



# City of Fredericksburg

## REGULAR CITY COUNCIL MEETING AGENDA

MONDAY, JUNE 6, 2022 ~ 6:00 P.M.

LAW ENFORCEMENT CENTER

1601 E. MAIN STREET

FREDERICKSBURG, TEXAS 78624

Jeryl Hoover, Mayor  
Tony Klein, Councilmember  
Bobby Watson, Councilmember/Pro Tem

Sharon Joseph, Councilmember  
Emily Kirchner, Councilmember  
Clinton Bailey, City Manager

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The City of Fredericksburg City Council will meet in a regular session on Monday, June 6, 2022 at 6:00 p.m. This meeting will be held in person and livestream on our YouTube Channel.

Link to City of Fredericksburg YouTube Channel [Fredericksburg, Texas USA - YouTube \(https://www.youtube.com/c/FredericksburgTexasUSA\)](https://www.youtube.com/c/FredericksburgTexasUSA). It is the intent to have all members of the governing body present in person at the above identified location, with one or more City employees attending this meeting by videoconference in compliance with the Tex. Gov't Code § 551.127.

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### 1. ADMINISTER OATH OF OFFICES

Administer Oath of Office to Sharon Joseph as Councilmember.

### 2. CALL TO ORDER

### 3. INVOCATION

(Jim Riley, Chaplain - H1 Unlimited Hydroplanes)

### 4. PLEDGE OF ALLEGIANCE

### 5. EMPLOYEE RECOGNITIONS

### 6. PUBLIC COMMENTS ON ITEMS ON THE AGENDA

The City Council welcomes citizen participation and comments at all City Council Regular Meetings.

#### A. Written Comments: to be submitted remotely:

- i. Must be received by 3 p.m. on June 6, 2022
- ii. Complete the Citizen Comment Form online at [www.fbgtx.org](http://www.fbgtx.org); or
- iii. Email your comments to [CitizenComments@fbgtx.org](mailto:CitizenComments@fbgtx.org); or
- iv. Complete a Citizen Comment Form located inside the Public Access entrance at 126 W. Main Street, Fredericksburg, Texas, and place in the box marked Citizen Comment Form.

Copies of the submitted comments will be provided to the City Council and made public on the City website under the "[June 6, 2022](#), City Council Regular Meeting" tab.

#### B. Verbal Comments:

- i. Sign up in-person between 5:30 p.m. and 6 p.m. at the Law Enforcement Center in order to comment.
- ii. You will be limited to 3 minutes to speak.
- iii. If any citizen has handouts for these should be provided to the City Secretary prior to speaking. If you wish the City Council to receive your handouts for the meeting, please provide 10 copies, if not the City Council will receive your handouts the following day.

## **7. CONSENT**

**THE FOLLOWING ITEMS MAY BE ACTED UPON IN A SINGLE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THESE ITEMS WILL BE HELD UNLESS PULLED AT THE REQUEST OF A MEMBER OF CITY COUNCIL.**

- A. Consider approval of City Council Minutes for: (Shelley Goodwin, City Secretary).
  - i. May 14, 2022 Special Meeting  
(Agenda Packet Pages 5-6)
  - ii. May 16, 2022 Regular Meeting  
(Agenda Packet Pages 7-14)
  - ii. May 27, 2022  
(Agenda Packet Pages 15-16)

## **8. ORDINANCE**

- A. Consider the approval of Ordinance 2022-21 adopting and approving amendments to the City Budget for the Fiscal Year beginning October 1, 2021 and ending September 30, 2022, and making amended appropriations for each affected department and account (City Council may waive the second reading) (Laura Hollenbeak, Finance Director).  
(Agenda Packet Pages 17-24)

## **9. OTHER ACTION ITEMS AND UPDATES**

- A. Consider the award of bid for a four-year lease of 70 golf cars and 3 utility carts to Club Car.(Evan Williamson, Staff Engineer)  
(Agenda Packet Pages 25-42)
- B. Consider and discuss the proposal of a new cross at Cross Mountain Park to be donated by the Nimitz Rotary Club (Andrea Schmidt, Park Department Director).  
(Agenda Packet Pages 43-66)

## **10. PUBLIC COMMENTS ON ITEMS NOT LISTED ON THE AGENDA.**

## **11. CITY MANAGER'S REPORT**

- A. Budget Calendar
- B. City Facility Security Measures
- C. Golf Course Financial Performance

## **12. COUNCIL COMMENTS**

Reports about items of community interest, which no action will be taken.

## **13. ITEMS FOR FUTURE AGENDA**

(Agenda Packet Page 67)

## **14. EXECUTIVE SESSION**

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Section 551.072 (Deliberation Regarding Real Property):

- A. Consider and discuss the purchase, exchange, lease, or value of real property, located in the vicinity of the intersection of N. Adams Street at Travis Street, in the City of Fredericksburg, Texas (551.072)

**15. BUSINESS ITEM**

The City Council will reconvene into Regular Session upon the conclusion of the Executive Session, the City Council may take action on any item posted in Executive Session, as necessary.

**16. ADJOURN**

This is to certify that I, Shelley Goodwin, posted this Agenda at 3:25 p.m. on June 1, 2022, on the bulletin board of the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.



Shelley Goodwin, TRMC/CMC  
City Secretary





# City of Fredericksburg

## MINUTES OF CITY COUNCIL SPECIAL MEETING

### MAY 14, 2022

**The City of Fredericksburg City Council held their special session on Saturday, May 14, 2022, at 9:00 a.m. This meeting was held in person at the City Hall Conference Room.**

**Members Present:**

Mayor Charlie Kiehne  
Councilmember Tom Musselman  
Councilmember Kathy O'Neill  
Councilmember Bobby Watson

**Members Absent:**

Councilmember Jerry Luckenbach

**City Staff Present:**

Clinton Bailey, City Manager  
Daniel Jones, City Attorney  
Lea Feuge, Public Information Officer  
Shelley Goodwin, City Secretary

**1. CALL TO ORDER**

Mayor Kiehne called the regular meeting of the Fredericksburg City Council to order at 9:00 a.m. on Saturday, May 14, 2022. Mayor Kiehne announced a quorum of the City Council present.

**2. PUBLIC COMMENTS**

No one wished to speak.

**3. MAY 7, 2022, GENERAL CITY ELECTION**

**A. Review of the tallying of the election counts.**

Shelley Goodwin, City Secretary, provided the copies of Tally Sheets for the Mayor's Race and the City Council's Race.

The City Council reviewed the Tally Sheets from the May 7, 2022, General Election.

**Motion:** A motion was made by Councilmember Musselman, seconded by Mayor Kiehne to canvass for the May 7, 2022, General Election, and identify Jeryl Hoover as receiving the most votes in the Mayor's Race. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

**Motion:** A motion was made by Councilmember Musselman, seconded by Mayor Kiehne to canvass for the May 7, 2022, General Election, and identify Emily Kirchner and Tony Klein as receiving the most votes in the two City Council Race. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

**B. Consider the approval of Resolution 2022-08R canvassing the election results of the May 7, 2022, General Election; and declaring a Mayor and two Councilmembers elected to office.**

**Motion:** A motion was made by Councilmember Musselman, seconded by Mayor Kiehne to approve Resolution 2022-08R canvassing the election results of the May 7, 2022, General Election; and declaring a Mayor and two Councilmembers elected to office, Jeryl Hoover, as Mayor and Emily Kirchner and Tony Klein, as Councilmembers to a term ending in May 2024. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

Councilmember Musselman stated it was a pleasure serving the community for the last 11 years. He pledged to stay an active member of the community.

Mayor Kiehne stated it was an honor to serve the community for the last 6 years. He also wished the new Council the best of luck.

**4. Adjourn**

**Motion:** A motion was made by Councilmember Musselman, seconded by Mayor Kiehne, to adjourn the Saturday, May 14, 2022, Special Meeting at 9:17 a.m. The City Council voted four (4) for, and none (0) opposed.

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Jeryl Hoover  
Mayor

ATTEST

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Shelley Goodwin, TRMC  
City Secretary



# CITY OF FREDERICKSBURG

## MINUTES OF CITY COUNCIL REGULAR MEETING MAY 16, 2022

**The City of Fredericksburg City Council held their regular session on Monday, May 16, 2022 at 6 p.m. This meeting was held in person at the Law Enforcement Center and live streamed on the Fredericksburg YouTube Channel.**

### **Members Present:**

Mayor Jeryl Hoover  
Councilmember Emily Kirchner  
Councilmember Tony Klein  
Councilmember Bobby Watson  
Councilmember Kathy O'Neill

### **Members Absent:**

No one was absent.

### **City Staff Present:**

Clinton Bailey, City Manager  
Daniel Jones, City Attorney  
Brian Vorauer, Police Chief  
Eric Whiting, Information Technology Director  
Laura Hollenbeak, Finance Director  
Lea Feuge, Public Information Officer  
Garret Bonn, Interim Engineer/Interim Development Services Director  
Kris Kneese, Interim Public Works/Utilities Director  
Jeff Rich, Water/Wastewater Superintendent  
Leslie Ball- Embrey, Administrative Assistant  
Shelley Goodwin, City Secretary

### **1. ADMINISTER OATH OF OFFICES**

Municipal Judge Shelley Becker administered the Oath of Office and issued Election Certificates to Jeryl Hoover, Mayor, and Councilmembers Emily Kirchner and Tony Klein. She also administered the Ceremonial Oath of Office to Police Chief Brian Vorauer.

### **2. CALL TO ORDER**

Mayor Hoover called the regular meeting of the Fredericksburg City Council to order at 6:00 p.m. on Monday, May 16, 2022.

### **3. INVOCATION**

Chip Johnston, Pastor of Hill Country Fellowship, led the Invocation.

### **4. PLEDGE OF ALLEGIANCE**

Mayor Hoover led the Pledge of Allegiance.

## 5. EMPLOYEE RECOGNITIONS AND PUBLIC RECOGNITIONS

### A. Mike Penick for years of service on the Historic Review Board.

Anna Hudson, Historic Review Officer, provided the history of Mike Penick's years of service to the City and the Historic Review Board. She also provided him with a plaque thanking him for his service.

### B. Others

Clinton Bailey, City Manager, thanked the Election Workers and provided them with a Certificate of Appreciation. He also provided the following City employee recognitions:

- Lt. Terry Weed for his professionalism and customer service
- Jerry Warnock and Charles Collier from the Electric Department and Brandon Vollmar and David Fellers from Vegetation Management for their hard work and customer service.

## 6. PUBLIC COMMENTS ON ITEMS ON THE AGENDA

Mayor Hoover announced that the City Council had received 1 written comment.

Annette Bennett provided a flier and invited the Mayor and City Council to a Constitution Sheriff's Class.

Jeannette Hormuth spoke regarding the Constitution Sheriff's Class and Agenda Item 9. A. She stated she is opposed to the creation of a General Fund CIP Fund.

Tom Marschall spoke regarding the Oath of Office that the new members took earlier today.

## 7. CONSENT

**THE FOLLOWING ITEMS MAY BE ACTED UPON IN A SINGLE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THESE ITEMS WILL BE HELD UNLESS PULLED AT THE REQUEST OF A MEMBER OF CITY COUNCIL.**

### A. Consider approval of City Council Minutes for:

#### i. May 2, 2022, Regular Meeting

**Motion:** A motion was made by Councilmember O'Neill, seconded by Councilmember Watson, to approve Consent Agenda item 6. A. i. with the correction. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

## 8. PUBLIC HEARING

### A. Hold a public hearing to receive comments for or against a Conditional Use Permit (CUP) per section 3.510 to construct two (2) first-floor short-term rental units in the Historic Shopping Overlay District requested by John Zook for the property located at 403 W. Austin (Z-2206).

Councilmember Kirchner file an affidavit of Conflict of Interest and left the dais.

**Motion:** A motion was made by Councilmember Watson, seconded by Councilmember O'Neill, to go out of Regular Session into a public hearing at 6:24 p.m. The City Council voted four (4) for, none (0) opposed, and one (1) abstained (Councilmember Kirchner). The motion carried.

John Zook reviewed the history of the property and noted his request is for additional smaller type of buildings.

The City Council discussed the layout and the number of occupancies for each building and the entire property.

**Motion:** A motion was made by Councilmember Watson seconded by Councilmember O’Neill, to go out of public hearing back into Regular Session at 6:35 p.m. The City Council voted four (4) for, none (0) opposed, and one (1) abstain (Councilmember Kirchner). The motion carried.

## 9. RESOLUTIONS

### A. Consider the approval of Resolution 2022-09R establishing an account within the City’s General Fund for the purpose of collecting excess funds on a yearly basis for payment of Capital Improvement Projects

**Motion:** A motion was made by Councilmember Klein, and seconded by Councilmember O’Neill, to postpone the consideration of Resolution 2022-09R establishing an account within the City’s General Fund for the purpose of collecting excess funds on a yearly basis for payment of the Capital Improvements Project until the City Council has a chance to learn more about the request. The City Council voted five (5) for, none (0) opposed. The motion carried unanimously.

### B. Consider the approval of Resolution 2022-10R related to the annual review and approval of the City’s Investment Policy and Investment Strategies

Laura Hollenbeak, Finance Director, reviewed the history of the Policy and the requirement to approve it annually.

The City Council discussed the required Investment Training, Annual Audit report requirement, and priorities when it comes to investments.

Laura Hollenbeak, Finance Director, stated the priority when it comes to investment strategies the main goal is the safety of the funds.

**Motion:** A motion was made by Councilmember Watson, and seconded by Councilmember Kirchner, to approve Resolution 2022-10R related to the annual review and approval of the City’s Investment Policy and Investment Strategies, with a correction to the name of Guadalupe Bank. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

## 10. OTHER ACTION ITEMS AND UPDATES

### A. Consider the approval of a Conditional Use Permit (CUP) per Section 3.510 to construct two (2) first-floor short-term rental units in the Historic Shopping Overlay District requested by John Zook for the property located at 403 W. Austin (Z-2206).

Councilmember Kirchner file an affidavit of Conflict of Interest and left the dais.

Garret Bonn, Assistant City Engineer/Interim Development Services Director, reviewed the project and the need for the CUP request. The Planning and Zoning Commission recommended approval with conditions. He noted the City did receive a written comment in opposition to this request.

The City Council discussed marketing and property management.

John Zook, the property owner, reviewed the project and the request for the CUP.

**Motion:** A motion was made by Councilmember Watson, and seconded by Councilmember Klein, to approve the Conditional Use Permit (CUP) per Section 3.510 to construct two (2) first-floor short-term rental units in the Historic Shopping Overlay District requested by John Zook for the property located at 403 W. Austin (Z-2206), with the following conditions:

- A landscape plan is provided and approved prior to the commencement of construction.
- Payment of Parkland Dedication fees prior to issuance of Building Permit (2)
- The development of the additional STR units may not include the installation or use of hot tubs or fire pits.

The Council voted four (4) for, none (0) opposed, and one (1) abstained (Councilmember Kirchner). The motion carried.

**B. Consider the approval of a Performance Agreement and associated financial security in the amount of \$32,641 for the Post Oak Village Subdivision**

Garret Bonn, City Engineer/Interim Development Services Director, reviewed the proposed project and the need for reasons to acceptance of the surety. He noted that Section 5.05 of the Subdivision Ordinance provides an option for developers to pursue the approval and recordation of the final plat for a subdivision before the completion of the public improvements required in connection with the approval of the subdivision plat. He noted with this option the execution of a Performance Agreement and a security deposit of 110% of the construction cost is required until the project is completed. City Staff is recommending approval.

**Motion:** A motion was made by Councilmember Klein, seconded by Councilmember O’Neill, to approve the Performance Agreement and associated financial security in the amount of \$32,641 for the Post Oak Village Subdivision. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

**C. Consider and discuss a presentation on the Annual Water Supply Report (Clinton Bailey, City Manager, and Kris Kneese, Assistant Public Works Director).**

Clinton Bailey, City Manager, provided the background on the annual water supply.

Kris Kneese, Assistant Public Works Director, provided a PowerPoint presentation regarding the following:

- 2000-2022 Rainfall
- Knauth Well Field
- Old San Antonio Road Well Field
- Water Conservation Measures
- Water losses
- AMR “Smart” Meters
- Re-Use of Reclaimed Water
- Water Rate Adjustment/Increase
- Water Rates and Watering Restrictions
- Who Uses our Water
- Water Distribution System Integrity

The City Council discussed the water storage capacity.

Clinton Bailey, City Manager, reviewed his experience in West Texas and the proactive measures the City has taken already.

Paul Tybor, Hill Country Water, reviewed the 2021 Region K Water Plan. He also noted that Gillespie County is the only County that is not deficient. He also reviewed the following:

- Ellenburger aquifer and levels
- Water Level and location
- Drought status 2022 and 2011
- The amount of rain the City would need to be drought-free
- La Nina and El Nino pattern

The City Council discussed the future supply of the City water. And the other surrounding other aquifers. They also discussed the construction of development in the County and water availability.

**D. Consider, discuss, and take appropriate action regarding the selection of the Mayor Pro Tem**

**Motion:** A motion was made by Councilmember Klein, seconded by Councilmember Kirchner, to approve the appointment of Councilmember Watson to serve as Mayor Pro Tem for a 1-year term ending in May 2023. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

**11. PUBLIC COMMENTS ON ITEMS NOT LISTED ON THE AGENDA.**

Jerry McCorkle encouraged the residents to vote in the May 24, 2022, Run-off Election.

Walter Moldenhauer spoke regarding the Friends Fort Martin and Former Texas Rangers. He reviewed the breakdown of the assets.

Isla Roop spoke regarding Law Enforcement not having any right to protect the resident.

**12. CITY MANAGER'S REPORT**

**A. City Council Work Session**

Clinton Bailey, City Manager, stated Staff is working on a City Council Work Session regarding a brief orientation of the Texas Open Meeting Act, Public Information Act, and City Departments.

**B. City Development Update Presentation**

Clinton Bailey, City Manager, stated Staff is working on a presentation related to development within the City.

**C. Capital Improvement Plan Project Presentation**

Clinton Bailey, City Manager, stated Staff is also working on a presentation related to Capital Improvement Plan Project. He also noted that the CIP will include a 5-year and a 10-year plan.

**D. Town Hall Meetings.**

Clinton Bailey, City Manager, stated normally the City Manager's Coffees have been at locations where residents come to, but he wants to get out into the community and talk to different neighborhoods once a month.

**13. COUNCIL COMMENTS**

Mayor Hoover thanked the 175<sup>th</sup> Anniversary Steering Committee for a job well done.

Councilmember Watson congratulated the new Mayor and Councilmembers. He also reported on the Airport Advisory Board which is at 100% capacity and 30 people on the waiting list.

Councilmember Klein stated he has resigned as a member of the Hospital Authority and Economic Development Commission due to a conflict with his City Council position.

Councilmember O'Neill congratulated the Mayor and Councilmembers. She also congratulated the voters who has expresses their desire to have safe and healthy neighborhoods. She announced that tonight will be her last City Council Meeting and thanked the Staff for doing a great job.

Mayor Hoover thanked Councilmember O'Neill for her service and dedication.

#### 14. ITEMS FOR FUTURE AGENDA

Clinton Bailey, City Manager, reviewed the Future Agenda Items.

#### 15. EXECUTIVE SESSION

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Section 551.074 (Personnel Matters) and Section 551.071 (Consultation with Attorney):

- A. Consider and discuss the appointment, evaluation, reassignment, duties, or dismissal of a public officer, specifically the appointment of a person to fill a vacancy on the City's Planning and Zoning Commission. (Section 551.074)
- B. Consider and discuss status updates for pending litigation in the 216th Judicial District Court, as follows (Section 551.071):
  - i. Alpha Securities, LLC. vs. City of Fredericksburg
  - ii. E. 290 Owners Coalition vs. City of Fredericksburg, Texas
  - iii. Jeanette Hormuth and Jerry Farley vs. Linda Langerhans, in Her Official Capacity as Presiding Officer, Mayor of the City Of Fredericksburg, Texas
  - iv. Marta Estrada vs. City of Fredericksburg and Linens N' More, Inc., and John Doe
  - v. City Of Fredericksburg, Texas vs. Arch Ray, LLC. and Fiesta on the River RV Resort, LLC.
  - vi. Coalition of Post Oak Property Owners v. City of Fredericksburg, Texas

**Motion:** A motion was made by Councilmember Watson, seconded by Councilmember Klein, to go out of the Regular Meeting and into Executive Session at 8:22 p.m. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

**Motion:** A motion was made by Councilmember Watson, seconded by Councilmember Klein, to go out of the Executive Session and into the Regular Meeting at 8:50 p.m. The City Council voted five (5) for, and none (0) opposed. The motion carried unanimously.

#### 16. BUSINESS ITEM

The City Council will reconvene into Regular Session upon the conclusion of the Executive Session, the City Council may take action on any item posted in Executive Session, as necessary.

#### 17. ADJOURN

**Motion:** A motion was made by Councilmember Watson , seconded by Councilmember O'Neill, to adjourn the Monday, May 16, 2022, City Council Regular Meeting at 8:55 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

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Jeryl Hoover  
Mayor

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Shelley Goodwin, TRMC/CMC  
City Secretary

**AFFIDAVIT OF CONFLICT OF INTEREST**

I, Emily Kirchner, as a member of the City of Fredericksburg City Council  
make this affidavit and hereby, on oath, state the following: I, and/or a person or persons related to me, have  
a substantial interest in a business entity or real property that would be peculiarly affected by a vote or  
decision of the above body, as those terms are defined in Chapter 171, *Texas Local Government Code*.

Date of Meeting: 5/16/2022 Agenda Item Number: 8A

The business entity or real property is: 403 W Austin (Z-2206)

I have a substantial interest in this business entity or real property for the following reasons: (Check all that are applicable.)

- I own 10% or more of the voting stock or shares of the business entity;
- I own either 10% or more or \$5,000 or more of the fair market value of the business entity;
- Funds received by me from the business entity exceed 10% of my gross income for the previous year;
- Real property is involved and (I/we) have an equitable or legal ownership with a fair market value of \$2,500 or more;
- A relative of mine has a substantial interest in the business entity or property that would be affected by a decision of the public body of which I am a member.
- Other: I voted on this CUP at the 5/4/22 P3Z Meeting.

Upon the filing of this affidavit with the City Secretary, I affirm that I will abstain from voting on any decision involving this business entity or real property and from any further participation on this matter whatsoever.

Signed this 16 day of May, 2022.

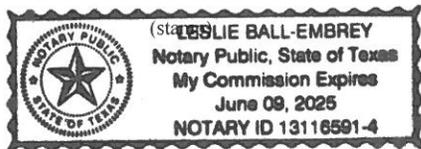
[Signature]  
Signature of Official

City Council Member  
Title

BEFORE ME, the undersigned authority, on this day personally appeared Emily Kirchner, who after being by me duly sworn and on his oath deposed and says that he/she has ready the above and foregoing and that every statement contained therein is with his/her personal knowledge and is true and correct.

SWORN TO AND SUBSCRIBED BEFORE ME on this 16 day of May, 2022

[Signature]  
Notary Public, State of Texas







# CITY OF FREDERICKSBURG

## MINUTES OF CITY COUNCIL

### SPECIAL MEETING

May 27, 2022

City of Fredericksburg City Council held their special session on Friday, May 27, 2022 at 2:30 p.m. This meeting was held in person at the Lady Bird Golf Course-Cardinal Room.

#### **Members Present:**

Mayor Jeryl Hoover  
Councilmember Emily Kirchner  
Councilmember Tony Klein  
Councilmember Bobby Watson

#### **Members Absent.**

None

#### **City Staff Present:**

Clinton Bailey, City Manager  
Daniel Jones, City Attorney  
Brian Vorauer, Police Chief  
Leslie Ball- Embrey, Administrative Assistant

#### **1. CALL TO ORDER**

Mayor Hoover called the work session of the Fredericksburg City Council to order at 2:30 p.m. on Friday, May 27, 2022.

#### **2. PUBLIC COMMENTS**

Tim Lafferty spoke in support of James McDonald to fill the City Council vacancy.

Edith McCanlass spoke in support of James McDonald to fill the City Council vacancy.

Annette Bennett spoke in support of James McDonald to fill the City Council vacancy.

Robert Phoenix spoke in support of James McDonald to fill the City Council vacancy.

Tracy Knudsen spoke in support of James McDonald to fill the City Council vacancy.

Eric Hammersen spoke in support of James McDonald to fill the City Council vacancy.

Ed Berry spoke in regard to his religious beliefs.

Vanessa Berry spoke in regard to her religious beliefs.

Jeanette Hormuth spoke in regards to the City Council needs to listen to the voters as well as needing to read the constitution.

Ken Carr spoke regarding the qualification he feels the City Council should appoint to fill the vacancy.

George Studor spoke in support of James McDonald to fill the City Council vacancy.

Mary Studor spoke in support of James McDonald to fill the City Council vacancy.

Todd Plunk spoke in support of James McDonald to fill the City Council vacancy.

### **3. Executive Session**

**The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Section 551.071 (Consultation with Attorney), and Section 551.074 (Personnel Matters):**

- A. Consider and discuss the appointment of a qualified person to fill the vacancy of the Office of Councilmember until the next City election, and to receive legal advice regarding the interpretation of the City Charter and other laws as applicable to said appointment (Section 551.071 and Section 551.074).**
- B. Consider and discuss the appointment, evaluation, and/or duties of a public officer or employee, specifically the City Attorney (Section 551.074)**

**Motion:** A motion was made by Councilmember Watson, seconded by Mayor Hoover to go out of the Special Meeting and into the Executive Session at 3:01p.m. The City Council voted four (4) for, and none (0) opposed. The motion carried unanimously.

**Motion:** A motion was made by Councilmember Watson, seconded by Mayor Hoover, to go out of the Executive Session and into the Special Meeting at 3:43 p.m. The City Council voted four (4) for, and none (0) opposed. The motion carried unanimously.

### **4. BUSINESS ITEM**

Mayor Hoover spoke regarding the process used to appoint a qualified person to fill the vacant position on the City Council. He also spoke regarding the requirements the Charter provides regarding a vacant position on the City Council.

**Motion:** A motion was made by Councilmember Klein, seconded by Councilmember Kirchner, to appoint Sharon Joseph to fill the vacancy of the City Councilmember with term expiring May 2023. The City Council voted four (4) for, and none (0) opposed. The motion carried unanimously.

### **5. ADJOURN**

**Motion:** A motion was made by Councilmember Watson, seconded by Councilmember Klein, to adjourn the Friday, May 27, 2022, City Council Special Meeting at 3:55 p.m. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

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Jeryl Hoover  
Mayor

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Shelley Goodwin, TRMC  
City Secretary



## CITY COUNCIL MEMO

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**DATE:** June 6, 2022

**TO:** Mayor and City Council

**FROM:** Laura Hollenbeak, Finance Director

**SUBJECT:** FY 2022 Budget Amendments

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**Summary:**

The mid-year budget review is intended to measure budget performance by using the first six months of actual results, along with prior year's trends, to project year end results. As part of the review, staff has identified certain accounts that might have a material variance to the budgeted amounts. Several wage, payroll tax, and retirement expense adjustments are due to recent retirements and promotions within those departments.

**Recommendation:**

Staff recommends that Council approve the attached FY 2022 proposed Budget amendments.

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**Background / Analysis:**

The mid-year budget review is intended to measure budget performance by using the first six months of actual results, along with prior year's trends, to project year end results. As part of that review, staff has identified certain accounts that might have a material variance to the budgeted amounts. The City Charter allows amending the City budget in the case of public necessity as determined and declared by the City Council. Amendments to the budget may be caused by changes in original projections, omissions, or unanticipated variables. During the recent mid-year budget review of all City departments, the attached listing of budgeted revenues and expenditures were recommended for budget amendments. Several General Fund revenue accounts are doing better than originally projected. These include increases in City

The City of Fredericksburg

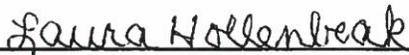
Sales Tax, Mixed Drinks Tax, Building Permits, and RV Park Camping revenues. General Fund expenditures include an increase in wages, payroll taxes, and retirement expenses due to recent retirements, promotions, early retirement incentive pay outs and PTO pay outs. Fuel cost increases are included for several departments. The Electric fund has increased revenues for customer pay jobs, and the Sanitation fund has increased revenues for landfill fees. The Tourism fund is also doing better than projected in Hotel Occupancy Tax Revenues.

**Attachments:**

FY 2022 Proposed Budget Amendments

Ordinance Adopting and Approving FY 2022 Budget Amendments

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**Department Approval**

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**City Manager Approval**

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**City Attorney Approval**

The City of Fredericksburg

ORDINANCE NO. 2022-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, ADOPTING AND APPROVING AMENDMENTS TO THE CITY BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022, AND MAKING AMENDED APPROPRIATIONS FOR EACH AFFECTED DEPARTMENT AND ACCOUNT.

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

**Section 1.** That the City Manager has prepared proposed budget amendments to the previously approved City of Fredericksburg, Texas ("City") budget for the fiscal year 2021-2022, said proposed budget amendments being set forth in Exhibit "A", which is attached hereto and incorporated herein by reference. The City Council finds that the proposed budget amendments are a public necessity to ensure continued municipal government operations, and the budget amendments set forth in Exhibit "A" are hereby approved and adopted for municipal purposes. City resources and revenues are hereby appropriated for City departments and account expenditures as detailed in the budget amendments in Exhibit "A".

**Section 2. Severability or Invalidity.** If any provision of this ordinance or the application hereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without defeating the purpose or objective of the provisions, and to this end, the provisions of this ordinance are declared to be severable.

**Section 3. Repealer.** All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section 4. Effective Date.** This ordinance shall be effective on and after the date of passage and publication when required by law.

PASSED AND APPROVED on this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Jeryl Hoover, Mayor  
City of Fredericksburg, Texas

Ex. "A"

FY 2022 Budget Revisions  
Mid-Year Review

G/L Account	Description	2022 Adopted Budget	Amendment	2022 Proposed Budget	Notes
<b>General Fund Revenues</b>					
01-00-4101-00	Current Ad Valorem Taxes	\$ 3,998,167 \$	\$ 80,393 \$	\$ 4,078,560	Collected additional \$80,393.34 in current taxes than budgeted
01-00-4102-00	Delinquent Ad Valorem Taxes	\$ 319,853 \$	\$ 239,460	\$ 559,313	Less will be collected as delinquent because of increased amount collected as current
01-00-4103-00	Penalty & Interest	\$ 18,684 \$	\$ 26,500	\$ 45,184	Less penalty & interest will be collected because of less delinquent taxes
01-00-4108-00	1.17% City Sales Tax	\$ 7,514,544 \$	\$ 985,456 \$	\$ 8,500,000	Collections up ytd over budget
01-00-4110-00	Mixed Drink Tax	\$ 201,175 \$	\$ 98,825 \$	\$ 300,000	Collections up ytd over budget
01-00-4122-00	Building Permits	\$ 120,000 \$	\$ 100,000 \$	\$ 220,000	Collections up ytd over budget
01-00-4401-00	Paving & Construction	\$ 1,000 \$	\$ 14,250 \$	\$ 15,250	Revenue up ytd. Mason Clark payment 3/2022
01-00-4502-00	Camping	\$ 700,000 \$	\$ 100,000 \$	\$ 800,000	Increase in revenues at the RV park - extra eclipse revenue
01-00-4530-00	Park Dedication Fees - South	\$ 2,000 \$	\$ 48,000 \$	\$ 50,000	Collections up ytd over budget
	<b>General Fund Revenues</b>	<b>\$ 12,851,923 \$</b>	<b>\$ 1,337,847 \$</b>	<b>\$ 14,229,770</b>	
<b>Administration Expenditures</b>					
01-20-1030-00	Regular Wages-Full Time Employees	\$ 454,385 \$	\$ 10,632 \$	\$ 465,017	City Manager Transition and IT Director increase alloc
01-20-2020-00	Social Security	\$ 40,243 \$	\$ 4,112 \$	\$ 44,355	City Manager Transition alloc and added Car Allowance, IT Director increase alloc
01-20-2030-00	Retirement-TMRS	\$ 106,840 \$	\$ 4,112 \$	\$ 110,952	City Manager Transition alloc and added Car Allowance, IT Director increase alloc
01-20-2050-00	Car Allowance	\$ 6,000 \$	\$ 7,700 \$	\$ 13,700	Unbudgeted car allowance (IT Dept)
01-20-2065-00	Fund Salary Adjustment (Salary Study)	\$ 250,000 \$	\$ (250,000) \$	\$ -	Wages allocated to various GF departments
01-20-3140-00	Contract Professional Services	\$ 50,000 \$	\$ 2,656 \$	\$ 52,656	Budget for added Payroll Software-payroll services portion
01-20-4030-00	General Property Maintenance	\$ 19,500 \$	\$ 10,500 \$	\$ 30,000	Budget for Painting Exterior-City Hall
01-20-4056-00	Other Programs-ARPA Funds	\$ 830,775 \$	\$ (405,900) \$	\$ 424,875	Reclass to Non-Profit Award GL line item
01-20-4057-00	Non-Profit Grants - ARPA Funds	\$ - \$	\$ 405,900 \$	\$ 405,900	Set up Non-Profit Award GL line item (Holy Ghost has decided not to accept the funding)
	<b>Computer/Software Maintenance</b>	<b>\$ 39,848 \$</b>	<b>\$ 19,597 \$</b>	<b>\$ 59,445</b>	Budget for additional software efficiencies: HR/Payroll, Accounts Payable, and Budgeting/Transparency, and Policies & Procedures
01-20-4070-00	Computer/Software Maintenance	\$ 39,848 \$	\$ 19,597 \$	\$ 59,445	
	<b>Administration Expenditures</b>	<b>\$ 1,797,691 \$</b>	<b>\$ (193,401) \$</b>	<b>\$ 1,604,290</b>	
<b>Police Expenditures</b>					
01-22-1030-00	Regular Wages-Full Time Employees	\$ 2,848,564 \$	\$ 60,351 \$	\$ 2,908,915	Early Retirement Payout, Police Chief Transition, and IT Director increase allocations
01-22-1070-00	Overtime Pay	\$ 75,000 \$	\$ 45,000 \$	\$ 120,000	Increase budget for salary adjustment increases
01-22-1071-00	Holiday Pay	\$ 60,000 \$	\$ 17,000 \$	\$ 77,000	Increase budget for salary adjustment increases
01-22-2020-00	Social Security	\$ 228,719 \$	\$ 9,388 \$	\$ 238,107	Early Retirement Payout, Police Chief Transition, IT Director Increase and Salary Adjustment
01-22-2030-00	Retirement-TMRS	\$ 665,451 \$	\$ 27,565 \$	\$ 693,016	Early Retirement Payout, Police Chief Transition, IT Director Increase and Salary Adjustment
01-22-3140-00	Contract Professional Services	\$ 116,000 \$	\$ 7,652 \$	\$ 123,652	Budget for added Payroll Software-payroll services portion and external property room inventory (BV)
01-22-3720-00	Insurance & Bonds	\$ 74,337 \$	\$ 95,663 \$	\$ 170,000	Higher claim volume
01-22-4070-00	Computer/Software Maintenance	\$ 230,395 \$	\$ 44,112 \$	\$ 274,507	Cost for New World conversion from DotStry not anticipated, and additional software efficiencies: HR/Payroll, Accounts Payable, and Budgeting/Transparency, and Policies & Procedures
01-22-5330-00	Police Department Equipment	\$ - \$	\$ 14,110 \$	\$ 14,110	Funds were allocated in 2021 and not used
	<b>Police Expenditures</b>	<b>\$ 4,318,466 \$</b>	<b>\$ 320,840 \$</b>	<b>\$ 4,639,306</b>	
<b>Fire Expenditures</b>					
01-23-3060-00	Protocol & Social	\$ 5,000 \$	\$ 1,500 \$	\$ 6,500	More calls for service that required food and drinks
01-23-3140-00	Contract Professional Services	\$ 5,000 \$	\$ 830 \$	\$ 5,830	Budget for added Payroll Software-payroll services portion
01-23-4030-00	General Property Maintenance	\$ 20,000 \$	\$ 9,000 \$	\$ 29,000	Budget for Painting Exterior-City Hall
01-23-4070-00	Computer/Software Maintenance	\$ 31,518 \$	\$ 6,124 \$	\$ 37,642	Budget for additional software efficiencies: HR/Payroll, Accounts Payable, Budgeting/Transparency, and Policies & Procedures
01-23-4410-00	Gasoline, Oil & Lubrication	\$ 22,300 \$	\$ 22,300 \$	\$ 44,600	Fuel cost increases
01-23-5330-00	Communications Equipment	\$ - \$	\$ 12,400 \$	\$ 12,400	Purchase of radios
01-23-5310-00	Fire Dept. Capital Equipment	\$ - \$	\$ 6,700 \$	\$ 6,700	Purchase of emergency lights for new vehicle
01-23-5350-00	Fire Station Architectural Services	\$ 350,000 \$	\$ - \$	\$ 350,000	Description charge for line item - Preoutlet Land Purchase
	<b>Fire Expenditures</b>	<b>\$ 433,818 \$</b>	<b>\$ 58,854 \$</b>	<b>\$ 492,672</b>	
<b>Street Expenditures</b>					
01-24-1030-00	Regular Wages-Full Time Employees	\$ 648,436 \$	\$ 36,453 \$	\$ 684,889	Interim Dir of Dev Services (Interim Transportation Engineer) alloc and Salary Study adjustment
01-24-2020-00	Social Security	\$ 52,292 \$	\$ 2,789 \$	\$ 55,081	Interim Dir of Dev Services (Interim Transportation Engineer) alloc and Salary Study adjustment
01-24-2030-00	Retirement-TMRS	\$ 152,397 \$	\$ 8,176 \$	\$ 160,573	Interim Dir of Dev Services (Interim Transportation Engineer) alloc and Salary Study adjustment
01-24-3140-00	Contract Professional Services	\$ 40,000 \$	\$ 1,494 \$	\$ 41,494	Budget for added Payroll Software-payroll services portion
01-24-4030-00	General Property Maintenance	\$ 11,000 \$	\$ 1,500 \$	\$ 12,500	Budget for Painting Exterior-City Hall
01-24-4070-00	Computer/Software Maintenance	\$ 22,460 \$	\$ 11,023 \$	\$ 33,483	Budget for additional software efficiencies: HR/Payroll, Accounts Payable, Budgeting/Transparency, and Policies & Procedures
01-24-4410-00	Gasoline, Oil & Lubrication	\$ 45,050 \$	\$ 40,000 \$	\$ 85,050	Fuel cost increases
01-24-5110-00	Street Dept. Equipment	\$ - \$	\$ 22,150 \$	\$ 22,150	Budget for Sweeper Head Assembly and balance of Lease/Purchase Chip spreader
	<b>Street Expenditures</b>	<b>\$ 961,625 \$</b>	<b>\$ 123,586 \$</b>	<b>\$ 1,085,211</b>	

GL Account	Description	2022 Adopted Budget	Amendment	2022 Proposed Budget	Notes
<b>Parks Expenditures</b>					
01-25-1030-00	Regular Wages-Full Time Employees	\$ 745,898	\$	\$ 746,203	Interim Dir of Public Works alloc
01-25-2020-00	Social Security	\$ 72,521	\$ 23	\$ 72,544	Interim Dir of Public Works alloc
01-25-2030-00	Retirement-TMRS	\$ 173,980	\$ 68	\$ 174,048	Interim Dir of Public Works alloc
01-25-3140-00	Contract Professional Services	\$ 7,000	\$ 1,494	\$ 8,494	Budget for added Payroll Software payroll services portion
01-25-4070-00	Computer/Software Maintenance	\$ 28,081	\$ 11,023	\$ 39,104	Budget for additional software efficiencies: HR/Payroll, Accounts Payable, Budgeting/Transparency and Policies & Procedures
01-25-5553-00	Tennis Light Install	\$ 20,000	\$	\$ 20,000	Change project description to resurface 2 tennis courts 1 and 2 - lighting cost far exceeded budget
	<b>Parks Expenditures</b>	\$ 1,046,480	\$ 12,914	\$ 1,059,394	
<b>Development Services Expenditures</b>					
01-27-1040-00	Regular Wages-Full Time Employees	\$ 501,100	\$ 946	\$ 502,046	Interim Dir of Dev. Services (Interim Transportation Engineer) alloc
01-27-2020-00	Social Security	\$ 38,914	\$ 72	\$ 38,987	Interim Dir of Dev. Services (Interim Transportation Engineer) alloc
01-27-2030-00	Retirement-TMRS	\$ 113,837	\$ 212	\$ 114,049	Interim Dir of Dev. Services (Interim Transportation Engineer) alloc
01-27-3140-00	Contract Professional Services	\$ 260,000	\$ 65,864	\$ 325,864	Increase for comprehensive plan, added Payroll Software-payroll services portion and Civil Hearing Officer addition
01-27-4030-00	General Property Maintenance	\$	\$ 1,500	\$ 1,500	Budget for Painting Exterior-City Hall
01-27-4070-00	Computer/Software Maintenance	\$ 44,035	\$ 4,899	\$ 48,934	Budget for additional software efficiencies: HR/Payroll, Accounts Payable, Budgeting/Transparency and Policies & Procedures
01-27-5013-00	University Center Property Clearing	\$ 16,530	\$	\$ 16,530	Claiming cost for the Teas Center for Wine & Culinary Arts
	<b>Development Services Expenditures</b>	\$ 957,837	\$ 89,224	\$ 1,047,061	
<b>Health Expenditures</b>					
01-28-3140-00	Contract Professional Services	\$ 700	\$ 166	\$ 866	Budget for added Payroll Software payroll services portion
01-28-4070-00	Computer/Software Maintenance	\$ 8,792	\$ 1,225	\$ 10,017	Budget for additional software efficiencies: HR/Payroll, Accounts Payable, Budgeting/Transparency and Policies & Procedures
	<b>Health Expenditures</b>	\$ 9,492	\$ 1,391	\$ 10,883	
<b>Municipal Court Expenditures</b>					
01-29-1050-00	Part-Time Judges	\$ 18,760	\$ 5,633	\$ 24,393	Part-time Judge increase eff 6/1/2022
01-29-2020-00	Social Security	\$ 12,747	\$ 481	\$ 13,178	Part-time Judge increase eff 6/1/2022
01-29-3140-00	Contract Professional Services	\$ 1,300	\$ 166	\$ 1,466	Budget for added Payroll Software-payroll services portion
01-29-4070-00	Computer/Software Maintenance	\$ 16,937	\$ 1,225	\$ 18,162	Budget for additional software efficiencies: HR/Payroll, Accounts Payable, Budgeting/Transparency and Policies & Procedures
	<b>Municipal Court Expenditures</b>	\$ 49,744	\$ 7,455	\$ 57,199	
<b>Engineering Expenditures</b>					
01-30-1035-00	Regular Wages-Full Time Employees	\$ 130,812	\$ 2,063	\$ 132,875	Interim Dir of Dev. Services/Transportation Engineer alloc, and Interim Dir of Public Works alloc
01-30-2020-00	Social Security	\$ 10,159	\$ 138	\$ 10,319	Interim Dir of Dev. Services/Transportation Engineer alloc, and Interim Dir of Public Works alloc
01-30-2030-00	Retirement-TMRS	\$ 29,525	\$ 483	\$ 29,997	Interim Dir of Dev. Services/Transportation Engineer alloc, and Interim Dir of Public Works alloc
01-30-3140-00	Contract Professional Services	\$ 1,000	\$ 332	\$ 1,332	Budget for added Payroll Software-payroll services portion
01-30-4030-00	General Property Maintenance	\$	\$ 1,500	\$ 1,500	Budget for Painting Exterior-City Hall
01-30-4070-00	Computer/Software Maintenance	\$ 15,830	\$ 2,450	\$ 18,280	Budget for additional software efficiencies: HR/Payroll, Accounts Payable, Budgeting/Transparency and Policies & Procedures
	<b>Engineering Expenditures</b>	\$ 197,326	\$ 6,966	\$ 204,292	
<b>General Fund Revenue Total</b>		\$ 17,573,323	\$ 1,337,647	\$ 18,910,970	
<b>General Fund Expenditure Total</b>		\$ 7,772,737	\$ 428,427	\$ 8,201,164	
<b>General Fund Net Amount</b>		\$ 9,800,586	\$ 909,210	\$ 10,709,794	
<b>Electric Fund Revenues</b>					
02-05-3165-00	Misc. Electric Revenue	\$ 150,000	\$	\$ 150,000	Increase in revenues: customer pay jobs
	<b>Electric Fund Revenues</b>	\$ 150,000	\$	\$ 150,000	
<b>Electric Fund Expenditures</b>					
02-21-1030-00	Regular Wages-Full Time Employees	\$ 1,098,015	\$ 6,318	\$ 1,104,333	City Manager, Interim Dir of Public Works, and IT Director increase allocations
02-21-2020-00	Social Security	\$ 90,335	\$ 485	\$ 90,820	City Manager, Interim Dir of Public Works, and IT Director increase allocations
02-21-2030-00	Retirement-TMRS	\$ 265,452	\$ 1,472	\$ 266,924	City Manager, Interim Dir of Public Works, and IT Director increase allocations
02-21-2100-00	Prof. Education & Training	\$ 7,500	\$ 5,000	\$ 12,500	Lineman program training
02-21-3140-00	Contract Professional Services	\$ 98,500	\$ 664	\$ 99,164	Budget for added Payroll Software payroll services portion
02-21-3200-00	Uncollectible Accounts	\$ 3,000	\$ 25,000	\$ 28,000	Increase in accounts going to collections
02-21-4030-00	General Property Maintenance	\$ 8,500	\$ 1,500	\$ 10,000	Budget for Painting Exterior-City Hall
02-21-4070-00	Computer/Software Maintenance	\$ 106,341	\$ 28,899	\$ 135,240	Budget for additional software efficiencies: HR/Payroll, Accounts Payable, Budgeting/Transparency, Policies & Procedures and
02-21-4310-00	Overhead Line Maintenance	\$ 17,500	\$ 10,000	\$ 27,500	Increase in line maintenance
02-21-4375-00	Meter Data Mgt System Maintenance	\$ 16,500	\$ 16,500	\$ 33,000	IP Keys software (will be eliminated after Seneca electric meter install)
02-21-4410-00	Gasoline, Oil & Lubrication	\$ 10,050	\$ 8,000	\$ 18,050	Fuel cost increases
	<b>Electric Fund Expenditures</b>	\$ 1,660,393	\$ 103,808	\$ 1,764,201	

FY 2022 Budget Revisions  
Mid-Year Review

GL/Account	Description	2022 Adopted Budget	Amendment	2022 Proposed Budget	NOTES
	Electric Fund Revenue Total	150,000	150,000	300,000	
	Electric Fund Expenditure Total	1,660,393	103,808	1,764,201	
	Electric Fund Net Amount	(1,510,393)	46,192	(1,464,201)	
<b>Water &amp; Wastewater Fund Revenues</b>					
05-00-4000-00	Water Impact Fee	\$ 350,000	\$ 70,000	\$ 430,000	Increased development
05-00-4005-00	Sewer Impact Fee	\$ 375,000	\$ 80,000	\$ 395,000	Increased development
		\$ 675,000	\$ 150,000	\$ 825,000	
<b>Water &amp; Wastewater Fund Revenues</b>					
05-21-1030-00	Regular Wages-Full Time Employees	\$ 1,391,577	\$ 6,338	\$ 1,397,915	**Water Note: Discuss 05-21-5046-00 EIR Irrigation System - Oakcrest Park \$850k (not listed below)
05-21-2030-00	Social Security	\$ 118,981	\$ 485	\$ 119,467	City Manager, Interim Dir of Public Works, and IT Director increase allocations
05-21-2030-00	Retirement-TMS	\$ 348,374	\$ 1,422	\$ 349,796	City Manager, Interim Dir of Public Works, and IT Director increase allocations
05-21-2100-00	Prof Education and Training	\$ 8,500	\$ 5,000	\$ 13,500	CDL driver training, in-person conferences
05-21-3101-00	Safety	\$ 10,000	\$ 6,000	\$ 16,000	Increase in signage costs
05-21-3140-00	Contract Professional Services	\$ 40,000	\$ 1,484	\$ 41,484	Budget for added Payroll Software-payroll services portion
05-21-3200-00	Uncollectible Accounts	\$ 1,750	\$ 15,000	\$ 16,750	Increase in accounts going to collections
05-21-4030-00	General Property Maintenance	\$ 35,000	\$ 1,500	\$ 36,500	Budget for Painting Exterior-City Hall
05-21-4070-00	Computer/Software Maintenance	\$ 125,461	\$ 35,023	\$ 160,484	Budget for additional software efficiencies: HR/Payroll, Accounts Payable, Budgeting/Transparency, Policies & Procedures and
05-21-4165-00	Water Treatment Expenditures	\$ 12,500	\$ 8,000	\$ 20,500	Increase of \$38k for Senius Portal Maintenance
05-21-4410-00	Gasoline, Oil and Lubrication	\$ 32,050	\$ 30,000	\$ 62,050	materials cost increase
05-21-5307-00	Water Pump Station Pumps	\$ -	\$ 9,661	\$ 9,661	Fuel cost increases
05-21-5308-00	Lift Station Pumps	\$ -	\$ 16,471	\$ 16,471	Replace Windcrest water pump
05-21-5439-00	West Lake Oak Water and Sewer	\$ 1,155,000	\$ -	\$ 1,155,000	Replace University Center LS pump
05-21-5440-00	Water line connection - Fort MS	\$ -	\$ (1,155,000)	\$ -	Need to reclass budget line to 5439
05-21-5441-00	South Heights PS	\$ 50,000	\$ 50,000	\$ 100,000	Need to reclass budget line from 5440
05-21-5447-00	Friendship Lane Sewer Expansion	\$ 2,000,000	\$ (900,000)	\$ 1,100,000	Budgeted in FY21, material not delivered until FY22
05-21-5455-00	PKV Heritage Hill Country	\$ 100,000	\$ 50,000	\$ 150,000	Increased material cost
05-21-5455-00	Polymer system at WRP	\$ -	\$ 12,000	\$ 12,000	Replace Polymer system - ludge dewatering system
05-21-5455-00	New test - future well	\$ -	\$ 20,000	\$ 20,000	Flow test well cut - future water supply
		\$ 5,379,155	\$ (231,605)	\$ 5,147,550	
<b>Water &amp; Wastewater Expenditures</b>					
	Water & Wastewater Fund Revenue Total	675,000	150,000	825,000	
	Water & Wastewater Fund Expenditure Total	5,379,155	(231,605)	5,147,550	
	Water & Wastewater Fund Net Amount	(4,704,155)	381,605	(4,322,550)	
<b>Sanitation Fund Revenues</b>					
05-00-4102-00	Landfill Fees	\$ 1,620,000	\$ 400,000	\$ 2,020,000	YTD revenue above budget
		\$ 1,620,000	\$ 400,000	\$ 2,020,000	
<b>Sanitation Fund Revenues</b>					
<b>Sanitation Waste Fund Expenditures</b>					
05-21-1030-00	Regular Wages-Full Time Employees	\$ 942,595	\$ 4,514	\$ 947,109	City Manager, Int Dir of Public Works, and Int Dir of Development Services/Transportation Engineer alloc
05-21-2030-00	Social Security	\$ 77,659	\$ 345	\$ 78,004	City Manager, Int Dir of Public Works, and Int Dir of Development Services/Transportation Engineer alloc
05-21-2030-00	Retirement-TMS	\$ 227,439	\$ 1,013	\$ 228,452	City Manager, Int Dir of Public Works, and Int Dir of Development Services/Transportation Engineer alloc
05-21-3140-00	Contract Professional Services	\$ 33,000	\$ 1,318	\$ 34,318	Budget for added Payroll Software-payroll services portion
05-21-4030-00	General Property Maintenance	\$ 16,500	\$ 1,500	\$ 18,000	Budget for Painting Exterior-City Hall
05-21-4031-00	Dumpster Maintenance	\$ 30,000	\$ 10,000	\$ 40,000	STR's acquiring multiple cans; new substations coming online
05-21-4070-00	Computer/Software Maintenance	\$ 19,983	\$ 14,298	\$ 34,281	Budget for additional software efficiencies: HR/Payroll, Accounts Payable, Budgeting/Transparency, Policies & Procedures and
05-21-4266-00	Grinding of Debris	\$ 56,000	\$ 10,000	\$ 66,000	Increase of \$4.5k for weighing system
05-21-4266-00	Tire Disposal	\$ 9,000	\$ 8,000	\$ 17,000	Large amount of brush being brought to the landfill
05-21-4410-00	Gasoline	\$ 85,050	\$ 20,000	\$ 105,050	Few other options for tire disposal; We are cheaper than other places
05-21-4440-00	Tractor-Heavy Equipment Maintenance	\$ 45,000	\$ 30,000	\$ 75,000	Fuel cost increases
05-21-5158-00	Leaf Loader-2021	\$ -	\$ 130,230	\$ 130,230	Rebuild engine on landfill compactor; rebuild undercarriage on track loader
05-21-5159-00	Bed for New Dump Truck (fleet lease)	\$ -	\$ 15,000	\$ 15,000	Budgeted in FY 21, not delivered until FY 22
		\$ 1,542,218	\$ 248,218	\$ 1,790,436	Bed for new dump truck (street can pick up)
<b>Sanitation Fund Expenditures</b>					
	Sanitation Fund Revenue Total	1,620,000	400,000	2,020,000	
	Sanitation Fund Expenditure Total	1,542,218	248,218	1,790,436	
	Sanitation Fund Net Amount	77,782	151,772	231,546	
<b>EMS Fund Expenditures</b>					
06-21-1030-00	Regular Wages-Full Time Employees	\$ 1,044,385	\$ 1,226	\$ 1,045,611	City Manager Transition alloc
06-21-2070-00	Social Security	\$ 137,129	\$ 94	\$ 137,223	City Manager Transition alloc
06-21-2030-00	Retirement-TMS	\$ 360,612	\$ 275	\$ 360,887	City Manager Transition alloc

FY 2022 Budget Revisions  
Mid-Year Review

GL Account	Description	2022 Adopted Budget	Amendment	2022 Proposed Budget	Notes
06-21-3000-00	Uniforms & Clothing	\$ 12,000 \$		\$ 14,000 \$	Increase with new employees
06-21-3140-00	Contract Professional Services	\$ 12,400 \$	\$ 1,984 \$	\$ 13,894 \$	Budget for aided Payroll Software-payroll services portion
06-21-4021-00	Hazardous Waste Disposal	\$ 725 \$	\$ 800 \$	\$ 1,525 \$	More calls requiring waste disposal
06-21-4050-00	EMS Equipment Maintenance	\$ 23,000 \$	\$ 23,000 \$	\$ 46,000 \$	Service calls up on equipment
06-21-4070-00	Computer/Software Maintenance	\$ 43,267 \$	\$ 11,023 \$	\$ 54,290 \$	Budget for additional software efficiencies: HR/Payroll, Accounts Payable, Budgeting/Transparency and Policies & Procedures
06-21-4410-00	Diesel, Oil & Lubrication	\$ 37,000 \$	\$ 37,000 \$	\$ 74,000 \$	Fuel cost increases
06-21-5730-00	Communications Equipment	\$ 12,311 \$	\$ 12,311 \$	\$ 24,622 \$	Purchase of radios
	<b>EMS Fund Expenditures</b>	<b>\$ 1,670,718 \$</b>	<b>\$ 89,243 \$</b>	<b>\$ 1,759,961 \$</b>	
	<b>EMS Fund Expenditure Total</b>	<b>3,670,718</b>	<b>89,243</b>	<b>3,759,961</b>	
	<b>Tourism Fund Revenues</b>	<b>\$ 5,034,099 \$</b>	<b>\$ 800,000 \$</b>	<b>\$ 5,834,099 \$</b>	<b>**Tourism Note: Increase in revenues could be used towards CVB expansion</b>
07-00-4109-00	7% Hotel Occupancy Tax	\$ 5,034,099 \$	\$ 800,000 \$	\$ 5,834,099 \$	Revenue up mid-year
	<b>Tourism Fund Revenues</b>	<b>\$ 5,034,099 \$</b>	<b>\$ 800,000 \$</b>	<b>\$ 5,834,099 \$</b>	
	<b>Tourism Fund Expenditures</b>	<b>\$ 111,117 \$</b>	<b>\$ 1,276 \$</b>	<b>\$ 112,343 \$</b>	City Manager Transition alloc
07-21-1030-00	Regular Wages-Full Time Employees	\$ 9,855 \$	\$ 94 \$	\$ 9,988 \$	City Manager Transition alloc
07-21-2020-00	Social Security	\$ 25,201 \$	\$ 275 \$	\$ 25,476 \$	City Manager Transition alloc
07-21-2030-00	Retirement-TMRS	\$ 500,000 \$	\$ 36,565 \$	\$ 536,565 \$	CC approved additional Hotel Tax Distributions of \$36,565 at the 4/19/2022 CC Meeting
07-21-3760-00	Hotel Tax Distributions	\$ - \$	\$ - \$	\$ - \$	
	<b>Tourism Fund Expenditures</b>	<b>\$ 646,172 \$</b>	<b>\$ 38,160 \$</b>	<b>\$ 684,332 \$</b>	
	<b>Tourism Fund Revenue Total</b>	<b>5,034,099</b>	<b>800,000</b>	<b>5,834,099</b>	
	<b>Tourism Fund Expenditure Total</b>	<b>646,172</b>	<b>38,160</b>	<b>684,332</b>	
	<b>Tourism Fund Net Amount</b>	<b>4,387,927</b>	<b>761,840</b>	<b>5,149,767</b>	
	<b>Drainage Fund Expenditures</b>	<b>\$ 192,959 \$</b>	<b>\$ 1,453 \$</b>	<b>\$ 194,413 \$</b>	Int Director of Dev Services/Transportation Engineer alloc
10-21-1030-00	Regular Wages-Full Time Employees	\$ 14,871 \$	\$ 111 \$	\$ 14,982 \$	Int Director of Dev Services/Transportation Engineer alloc
10-21-2020-00	Social Security	\$ 43,602 \$	\$ 326 \$	\$ 43,928 \$	Int Director of Dev Services/Transportation Engineer alloc
10-21-2030-00	Retirement-TMRS	\$ 1,810 \$	\$ 5,000 \$	\$ 6,810 \$	Springbrook Software Maintenance - Drainage alloc was not budgeted
10-21-4070-00	Computer/Software Maintenance	\$ 10,000 \$	\$ 5,000 \$	\$ 15,000 \$	Fuel cost increases
10-21-4410-00	Gasoline, Oil & Lubrication	\$ - \$	\$ 130,230 \$	\$ 130,230 \$	Budgeted in FY 21, not delivered until FY 22
10-21-5158-00	Leaf Loader, 2021	\$ - \$	\$ - \$	\$ - \$	
	<b>Drainage Fund Expenditures</b>	<b>\$ 263,243 \$</b>	<b>\$ 147,170 \$</b>	<b>\$ 405,413 \$</b>	
	<b>Drainage Fund Expenditure Total</b>	<b>263,243</b>	<b>147,170</b>	<b>405,413</b>	
	<b>Emergency Management Expenditures</b>	<b>\$ 400 \$</b>	<b>\$ 166 \$</b>	<b>\$ 566 \$</b>	Budget for aided Payroll Software-payroll services portion
14-21-3140-00	Contract Professional Services	\$ 400 \$	\$ 1,500 \$	\$ 1,900 \$	Budget for Painting-Exterior-City Hall
14-21-4030-00	General Property Maintenance	\$ - \$	\$ - \$	\$ - \$	
	<b>Emergency Management Expenditures</b>	<b>\$ 400 \$</b>	<b>\$ 1,500 \$</b>	<b>\$ 1,900 \$</b>	
14-21-4070-00	Computer/Software Maintenance	\$ 6,539 \$	\$ 1,225 \$	\$ 7,764 \$	Budget for additional software efficiencies: HR/Payroll, Accounts Payable, Budgeting/Transparency and Policies & Procedures
14-21-4410-00	Gasoline, Oil & Lubrication	\$ 1,250 \$	\$ 500 \$	\$ 1,750 \$	Fuel cost increases
	<b>Emergency Management Expenditures</b>	<b>\$ 8,689 \$</b>	<b>\$ 3,391 \$</b>	<b>\$ 12,080 \$</b>	
	<b>Emergency Mgmt. Expenditure Total</b>	<b>8,689</b>	<b>3,391</b>	<b>12,080</b>	
	<b>Animal Shelter Expenditures</b>	<b>\$ - \$</b>	<b>\$ 5,000 \$</b>	<b>\$ 5,000 \$</b>	Budget for overtime on weekends (short-staffed)
42-22-1070-00	Overtime Wages	\$ - \$	\$ 3,474 \$	\$ 3,474 \$	Increase due to overtime
42-22-2020-00	Social Security	\$ 9,062 \$	\$ 1,122 \$	\$ 10,184 \$	Increase due to overtime
42-22-2030-00	Retirement-TMRS	\$ - \$	\$ - \$	\$ - \$	
	<b>Animal Shelter Expenditures</b>	<b>\$ 12,153 \$</b>	<b>\$ 6,504 \$</b>	<b>\$ 18,657 \$</b>	
	<b>Animal Shelter Expenditure Total</b>	<b>12,153</b>	<b>6,504</b>	<b>18,657</b>	
	<b>All Funds Revenue Total</b>	<b>20,371,022</b>	<b>2,437,847</b>	<b>23,708,869</b>	
	<b>All Funds Expenditure Total</b>	<b>20,995,523</b>	<b>826,276</b>	<b>21,781,801</b>	
	<b>All Funds Net Amount</b>	<b>[584,503]</b>	<b>2,011,571</b>	<b>1,427,058</b>	





## CITY COUNCIL MEMO

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**DATE:** 6/1/2022

**TO:** Mayor and City Council

**FROM:** Evan Williamson, P.E., CFM – Staff Engineer

**SUBJECT:** Lady Bird Johnson Golf Cart Lease Proposal

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**Summary:**

The current golf cart lease at Lady Bird Johnson Golf Course will conclude at the end of 2022. A request for proposals (RFP) for a new four-year lease of 70 golf carts and 3 utility carts was advertised. No proposals were received. The RFP was readvertised. One proposal was received from Club Car. This proposal satisfied the requirements of the RFP and addresses the needs of the golf course.

**Recommendation:** Staff recommends approval of the lease proposal from Club Car

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**Background / Analysis:**

The Lady Bird Johnson Golf Course leases carts on a four-year term. The current lease will conclude at the end of 2022. To procure a new lease of golf carts to begin December of 2022, the City advertised a request for proposals with the following basic requirements.

- Seventy (70) gasoline powered golf carts with included conveniences such as sand bottles, information holder, bag cover, cooler, dual USB ports, and custom Lady Bird Johnson Logo
- Three (3) gasoline powered golf carts: One (1) equipped with range enclosure and range picker bumper mount, one (1) equipped with portable refreshment center, and one (1) equipped with café express canopy, base, and upper cabinet.

Proposals were to be reviewed based on price, meeting the City's needs, and the respondent's references. One proposal was received from Club Car. The proposal provides for the City's needs as listed. The following references were listed:

- Lady Bird Johnson Golf Course, Fredericksburg, TX (Customer since 2012)
- Boot Ranch Golf Club, Fredericksburg, TX (Customer since 2005)
- The Club at Comanche Trace, Kerrville, TX (Customer since 2004)

The City of Fredericksburg

- Tapatio Springs Country Club & Resort, Boerne, TX (Customer since 2013)

The total monthly payment for the 48 month lease of seventy golf carts and three utility carts equipped as stated in the RFP is \$7,074.06.

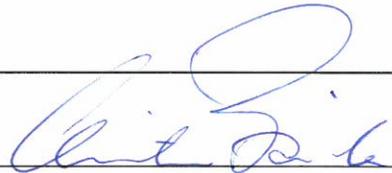
The Club Car proposal's equipment, references, and pricing is acceptable to staff and it is recommended the proposal be accepted for executing.

**Attachments:**

Club Car Lease Proposal

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Department Approval



City Manager Approval



City Attorney Approval

**The City of Fredericksburg**

1.1 Title Page

**Lady Bird Johnson Golf Course Golf Cart Lease Request for Proposals**

Club Car, LLC

4125 Washington Road

Evans, Georgia 30809

PO Box 204658

Augusta, Georgia 30917

1- 800-258-2227

Contact: Randy Jones

Cell: 682-308-9509

May 24, 2022

**TAB #1**

1.2 Letter of Transmittal

Provide (70) Golf Carts and (3) Utility Carts for a lease period of 48 Months commencing December 1 2022. New vehicles, model year 2023 with gasoline engines.

1.2.1 Club Car will provide (70) New 2023 Gasoline Golf Carts and (3) New 2023 Utility Carts. Our leasing partner/bank will offer a lease on these vehicles for a period of 48 months commencing in December 2022.

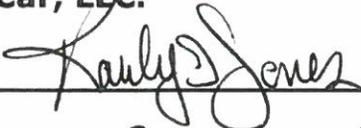
1.2.2

Randy Jones  
Territory Manager  
Club Car, LLC  
682-308-9509  
[randy.jones@clubcar.com](mailto:randy.jones@clubcar.com)

Dan Walker  
National Account Manager  
Club Car, LLC  
706-373-1580  
[dan.walker@clubcar.com](mailto:dan.walker@clubcar.com)

1.2.3

**Club Car, LLC.**

By: 

Name: Randy D. Jones

Title: Territory Sales Manager

**TAB #2**

1.3 Table of Contents:

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Tab 6.....Page 9  
Exceptions..... Page 10

## TAB #3

### 1.4 Referenced and Experience

**Club Car combines a quality-driven philosophy, an innovative spirit, and a solutions-oriented approach to business. Club Car has established itself as a leading global manufacturer of vehicles that serve the golf, rough terrain, private owner, and commercial markets.**

#### 1.4.1

**Lady Bird Johnson Golf Course**, Fredericksburg, TX

Chris Meade, General Manager ([cmeade@ladybirdgolf.com](mailto:cmeade@ladybirdgolf.com), 830-997-4010)

Club Car customer since 2012. Have utilized our Gas EFI fleet car product along with GPS and Gas EFI utility cars for F&B and maintenance.

**Boot Ranch Golf Club**, Fredericksburg, TX

Alex Rhyne ([arhyne@bootranch.com](mailto:arhyne@bootranch.com), 830-997-2842)

Club Car customer since 2005. Customer has utilized our Flooded Lead Acid and Lithium fleet golf car product. They also use our 4 & 6 pass vehicles for their Sunday Houses. Café Express for F&B and utility cars for staff and maintenance.

**The Club at Comanche Trace**, Kerrville, TX

Jeff Hunter, ([jhunter@comanchetrace.com](mailto:jhunter@comanchetrace.com), 830-895-8500)

Club Car customer since 2004. Customer utilizes our Flooded Lead Acid fleet golf car.

**Tapatio Springs Country Club & Resort**, Boerne, TX

Pat Roper ([proper@tapatio.com](mailto:proper@tapatio.com), 830-537-4197)

Club Car customer since 2013. Customer utilizes our Flooded Lead Acid Fleet golf car along with GPS. They also use our café express product for F&B and gas utility units for outside services and maintenance.

## **TAB #4**

### 1.5 Business Information

Club Car has established itself as a leading global manufacturer of vehicles that serve the golf, rough terrain, private owner, and commercial markets.

With over 60 years of experience of innovation and design in producing small-wheel vehicles, Club Car is a leading manufacturer of gas and electric golf, utility and personal transportation vehicles.

Founded in 1958, the Club Car product portfolio has grown to include much more than golf cars, now encompassing vehicles for commercial and consumer markets, built with an uncompromised desire for superior performance.

As an industry leader in electrification and sustainability, Club Car is proud to be on the forefront of environmentally responsible Zero Emission Vehicle (ZEV) technologies.

## TAB #5

### 1.6 Proposed Vehicles

Quantity of Golf Cars: 70

Type of Golf Car: 2023 Tempo Kohler EFI Gas

**Description: Specifications Meet or Exceed All Requirements**

- Self-compensating double reduction helical rack and pinion steering
- Self-adjusting rear wheel mechanical drum brakes
- Foot operated, multi-lock park brake
- Ladder style, aluminum box beam frame
- Kendra style H-N-1 tires and silver wheel cover
- Domed number decals (both sides of car)
- Clear Hinged fold down windshield
- Choice of standard body color - color TBD
- Choice of canopy color - color TBD
- Choice of Premium seat color - color TBD

**Additional Accessories Included:**

- Sand bottle – (2) per car
- Information holder – (1) per car
- Magnetic Bag Cover
- Caddy Master Cooler – (1) per car
- Comfort Grip Steering Wheel
- Dual USB Port
- Custom Lady Bird Johnson Front Cowl Logo
- New Visage Bracket, Hardware, Bluetooth Speakers and 10" Android Screen (Please see connectivity rental offering proposal for a la carte pricing)

Quantity of Utility Cars: 3

Type of Golf Car: 2023 Carryall 500 Gasoline Utility Vehicles

**Description: Specifications Meet or Exceed All Requirements**

- Gas Engine / Motor Type: 14 HP Kohler ECH 440 EFI Gas Engine
- Bed Load Capacity 800-1000 lb (362.8 kg)
- Towing Capacity 1200-1500 lb (544.3 kg)
- Speed 15-17 mph (24-27 kph)

One (1) 2023 Carryall 500 Gas With Driving Range Enclosure

- Turf tires
- Choice of body color- dark green
- Choice of seat color- gray
- Limited slip diff transaxle
- Halogen headlights
- Driving Range Enclosure with Range Picker Bumper Mount

One (1) 2023 Carryall 500 Gas With Portable Refreshment Center

- Turf tires
- Wheel Covers
- Choice of body color- dark green
- Choice of canopy top- black
- Choice of seat color- gray
- Halogen Headlights
- Cargo box
- Heavy duty 2" receiver
- Limited slip differential
- Hinged windshield
- Portable Refreshment Center
- Heavy duty brush guard

One (1) 2023 Carryall 500 Gas Café Express Vehicle

- Turf tires
- Wheel Covers
- Choice of body color- dark green
- Choice of seat color- gray
- Halogen Headlights
- Limited slip differential
- Heavy duty brush guard
- Extra Heavy Duty Front Suspension
- Differential Guard, Gas
- Solid Windshield (Kit)
- 12V Powerpoint
- USB Port
- Café Express Canopy – Choice of Standard Colors
- Four Wheel Brakes
- Café Express Base & Upper Cabinet

**Included at No Additional Cost For All Vehicles:**

- Freight and Prepping

**TAB #6**

1.7 Cost Proposal

<b>Number of Cars</b>	<b>Type of Car</b>	<b>Lease Term</b>	<b>Payment Per Car Per Month</b>	<b>Total Monthly Payment</b>
70	2023 Tempo Kohler EFI Gas	48 Months	<b>\$87.39</b>	<b>\$6,117.30</b>
<p>With the lease of (70) new 2023 model Tempo Gas fleet cars, Club Car LLC. agrees to pay off the existing lease with DLL Contract # 100-10208755 for (70) 2019 model Tempo Gas fleet cars, so long as all payments are made thru December '22; and there are no liens or amounts owed associated with this lease. Any other amounts owed must be paid by Lady Bird Johnson Golf Course prior to delivery of the new equipment. All cars returned must be intact and in fleet running condition per the returns condition rider. Cars missing equipment, damaged, or have excessive wear and tear will be billed back accordingly.</p>				

<b>Number of Cars</b>	<b>Type of Car</b>	<b>Lease Term</b>	<b>Payment Per Car Per Month</b>	<b>Total Monthly Payment</b>
1	2023 Carryall 500 Driving Range Car Gas	48 months	<b>\$276.32</b>	<b>\$276.32</b>
1	2023 Carryall 500 Gas Café Express	48 months	<b>\$422.25</b>	<b>\$422.25</b>
1	2023 CA500 Gas w/Portable Refreshment Center	48 months	<b>\$258.19</b>	<b>\$258.19</b>
<p>With the lease of (3) new 2023 model CA500 Gas utility cars, Club Car LLC. agrees to pay off the existing lease with DLL Contract # 101-0446990-000 for (1) 2019 model CA500 DRU and (1) 2019 model Café Express, so long as all payments are made thru August '22; and there are no liens or amounts owed associated with this lease. Any other amounts owed must be paid by Lady Bird Johnson Golf Course prior to delivery of the new equipment. All cars returned must be intact and in fleet running condition per the attached returns condition rider. Cars missing equipment, damaged, or have excessive wear and tear will be bill back accordingly.</p>				

City of Fredericksburg ("City")  
RFP for Lease of Golf Carts  
Club Car, LLC ("Club Car")

**EXCEPTIONS TO PART I GENERAL**

1. **Replace 2. DEFINITIONS, TERMS AND CONDITIONS** with the following:

The lease will be arranged through a third-party leasing source, DLL. The City's lease of golf cars and utility vehicles shall be subject to the terms and conditions of DLL's Lease Agreement, a copy of which is attached hereto and incorporated herein. This bid is contingent on the City's executing documents in form and substance acceptable to DLL. As such, whenever the terms and conditions of this bid conflict with those included in the attached Lease Agreement, the Lease Agreement shall control. Financing is subject to final credit approval prior to funding.

2. **Add 13. INDEMNIFICATION:**

Club Car shall indemnify and hold harmless the City and its officers, directors, employees, and assigns from and against any and all liabilities, claims, losses, damages, penalties, costs or expenses (including but not limited to reasonable attorney's fees) for damages to third-party property or injury to persons (including but not limited to death) to the extent arising from or related to Club Car's negligent acts or omissions. Club Car obligations under this indemnity shall not extend to damages caused by the City.

3. **Add 14. INSURANCE:**

Club Car is self-insured for Products/Completed Operations and the acts and/or omissions of Club Car and its officers, agents and employees. Club Car will provide its standard Certificate of Liability Insurance prior to the start of any work relating to this bid. This certificate will reflect policy coverage limits for Club Car. A sample of our Liability Insurance is attached hereto.

4. **Add 15. LIMITATION OF LIABILITY:**

The remedies of the City set forth herein are exclusive, and the total cumulative liability of Club Car with respect to this contract shall not exceed the purchase value of the contract.

Notwithstanding any other provision of this agreement, neither party nor their suppliers shall in any event be liable to the other, any successors in interest or any beneficiary or assignee of this contract for any consequential, incidental, indirect, special or punitive damages arising out of this contract or any breach thereof, or any defect in or failure of or malfunction of the equipment hereunder, whether or not such loss or damage is based on contract, warranty, negligence, indemnity, strict liability or otherwise.

5. **Add 16. WARRANTY**

Club Car warrants that new equipment manufactured by it and delivered hereunder will be free of defects in material and workmanship for the periods of time specified in the applicable limited warranty statements of Club Car for such equipment, each of which is incorporated herein by reference.

Other than those warranties set forth herein, Club Car makes no other warranties, statutory, at law, express or implied, and the implied warranties of merchantability and fitness for a particular purpose are specifically disclaimed.

(Signature Page Follows)

IN WITNESS WHEREOF, the parties have executed these Exceptions to City of Fredericksburg Lady Bird Johnson Golf Course Golf Cart Lease RFP on this 24 day of May, 2022.

**\*The individual executing this Exceptions Page on behalf of the City affirms they are authorized to do so thereby binding the City to all terms and conditions herein contained.**

CLUB CAR, LLC

By: *Kerilyn Johnson*

Its: *Territory Sales Manager*

Date: *May 24, 2022*

CITY OF FREDERICKSBURG

By: \_\_\_\_\_

Its: \_\_\_\_\_

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



# CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY)  
06/02/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Aon Risk Services Central, Inc. Philadelphia PA Office One Liberty Place 1650 Market Street Suite 1000	<b>CONTACT NAME:</b> PHONE (A/C. No. Ext): (866) 283-7122      FAX (A/C. No.): (800) 363-0105	
	<b>E-MAIL ADDRESS:</b>	
<b>INSURED</b> Club Car, LLC 4125 Washington Road Evans GA 30917 USA	<b>INSURER(S) AFFORDING COVERAGE</b>	
	<b>INSURER A:</b> ACE Property & Casualty Insurance Co.	20699
	<b>INSURER B:</b> ACE American Insurance Company	22667
	<b>INSURER C:</b> Indemnity Insurance Co of North America	43575
	<b>INSURER D:</b> Federal Insurance Company	20281
	<b>INSURER E:</b> <b>INSURER F:</b>	

**COVERAGES**      **CERTIFICATE NUMBER:** 570087556028      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. Limits shown are as requested

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
B	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> \$1,000,000 SIR EaOcc <input checked="" type="checkbox"/> \$1,000,000 SIR Pers&Adv GEN'L AGGREGATE LIMIT APPLIES PER <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			XSLG72487230 SIR applies per policy terms & conditions	06/01/2021	06/01/2022	EACH OCCURRENCE \$4,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$1,000,000 MED EXP (Any one person) Excluded PERSONAL & ADV INJURY \$4,000,000 GENERAL AGGREGATE \$25,000,000 PRODUCTS - COM/OP AGG \$10,000,000
C	<input checked="" type="checkbox"/> <b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			CAL H25552076	06/01/2021	06/01/2022	COMBINED SINGLE LIMIT (Ea accident) \$2,000,000 BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
A	<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION			XEUG72525620001	06/01/2021	06/01/2022	EACH OCCURRENCE \$10,000,000 AGGREGATE \$10,000,000
D	<input checked="" type="checkbox"/> <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR / PARTNER / EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N Y	N/A	NWCC67810958	06/01/2021	06/01/2022	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE-EA EMPLOYEE \$1,000,000 E.L. DISEASE-POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

<b>CERTIFICATE HOLDER</b>  Evidence of Insurance 4125 Washington Road Evans GA 30917 USA	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
--	--

Holder Identifier :

Certificate No : 570087556028





**PROPOSAL**

# **Club Car Tempo and Precedent Gas Warranty**

**LIMITED WARRANTY****WARRANTY**

Club Car, LLC ("Club Car") hereby warrants to the original purchaser or lessee, as those terms are defined herein, and subject to the provisions, limitations and exclusions in this limited warranty, that its new vehicle or new component purchased from Club Car or an Authorized Dealer or Distributor shall be free from defects in material and workmanship under normal use and service for the periods stated below, subject to the provisions, limitations and exclusions in this limited warranty.

This limited warranty covers material, workmanship and repair labor cost as to those items specifically listed below for the periods specified. Such repair labor shall be performed only by Club Car, its Authorized Dealers or Distributors, or a service agency approved by Club Car. For repairs made by qualified technicians other than Club Car's factory technicians or an Authorized Dealer or Distributor, Club Car will provide only the replacement parts or components.

If the warranty registration form is not completed and returned to Club Car at the time of the original retail sale, the Purchaser must provide proof of date of purchase with any warranty claim.

**WARRANTY TIMEFRAME**

ITEM	SUB-ITEMS	COVERAGE
VEHICLE MAINFRAME	Not applicable	Limited Lifetime
SUSPENSION	Steering gearbox, steering column, shocks, and leaf springs	4 years
POWERTRAIN	Engine, transaxle, torque converter (drive and driven)	5 years
GASOLINE SYSTEMS	Air intake system, exhaust system, and starter generator	3 years
PEDAL GROUP	Pedal group mechanical assembly, brake cluster assemblies, and brake cables	4 years
SEATS	Seat bottom, seat back, and armrests	4 years
CANOPY SYSTEM	Canopy, rear canopy supports, drainage system, and structural accessory module (SAM)	4 years
BODY GROUP	Beauty panels and front/rear underbody	3 years
ALL REMAINING COMPONENTS	Solenoid, limit switches, voltage regulator, F&R switch, and options and accessories supplied by Club Car, including components not specified otherwise	2 years

**EXCLUSIONS**

Excluded from any Club Car warranty is damage to a vehicle or component resulting from a cause other than a defect including poor maintenance, neglect, abuse, accident and collision, maintenance adjustments, unreasonable or unintended strain or use, improper installation of accessories,



**PROPOSAL**

# **Club Car Carryall Vehicle Warranty**

# WARRANTIES

## CLUB CAR® LIMITED WARRANTY FOR TRANSPORTATION AND UTILITY VEHICLES WARRANTY

CLUB CAR, LLC ("CLUB CAR") hereby warrants to the Original Purchaser or Lessee, as those terms are defined herein, and subject to the provisions, limitations and exclusions in this limited warranty, that its new vehicle or new component purchased from CLUB CAR or an Authorized Dealer or Distributor shall be free from defects in material and workmanship under normal use and service for the periods stated below, subject to the provisions, limitations and exclusions in this limited warranty.

This limited warranty covers material, workmanship and repair labor cost as to those items specifically listed below for the periods specified. Such repair labor shall be performed only by CLUB CAR, its Authorized Dealers or Distributors, or a service agency approved by CLUB CAR. For repairs made by qualified technicians other than CLUB CAR's factory technicians or an Authorized Dealer or Distributor, CLUB CAR will provide only the replacement parts or components.

IF THE WARRANTY REGISTRATION FORM IS NOT COMPLETED AND RETURNED TO CLUB CAR AT THE TIME OF THE ORIGINAL RETAIL SALE, PURCHASER MUST PROVIDE PROOF OF DATE OF PURCHASE WITH ANY WARRANTY CLAIM.

TO THE ORIGINAL OWNER ONLY (NON-TRANSFERABLE)	TERMS COVERED	HOURS/AMP HOURS COVERED
<b>LIMITED THREE YEAR:</b> Engine assembly, transaxle assembly (gasoline vehicle), starter/generator (gasoline vehicle), motor, transaxle assembly (electric vehicle), and main frame assembly.	3 YEARS	3000
<b>LIMITED TWO YEAR:</b> Solenoid, MCDR, limit switches, voltage regulators, FNR switches, brake components, wiring harness, electrical switches, canopy systems, seats, pedal group assembly, body, cab assembly and doors, and driving range protective enclosure, portable refreshment center and all original equipment options and accessories supplied by CLUB CAR, and all remaining components of the vehicle not specified otherwise.	2 YEARS	2000
<b>6-VOLT BATTERY (STANDARD DUTY)</b>	4 YEARS	18000
<b>6-VOLT BATTERY (EXTENDED RANGE)</b>	4 YEARS	23,000 (Model Year 2016 and later) 20,000 (Model Year 2014 and 2015)
<b>8-VOLT BATTERY (STANDARD/EXTENDED RANGE)</b>	4 YEARS	18000
<b>ONBOARD COMPUTER (IF SO EQUIPPED)</b>	4 YEARS	18000
<b>CONTROLLER</b>	4 YEARS	18000
<b>BATTERY CHARGER</b>	4 YEARS	

### EXCLUSIONS

Excluded from any CLUB CAR warranty is damage to a vehicle or component resulting from a cause other than a defect including poor maintenance, neglect, abuse, accident and collision, maintenance adjustments, unreasonable or unintended strain or use, improper installation of accessories, installation of parts or accessories that are not original equipment including Club Car approved or non-approved GPS systems, non-approved alteration and acts of God. Also excluded from any CLUB CAR warranty are all fuses, filters, decals (except safety decals), lubricants, routine wear items such as the charger plug and receptacle, engine mounts, bed floor lining, mats, pads, spark plugs,





## CITY COUNCIL MEMO

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**DATE:** June 6, 2022

**TO:** Mayor and City Council

**FROM:** Andrea Schmidt, Parks & Recreation Director

**SUBJECT:** Discussion of Proposed new cross at Cross Mountain Park to be donated by the Nimitz Rotary Club

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**Summary:**

This item is for the discussion of a proposed donation to the City of Fredericksburg for the replacement of the cross at Cross Mountain Park. The City was recently approached by the Fredericksburg - Nimitz Rotary Club who is interested in making a donation to the City of Fredericksburg for the construction of a new cross at Cross Mountain Park.

The Rotary Club would like to start fundraising later this year. Prior to the fundraising starting, they would like to get approval from City Council. Before construction begins, plans would be approved by the Parks Department as well as reviewed by Development Services and the Historic Preservation Officer. The facility will be maintained by the City of Fredericksburg Parks Department.

The Electric Department will handle lighting the new cross.

Representatives from the Fredericksburg – Nimitz Rotary Club will be present to discuss this project and answer questions.

**The City of Fredericksburg**

126 W. Main St. • Fredericksburg, Texas 78624-3708 • (830) 997-7521 • Fax (830) 997-1861

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**Recommendation:**

Discuss approving a donation of a new cross for Cross Mountain Park from the Fredericksburg Nimitz Rotary Club.

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**Background / Analysis:**

The Fredericksburg – Nimitz Rotary Club chose as one of their service projects in 2021, to repaint the existing cross at Cross Mountain Park. While the cross looks much better with the new paint, it has some structural issues and significant rusting. The current cross is several decades old and in need of replacement.

A donation form will be completed by the Nimitz Rotary Club if this project is approved to move forward.

**Attachments:**

Nimitz Rotary Club Cross Replacement proposal



Department Approval



City Manager Approval



City Attorney Approval

Cross Mountain Park – cross location in yellow



# **CROSS MOUNTAIN REPLACEMENT PROPOSAL**

**Submitted by the Fredericksburg-Nimitz Rotary Club**

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**\*Engineer Input**

**\*Lighting Proposal**

**\*Rotary Fundraising**

## History of Cross Mountain

Believed to date back to the 1700's and erected by Spanish missionaries, the original cross was discovered by an early Fredericksburg settler, John Christian Durst in 1847. St. Mary's replaced the simple wooden cross on top of the knoll northeast of downtown in 1921, but we have yet to locate any information about when the current cross was erected. We have been told that the current cross is 70 years old, yet other people believe it is only 50 years old.

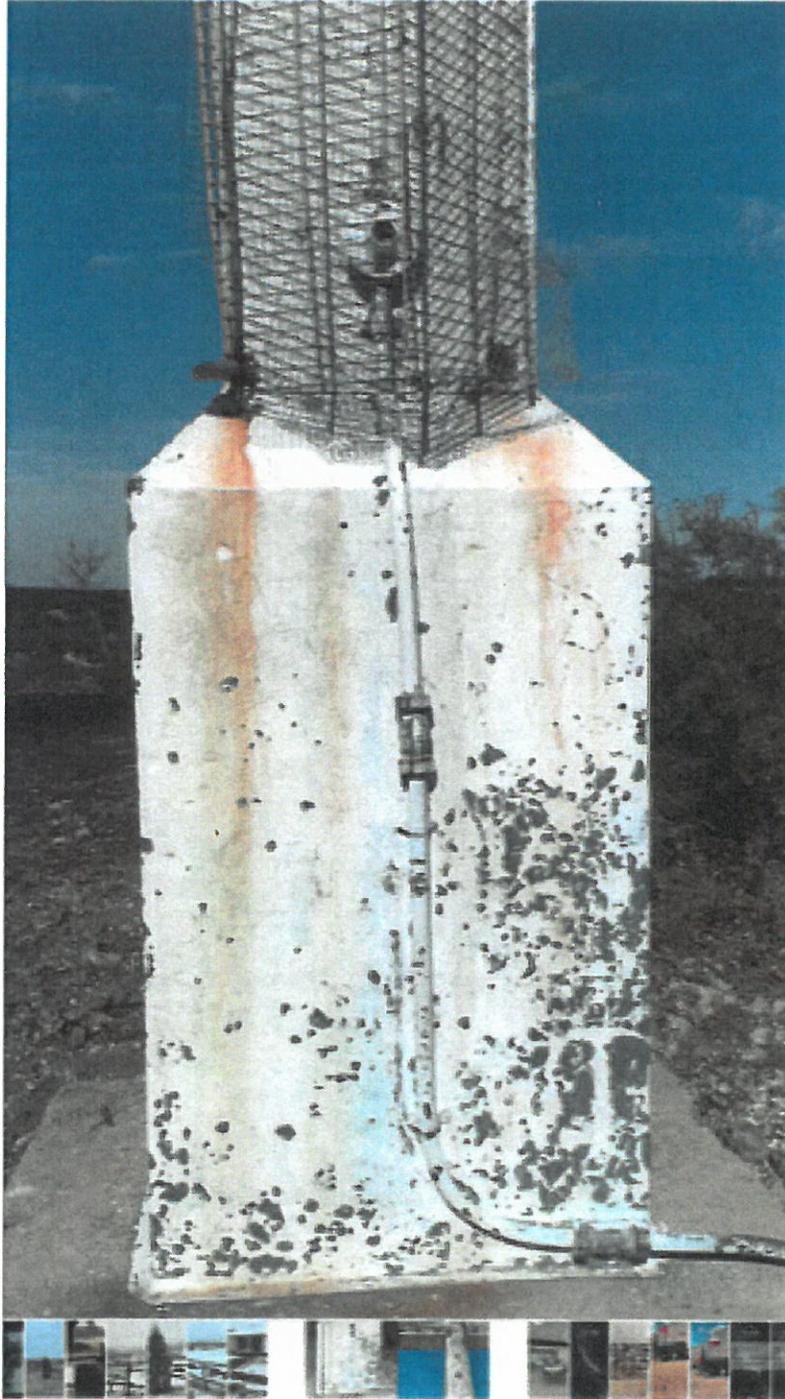
The current cross is a wooden structure, approximately thirty-six feet tall, covered in sheet metal. At some point, it was electrified and lighted at night, visible from many miles away.

1:50



Fredericksburg  
January 12, 2021 1:20 PM

Edit

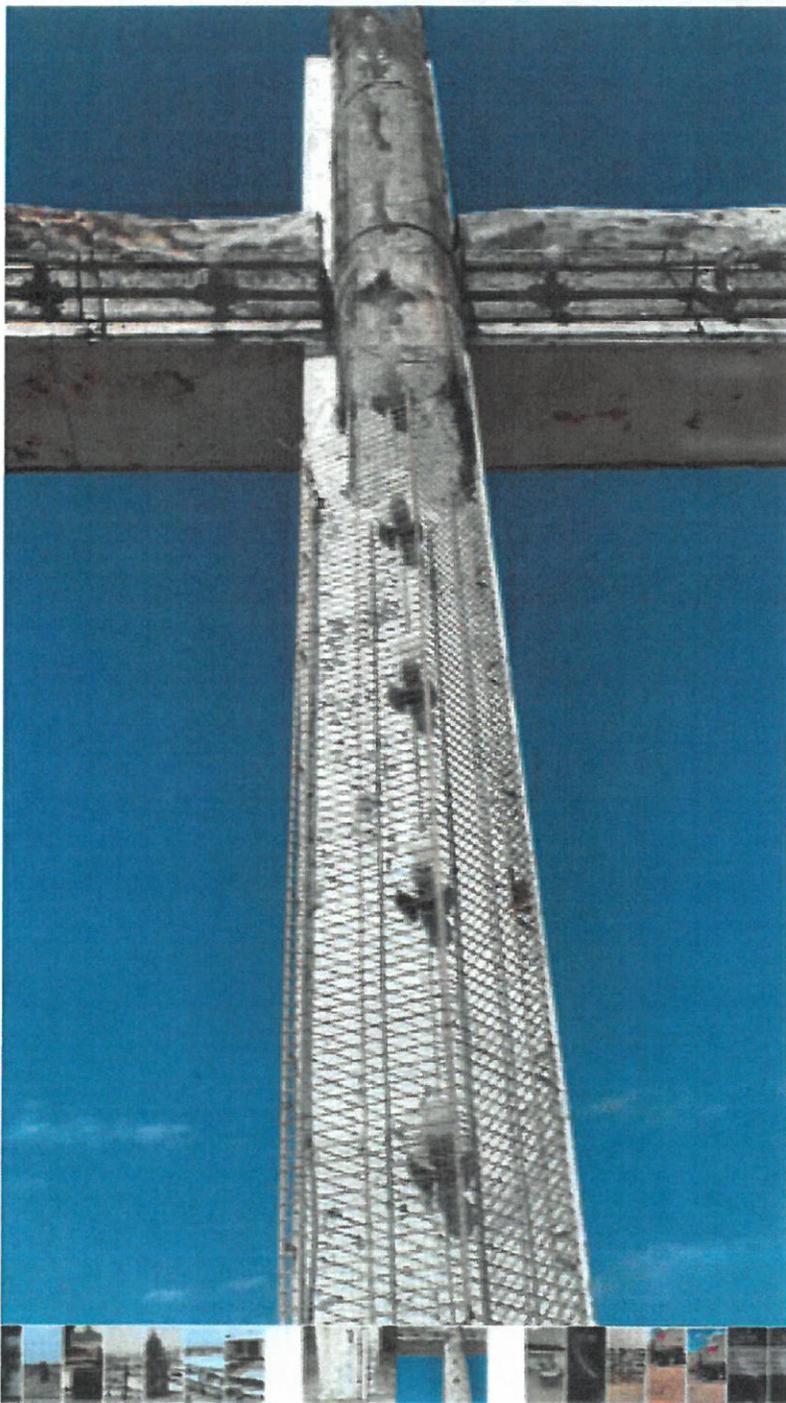


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Fredericksburg  
January 12, 2021 1:20 PM

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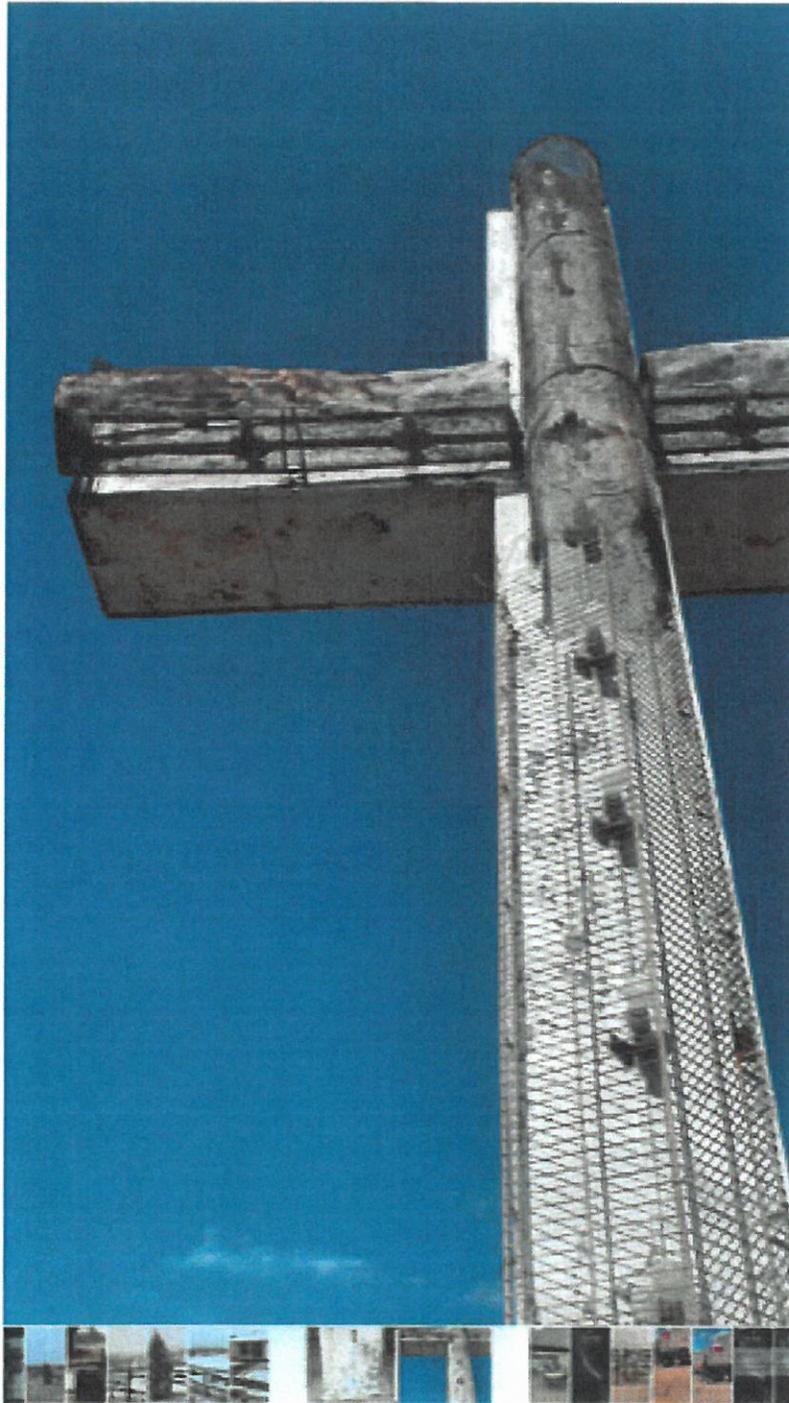


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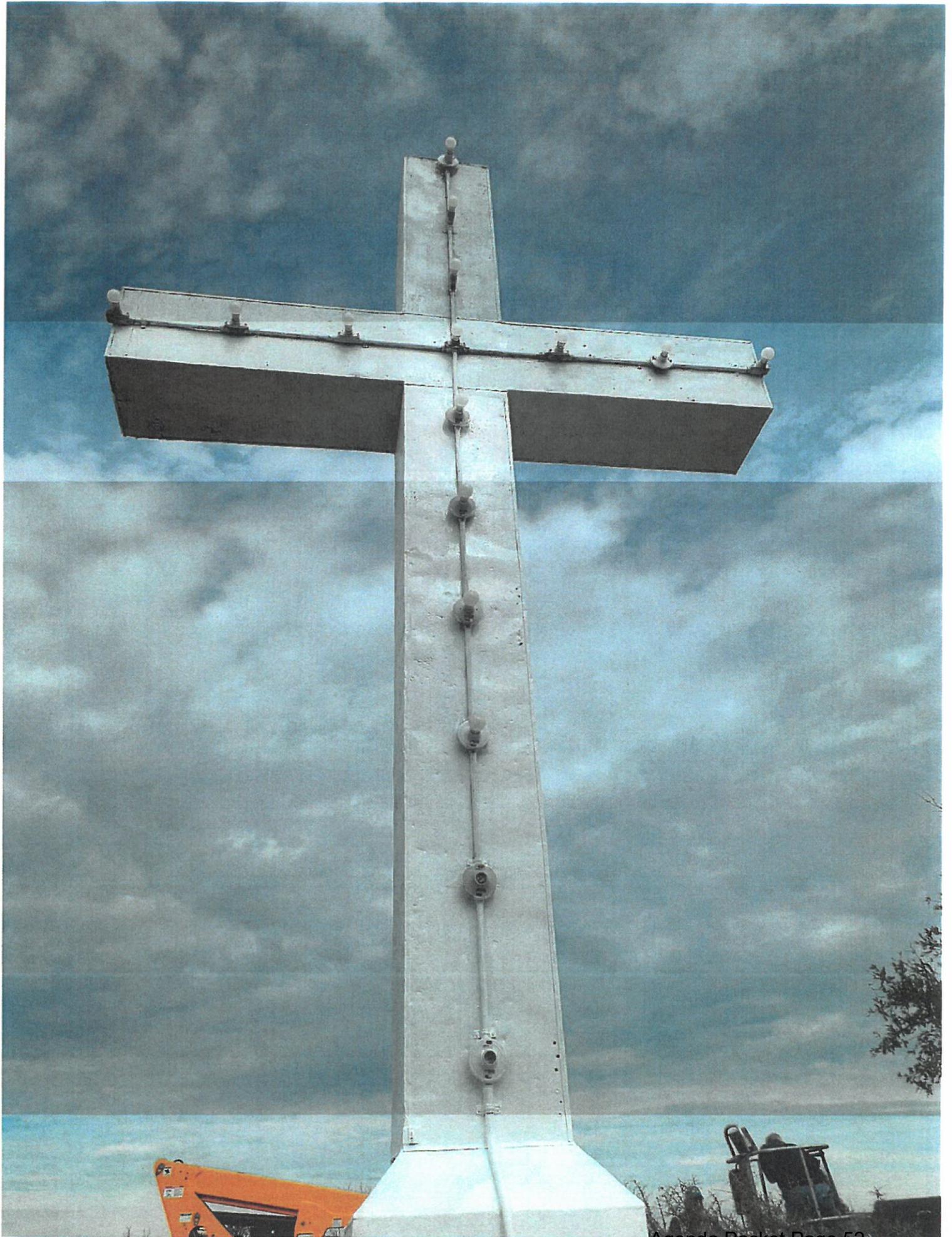
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January 12, 2021 1:20 PM

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## Rotary History with Cross Mountain

After visiting Cross Mountain, members of the Fredericksburg-Nimitz Rotary Club undertook the cross as a project and repainted it in January 2021. During the painting, in cooperation with the helpful assistance of the City Parks Department, it was determined that the sheet metal was in rapid deterioration and further work would need to be done. Not only was the lower base portion of the Cross dented and pitted from hail and the wear of time, but the sheet metal in some sections was also showing signs of rust and collapse.

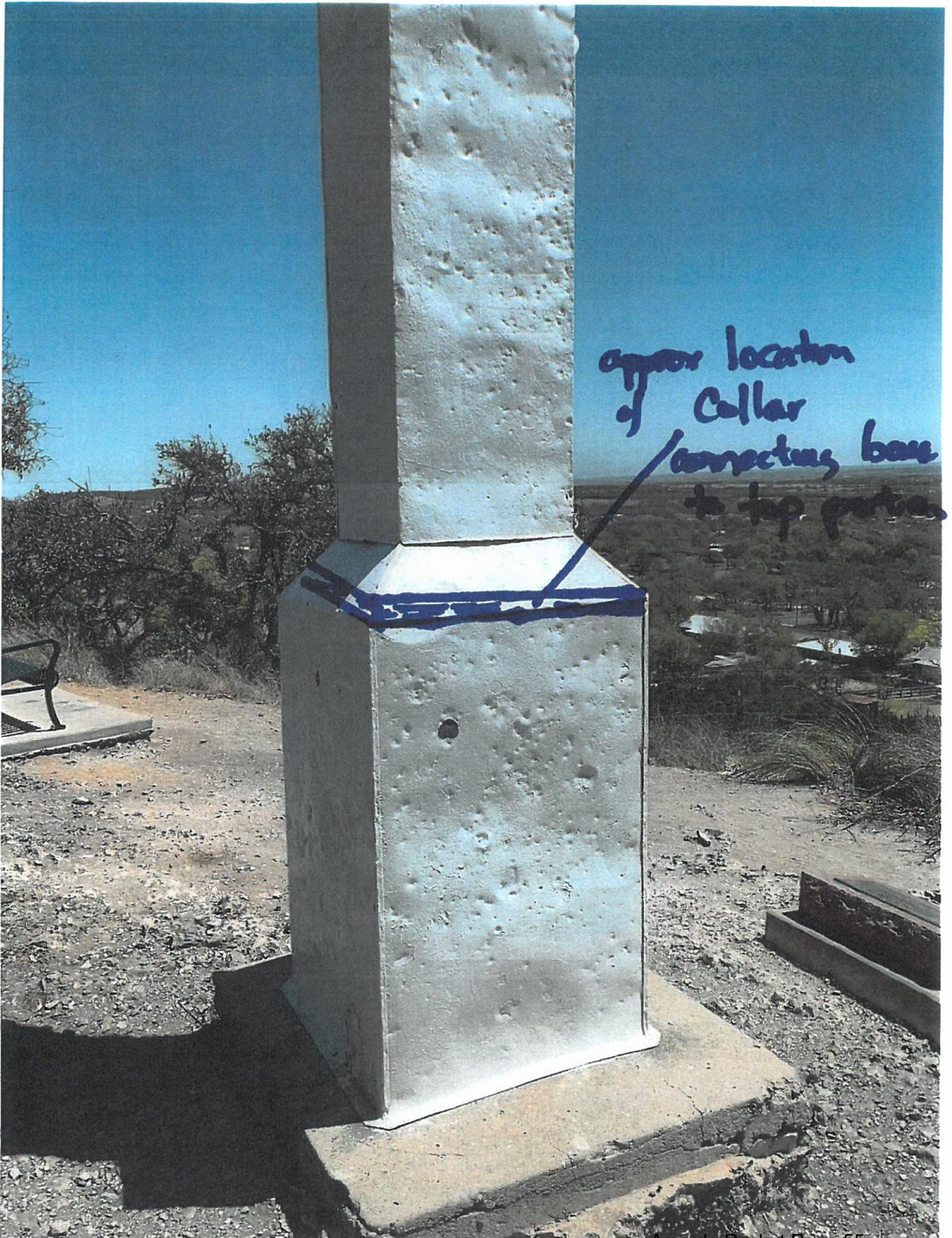




## Current Condition of Cross

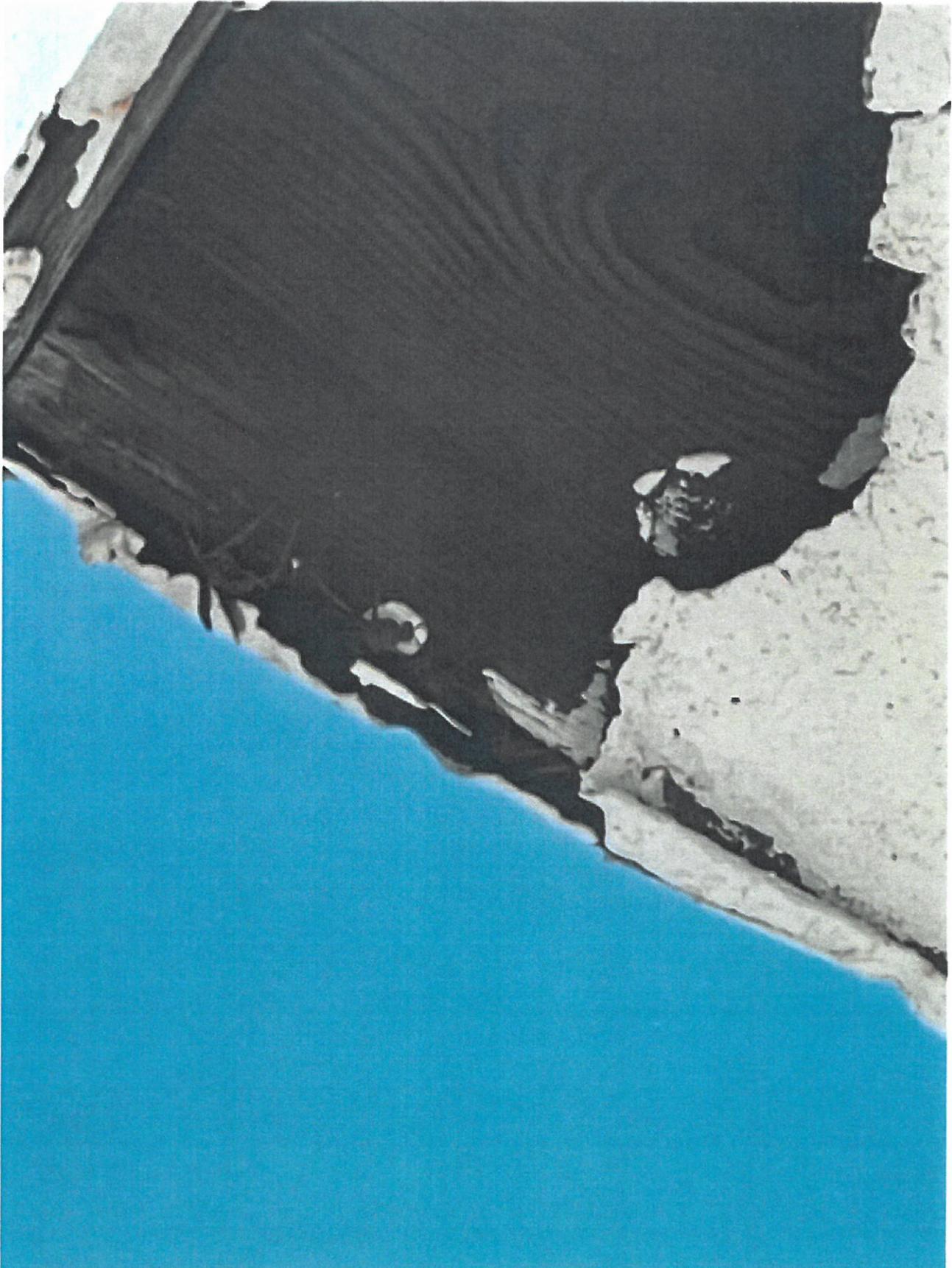
Although the repainting would extend the life of the Cross, it was obvious that replacement would be necessary before too long. One arm of the cross has rusted through and will continue to deteriorate.

Since no detailed information could be gathered regarding the age and construction of the current cross, it was determined we needed details as to the interior of the Cross. Again, with the helpful assistance from the City Parks Department, the interior was viewed by utilizing a scoping instrument and we were able to determine the construction consisted of sheet metal covering pine lumber. It appeared the lumber was anchored by 4" x 4" posts sunk into the concrete at the base and the structure built around that. We were able to view a metal collar that connected the top portion to the lower base and bolted in place.



approx location  
of collar  
connecting base  
to top portion





## Proposed Replacement

First, the existing Cross would need to be removed and stored. Then, our proposal would be to utilize 20" x 20" square tubing, commonly employed in the construction of buildings and oil field equipment, to be constructed on site. It would be approximately thirty-six feet tall (approximately the same height of the existing Cross) and be powder coated to withstand the wear and tear this site is exposed to. The base would need to be enlarged and further anchored in the existing base.

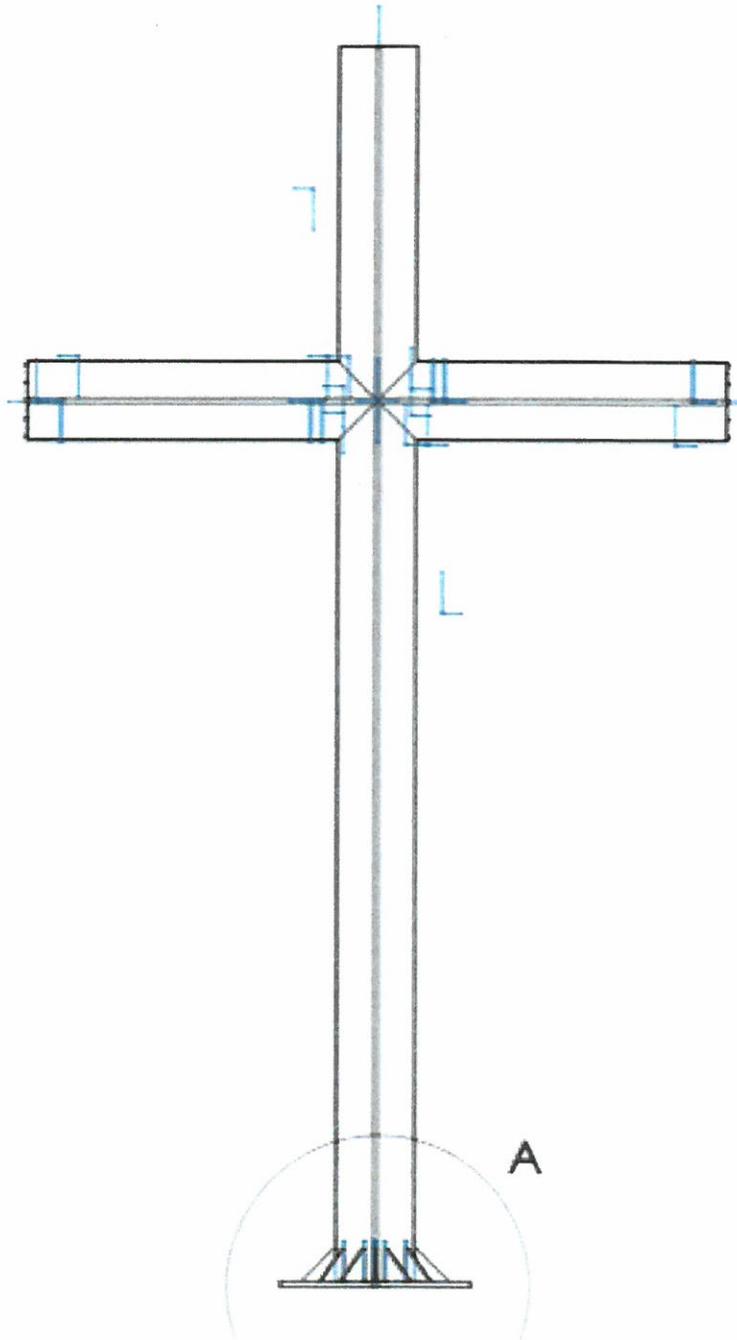
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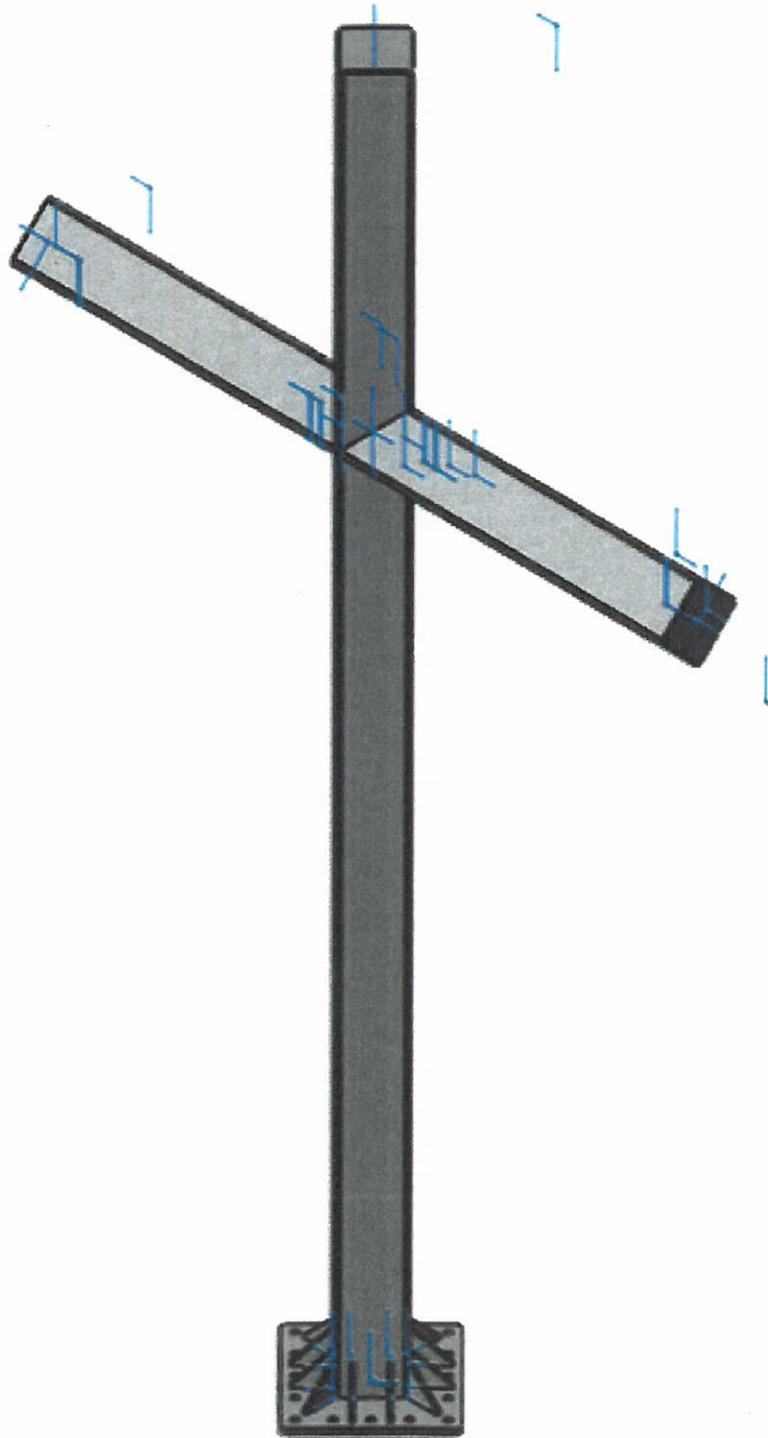
5 of 5

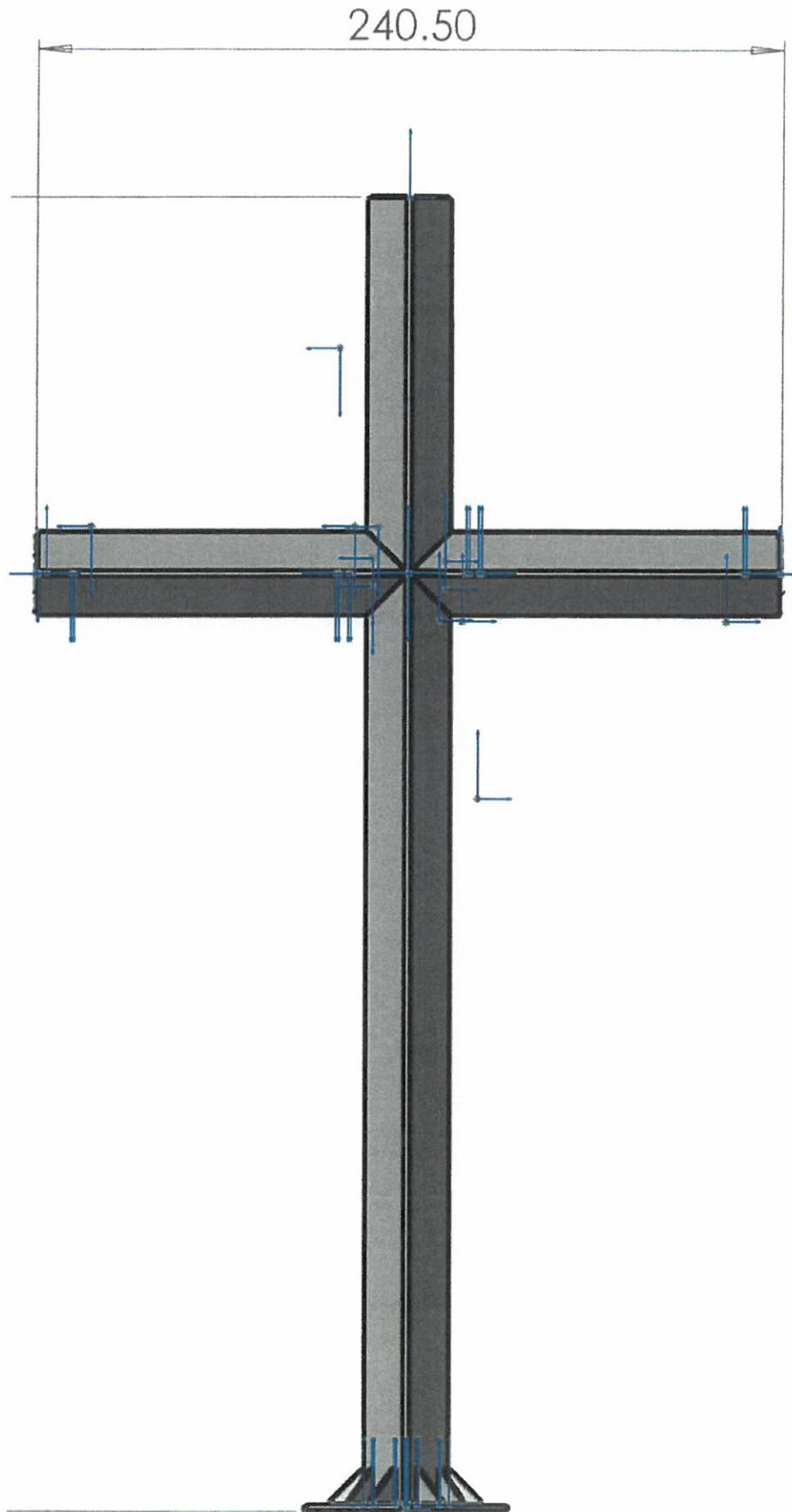


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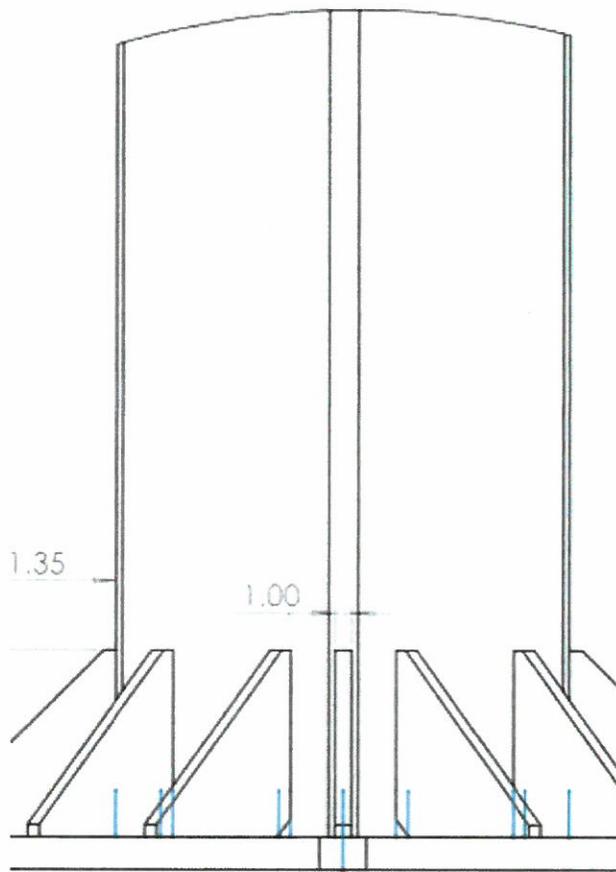


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Done

5 of 5



## **Alternate Action**

Another proposal would be to remove the current sheet metal covering and replace it with new skin. This method would utilize the current structure and framework but does not have the benefit of extended life that the previous suggestion allows. And this would be dependent upon the condition of the wooden frame.

## **Engineering Input**

We have been consulting with a local engineering firm and would bring them on board should the project receive approval.

## Lightening Proposal

All plans would be subject to City approval and guidelines, especially being aware of the 'Dark Skies" initiative. This would require downward facing illumination and could utilize the existing wiring on site.

## ROTARY FUNDRAISING

The Fredericksburg-Nimitz Rotary Club is confident that the community will support this project. The Club is committed to raising funds to cover the costs for the cross replacement and we have already secured Lady Bird Golf Course for a scramble tournament on October 10, 2022. With the City's permission, we would like to advertise that the funds will go to this cause.

**Upcoming City Council Agenda Items**

	<b>CITY COUNCIL MEETING DATES &amp; FUTURE AGENDA ITEMS</b>	<b>TYPE</b>	<b>PRESENTER</b>
	<b>Monday, June 20, 2022 (Work Session) 4 p.m.</b>		
1	Budget priorities	Discussion/Action	Clinton
	<b>Monday, June 20, 2022 (Regular Meeting) 6 p.m.</b>		
1	June 6, 2022 Regular Meeting Minutes	Consent	Clinton
2	Zoning/land use change for 1603 & 1605 East Main Street	Public Hearing and Ordinance	Garret
3	Update the Records Management	Ordinance	Shelley
4	Board and Commission Members Appointments and Reappointments (including Mayor's appointments, EDC CVB and Nature Center)	Appointments/Approvals	Shelley
5	Fort Martin Scott/Texas Ranges	Presentation/Update	Andrea
6	Petition for consent for creation of Municipal Utility District	Ordinance	Kent
7	Creation of CIP in GF (postponed from 5-16-2022)	Resolution	Laura
8	Development of hotel/conference center	Presentation	Garret
9	P&Z procedures and requirements for future agenda items	Discussion and approval	Garret
10	Executive Session - property on Washington Street	Executive Session	Clinton
	<b>CIP Workshop (LBJ Golf Course Meeting Room) 9-?</b>		
1	General Fund and Enterprise CIP	Presentation	Garret
	<b>Tuesday, July 5, 2022 (Regular Meeting)</b>		
1	June 20, 2022 Regular Meeting Minutes	Consent	Shelley
2	City Development Update	Presentation	Garret
	<b>Monday, July 18, 2022 (Regular Meeting)</b>		
1	July 5, 2022 Regular Meeting Minutes	Consent	Shelley
2	Market Square Improvement Bids	Approval	Andrea
3	Naming rights for Market Square	Approval	Andrea
4	Award the bid for the Comprehensive Plan	Approval	Anna
	<b>Monday, August 1, 2022 (Regular Meeting)</b>		
1	July 18, 2022 Regular Meeting Minutes	Consent	Shelley
	<b>Monday, August 15, 2022 (Regular Meeting)</b>		
1	August 1, 2022 Regular Meeting Minutes	Consent	Shelley
	<b>Tuesday, September 6, 2022 (Regular Meeting)</b>		
1	September 6, 2022 Regular Meeting Minutes	Consent	Shelley
	<b>FUTURE AGENDA ITEMS</b>		
1	Lady Bird Johnson Golf Course Lease	Approval	Shelley