



City of Fredericksburg

CITY COUNCIL MEETING
TUESDAY, JULY 5, 2022 - 6:00 P.M.

Jeryl Hoover, Mayor
Tony Klein, Councilmember
Bobby Watson, Councilmember

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

WRITTEN COMMENT

Comment Form #	Name	Address
1	Michael Perkola	Not provided
2	Annette Bennett	Not provided
3	Wesley Hesker	Not provided
4	Mo Saiidi	Not provided
5	Mary Studor	Not provided
6	George Studor	Not provided
7		
8		

Shelley Goodwin

From: Michael Perkola <michael@fbgnc.org>
Sent: Tuesday, July 5, 2022 10:56 AM
To: Shelley Goodwin
Subject: Comment for Tonight's City Council Meeting

City Council,

We do not know when this drought will end. National Geographic reported on the climate modeling of climate scientists from UCLA.

A new study in Nature Climate Change shows that Earth's warming climate has made the western drought about 40 percent more severe, making it the region's driest stretch since A.D. 800.

Even absent climate change, there's a very high chance the drought would last through 2023; in 94 percent of their simulations, it goes on through next year, and in 33 percent of their simulations it lasts all the way to 2030. But layer climate change's added pressure on top and it's suddenly much more likely the drought will continue at least through 2023: 94 percent of the time they saw it stretch that far. In 75 percent of the simulations, it went on until 2030.

<https://www.nationalgeographic.com/environment/article/the-drought-in-the-western-us-could-last-until-2030>

If there is indeed an extreme drought with a duration of 8 to 10 years, then we see the depletion of Lake Mead and the Colorado River. The Southwestern region's cities and agriculture will collapse, leading to massive interstate migration and dire food shortages. Locally, we will see wells drying up and the decimation of agriculture, especially viniculture and cattle.

When the Council last received an update on water resources, the expert calculated there would be at least 50 years of water resources left. With the uncertainty about the duration of the drought and effects of climate change, those calculations are also uncertain.

I encourage the Council to plan for the worst case scenario and to take appropriate measures to ensure that Fredericksburg has the water resources to remain inhabitable for at least the next 100 years.

Michael Perkola
Resident of Gillespie County

Shelley Goodwin

From: Annette Bennett <anetbenet@live.com>
Sent: Tuesday, July 5, 2022 12:53 PM
To: Citizen Comments
Subject: comments

Follow Up Flag: Follow up
Flag Status: Flagged

Shelly, please accept my comments below for the city council meeting July 5, 2022.

With respect to the upcoming budget, I would ask that city council take into account that we have seen a year of unprecedented crises. The American people face an economic crisis, an energy crisis, a border crisis, an education crisis, a crime crisis, a COVID-19 crisis, and a national security crisis. The federal government is spending unfathomable amounts of money causing surging inflation, which wipes out any wage gains workers might have experienced. We are seeing supply chain issues which effect every aspect of our economy including rising costs for everything from gas and food to cars and housing. Property sales will be adversely affected by rising interest rates and inflation.

These issues should be taken into consideration when planning our city budget. We do not know how they will affect our city growth and tourism. These are not "normal" times and we don't know what the future will hold. So, it seems prudent to me that the city rein in spending, reduce taxes and concentrate on the basis services, rather than "spending as usual".

Annette Bennett

713-201-1451

"Where law ends, tyranny begins. Unlimited power is apt to corrupt the minds of those who possess it."

-William Pitt the Elder

It is genuinely pleasant that our local government is seeking input in the budgeting process. This would mark the first-time citizen input has been solicited this early in the budgeting process. John Adams in describing the role of government stated that it should be, "for the preservation of internal peace, virtue, and good order, as well the defense of their lives, liberty, and properties." We have witnessed since that time government take on roles otherwise that cross into many other areas, becoming less efficient, and extraordinarily more costly to operate. It is my hope that this council leans on seeing where government, overall, has gotten its priorities wrong and keeps to the very simple necessary functions of governance. The remainder, I will argue is for the public to invest in our own community with commerce and charity.

With each new task our Government desires to take ownership of, there will in the future be a need to have maintenance over that responsibility. Each task means more future appropriations be raised to support government expenditures. Where parks, STR administration, broadband, affordable housing, and property acquisition are the focus of many councilmembers, I hope the council is mindful of the future obligations these initiatives will require. I've spent most of my life in a larger community setting where infrastructure and population growth were the main initiatives of the local government. The successful implementation of those initiatives led to a loss of the smaller community setting, where the historical icons were diminished and replaced with more modern focuses. One of the main attractions to this community for our family was the look and feel of a small community interested in the preservation of its unique history. I hope that continues to remain a priority.

As a nation, we are facing unprecedented times. Generations and decades of government spending to improve socio-economic circumstances via increased social services expenditures has put the nation in dire debt beyond our current ability to repay. Consequently, the statistics on poverty have not yielded improvements. Government in expansionary roles beyond its initial functions as defined during our founding have failed spectacularly. While the intentions have been noble, corruption and misappropriation have flourished. As a community, I feel our greatest need is to be sensitive to the volatile nature of our nation now. Spending should focus on preservation of existing programs and ensuring that our city is paying employees at the appropriate market rate considering inflationary pressures. As members of the public are facing higher costs of living and tourism may be at risk due to economic circumstances, it would be prudent to find ways to take a pass on pressures that will put further stains on the local economy (taxpayers). Prior excesses in budgetary funds should be a vehicle

by which over the next several years we manage the burden on the local community and expenditure to not add to taxation pressures in uncertain times. This will also help ensure that the city is managed without sacrificing programs due to budgetary constraints. It may be a poor time to consider any expansion in services/programs.

Thank you for considering these broader points and concerns expressed. It's my hope that the council will understand the uncertainty before us and focus on preservation first. As the uncertainty becomes easier to anticipate, all being well, the council will be able to adapt and plan accordingly to what the prudent steps will be in achieving the long-range community vision.

Regards,



Wesley Hesker

Shelley Goodwin

From: Mo saiidi <mosaiidi@gmail.com>
Sent: Tuesday, July 5, 2022 1:35 PM
To: Shelley Goodwin
Subject: Budget

Follow Up Flag: Follow up
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Shelly Please pass on to the council

Dear Mayor and Councilmembers:

It is time to seriously consider passing tax exemptions to the homeowners in order to curb the growth of property valuation and lower folks' tax burden.

The state granted a \$40k exemption that went into effect this, but it only applied to the ISDs tax calculations. That is if your house is appraised at \$500K, the ISD taxes will be evaluated based on \$460 (500-40). Unfortunately, the city or county taxes will still be evaluated based on \$500k. However, the law allows cities and counties to pass ordinances to grant such exemptions. Many cities/counties in Texas do and it is not an unusual practice.

I propose that the city to pass a resolution to grant a \$40k exemption, as it is today for ISDs, to the city - County needs to do the same. I intend to bring the subject to the county commissioner's court as well.

I have spoken about this in the past, but never got much traction. It is a bold idea with a lot of bang from community support. Instead of nickel and dime every year about tax rates, this should be given a serious discussion.

Thank you for your attention.....Mo Saiidi

Shelley Goodwin

From: gmstudor@reagan.com
Sent: Tuesday, July 5, 2022 2:31 PM
To: Citizen Comments
Subject: July 5, 2022 meeting

To the mayor and council,

First, (belatedly) regarding the May 27 special meeting, I desire to apologize for not being careful with my words and getting a bit carried away. I know I offended some or all of you and I regret that and request your indulgence.

Secondly, PLEASE BE CAREFUL with our money. We are not in stable times.

Thank you,

Mary Studor

Shelley Goodwin

From: George Studor <gmstudor@gmail.com>
Sent: Tuesday, July 5, 2022 2:56 PM
To: Shelley Goodwin
Subject: written Comments for today
Attachments: City Council Mtg - for July 5th 2022, from Nov 1 2021 - George Studor Written Comments.docx

Shelley,

I want to be sure that the council has my written comments TODAY - so I am sending my comments about the ARS funds that I gave last November.

George

Public Comments to Nov 1, 2021 Fredericksburg City Council on rescinding the COVID 19 Declaration of Emergency and on rejecting or accepting American Rescue Plan Act Funds:

George Studor

Item I. The City does NOT need a Declaration of Emergency relating to COVID-19 to receive American Rescue Fiscal Recovery Funds according to Treasury Department Frequently Asked Questions and Answers, on page 3, Paragraph 1.7 (SLFRPF FAQ: <https://home.treasury.gov/system/files/136/SLFRPFAQ.pdf>).

Since it is clear that the **COVID Emergency is Over** and any money coming as relief is not tied to an Emergency Declaration, **I propose that the Mayor rescind the Declaration of Emergency due to the Corona Virus for Fredericksburg.**

Item II. The City should reject the American Rescue Funds along with over 65 other cities* in Texas (including Mason, Brady, Spring Branch and Round Mountain) beginning with an immediate moratorium on any further contracts or fund obligations until further investigation is conducted answering questions such as:

(1) why are so many other cities rejecting the ARP Funds?

*Map: <https://tdeem.maps.arcgis.com/apps/instant/media/index.html?appid=efeb3cc7cd474e34a18524f8c6e01358>

(2) are there risks that the city may lose personnel if an undesired executive order is imposed?

(3) does Fredericksburg want to enable our 501-3c organizations to accept this risk as well?

(4) what obligations come with accepting ARP funds for structures and improvements to structures?

(5) are there sufficient personnel resources available to comply with the required Compliance and Reporting Guidance and legal scope of the "Interim Final Rule" – the Federal Statute.

Rationale:

1. Expressed Intent to use the ARP to drive Vaccinations. From his letter issued as Notice 1444-D* we read that the President's first intention with the relief money is to drive "vaccinations" up across the country - "a law that will help vaccinate America and deliver immediate economic relief to hundreds of millions of Americans, including you." The only way for him to do this with ARP funds is to attach compliance with executive orders to get the "vaccine".

*Notice 1444-D <https://abc7chicago.com/stimulus-check-irs-payment-letter/10588095/>

2. Threats to Recipients: There is a reasonable and consequential threat to the City and all Recipients and potential recipients that the ARP funds can and may be used to enforce executive orders, such as vaccine mandates and any others that the Federal Government may choose (climate change, selective diversity, monetary monitoring). These are obligations which come from the required signing of:

a. **The Awards Terms and Conditions Document**, containing paragraph 9a which states *"Recipient also agrees to comply with all other applicable federal statutes, regulations, and executive orders, and Recipient shall provide for such compliance by all other parties in any agreements it enters into with other parties relating to this award."*

https://grants.wv.gov/guidelines/Documents/NEU_Award_Terms_and_Conditions.pdf

b. **Assurances of Compliance with Title VI of the Civil Rights Act of 1964**, containing paragraph 6 which states *"Recipient understands and agrees that if any real property or structure is provided or improved with the aid of federal financial assistance by the Department of the Treasury, this assurance obligates the Recipient or in the case of subsequent transfer, the transferee, for the period during which the real property or structure is used for the purpose for which the federal financial assistance is extended or for another purpose involving the provision of similar services or benefits. If any personal property is*

provided, this assurance obligates the Recipient for the period during which it retains ownership or possession of the property.”

https://home.treasury.gov/system/files/136/Title_VI_Assurances.pdf

c. Assurances of Compliance with Title VI of the Civil Rights Act of 1964, containing **paragraph 7 which states: “Recipient shall cooperate in any enforcement or compliance review activities by the Department of the Treasury of the aforementioned obligations. Enforcement may include investigation, arbitration, mediation, litigation, and monitoring of any settlement agreements that may result in these actions. The Recipient shall **comply with information requests, on-site compliance reviews and reporting requirements.**”**

https://home.treasury.gov/system/files/136/Title_VI_Assurances.pdf

3. Compliance and Reporting Burden: The City and all recipients/potential recipients should be made acutely aware of and provide personnel resources to execute the very extensive obligations and detailed regulation and reporting associated with the ARP funds:

<https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/state-and-local-fiscal-recovery-funds/recipient-compliance-and-reporting-responsibilities>

- Especially the “Compliance and Reporting Guidance for State and Local Fiscal Recovery Funds”

document. <https://home.treasury.gov/system/files/136/SLFRF-Compliance-and-Reporting-Guidance.pdf>

Note: I can say from over 30 years of Federal Government service that **these reporting requirements are extreme and unusually extensive** compared to all other contracts I have worked with. **The workload will inundate many small businesses and possibly the city if they are not prepared.**

4. Legal Expertise Needed. The city and all organizations receiving ARP funds should be prepared for **legal understanding and possibly challenges** resulting from extensive stipulations in the actual law: “Interim Final Rule” - The authorizing Statue from the Dep of the Treasury 31 CFR Part 35

<https://www.govinfo.gov/content/pkg/FR-2021-05-17/pdf/2021-10283.pdf>

BDO is a company that handles the “logistics” of ARP administration and they say it can be overwhelming... they make their money that way!

<https://www.bdo.com/insights/business-financial-advisory/risk-advisory/cares-act-vs-american-rescue-plan-act-funding>

*“To comply with federal requirements, recipients of CARES and ARP funds may need to change their internal control structure, which can be **a complex endeavor**. From adhering to Uniform Guidance to following the “Internal Control Integrated Framework” issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO), creating, implementing, and documenting an internal control system for grants requires **a considerable amount time and manpower**.*

With over 4,000 clients in the public and nonprofit sectors firm-wide, our team of professionals offers the hands-on experience and technical skills that state, territorial, tribal, county, city and other local governments can rely upon to serve their distinctive needs. Currently administering CARES Act grants management for dozens of State and Local governments, BDO extensive knowledge and understanding of the federal grants process gives recipients an advantage in managing successful COVID-19 recovery programs.”