconomic background; and

WHEREAS autism is often accompanied by medical conditions that impact quality of life; and

WHEREAS a comprehensive, collaborative approach will help to advance research, providing a better understanding of the many forms of autism, strengthen advocacy efforts and ensure access to services and resources throughout the lifespan and across the spectrum; and

WHEREAS early diagnosis and intervention tailored to individual needs can have lifelong benefits, easing the transition to adulthood and fostering greater independence; and,

WHEREAS each person and family affected by autism should have access to reliable information and support; and

WHEREAS people with autism should have opportunities to reach their full potential and the whole of society stands to benefit from this; and,

WHEREAS the City of Stephenville is honored to take part in the annual observance of World Autism Month and World Autism Awareness Day to address the diverse needs of individuals with autism and their families and encourage others to do so as well.

NOW, THEREFORE, I, Doug Svien, Mayor, on behalf of the City Council of the City of Stephenville, Texas, do hereby proclaim April 2022 as WORLD AUTISM MONTH and April 2, 2022 as WORLD AUTISM AWARENESS DAY

### 4. Presentation of Donation from the Buckles and Bugs Festival

Luke Sims and Craig Allen presented the City of Stephenville a check for \$6,000 for the inclusive playground that was raised during the Buckles and Bugs Festival.

### 5. Presentation by Erath County Community Bridges

This item was removed from the agenda.

## REGULAR AGENDA

### 6. Consider all Matters Incident and Related to the Issuance and Sale of the City of Stephenville, Texas Combination Tax and Revenue Certificates of Obligation, Series 2022, Including the Adoption of an Ordinance Authorizing the Issuance of such Certificates, Approving an Official Statement, a Paying Agent/Registrar Agreement, and an Engagement Letter of Bond Counsel

Erick Macha, Hilltop Securities, briefed council on the proposed Certificates of Obligation in the amount of \$20,740,000 to be used for infrastructure and park facility improvements.

MOTION by Ricky Thurman, second by Daron Trussell, to adopt Ordinance No. 2022-O-04 authorizing the issuance and sale of the City of Stephenville, Texas Combination Tax and Revenue Certificates of Obligation, Series 2022 and approving all matters incident thereto. MOTION CARRIED by unanimous vote.

7. **Consider all Matters Incident and Related to the Issuance and Sale of the City of Stephenville, Texas General Obligation Refunding Bonds, Series 2022; Including the Adoption of an Ordinance Authorizing the Issuance of such Bonds, Approving an Official Statement, a Paying Agent/Registrar Agreement, a Deposit Agreement, and an Engagement Letter of Bond Counsel; Calling Certain Outstanding Bonds for Redemption prior to Maturity; Providing for the Pledge of Tax Receipts for the Payment of the Bonds and Agreeing to Levy Taxes to Pay the Bonds; and Enacting Other Provisions Relating to the Issuance and Sale of the Bonds**

Erick Macha, Hilltop Securities, briefed council on the proposed refunding bonds.

MOTION by Gerald Cook, second by LeAnn Durfey, to adopt Ordinance No. 2022-O-05 authorizing the issuance and sale of the City of Stephenville, Texas General Obligation Refunding Bonds, Series 2022, and approving all other matters incident thereto. MOTION CARRIED by unanimous vote.

*Mayor Svien recessed the meeting at 6:05 p.m.; the meeting was called back to order at 6:10 p.m.*

8. **Authorize the Disposition of Police Department Firearms and Purchase of Replacement Firearms**

MOTION by Brady Pendleton, second by Alan Nix, to authorize the disposition and replacement of Police Department Firearms. MOTION CARRIED by unanimous vote.

## PLANNING AND ZONING COMMISSION

Steve Killen, Director of Development Services

9. **PUBLIC HEARING**

Case No.: RZ2022-001

**Applicant is Requesting a Rezone of the Property Located at 2220 W Washington Street, Parcel No. 30368, being Block 140, Lot 1A of the City Addition to the City of Stephenville, Erath County, Texas from Neighborhood Business District (B-1) to Retail and Commercial Business District (B-2)**

Steve Killen, Development Services Director, briefed the council on the rezone request. On March 16, 2022, the Planning and Zoning Commission voted unanimously to recommend the rezone.

Mayor Svien opened the public hearing.

Kyle Moore, Bexar Capital, spoke in favor of the rezone.

Mayor Svien closed the public hearing.

9. **Consider Approval of an Ordinance Rezoning the Property Located at 2220 W Washington Street, Parcel 30368, being Block 140, Lot 1A of the City Addition to the City of Stephenville, Erath County, Texas from Neighborhood Business District (B-1) to Retail and Commercial Business District (B-2)**

MOTION by Daron Trussell, second by Brandon Huckabee, to approve Ordinance No. 2022-O-10 rezoning the property located at 2220 W. Washington Street from Neighborhood Business District (B-1) to Retail and Commercial Business District (B-2). MOTION CARRIED by unanimous vote.

11. **PUBLIC HEARING**

Case No.: RZ2022-002

**Applicant is Requesting a Rezone of the Property Located at 2223 W South Loop, Parcel 30369, being Blocks 140 & 145, Lot 1A-S of the City Addition to the City of Stephenville, Erath County, Texas from Neighborhood Business District (B-1) to Retail and Commercial Business District (B-2)**

Steve Killen, Development Services Director, briefed the council on the rezone request. On March 16, 2022, the Planning and Zoning Commission voted unanimously to recommend the rezone.

Mayor Svien opened the public hearing.

Kyle Moore, Bexar Capital, spoke in favor of the rezone.

Mayor Svien closed the public hearing.

**12. Consider Approval of an Ordinance Rezoning the Property Located at 2223 W South Loop, Parcel 30369, being Blocks 140 & 145, Lot 1A-S of the City Addition to the City of Stephenville, Erath County, Texas from Neighborhood Business District (B-1) to Retail and Commercial Business District (B-2)**

MOTION by Daron Trussell, second by Gerald Cook, to approve Ordinance No. 2022-O-11 rezoning the property located at 2223 W. South Loop from Neighborhood Business District (B-1) to Retail and Commercial Business District (B-2). MOTION CARRIED by unanimous vote.

**13. PUBLIC HEARING**

**Case No.: RZ2022-003**

**Applicant is Requesting a Rezone of the Properties located at 1620 and 1680 W Swan Street, Parcel No. R33562, being Block 13, Lot 1 of the South Side Addition to the City of Stephenville, Erath County, Texas from Industrial District (I) to Multiple Family Residential District (R-3)**

Steve Killen, Development Services Director, briefed the council on the rezone request. On March 16, 2022, the Planning and Zoning Commission voted unanimously to recommend the rezone.

Mayor Svien opened the public hearing.

No one came forward to speak in favor of or opposition to the rezone.

Mayor Svien closed the public hearing.

**14. Consider Approval of a Rezone of the Properties located at 1620 and 1680 W Swan Street, Parcel No. R33562, being Block 13, Lot 1 of the South Side Addition to the City of Stephenville, Erath County, Texas from Industrial District (I) to Multiple Family Residential District (R-3)**

MOTION by Ricky Thurman, second by Brady Pendleton, to approve Ordinance No. 2022-O-12

**15. PUBLIC HEARING**

**Case No.: AS2022-002**

**Abandonment of Sloan Street from Harbin Drive to Saint Felix Street**

Steve Killen, Director of Development Services, briefed the council on the proposed street abandonment. On March 16, 2022, the Planning and Zoning Commission voted 5-2 to recommend abandonment of Sloan Street from Harbin Drive to Saint Felix Street. Lori Beaty, representing Tarleton State University, was in attendance to answer questions.

Mayor Svien opened the public hearing.

No one came forward to speak in favor of or opposition to the abandonment.

Mayor Svien closed the public hearing.

**16. Consider Approval of an Ordinance Abandoning Sloan Street from Harbin Drive to Saint Felix Street**

MOTION by Ricky Thurman, second by Gerald Cook, to approve Ordinance No. 2022-O-06 abandoning Sloan Street from Harbin Drive to Saint Felix Street. MOTION CARRIED by unanimous vote.

Council member Daron Trussell abstained due to a conflict of interest.

**17. PUBLIC HEARING****Case No.: AS2022-003****Abandonment of Tarleton Street from Harbin Drive to Saint Felix Street**

Steve Killen, Director of Development Services, briefed the council on the proposed street abandonment. On March 16, 2022, the Planning and Zoning Commission voted 3-4 to recommend the abandonment; Section 154.20.2.K(3)(b) requires a 2/3 affirmative vote, therefore the recommendation was brought forth as a denial. Lori Beaty, representing Tarleton State University, was in attendance to answer questions.

Mayor Svien opened the public hearing.

No one came forward to speak in favor of or opposition to the abandonment.

Mayor Svien closed the public hearing.

**18. Consider Approval of an Ordinance Abandoning Tarleton Street from Harbin Drive to Saint Felix Street**

MOTION by Gerald Cook, second by Leann Durfey, to approve Ordinance No. 2022-O-07 abandoning Tarleton Street from Harbin Drive to Saint Felix Street. MOTION CARRIED by unanimous vote.

Council member Daron Trussell abstained due to a conflict of interest.

**19. PUBLIC HEARING****Case No.: AS2022-004****Abandonment of Turner Street from Harbin Drive to Saint Felix Street**

Steve Killen, Director of Development Services, briefed the council on the proposed street abandonment. On March 16, 2022, the Planning and Zoning Commission voted 4-3 to terminate the abandonment of Turner Street from Harbin Drive to Saint Felix Street. Lori Beaty, representing Tarleton State University, was in attendance to answer questions.

Mayor Svien opened the public hearing.

Kyle Moore, Bexar Capital, spoke in opposition to the abandonment.

Mayor Svien closed the public hearing.

**20. Consider Approval of an Ordinance Abandoning Turner Street from Harbin Drive to Saint Felix Street**

MOTION by Justin Haschke, second by LeAnn Durfey, to approve Ordinance No. 2022-O-06 abandoning Turner Street from Harbin Drive to Saint Felix Street. MOTION CARRIED by unanimous vote.

Council member Daron Trussell abstained due to a conflict of interest.

**21. PUBLIC HEARING****Case No.: AS2022-005****Abandonment of Saint Felix Street from West Washington Street to Sloan Street**

Steve Killen, Director of Development Services, briefed the council on the proposed street abandonment. Steve Killen, Director of Development Services, briefed the council on the proposed street abandonment. On March 16, 2022, the Planning and Zoning Commission voted 4-3 to terminate the abandonment Saint Felix Street from West Washington Street to Sloan Street. Lori Beaty, representing Tarleton State University, was in attendance to answer questions.

Mayor Svien opened the public hearing.

Those speaking in opposition to the abandonment:

- Kyle Moore, Bexar Capital



- Cecily Bachus, property owner, 1901 W. Washington

Those speaking in favor of the abandonment: none.

Mayor Svien closed the public hearing.

Concerns were raised regarding the abandonment of the street due to existing businesses that use Saint Felix for ingress and egress.

**22. Consider Approval of an Ordinance Abandoning Saint Felix Street from West Washington Street to Sloan Street**

MOTION by Ricky Thurman, second by Gerald Cook, to approve Ordinance No. 2022-O-09 abandoning Saint Felix Street from Tarleton Street to Sloan Street. MOTION CARRIED by unanimous vote.

Council member Daron Trussell abstained due to a conflict of interest.

**PARKS AND LEISURE SERVICES COMMITTEE**

**Daron Trussell, Chair**

**23. Committee Report - March 15, 2022**

**24. Consider Approval of an Ordinance Amending the City of Stephenville Code of Ordinances by the addition of Chapter 97 *Municipal Parks, Facilities, and Cemeteries***

These items were removed from the agenda.

**NOMINATIONS COMMITTEE**

**Gerald Cook, Chair**

**25. Committee Report - March 15, 2022**

Gerald Cook, chair, gave the committee report.

**26. Consider Approval of an Expenditure for Downtown Lighting**

This item was removed from the agenda.

**27. Committee Report - April 5, 2022**

Gerald Cook, chair, gave the committee report.

**28. Consider Approval of Appointments to Citizen Boards and Commissions**

MOTION by Gerald Cook, second by Alan Nix, to make the following appointments:

Main Street Advisory Board

Place 2 – Terry Colley

Place 3 – Amy Shouse

MOTION CARRIED by unanimous vote.

**PERSONNEL COMMITTEE**

**Ricky Thurman, Chair**

**29. Committee Report - March 15, 2022**

**30. Committee Report - March 29, 2022**

Ricky Thurman, chair, gave the committee reports.

**31. Consider Approval of Step Play Plan**

Council member Thurman explained that currently there is no policy in place related to moving up in steps in the plan; the policy for the administration of the scale would be developed at a later date. He explained that the committee felt the pay plan needed to be implemented quickly, therefore the policy was not addressed but would be in place prior to the new budget year.

MOTION by Ricky Thurman, second by Alan Nix, to:

- Adopt the public safety and non-public safety step plan structures with the adjustments as presented, effective the April 15 pay date
- Make pay adjustments to all non-executive staff to move pay to the first step closest to current pay without lowering pay
- Employees with 15 plus years in the same position to move one additional step up; employees with 20 plus years in the same position to move two additional steps up
- Executive positions of City Secretary, Development Services Director, and Parks and Leisure Services Director to move to next closest step
- Public Works Director, Finance Director, Police Chief, Fire Chief, and Assistant City Manager salaries adjusted as presented in March 17, 2022 executive session

MOTION TO AMEND by Gerald Cook, second by LeAnn Durfey, to amend the pay plan to maintain the exempt status of the Main Street Manager and Tourism Manager positions.

Allen Barnes, City Manager, advised the council that the city's employment attorney advised that those positions were not eligible for exempt status.

MOTION TO AMEND CARRIED by the following votes:

Ayes: LeAnn Durfey, Justin Haschke, Daron Trussell, Brady Pendleton, Ricky Thurman, Gerald Cook

Noes: Alan Nix, Brandon Huckabee

AMENDED MOTION CARRIED by unanimous vote.

### **32. Consider Approval of Evaluation Criteria for City Manager Applicants**

MOTION by Ricky Thurman, second by LeAnn Durfey, to approve the evaluation criteria for City Manager applicants as presented. MOTION CARRIED by unanimous vote.

## **FINANCE COMMITTEE**

**Justin Haschke, Chair**

### **33. Committee Report - March 29, 2022**

Justin Haschke, chair, gave the committee report.

### **34. Consider Approval of a Resolution Designating Banking Authority**

MOTION by Justin Haschke, second by Daron Trussell, to approve Resolution No. 2022-R-09 designating personnel with banking authority. MOTION CARRIED by unanimous vote.

## **RECESS TO EMPLOYEE BENEFITS TRUST MEETING**

Mayor Svien recessed the meeting at 7:22 p.m.

## **EMPLOYEE BENEFITS TRUST MEETING**

### **35. Call to Order**

Mayor Svien called the meeting to order at 7:22 p.m.

### **36. Employee Benefits for Plan Year 2022-2023**

Allen Barnes, City Manager, presented the benefits plan for 2022-2023, to include a single HSA plan with Blue Cross Blue Shield and approximately \$38,000 to be distributed equally to employee HSA accounts.

MOTION by Brady Pendleton, second by LeAnn Durfey, to approve the benefits plan for 2022-2023 to include the Responder Health Program. MOTION CARRIED by unanimous vote.

### 37. Adjourn

The Employee Benefits Trust Meeting was adjourned at 7:27 p.m.

## RECONVENE REGULAR CITY COUNCIL MEETING

The Regular City Council Meeting reconvened at 7:27 p.m.

### 38. Consider Approval of Employee Benefits for Benefit Year 2022-2023

MOTION by Daron Trussell, second by LeAnn Durfey, to approve the employee benefits package for benefit year 2022-2023 as presented. MOTION CARRIED by unanimous vote.

## FINANCIAL REPORTS

### Monica Harris, Director of Finance

### 39. Monthly Budget Report for the period Ending February 28, 2022

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

**Property Tax** - We received \$110K in property taxes in the month of February, resulting in \$29K or .46% increase over funds collected last fiscal year to date. The amount collected is 94.14% of budget, which is 1.15% or \$78K less than anticipated.

**Sales Tax** - We received \$777K in sales tax in February, resulting in \$210K or 6.3% more than the funds collected last fiscal year to date. The amount collected is 48.42% of the \$7.3 million budgeted, which is 5.21% higher than anticipated. February 2021 was an anomaly, since it contained \$276K in audit collections. Adjusting for the audit collections, the February 2022 collections were 16% higher than February 2021.

**Revenue (Budgetary comparison)** - The target budget for operating revenue is \$15.2 million. We received \$16.7 million in operating revenue fiscal year to date, resulting in \$1.5 million over the target budget due to sales taxes, service charges, and other income.

**Expenditures (Budgetary comparison)** - The target budget for operating expenditures is \$9.5 million. We expended \$8.5 million in operating expenditures fiscal year to date, resulting in \$987K under the target budget.

**Revenue (Prior year comparison)** - Operating revenue received last year was \$15 million as compared to the current year's \$16.7 million, resulting in a \$1.7 million increase due to property tax, sales taxes, franchise taxes, hotel occupancy taxes, sports venue taxes, service charges, and other income.

**Expenditures (Prior year comparison)** - Operating expenditures last year were \$8.4 million as compared to the current year's \$8.5 million, resulting in a \$105K increase due to personnel, outside professional services and maintenance.

## STEPHENVILLE ECONOMIC DEVELOPMENT AUTHORITY REPORT

Jeff Sandford, Executive Director updated Council on economic development.

## CONSENT AGENDA

### 40. Approval of Minutes - March 1, 2022 Regular City Council Meeting

41. Approval of Minutes - March 15, 2022 Special City Council Meeting
42. Approval of Minutes - March 17, 2022 Special City Council Meeting
43. Approval of the Annual On-Call Construction Contract
44. Approval of Bid Award for the 2022 Swan, Hyman, and Dale Resurfacing Project
45. Approval of Concessionaire Contract with The Purple Goat, LLC
46. Approval of a Contract with Johnston Technical Services for Radio Equipment Shelter and Generator
47. Approval of a Contract with Johnston Technical Services for Radio Equipment Microwave Relays
48. Approval of an Expenditure for Spillman CAD/RMS Annual Maintenance Cost
49. Consider Approval of a Contract for Delinquent Tax Collection

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

#### COMMENTS BY CITY MANAGER

City Offices Closed (Good Friday) - Friday, April 15

Concerts in the Park Kickoff with Ricky Skaggs - Friday, April 22

Council Committee Meetings - Tuesday, April 19

Regular City Council Meeting - Tuesday, May 3

May General Election Day - Saturday, May 7

Last day to register to vote - Thursday, April 7

Early Voting begins - Monday, April 25

Canvass Election / Council Member Reception - Tuesday, May 17

More information can be found at [www.stephenvilletx.gov](http://www.stephenvilletx.gov)

#### COMMENTS BY COUNCIL MEMBERS

LeAnn Durfey encouraged everyone to attend all the upcoming music events throughout the spring and summer. She also encouraged residents to register to vote if they are not registered.

Alan Nix talked about his experience viewing the National Guard training exercises that were held in Stephenville recently and thanked them for the invitation.

Gerald Cook commended the work that had been done to prepare for the improvements to city facilities and infrastructure to make Stephenville a better place to live; he said he is looking forward to seeing the projects get started.

Doug Svien commended council, staff, and the community for their hard work on various projects and events.

#### EXECUTIVE SESSION

In compliance with the provisions of the Texas Open Meetings Law, Subchapter D, Government Code, Vernon's Texas Codes, Annotated, in accordance with

50. *Section 551.074 Personnel Matters* - to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit: Local Health Authority
51. *Section 551.072 Deliberation Regarding Real Property* - to deliberate the purchase, exchange, lease, or value of real property.
52. *Section 551.087 Deliberation Regarding Economic Development Negotiations* - Project Blue

The meeting was called into executive session at 7:45 p.m.

**ACTION TAKEN ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF NECESSARY**

**50. Section 551.074 Personnel Matters - to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit: Local Health Authority**

MOTION by Ricky Thurman, second by Alan Nix, to appoint Kelly Doggett as the Public Health Official. MOTION CARRIED by unanimous vote.

**51. Section 551.072 Deliberation Regarding Real Property - to deliberate the purchase, exchange, lease, or value of real property.**

MOTION by Brady Pendleton, second by Brandon Huckabee, to approve a lease agreement for office space. MOTION CARRIED by unanimous vote.

**ADJOURN**

The meeting was adjourned at 7:57 p.m.

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Doug Svien, Mayor

ATTEST:

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Staci L. King, City Secretary



## SPECIAL CITY COUNCIL MEETING

City Hall Council Chambers, 298 West Washington Street  
Tuesday, April 19, 2022 at 5:30 PM

### MINUTES

The City Council of the City of Stephenville, Texas, convened on Tuesday, April 19, 2022, at 6:30 p.m., 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 (arrived at 6:45 p.m.)
- 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 Pro Tem Brandon Huckabee called the meeting to order at 6:30 p.m.

**EXECUTIVE SESSION**

In compliance with the provisions of the Texas Open Meetings Law, Subchapter D, Government Code, Vernon's Texas Codes, Annotated, in accordance with

1. *Section 551.071 Consultation with Attorney - Mediated Settlement Agreement, Bachus v. City of Stephenville (2007)*
2. *Section 551.074. Personnel Matters - to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit: City Manager*

The meeting was called into executive session at 6:30 p.m.

**ACTION TAKEN ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF NECESSARY**



**1. Section 551.071 Consultation with Attorney - Mediated Settlement Agreement, Bachus v. City of Stephenville (2007)**

MOTION by Alan Nix, second by Justin Haschke, to authorize payment in accordance with Cause No. CV406-CR-251-Y. MOTION CARRIED by unanimous vote.

**2. Section 551.074. Personnel Matters - to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit: City Manager**

MOTION by Ricky Thurman, second by LeAnn Durfey, to approve Allen Barnes' retirement, effective May 1, 2022. MOTION CARRIED by unanimous vote.

MOTION by Ricky Thurman, second by LeAnn Durfey, to appoint Jason King as the Interim City Manager, effective May 1, 2022, at an annualized salary of \$140,000. MOTION CARRIED by unanimous vote.

**ADJOURN**

The meeting was adjourned at 7:27 p.m.

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Dour Svien, Mayor

ATTEST:

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Staci L. King, City Secretary

**RESOLUTION NO. 2022-R-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STEPHENVILLE, TEXAS DESIGNATING PERSONNEL WITH BANKING AUTHORITY FOR ACCOUNTS TO BE ESTABLISHED AT FIRST FINANCIAL BANK, STEPHENVILLE TEXAS.**

WHEREAS the City Council of the City of Stephenville adopted Resolution No. 2022-R-09 designating banking authority for City accounts; and

WHEREAS the City Council wishes to amend the list of personnel with full banking authority.

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

1. Allen L. Barnes, City Manager, is removed from the list of personnel with full banking authority.
2. Jason M. King, Interim City Manager, is added to the list of personnel with full banking authority.

**PASSED AND APPROVED** this 5<sup>th</sup> day of April, 2022.

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Doug Svien, Mayor

ATTEST:

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Staci L. King, City Secretary

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Reviewed by Allen L. Barnes,  
City Manager

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Randy Thomas, City Attorney  
Approved as to form and legality

# KIRBO'S OFFICE SYSTEMS EQUIPMENT LEASE

## LEASEE:

Name: City of Stephenville

Address: 298 W Washington City: Stephenville State: TX Zip: 76401

### DESCRIPTION OF EQUIPMENT LEASED

QTY	EQUIPMENT	MAKE	MODEL #	SERIAL #
10	Digital Copiers	Canon	(4) C356iF	
	15,000 B&W per month		(2) C5560iF	
	6,000 Color per month		(4) C5540iF	
	Ovg @ .01B and .05C			
	Lease includes old equip. trade in value			

### SCHEDULE OF LEASE PAYMENTS

60 Monthly lease payments of \$ 975.00 per month. + Sales Tax (if required)

Advanced payment \$ 0.00 (If any).

Beginning: Month: 5 Day: 1 Year: 2022

Ending: Month: 4 Day: 30 Year: 2027

### TERMS OF LEASE

- a. **LEASE:** Lessor hereby leases to Lessee and Lessee hereby leases from Lessor the equipment described above upon the terms and conditions set forth in this lease agreement.
- b. **TERMS:** Lessee shall pay Lessor payments for the use of the equipment. *Multiply the payment by the applicable sales tax.*
- c. **MAINTENANCE AND REPAIR:** Lessee will provide at their own expense the maintenance and repair of the so named equipment unless otherwise indicated by agreed proposal.
- d. **LOSS OR DAMAGE:** Lessee hereby assumes and shall bear the entire risk of loss or destruction of or damage to the equipment from any cause whatsoever.
- e. **LATE PAYMENT:** Lessee agrees to pay the amount above on the date specified, or after 10 days past the due date will remit a late charge of 10% of monthly payment, amount not to be less than \$ 15.00.
- f. **DEFAULT:** Any of the following conditions shall constitute default: (a) Lessee's failure to pay the sum due the Lessor within 10 days after the due date. (b) The filing by or against Lessee of a petition under the Bankruptcy Code provided by for the relief of debtors. If the Customer fails to pay Kirbo's, Kirbo's will have the right to exercise any one or all of the following remedies in any order: (a) sue Customer for all past due payments, ALL PAYMENTS TO BECOME DUE IN THE UNEXPIRED TERM, the purchase option amount and any other costs, (b) repossess the Equipment listed above and, (c) re-sell the equipment to recoup any deficiencies. In the event the Equipment is not available for resale, the Customer shall be liable for the Fair Market Value of the Equipment as deemed by a Kirbo's official.
- g. **EARLY PAYMENT:** Lessee may pay the balance of the lease at any time during the lease without any penalties whatsoever, provided all other provisions in this lease have been met.
- h. **Fiscal Funding:** Contract is subject to cancellation if Lessee is a Government Entity that loses fiscal funding.

### ACCEPTANCE OF LEASE AGREEMENT

Lessee's signature means that the terms and equipment have been agreed upon, and will comply with the terms so listed. This signature also signifies that the equipment has been installed and in working order.

X \_\_\_\_\_

Date: \_\_\_\_\_



**City of Stephenville  
DIR MDS Quote  
February 17, 2022**

**DIR-CPO-4437**

**(4) Canon iR C5540 Digital Color MFP**

40 ppm

Internal Stapling Finisher

11x17 paper capacity

Fax

**(2) Canon iR C5560 Digital Color MFP**

60 ppm

**(1)** With External Booklet Finisher

11x17 paper capacity

Fax

**(4) Canon iR C356 Digital Color Compact MFP**

35 ppm

LTR/LGL paper capacity

Fax

Package Includes 15,000 B&W & 6,000 Color prints per month. Overages billed at \$.01/B&W and \$.05/ color. The service agreement covers all consumable parts, labor and toners.

The prices and terms are set for 60 months.

**DIR-MDS Monthly Lease Price \$ 975.00**

MDS Program is Cost Per Copy at \$ .035/B&W with 15,000 Base  
And \$.075/Color with 6,000 Base



## STAFF REPORT

**SUBJECT:** Auction Items

**DEPARTMENT:** Finance

**STAFF CONTACT:** Robert Oswald

### RECOMMENDATION:

Staff is seeking authorization to sell the following items, via online auction:

Quantity	Description	Department
8	Printers (not working)	I.T.
6	Servers & Firewalls (software removed)	I.T.
9	PC Towers (software removed)	I.T.
8	Monitors (not working)	I.T.
3	Filing Cabinets	Rec Center
3	Floor Heater, Wall Heater, Scale	Rec Center
11	Phones	Police