



COUNCIL COMMITTEE MEETING

City Hall Council Chambers, 298 W Washington
Tuesday, March 21, 2023 at 5:30 PM

AGENDA

CALL TO ORDER

DEVELOPMENT SERVICES COMMITTEE

Gerald Cook, chair; Justin Haschke, David Baskett, Mark McClinton

1. Discuss Ordinance Adopting Extended Hours for the Sale and Offer to Sell Mixed Alcoholic Beverages by a Holder of a Mixed Beverages Late Hours Permit

TOURISM AND VISITORS BUREAU COMMITTEE

LeAnn Durfey, chair; Lonn Reisman, Bob Newby, Gerald Cook

2. Discuss and Consider HOT Funds Application(s) - City Limits Sports Academy
3. Discuss and Consider HOT Funds Application - Joe Beaver's Jr. Superstars Roping

FINANCE COMMITTEE

Justin Haschke, chair; Ricky Thurman, David Baskett, Mark McClinton

4. Consider Approval to Enter into an Agreement for ClearGov Capital Budgeting, Digital Budget Book, and Transparency Software Subscription

NOMINATIONS COMMITTEE

Lonn Reisman, chair; LeAnn Durfey, David Baskett, Bob Newby

5. Discuss Charter Review Committee

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.



STAFF REPORT

SUBJECT: Request for New Ordinance Adopting Extended Hours for the Sale and Offer to Sell Mixed Alcoholic Beverages by a Holder of a Mixed Beverages Late Hours Permit

DEPARTMENT: Administration

STAFF CONTACT: Sarah Lockenour, City Secretary

BACKGROUND:

On February 16, 2023, the City Secretary's Office received a TABC Licensing Application for a Late Hours Certificate from Cole & Griggs Inc. with Bull Nettle Sports Bar.

Section 105.03.D.02 of the Texas Alcoholic Beverage Code requires an adopted ordinance by the governing body for extended hours.

Sec. 105.03. HOURS OF SALE: MIXED BEVERAGES. (a) No person may sell or offer for sale mixed beverages at any time not permitted by this section.

(b) A mixed beverage permittee may sell and offer for sale mixed beverages between 7 a.m. and midnight on any day except Sunday. On Sunday he may sell mixed beverages between midnight and 1:00 a.m. and between 10 a.m. and midnight, except that an alcoholic beverage served to a customer between 10 a.m. and 12 noon on Sunday must be provided during the service of food to the customer.

(c) In a city or county having a population of 800,000 or more, according to the last preceding federal census, or 500,000 or more, according to the 22nd Decennial Census of the United States, as released by the Bureau of the Census on March 12, 2001, a holder of a mixed beverage permit who holds a retailer late hours certificate may also sell and offer for sale mixed beverages between midnight and 2 a.m. on any day.

(d) In a city or county other than a city or county described by Subsection (c), the extended hours prescribed in Subsection (c) are effective for the sale of mixed beverages and the offer to sell them by a holder of a mixed beverage permit who holds a retailer late hours certificate:

(1) in the unincorporated areas of the county if the extended hours are adopted by an order of the commissioners court; and

(2) in an incorporated city or town if the extended hours are adopted by an ordinance of the governing body of the city or town.

(e) A violation of a city ordinance or order of a commissioners court adopted pursuant to Subsection (d) of this section is a violation of this code.



STAFF REPORT

SUBJECT: Public Safety Impact – Extended Hours Request

DEPARTMENT: Police

STAFF CONTACT: Dan M. Harris, Jr.

RECOMMENDATION:

Present a detailed review of the 2022 Driving While Intoxicated (DWI) arrests and related calls for service.

BACKGROUND:

On February 21, 2023, during the Development Services Committee Meeting, additional information was requested from the Stephenville Police Department on how the sale of mixed beverages for extended hours could possibly impact public safety. In response to the request, a detailed review is presented from the 2022 Driving While Intoxicated (DWI) arrests and information regarding calls for police service related to alcohol establishments.

FISCAL IMPACT SUMMARY:

N/A

ALTERNATIVES



Stephenville

Police Department



2022 Driving While Intoxicated Arrests

This report is an analysis of the Driving While Intoxicated (DWI) arrests taking place inside the city limits of Stephenville, during the calendar year 2022. There were 97 DWI arrests with an average blood alcohol content (BAC) of .183 indicating that those arrested were operating a motor vehicle at an average of just over twice the legal limit.

Traffic Sergeant Robert Moore reviewed all 97 DWI case files. A key piece of information in each file is the DWI questionnaire. One of the questions is “Where were you coming from?” In some cases, the arrestee refuses to answer the questionnaire, in other cases their answer is vague and even fewer times they will tell you exactly where they were drinking, such as which establishment. If Sgt. Moore was unable to decipher the drinking location from this data, he went into the officer’s narrative to review the roadside interview. The reason for looking at this additional resource is that during the roadside interview officers often ask where the person is coming from and will get an honest response. After the person has been arrested, they often no longer wish to discuss the events of the night. The DWI questionnaire must be completed exactly as the arrestee answers and although they may have told the officer they were at a bar during the roadside interview the given is the answer recorded.

Of the 97 arrests, 35 refused to answer the location they were coming from, however, two of these were wearing wristbands from a bar. 15 were driving from their residence, 32 admitted coming from a bar, seven from other cities, two from a friend’s residence, two from a TSU football game, one from an LJT event, one from an apartment pool party, one from a restaurant and one from a shopping center.

Further breaking down the data it was discovered that 23 of the arrests were minors and seven of them had been coming from a bar. Of these minors, seven had open containers and only one admitted to coming from a bar indicating they had acquired their alcohol by other means.

Regarding the day of the week with the most DWIs: Sunday had 24, Saturday had 21 and Friday had 16. The data revealed that Saturday after midnight Stephenville police officers arrested 10 people indicating that they were drinking on Friday night. Two of these admitted to coming from a bar. On Sunday before 1:00am, Stephenville police officers arrested seven people, five who admitted to coming from a bar. Sunday after 1:00am Stephenville police officers arrested 14, six of which admitted to coming from a bar for a total of 21 arrests during the crucial hours of bar closing time on Saturday night and into Sunday morning.



Stephenville

Police Department



2022 Related Calls for Service

For calendar year 2022, Stephenville police officers responded to 116 calls for service at or related to local bars. The total calls for service are divided into the following category call types.

Call Category Types:

- | | |
|------------------------------------|---------------------------|
| Vehicle Accidents | Medical Emergency |
| Hit and Run Accidents | Suspicious Person/Vehicle |
| Disturbances – Physical and Verbal | Welfare Concern |
| Public Intoxication | Criminal Mischief |
| Theft | Walk Throughs |
| Traffic Control | Parking Violations |
| Disorderly Conduct | Assault Reports |

This data does not take into account calls for service that may have a nexus to a local establishment. It also does not take into account arrests made inside the city limits by other law enforcement agencies such as the Erath County Sheriff’s Department, Texas Highway Patrol, and Texas Game Warden. Lastly, arrests and other incidents may originate from circumstances inside the city and then take place in the county or other cities such as Dublin.



STAFF REPORT

SUBJECT: Consider Approval of Hotel Occupancy Tax Funds Application(s) – City Limits Sports Academy

DEPARTMENT: Tourism

STAFF CONTACT: Michaela Bierman

RECOMMENDATION:

BACKGROUND:

2023 will be the second year for tournaments to be held in the City Limits Sports Academy facilities and City of Stephenville Baseball fields. An application has been submitted for each tournament (5 tournaments) each requesting \$3,800.00, resulting in a total of \$19,000. Each application has the same information listed except for the dates.

These are the dates for this season's tournaments:

- March 25-26
- April 15-16
- May 20-21
- June 10-11
- July 8-9

Attendance is estimated at 1,000-1,500, with over 380 teams participating in each tournament.

FISCAL IMPACT SUMMARY:

The tournaments are all day events for both days, resulting in teams and families staying in hotels, and eating and shopping locally. A questionnaire will be sent out to the hotels, retail shops, and restaurants.

ALTERNATIVES

FUNDING CONSIDERATION CHECKLIST

Name of

City Limits Sports Academy

Event/Activity/Facility:

Does your event/activity/facility pass Part One (1) of the statutory test, defined specifically as directly enhancing and promoting tourism and the convention, and hotel industry in Stephenville? YES NO

Does your event/activity/facility pass Part Two (2) of the statutory test, defined specifically as fitting into one of more of the following categories:

- Convention center facilities or visitor information centers
- Facilities, personnel and materials for registration of the Tourism and Visitor's Bureau delegates
- Advertising, and conducting solicitations and promotional programs to attract tourist and visitor's
- Promotion of the arts, including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion picture, radio, television, tape and sound recording
- Historical restoration and preservation projects or activities, or advertising and conducting solicitations and promotional programs to encourage tourists to visit preserved historic sites or museums in the area
- Signage directing tourist to sights and attractions that are visited frequently by hotel guests in the municipality
- Funding the costs for transporting tourists from hotels in and near the city to: the commercial center of the city, a convention center in the city, other hotels in or near the city, and tourist attractions in or near the city
- Sporting event expenses, including promotion expenses, related to sporting events at which the majority of participants are tourists who substantially increase economic activity at hotels in the area
- Is your application filled out thoroughly and completely, and are all required pages attached?
- Is your request for funding in accordance with the maximum funding guidelines?
- If applicable, have you submitted the Post-Funding Analysis and proofs of payment for last year's event/activity/facility?
- If applicable, have you returned or repaid the City for any previous funds not used or not used lawfully?
- Have you documented how you will accurately track out-of-town guests, showing that your event will attract tourists that will directly support the Tourism and Visitor's Bureau and the Hotel industry in the area?
- Is your request for fifty percent (50%) or less of your total projected revenue from the event/activity/facility?
- If you are applying under the Advertising category, is your request for one hundred percent (100%) or less of your total projected advertising expenditures?
- If you are applying under the Advertising category, have you met the local requirement that advertising must be accomplished in advance of the event/activity/facility, and must utilize legitimate media for promotion outside of the area, i.e. direct mail, newspapers, magazines, radio, television, billboards?
- Will all advertising indicate that the City of Stephenville is a direct sponsor of the event?

APPLICATION

Organization Information

Date: **February 21, 2023**
City Limits Sports Academy

Name of Organization
1907 E Washington

Address: **Stephenville, Texas 76401**

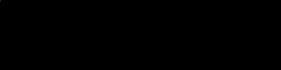
City, State, Zip:
VW or Cynthia Stephens

Contact Name:
254-595-1667 or 254-595-0868

Contact Phone Number:
www.citylimitssportacademy.com

Website Address for Event/Activity/Facility:

Is your organization: Non-Profit Private for Profit

Tax ID#: 

Organization's Creation Date: **June 1 2022**

Purpose for your organization: **Training Facility for Baseball/Softball. Organization that builds travel teams for both young men and women. Retail sporting goods store. Tournament facilitator.**

Event/Activity/Facility Information

City Limits Sports Academy Tournament

Name of Event/Activity/Facility:
March 25 -26, 2023

Date of Even/Activity:
City of Stephenville Baseball fields and Purple Goat Baseball fields

Primary Location of Event/Activity/Facility:
3800.00

Amount of HOT Funding Requested:

Fund Usage: How will the funds be used?

1. **Welcoming packages containing gift cards from local restaurants and retail stores.**
2. **Prizes and awards for each age group.**
3. **Advertizing at fileds about location of restaurants and location of retail.**
4. **Gatekeepers to direct traffic, admission and to answer questions about Stephenville.**

Primary purpose if funded Event/Activity/Facility:

The Primary purpose is a baseball tournament with 380 team members and families.

Check that statutory categories apply to funding request and amount requested under each category:

- Convention center facilities or visitor information centers:** the acquisition of sites for and the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of convention center facilities or visitor information centers, or both;
- Registration of Tourism and Visitor's Bureau delegates:** the furnishing of facilities, personnel, and materials for the registration of tourism and visitor's bureau delegates or registrants;
- Advertising, and conducting solicitations and promotional programs to attract tourists and visitor delegates:** advertising and conducting solicitations and promotional programs to attract tourists and visitor's delegates or registrants to the municipality or its vicinity;
- Promotion of the arts:** the encouragement, promotion, improvement, and application of the arts, including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion pictures, radio, television, tape, and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms;
- Historical restoration and preservation projects or activities:** historical restoration and preservation projects or activities or advertising and conducting solicitations and promotional programs to encourage tourists and visitor's delegates to visit preserved historic sites or museums: (a) at or in the immediate vicinity of the Tourism and Visitor's Bureau center facilities or visitor information centers; or (b) located elsewhere in the municipality or its vicinity that would be frequented by tourists andvisitors delegates;

- Sporting event expenses related to sporting event which substantially increase economic activity at hotels:** for a municipality located in a county with a population of 290,000 or less, expenses, including promotion expenses, directly related to a sporting event in which the majority of participants are tourists who substantially increase economic activity at hotels and motels within the municipality or its vicinity. _____
- Signage:** Signage directing tourists from hotels in and near the city to: the commercial center of the city, a convention center in the city, other hotels in or near the city, and tourist attractions in or near the city.
- Transportation system for tourists:** Funding the costs for transporting tourist from hotels in and near the city to: the commercial center of the city, a convention center in the city, other hotels in or near the city, and tourist attractions in or near the city.

(Answer the following three (3) questions only if sporting event-related)

If sporting even-related: How many individuals are expected to participate?

380 to 450 team members with family members . Total 1000 to 1500

If sporting event-related: How many of the participants are expected to be from another city or county?

900 to 1400

If sporting event-related: Quantify how the funded event/activity/facilities will substantially increase economic activity at hotel and motels within the City or its vicinity?

This is a two date tournament with early starts where many will chose to spend the night. The tournaments are all day events for both days. Meals, gas and supplies will be purchased by teams and families.

Questions for all Funding Requests

How many years have you held this event/activity?

This will be our second year.

Expected attendance:

1500

How many people attending the event/activity/facility will use Stephenville hotels, motels, inn s or bed-and-breakfast establishments?

Estimate 450 to 500.

How many nights will they stay?
1 to 2 nights

Do you reserve a room block for this event/activity/facility at an area hotel and if so, for how many rooms and at which hotels?
No

Please list other years (over the last three years) that you have hosted your event/activity/facility, and list the amount of assistance given from HOT funding and the number of hotel rooms used:

Motel/Year Held	Assistance Amount	Number of Hotel Rooms Used

How will you measure the impact of your event/activity/facility on area hotel activity?
Increase in hotel tax for that period. Also questionnaire will be sent to area hotels, retail shops and restaurants.

Please list all other organizations, government entities and grants that have offered financial support to your event/activity/facility, and respective amounts:
None

Please check all promotion efforts your organization is coordinating, and list the financial amounts committed to each media outlet:

- Paid Advertising Newspaper Radio TV Social Media Press Releases
- Direct mailing to out-of-town recipients Other

What specific geographic areas do your advertising materials and promotions reach?
The state of Texas and Oklahoma

What number of individuals located in another city or county will your proposed marketing reach?

3500 to 5000 people

The above application for HOT funds received for the City of Stephenville, and the explanation of how such funds will be utilized, is true and accurate.

Authorized Signature

23rd Feb 2023
Date Signed

This Pre-Fund Analysis must be completely and accurately filled out and returned to the City of Stephenville, Attn: Tourism Coordinator, 298 W. Washington St. Stephenville, Texas 76401, no later than **sixty (60) days** before the event/activity/facility. If the total amount of the HOT funds were not used or were not lawfully used, then those funds must be returned or repaid to the City of Stephenville with the Post-Funding Analysis. Questions may be directed to the Tourism Coordinator at (254) 918-1212 or email tourism@stephenvilletx.gov.



STAFF REPORT

SUBJECT: Consider Hotel Occupancy Tax Application – Joe Beaver’s Jr. Superstars Roping

DEPARTMENT: Tourism

STAFF CONTACT: Michaela Bierman

RECOMMENDATION:

BACKGROUND:

Established in 2010, this roping event will take place on April 7-9, 2023, at the 377 Arena. The amount of HOT Funds requested is \$15,000-30,000.

This event will host 450+ contestants, estimating the attendance at 1,000. The impact of this event will be measured by the number of entries and stall rentals at 377 Arena.

FISCAL IMPACT SUMMARY:

This event will host 450+ families that will eat, shop, and potentially stay in hotels for 2-3 days.

ALTERNATIVES

FUNDING CONSIDERATION CHECKLIST

Name of

Event/Activity/Facility:

Doping
 Joe Beaver Jr Superstars / 377 Arena

Does your event/activity/facility pass Part One (1) of the statutory test, defined specifically as directly enhancing and promoting tourism and the convention, and hotel industry in Stephenville? YES NO

Does your event/activity/facility pass Part Two (2) of the statutory test, defined specifically as fitting into one of more of the following categories:

- Convention center facilities or visitor information centers
- Facilities, personnel and materials for registration of the Tourism and Visitor's Bureau delegates
- Advertising, and conducting solicitations and promotional programs to attract tourist and visitor's
- Promotion of the arts, including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion picture, radio, television, tape and sound recording
- Historical restoration and preservation projects or activities, or advertising and conducting solicitations and promotional programs to encourage tourists to visit preserved historic sites or museums in the area
- Signage directing tourist to sights and attractions that are visited frequently by hotel guests in the municipality
- Funding the costs for transporting tourists from hotels in and near the city to: the commercial center of the city, a convention center in the city, other hotels in or near the city, and tourist attractions in or near the city
- Sporting event expenses, including promotion expenses, related to sporting events at which the majority of participants are tourists who substantially increase economic activity at hotels in the area
- Is your application filled out thoroughly and completely, and are all required pages attached?
- Is your request for funding in accordance with the maximum funding guidelines?
- If applicable, have you submitted the Post-Funding Analysis and proofs of payment for last year's event/activity/facility?
- If applicable, have you returned or repaid the City for any previous funds not used or not used lawfully?
- Have you documented how you will accurately track out-of-town guests, showing that your event will attract tourists that will directly support the Tourism and Visitor's Bureau and the Hotel industry in the area?
- Is your request for fifty percent (50%) or less of your total projected revenue from the event/activity/facility?
- If you are applying under the Advertising category, is your request for one hundred percent (100%) or less of your total projected advertising expenditures?
- If you are applying under the Advertising category, have you met the local requirement that advertising must be accomplished in advance of the event/activity/facility, and must utilize legitimate media for promotion outside of the area, i.e. direct mail, newspapers, magazines, radio, television, billboards?
- Will all advertising indicate that the City of Stephenville is a direct sponsor of the event?

APPLICATION

Organization Information

Date: August 16, 2022

Name of Organization: Joe Beaver Jr Superstars Roping

Address: PO Box 1595

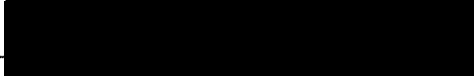
City, State, Zip: Huntsville, TX 77342

Contact Name: Joe Beaver

Contact Phone Number: 979-777-6946

Website Address for Event/Activity/Facility:

Is your organization: Non-Profit Private for Profit

Tax ID#: 

Organization's Creation Date: 3/10/2010

Purpose for your organization:
To provide venue for upcoming young ropers as well as older high school students to participate for large prize money with and against kids from all over US + Canada.

Event/Activity/Facility Information

Name of Event/Activity/Facility: Joe Beaver Jr Superstars Roping / 377 Arena

Date of Event/Activity: April 7-9, 2023

Primary Location of Event/Activity/Facility: 377 Arena Stephenville

Amount of HOT Funding Requested: \$15,000 - \$30,000

Fund Usage: How will the funds be used?

110 Saddles @ -20,000 advertising
 200 T-shirts, caps 72500
 prize rope cans - 1000
 labor - 14,000
 hotel rooms - 3500
 pay for arena 3000

Primary purpose if funded Event/Activity/Facility:

prizes

Check that statutory categories apply to funding request and amount requested under each category:

Convention center facilities or visitor information centers: the acquisition of sites for and the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of convention center facilities or visitor information centers, or both;

Registration of Tourism and Visitor's Bureau delegates: the furnishing of facilities, personnel, and materials for the registration of tourism and visitor's bureau delegates or registrants;

Advertising, and conducting solicitations and promotional programs to attract tourists and visitor delegates: advertising and conducting solicitations and promotional programs to attract tourists and visitor's delegates or registrants to the municipality or its vicinity;

Promotion of the arts: the encouragement, promotion, improvement, and application of the arts, including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion pictures, radio, television, tape, and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms;

Historical restoration and preservation projects or activities: historical restoration and preservation projects or activities or advertising and conducting solicitations and promotional programs to encourage tourists and visitor's delegates to visit preserved historic sites or museums: (a) at or in the immediate vicinity of the Tourism and Visitor's Bureau center facilities or visitor information centers; or (b) located elsewhere in the municipality or its vicinity that would be frequented by tourists and visitors delegates;

Sporting event expenses related to sporting event which substantially increase economic activity at hotels: for a municipality located in a county with a population of 290,000 or less, expenses, including promotion expenses, directly related to a sporting event in which the majority of participants are tourists who substantially increase economic activity at hotels and motels within the municipality or its vicinity. _____

Signage: Signage directing tourists from hotels in and near the city to: the commercial center of the city, a convention center in the city, other hotels in or near the city, and tourist attractions in or near the city.

Transportation system for tourists: Funding the costs for transporting tourist from hotels in and near the city to: the commercial center of the city, a convention center in the city, other hotels in or near the city, and tourist attractions in or near the city.

(Answer the following three (3) questions only if sporting event-related)

If sporting event-related: How many individuals are expected to participate?

450 - 500 Kids _____

If sporting event-related: How many of the participants are expected to be from another city or county?

99% see attached contestant list _____

If sporting event-related: Quantify how the funded event/activity/facilities will substantially increase economic activity at hotel and motels within the City or its vicinity?

450 Kids with parents and siblings coming for 2-3 days will stay at hotels, buy fuel & eat _____

Questions for all Funding Requests

How many years have you held this event/activity?

13 yrs _____

Expected attendance:

1000 _____

How many people attending the event/activity/facility will use Stephenville hotels, motels, inns or bed-and-breakfast establishments?

200 _____

How many nights will they stay?

1-2

Do you reserve a room block for this event/activity/facility at an area hotel and if so, for how many rooms and at which hotels?

~~no~~ we reserve 12 for our labor +
 post on web site which hotel

Please list other years (over the last three years) that you have hosted your event/activity/facility, and list the amount of assistance given from HOT funding and the number of hotel rooms used:

Motel/Year Held	Assistance Amount	Number of Hotel Rooms Used
2016 Alvarado Comforts Inn	\$30,000	250
2017 Alvarado Comforts Inn	\$30,000	250
2019 Alvarado La Quinta	\$30,000	275

How will you measure the impact of your event/activity/facility on area hotel activity?

according to entries + stall rental at 377 Arena

Please list all other organizations, government entities and grants that have offered financial support to your event/activity/facility, and respective amounts:

none in Stephenville since 2014

Please check all promotion efforts your organization is coordinating, and list the financial amounts committed to each media outlet:

Paid Advertising Newspaper Radio TV Social Media Press Releases

Direct mailing to out-of-town recipients Other email to all contestants

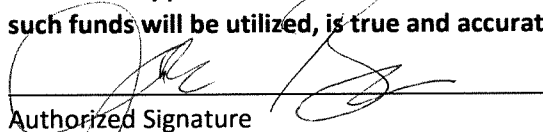
What specific geographic areas do your advertising materials and promotions reach?

the entire ~~of~~ U.S.

What number of individuals located in another city or county will your proposed marketing reach?

unlimited

The above application for HOT funds received for the City of Stephenville, and the explanation of how such funds will be utilized, is true and accurate.


Authorized Signature

8/14/2022
Date Signed

This Pre-Fund Analysis must be completely and accurately filled out and returned to the City of Stephenville, Attn: Tourism Coordinator, 298 W. Washington St. Stephenville, Texas 76401, no later than **sixty (60) days** before the event/activity/facility. If the total amount of the HOT funds were not used or were not lawfully used, then those funds must be returned or repaid to the City of Stephenville with the Post-Funding Analysis. Questions may be directed to the Tourism Coordinator at (254) 918-1212 or email tourism@stephenvilletx.gov.



STAFF REPORT

SUBJECT: Consider Approval to Enter into an Agreement for ClearGov Capital Budgeting, Digital Budget Book, and Transparency Software Subscription

DEPARTMENT: Finance

STAFF CONTACT: Monica Harris

RECOMMENDATION:

Staff are requesting the Finance Committee to recommend the Council to approve entering into an agreement with ClearGov for Capital Budgeting, Digital Budget Book, and Transparency Software Subscription.

BACKGROUND:

During budget preparation, the Finance Department requested \$16,130 for Transparency Software subscription, which was approved.

After reviewing software options, ClearGov was chosen as it offered not only the Transparency software, but also Capital Budgeting and Digital Budget Book Software for an annual cost of \$17,400, which can be prorated April 1 through September 30 for a cost of \$8,700.

\$5,000 of the current budget is already committed, leaving \$11,130 remaining to cover the cost through the end of the fiscal year. The City also pays almost \$16,000 a year for Envisio Plans & Analytics, which this software would replace.

The agreement is for 5.5 years and is billed annually in advance, except for the first invoice, which will be for 6 months. Prices will increase annually by 3% per annum for the initial service period, then 6% per annum each year after the initial service period. The City will have the option to terminate the Service in the first 30 days with a full refund of the service fees. The City will have the option to terminate prior to any annual renewal if the Council does not appropriate the funds in the budget with 60 days written notice prior to the current annual termination date (September 30th).

FISCAL IMPACT SUMMARY:

FY 22-23 \$8,700

FY 23-24 \$17,400

FY 24-25 \$17,922

FY 25-26 \$18,460

FY 26-27 \$19,014

FY 27-28 \$19,584

Total for 5.5 years is \$101,080.

ALTERNATIVES

Not approve the agreement.



Service Order

2 Mill & Main; Suite 630; Maynard, MA 01754

Created by	Dennis Maher
Contact Phone	817-205-9980
Contact Email	dmaher@cleargov.com

Order Date	Feb 15, 2023
Order valid if signed by	Mar 23, 2023

Customer Information					
Customer	City of Stephenville	Contact	Monica Harris	Billing Contact	
Address	298 W. Washington St	Title	Finance Director	Title	
City, St, Zip	Stephenville, Texas 76401	Email	mharris@stephenvilletx.gov	Email	
Phone	254-918-1220			PO # (If any)	

This Service Order will be contracted through...	
Procurement Aggregator	ClearGov Contract
Buyboard	Buyboard Proposal No. #607-20

The Services you will receive and the Fees for those Services are...			
Set up Services		Tier/Rate	Service Fees
ClearGov Setup: Includes activation, onboarding and training for ClearGov solutions		Tier 2	\$ 10,800.00
Dennis Maher to waive one time set-up fee until March 23, 2023		Tier 2	\$ (10,800.00)
Total ClearGov Setup Service Fee - Billed ONE-TIME			\$ -
Subscription Services		Tier	Service Fees
ClearGov Capital Budgeting - Civic Edition		Tier 2	\$ 8,500.00
ClearGov Digital Budget Book - Civic Edition		Tier 2	\$ 7,750.00
ClearGov Transparency - Civic Edition		Tier 2	\$ 6,950.00
ClearGov Budget Cycle Management Bundle Discount: Discount for bundled solutions		Tier 2	\$ (5,800.00)
Total ClearGov Subscription Service Fee - Billed ANNUALLY IN ADVANCE			\$ 17,400.00

ClearGov will provide your Services according to this schedule...			
Period	Start Date	End Date	Description
Setup	Apr 1, 2023	Apr 1, 2023	ClearGov Setup Services
Pro-Rata	Apr 1, 2023	Sep 30, 2023	ClearGov Subscription Services
Initial	Oct 1, 2023	Sep 30, 2028	ClearGov Subscription Services

To be clear, you will be billed as follows...		
Billing Date(s)	Amount(s)	Notes
Apr 1, 2023	\$ -	One Time Setup Fee
Apr 1, 2023	\$ 8,700.00	6 Month Pro-Rata Subscription Fee
Oct 1, 2023	\$ 17,400.00	Annual Subscription Fee
Additional subscription years and/or renewals will be billed annually in accordance with pricing and terms set forth herein		
Billing Terms and Conditions		
Valid Until	Mar 23, 2023	Pricing set forth herein is valid only if ClearGov Service Order is executed on or before this date.
Payment	Net 30	All invoices are due Net 30 days from the date of invoice.

Initial Period Rate Increase	3% per annum	During the Initial Service Period, the Annual Subscription Service Fee shall automatically increase by this amount.
Rate Increase	6% per annum	After the Initial Service Period, the Annual Subscription Service Fee shall automatically increase by this amount.

General Terms & Conditions

Customer Satisfaction Guarantee	During the first thirty (30) days of the Service, Customer shall have the option to terminate the Service, by providing written notice. In the event that Customer exercises this customer satisfaction guarantee option, such termination shall become effective immediately and Customer shall be eligible for a full refund of the applicable Service Fees.
Statement of Work	ClearGov and Customer mutually agree to the ClearGov Service activation and onboarding process set forth in the attached Statement of Work.
Taxes	The Service Fees and Billing amounts set forth above in this ClearGov Service Order DO NOT include applicable taxes. In accordance with the laws of the applicable state, in the event that sales, use or other taxes apply to this transaction, ClearGov shall include such taxes on applicable invoices and Customer is solely responsible for such taxes, unless documentation is provided to ClearGov demonstrating Customer's exemption from such taxes.
Appropriations	Customer shall have the option to terminate this ClearGov Service Order in advance of any annual renewal in the event that the applicable appropriating body does not appropriate funds for such upcoming renewal period.
Term & Termination	Subject to the termination rights and obligations set forth in the ClearGov Service Agreement, this ClearGov Service Order commences upon the Order Date set forth herein and shall continue until the completion of the Service Period (s) for the Service(s) set forth herein. Each Service shall commence upon the Start Date set forth herein and shall continue until the completion of the applicable Service Period. To be clear, Customer shall have the option to Terminate this Service Order on an annual basis by providing notice at least sixty (60) days prior to the end of the then current Annual Term.
Auto-Renewal	After the Initial Period, the Service Period for any ClearGov Annual Subscription Services shall automatically renew for successive annual periods (each an "Annual Term"), unless either Party provides written notice of its desire not to renew at least sixty (60) days prior to the end of the then current Annual Term.
Agreement	This ClearGov Service Order shall become binding upon execution by both Parties. The signature herein affirms your commitment to pay for the Service(s) ordered in accordance with the terms set forth in this ClearGov Service Order and also acknowledges that you have read and agree to the terms and conditions set forth in the ClearGov BCM Service Agreement found at the following URL: http://www.ClearGov.com/terms-and-conditions . This Service Order incorporates by reference the terms of such ClearGov BCM Service Agreement.

Customer	
Signature	
Name	
Title	

ClearGov, Inc.	
Signature	
Name	Bryan A. Burdick
Title	President

Please e-mail signed Service Order to Orders@ClearGov.com or Fax to (774) 759-3045

Customer Upgrades (ClearGov internal use only)

This Service Order is a Customer Upgrade	No	If Yes: Original Service Order Date	
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Statement of Work

This Statement of Work outlines the roles and responsibilities by both ClearGov and Customer required for the activation and onboarding of the ClearGov Service. ClearGov will begin this onboarding process upon execution of this Service Order. All onboarding services and communications will be provided through remote methods - email, phone, and web conferencing.

ClearGov Responsibilities

- ClearGov will activate ClearGov Service subscription(s) as of the applicable Start Date(s). ClearGov will create the initial Admin User account, and the Customer Admin User will be responsible for creating additional User accounts.
- ClearGov will assign an Implementation Manager (IM) responsible for managing the activation and onboarding process. ClearGov IM will coordinate with other ClearGov resources, as necessary.
- ClearGov IM will provide a Kickoff Call scheduling link to the Customer's Primary Contact. Customer should schedule Kickoff Call within two weeks after the Service Order has been executed.
- ClearGov IM will provide a Data Discovery Call scheduling link to the Customer's Primary Contact. Customer should schedule Data Discovery Call based on the availability of Customer's staff.
- ClearGov will provide Customer with financial data requirements and instructions, based on the ClearGov Service subscription(s).
- ClearGov will review financial data files and confirm that data is complete, or request additional information, if necessary. Once complete financial data files have been received, ClearGov will format the data, upload it to the ClearGov platform and complete an initial mapping of the data.
- After initial mapping, ClearGov will schedule a Data Review call with a ClearGov Data Onboarding Consultant (DOC), who will present how the data was mapped, ask for feedback, and address open questions. Depending upon Customer feedback and the complexity of data mapping requests, there may be additional follow-up calls or emails required to complete the data onboarding process.
- ClearGov will inform Customer of all training, learning, and support options. ClearGov recommends all Users attend ClearGov Academy training sessions and/or read Support Center articles before using the ClearGov Service to ensure a quick ramp and success. As needed, ClearGov will design and deliver customized remote training and configuration workshops for Admins and one for End Users - via video conference - and these sessions will be recorded for future reference.
- ClearGov will make commercially reasonable efforts to complete the onboarding process in a timely fashion, provided Customer submits financial data files and responds to review and approval requests by ClearGov in a similarly timely fashion. Any delay by Customer in meeting these deliverable requirements may result in a delayed data onboarding process. Any such delay shall not affect or change the Service Period(s) as set forth in the applicable Service Order.

Customer Responsibilities

- Customer's Primary Contact will coordinate the necessary personnel to attend the Kickoff and Data Discovery Calls within two weeks after the Service Order has been executed. If Customer needs to change the date/time of either of these calls, the Primary Contact will notify the ClearGov IM at least one business day in advance.
- Customer will provide a complete set of requested financial data files (revenue, expense, chart of accounts, etc.) to ClearGov in accordance with the requirements provided by ClearGov.
- Customer's Primary Contact will coordinate the necessary personnel to attend the Data Discovery and Data Review calls. It is recommended that all stakeholders with input on how data should be mapped should attend. Based on these calls and any subsequent internal review, Customer shall provide a detailed list of data mapping requirements and requested changes to data mapping drafts in a timely manner, and Customer will approve the final data mapping, once completed to Customer's satisfaction.
- Customer will complete recommended on-demand training modules in advance of customized training & configuration workshops.
- Customer shall be solely responsible for importing and/or inputting applicable text narrative, custom graphics, performance metrics, capital requests, personnel data, and other such information for capital budget, personnel budget, budget books, projects, dashboards, etc.