



## City Council & Board of Adjustment Regular Meeting

*Dripping Springs ISD Center for Learning and Leadership*

*Board Room, 300 Sportsplex Drive – Dripping Springs, Texas*

*Tuesday, January 07, 2025, at 6:00 PM*

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## AGENDA

### CALL TO ORDER & ROLL CALL

#### City Council Members

Mayor Bill Foulds, Jr.

Mayor Pro Tem Taline Manassian

Council Member Place 2 Wade King

Council Member Place 3 Geoffrey Tahuahua

Council Member Place 4 Travis Crow

Council Member Place 5 Sherrie Parks

#### Staff, Consultants, & Appointed/Elected Officials

City Administrator Michelle Fischer

Deputy City Administrator Ginger Faught

Deputy City Administrator Shawn Cox

City Attorney Laura Mueller

Deputy City Attorney Aniz Alani

City Secretary Diana Boone

Planning Director Tory Carpenter

Parks & Community Service Director Andy Binz

People & Communications Director Lisa Sullivan

### PLEDGE OF ALLEGIANCE

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### BOARD OF ADJUSTMENT

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### CALL TO ORDER & ROLL CALL

#### Board Members

Chair Bill Foulds, Jr.

Taline Manassian

Wade King

Geoffrey Tahuahua

Travis Crow

Sherrie Parks

## BOARD OF ADJUSTMENT AGENDA

- 1. Public hearing and consideration of approval of VAR2024-009: a variance request to allow a single-family residence building within the side setback at 406 Sue Peaks. Applicant: Travis Schirpik, Meritage Homes**

- a. Applicant Presentation
- b. Staff Report
- c. Planning & Zoning Commission Report
- d. Public Hearing
- e. Recommendation

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### CITY COUNCIL

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## PRESENTATION OF CITIZENS

*A member of the public that wishes to address the City Council on any issue, regardless of whether it is posted on this agenda, may do so during Presentation of Citizens. It is the request of the City Council that individuals wishing to speak on agenda items with a public hearing hold their comments until the item is being considered. Individuals are allowed two (2) minutes each to speak regarding issues not on the agenda and two (2) minutes per item on the agenda and may not cede or pool time. Those requiring the assistance of a translator will be allowed additional time to speak. Individuals are not required to sign in; however, it is encouraged. Individuals that wish to share documents with the City Council must present the documents to the City Secretary or City Attorney providing at least seven (7) copies; if seven (7) copies are not provided, the City Council will receive the documents the following day. Audio Video presentations will not be accepted during Presentation of Citizens. By law no action shall be taken during Presentation of Citizens; however, the Mayor may provide a statement of specific factual information, recitation of existing policy, or direction or referral to staff.*

## PROCLAMATIONS & PRESENTATIONS

*Proclamations and Presentations are for discussion purposes only and no action shall be taken.*

- 2. Recognition of Dave Edwards for his service on the TIRZ No. 1 and No. 2 Board. Sponsor: Mayor Pro Tem Taline Manassian**

## CONSENT AGENDA

*The following items will be acted upon in a single motion and are considered to be ministerial or routine. No separate discussion or action on these items will be held unless pulled at the request of a member of the City Council or City staff.*

- 3. Consider approval of the December 3, 2024 City Council meeting minutes.**
- 4. Consider approval of the appointment of Ryan Thomas and the reappointment of Missy Atwood and Taline Manassian to the TIRZ No. 1 & No. 2 Board of Directors for a term ending December 31, 2026.**
- 5. Consider approval of the CERT recommendation to appoint Sandra Barber to the Emergency Management Committee for a term ending January 1, 2027.**
- 6. Approval of a Resolution Accepting Improvements and Approving a Maintenance Bond for the Driftwood Club Core Phase V- Waterline, Forcemain and Street Improvements. *Applicant: Jimmy Evans Company, LTD***
- 7. Approval of a Resolution Accepting Improvements and Approving a Maintenance Bond for the Heritage Offsite Effluent Line Stage II Improvements. *Applicant: Cash Construction Company, INC.***
- 8. Consider approval of the November 2024 Treasurer's Report.**
- 9. Consider approval of an easement for the Dripping Springs Independent School District related to the installation of fiber line in the City's right of way. *Applicant: Dripping Springs Independent School District***
- 10. Consider approval of a Facility Use and Training Agreement between the City of Dripping Springs and South Central Planning and Development Commission for use of the Dripping Springs Ranch Park event room. *Sponsor: Councilmember Sherrie Parks***
- 11. Contract with Atlas Utility for the purchase of water meters. *Sponsor: Mayor Bill Foulds, Jr***

## **BUSINESS AGENDA**

- 12. Discuss and consider adoption of Flood Damage Prevention Ordinance as required by TCEQ for continued compliance with National Flood Insurance Program (NFIP). *Sponsor: Mayor Bill Foulds***
- 13. Discuss and consider approval of a Memorandum of Understanding between the Texas Emergency Management Assistance Teams (TEMAT) and the City of Dripping Springs and an Ordinance Establishing a Program Response and Recovery Phases of Comprehensive Emergency Management. *Sponsor: Councilmember Geoffrey Tahuahua***
- 14. Discuss and consider approval of a Resolution Establishing Priorities for the 88th Legislative Session in Texas, and Authorizing Representation of the Municipality in Advocating Certain Positions. *Sponsor: Councilmember Tahuahua***
- 15. Update on City Hall Remodel. Shawn Cox, Deputy City Administrator. *Sponsor: Mayor Bill Foulds, Jr.***
- 16. Mercer Street Public Restroom Project: Construction Progress Update. *Chad Gilpin, City Engineer***

## REPORTS

*Reports listed are on file and available for review upon request. The City Council may provide staff direction; however, no action shall be taken.*

**17. Legislative Report.** *Laura Mueller, City Attorney*

**18. Planning Department Report.** *Tory Carpenter, Planning Director*

## CLOSED SESSION

*The City Council has the right to adjourn into closed session on any item on this agenda and at any time during the course of this meeting to discuss any matter as authorized by law or by the Open Meetings Act, Texas Government Code Sections 551.071 (Consultation With Attorney), 551.072 (Deliberation Regarding Real Property), 551.073 (Deliberation Regarding Prospective Gifts), 551.074 (Personnel Matters), 551.076 (Deliberation Regarding Security Devices or Security Audits), and 551.087 (Deliberation Regarding Economic Development Negotiations), and 551.089 (Deliberation Regarding Security Devices or Security Audits). Any final action or vote on any Closed Session item will be taken in Open Session.*

- 19. Consultation with City Attorney related to legal issues regarding land use and infrastructure requirements and rough proportionality.** *(551.071, Consultation with Attorney).*
- 20. Consultation with Attorney regarding legal issues related to the South Regional Water Reclamation Project, Wastewater, and Amendment 2 Permits, Wastewater Service Area and Agreements, Water Service and Agreements, Wastewater Fees, Wastewater Infrastructure Agreements, facility liability coverage, and related items.** *(Consultation with Attorney, 551.071)*
- 21. Consultation with Attorney and Deliberation Regarding Real Property related to TIRZ Priority Projects and Other Potential Strategic Real Property Acquisitions.** *(Consultation with Attorney, 551.071; Deliberation Regarding Real Property, 551.072)*

## UPCOMING MEETINGS

### **City Council & Board of Adjustment Meetings**

January 21, 2024, at 6:00 p.m.

February 4, 2024, at 6:00 p.m.

### **Board, Commission, & Committee Meetings**

DSRP Board, January 8, 2024, at 11:00 a.m.

Historic Preservation Commission, January 9, 2024, at 4:00 p.m.



## **ADJOURN**

### **TEXAS OPEN MEETINGS ACT PUBLIC NOTIFICATION OF MEETING**

*I certify that this public meeting is posted in accordance with Texas Government Code Chapter 551, Open Meetings. This meeting agenda is posted on the bulletin board at the City of Dripping Springs City Hall, located at 511 Mercer Street, and on the City website at, [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com), on January 3, 2025 at 1:00 p.m.*

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*Diana Boone, City Secretary*

*This facility is wheelchair accessible. Accessible parking spaces are available. Request for auxiliary aids and services must be made 48 hours prior to this meeting by calling (512) 858-4725.*



# Board of Adjustments

## Planning Department Staff Report

### Planning and Zoning Commission Meeting:

January 7, 2025

### Project No:

VAR2024-009

### Project Planner:

Tory Carpenter, AICP – Planning Director

### Item Details

#### Project Name:

406 Sue Peaks

#### Property Location:

406 Sue Peaks

#### Legal Description:

Lot 9, Block 37, Big Sky Phase 3

#### Applicant:

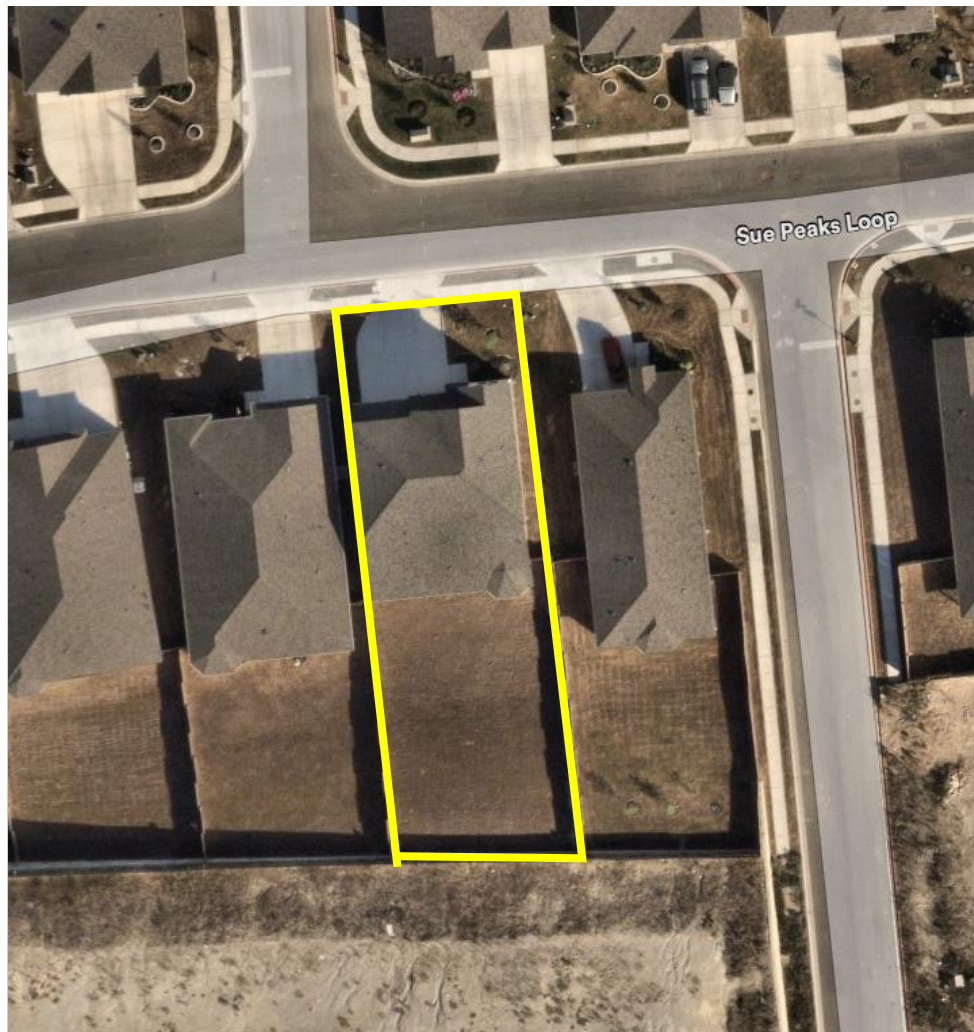
Travis Schirpik, Meritage Homes, LP

#### Property Owner:

Meritage Homes, LP

#### Request:

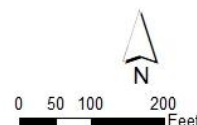
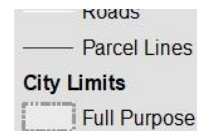
Applicant is requesting a variance to Section 3.4.4(b)(2) requiring a 5-foot side setback for properties zoned SF-3 for an existing home.



### Location Map

VAR2024-009

406 Sue Peaks



## Overview

The applicant is requesting a side setback variance from the Planned Development District (PDD) No. 10 Big Sky standards to allow an as-built home to remain 3 feet from the adjacent property line, where a 5-foot side setback is required under Section 2.4.5(b) of the PDD Development Standards.

The variance is sought to address a construction error that occurred due to an oversight when an amending plat was filed. The updated property pins were not referenced when determining the foundation forms, resulting in the home being poured in its current location. The home has been completed but has not yet received a Certificate of Occupancy and the home is unoccupied.

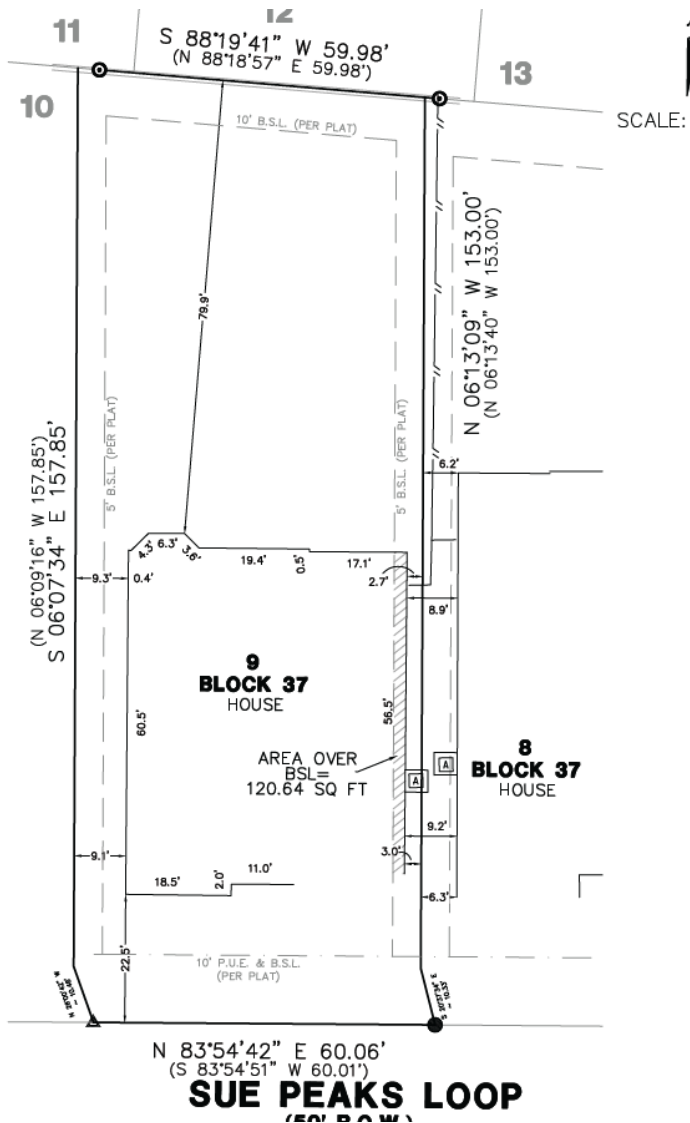
The property owner provided the following description of the hardship and reason for this request:

1. *Home was placed on the lot, surveyed and placed (poured) prior to lot lines being adjusted to the plat. Meritage Homes found the discrepancy once the home was completed, by receiving the final survey. We are asking for the variance in terms of allowing the home to remain in place, with alterations being made by Meritage Homes, to the standard of R302.1 (1) of the International Residential Code.*

Code Requirement	Applicant Request	Required Yard Deficit
5-foot side yard.	Allow the home 3-feet from the property line	<b>2 feet</b> <b>(40% deviation)</b>

## Surrounding Properties

Direction	Zoning District	Existing Use	Comprehensive Plan
North	SF-3	Single Family	The area is not shown on the city's comprehensive future land use plan.
East	SF-3	Single Family	
South	SF-3	Single Family	
West	SF-3	Single Family	



Approval Criteria for Variance (2.22.2-Zoning Ordinance)

Approval Criteria	Staff Comments
1. there are special circumstances or conditions affecting the land involved such that the literal enforcement of the provisions of this Chapter would deprive the applicant of the reasonable use of the land; and	The discrepancy arose due to an amending plat that adjusted lot lines after the foundation was poured. The only option to come into compliance would be to tear down and replace the home, which creates a significant burden not typically faced by other property owners in similar situations.
2. the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and By preserving the natural features and topography of the land; and	Granting the variance allows the applicant to retain the use of the completed home for its intended residential purpose. Without the variance, the applicant would be required to demolish and reconstruct the home, significantly impacting their ability to enjoy a substantial property right. The overall size of the home is consistent with what the Code allows.
3. the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property within the area; and	The applicant has proposed fire safety modifications, including a 1-hour fire-resistance-rated wall assembly and roof projection adjustments per International Residential Code standards. These measures mitigate fire safety risks

	and ensure the reduced setback will not harm neighboring properties.
4. the granting of the variance constitutes a minimal departure from this Chapter; and	The request represents a 2-foot reduction in the side setback from 5 feet to 3 feet. While this is a significant deviation, the size of the home complies with development standards, and fire safety measures are being implemented to mitigate potential impacts.
5. the subject circumstances or conditions giving rise to the alleged hardship are not self-imposed, are not based solely on economic gain or loss, and do not generally affect most properties in the vicinity of the property; and	While the developer initiated the amending plat, which partly caused this issue, the misplacement of the home resulted from an error during construction. The applicant did not knowingly cause the setback encroachment, and the hardship is not based solely on economic considerations.
6. Granting the variance is in harmony with the spirit, general purpose, and intent of this Chapter so that: <ul style="list-style-type: none"> <li>a. the public health, safety and welfare may be secured; and</li> <li>b. that substantial justice may be done.</li> </ul>	Allowing the home to remain while addressing fire safety ensures public health, safety, and welfare are protected. Granting the variance avoids unnecessary demolition and supports the intent of the development standards to balance reasonable property use with community safety.

### Summary and Recommendation

#### Staff recommends approval of this request with the following condition:

1. All necessary improvements as determined by the Building Official must be made prior to issuance of a Certificate of Occupancy.

At their meeting on December 10, 2024, the Planning & Zoning Commission voted to recommend approval of the request.

### Public Notification

A legal notice advertising the public hearing was placed in the Dripping Springs Century-News, signs were posted on the-site, notice was placed on the City Website, and all property owners within a 300-foot radius of the site were notified of the Variance request.

### Meetings Schedule

December 10, 2024 Planning & Zoning Commission

January 7, 2024 Board of Adjustments

### Attachments

Attachment 1 – Variance Application

Attachment 2 – Application Materials

Recommended Action	Approval with the condition referenced above.
Alternatives/Options	Recommend disapproval of the variance with no or alternate conditions.
Budget/Financial impact	N/A

## Planning Department Staff Report

Item # 1.

Public comments	None received at this time
Enforcement Issues	N/A
Comprehensive Plan Element	N/A



## CITY OF DRIPPING SPRINGS

PHYSICAL: 511 Mercer Street • MAILING: PO Box 384

Dripping Springs, TX 78620

• 512.858.4725 • [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com)

Item # 1.

### ALTERNATIVE STANDARD/SPECIAL EXCEPTION/VARIANCE/WAIVER APPLICATION

Case Number (staff use only): \_\_\_\_\_ - \_\_\_\_\_

#### CONTACT INFORMATION

PROPERTY OWNER NAME Meritage Homes LP  
STREET ADDRESS 406 Sue Peaks  
CITY Dripping Springs STATE TX ZIP CODE 78620  
PHONE 512-563-0024 EMAIL Travis.Schirpik@meritagehomes.com

APPLICANT NAME Travis Schirpik  
COMPANY Meritage Homes  
STREET ADDRESS 12301 Research Blvd, Bldg 4, Suite 400  
CITY Ausitn STATE Tx ZIP CODE 78759  
PHONE 5125630024 EMAIL travis.schirpik@meritagehomes.com

#### APPLICATION TYPE

☐ ALTERNATIVE STANDARD

☒ VARIANCE

☐ SPECIAL EXCEPTION

☐ WAIVER



## PROPERTY INFORMATION

PROJECT NAME	Big Sky Ranch
PROPERTY ADDRESS	406 Sue Peaks
CURRENT LEGAL DESCRIPTION	Lot 9, Block 37, Phase 3
TAX ID#	65-1308131
LOCATED IN	<input checked="" type="checkbox"/> CITY LIMITS <input type="checkbox"/> EXTRATERRITORIAL JURISDICTION <input type="checkbox"/> HISTORIC DISTRICT OVERLAY

○ Description of request & reference to section of the Code of Ordinances applicable to request:  
 We are asking for a variance to the Planned Development District No. 10 Big Sky, Article II. Development Standards; 2.4.5, b which is the minimum side yard: Building setbacks shall be five (5) feet. See attached

○ Description of the hardship or reasons the Alternative Standard/Special Exception/Variance / Waiver is being requested:

Home was placed on the lot, surveyed and placed (poured) prior to lot lines being adjusted to the plat. Meritage Homes found the discrepancy once the home was completed, by receiving the final survey. We are asking for the variance in terms of allowing the home to remain in place, with alterations being made by Meritage Homes, to the standard of R302.1(1) of the International Residential Code~

○ Description of how the project exceeds Code requirements in order to mitigate or offset the effects of the proposed alternative standard/special exception/variance/waiver:


Meritage Homes will make changes to the affected area in terms of adjusting the home, on the affected side, to a 1 hour fire-resistance application. This will result in a 1-hour tested in accordance with ASTM E119, UL 263 of the International Building Code allowing for a 0 feet separation limit on the wall and >2 feet of the roof projection into side building setback line.



**APPLICANT'S SIGNATURE**

The undersigned, hereby confirms that he/she/it is the owner of the above described real property and further, that Travis Schirplik is authorized to act as my agent and representative with respect to this Application and the City's zoning amendment process.

(As recorded in the Hays County Property Deed Records, Vol. 171, Pg. 229.)

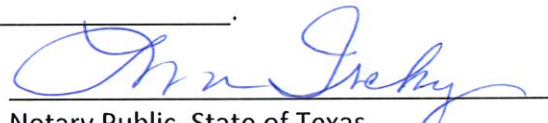
  
 Name **Travis Schirplik**  
**VP of Operations**

\_\_\_\_\_  
 Title

STATE OF TEXAS §

§  
 COUNTY OF HAYS Travis §

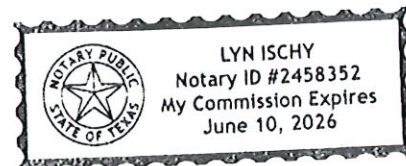
This instrument was acknowledged before me on the 9 day of October,  
2014 by Travis Schirplik  
VP of Operations

  
 Notary Public, State of Texas

My Commission Expires: 6/10/2026

Travis Schirplik  
VP of Operations

\_\_\_\_\_  
 Name of Applicant



**R302.1 Exterior walls.**

Construction, projections, openings and penetrations of exterior walls of dwellings and accessory buildings shall comply with Table R302.1(1); or dwellings equipped throughout with an automatic sprinkler system installed in accordance with Section P2904 shall comply with Table R302.1(2).

**Exceptions:**

1. Walls, projections, openings or penetrations in walls perpendicular to the line used to determine the fire separation distance.
2. Walls of individual dwelling units and their accessory structures located on the same lot.
3. Detached tool sheds and storage sheds, playhouses and similar structures exempted from permits are not required to provide wall protection based on location on the lot. Projections beyond the exterior wall shall not extend over the lot line.
4. Detached garages accessory to a dwelling located within 2 feet (610 mm) of a lot line are permitted to have roof eave projections not exceeding 4 inches (102 mm).
5. Foundation vents installed in compliance with this code are permitted.

**TABLE R302.1(1)**  
**EXTERIOR WALLS**

EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	Fire-resistance rated	1 hour—tested in accordance with ASTM E119, UL 263 or Section 703.3 of the International Building Code with exposure from both sides	0 feet
	Not fire-resistance rated	0 hours	≥ 5 feet
Projections	Not allowed	NA	< 2 feet
	Fire-resistance rated	1 hour on the underside, or heavy timber, or fire-retardant-treated wood <sup>a, b</sup>	≥ 2 feet to < 5 feet
	Not fire-resistance rated	0 hours	≥ 5 feet
Openings in walls	Not allowed	NA	< 3 feet
	25% maximum of wall area	0 hours	3 feet
	Unlimited	0 hours	5 feet
Penetrations	All	Comply with Section R302.4	< 3 feet
		None required	3 feet

For SI: 1 foot = 304.8 mm.

NA = Not Applicable.

a. The fire-resistance rating shall be permitted to be reduced to 0 hours on the underside of the eave overhang if fireblocking is provided from the wall top plate to the underside of the roof sheathing.

b. The fire-resistance rating shall be permitted to be reduced to 0 hours on the underside of the rake overhang where gable vent openings are not installed.

All required items and information (including all applicable above listed exhibits and fees) must be received by the City for an application and request to be considered complete. **Incomplete submissions will not be accepted.** By signing below, I acknowledge that I have read through and met the above requirements for a complete submittal:

  
Applicant Signature

10/16/2024  
Date

### CHECKLIST

STAFF	APPLICANT	
<input type="checkbox"/>	<input type="checkbox"/>	Completed Application Form - including all required signatures and notarized
<input type="checkbox"/>	<input type="checkbox"/>	Application Fee ( <i>refer to Fee Schedule</i> )
<input type="checkbox"/>	<input type="checkbox"/>	PDF/Digital Copies of all submitted documents
<input type="checkbox"/>	<input type="checkbox"/>	<b>When submitting digital files, a cover sheet must be included outlining what digital contents are included.</b>
<input type="checkbox"/>	<input type="checkbox"/>	Billing Contact Form
<input type="checkbox"/>	<input type="checkbox"/>	Photographs
<input type="checkbox"/>	<input type="checkbox"/>	Map/Site Plan/Plat
<input type="checkbox"/>	<input type="checkbox"/>	Architectural Elevations (if applicable)
<input type="checkbox"/>	<input type="checkbox"/>	Description and reason for request ( <i>attach extra sheets if necessary</i> )
<input type="checkbox"/>	<input type="checkbox"/>	Public Notice Sign - \$25
<input type="checkbox"/>	<input type="checkbox"/>	Proof of Property Ownership-Tax Certificate or Deed
<input type="checkbox"/>	<input type="checkbox"/>	Outdoor Lighting Ordinance Compliance Agreement - signed with attached photos/drawings (required if marked "Yes (Required)" on above Lighting Ordinance Section of application)



Project Number: \_\_\_\_\_ - \_\_\_\_\_  
Only filled out by staff

Date, initials



## BILLING CONTACT FORM

Project Name: Big Sky Ranch  
Project Address: 406 Sue Peaks  
Project Applicant Name: TRAVIS Schirpik

### Billing Contact Information

Name: ~~Travis~~ Kim Kidd  
Mailing Address: 12301 Research Blvd, Building 4, suite 400  
Austin TX 78759  
Email: Kim.Kidd@meritagenhomes.com Phone Number: 512-610-4868

Type of Project/Application (check all that apply):

- |   |  |
|---|--|
| <input type="checkbox"/> Alternative Standard           | <input type="checkbox"/> Special Exception     |
| <input type="checkbox"/> Certificate of Appropriateness | <input type="checkbox"/> Street Closure Permit |
| <input type="checkbox"/> Conditional Use Permit         | <input type="checkbox"/> Subdivision           |
| <input type="checkbox"/> Development Agreement          | <input type="checkbox"/> Waiver                |
| <input type="checkbox"/> Exterior Design                | <input type="checkbox"/> Wastewater Service    |
| <input type="checkbox"/> Landscape Plan                 | <input checked="" type="checkbox"/> Variance   |
| <input type="checkbox"/> Lighting Plan                  | <input type="checkbox"/> Zoning                |
| <input type="checkbox"/> Site Development Permit        | <input type="checkbox"/> Other _____           |

*Applicants are required to pay all associated costs associated with a project's application for a permit, plan, certificate, special exception, waiver, variance, alternative standard, or agreement, regardless of City approval. Associated costs may include, but are not limited to, public notices and outside professional services provided to the City by engineers, attorneys, surveyors, inspectors, landscape consultants, lighting consultants, architects, historic preservation consultants, and others, as required. Associated costs will be billed at cost plus 20% to cover the City's additional administrative costs. **Please see the online Master Fee Schedule for more details.** By signing below, I am acknowledging that the above listed party is financially accountable for the payment and responsibility of these fees.*

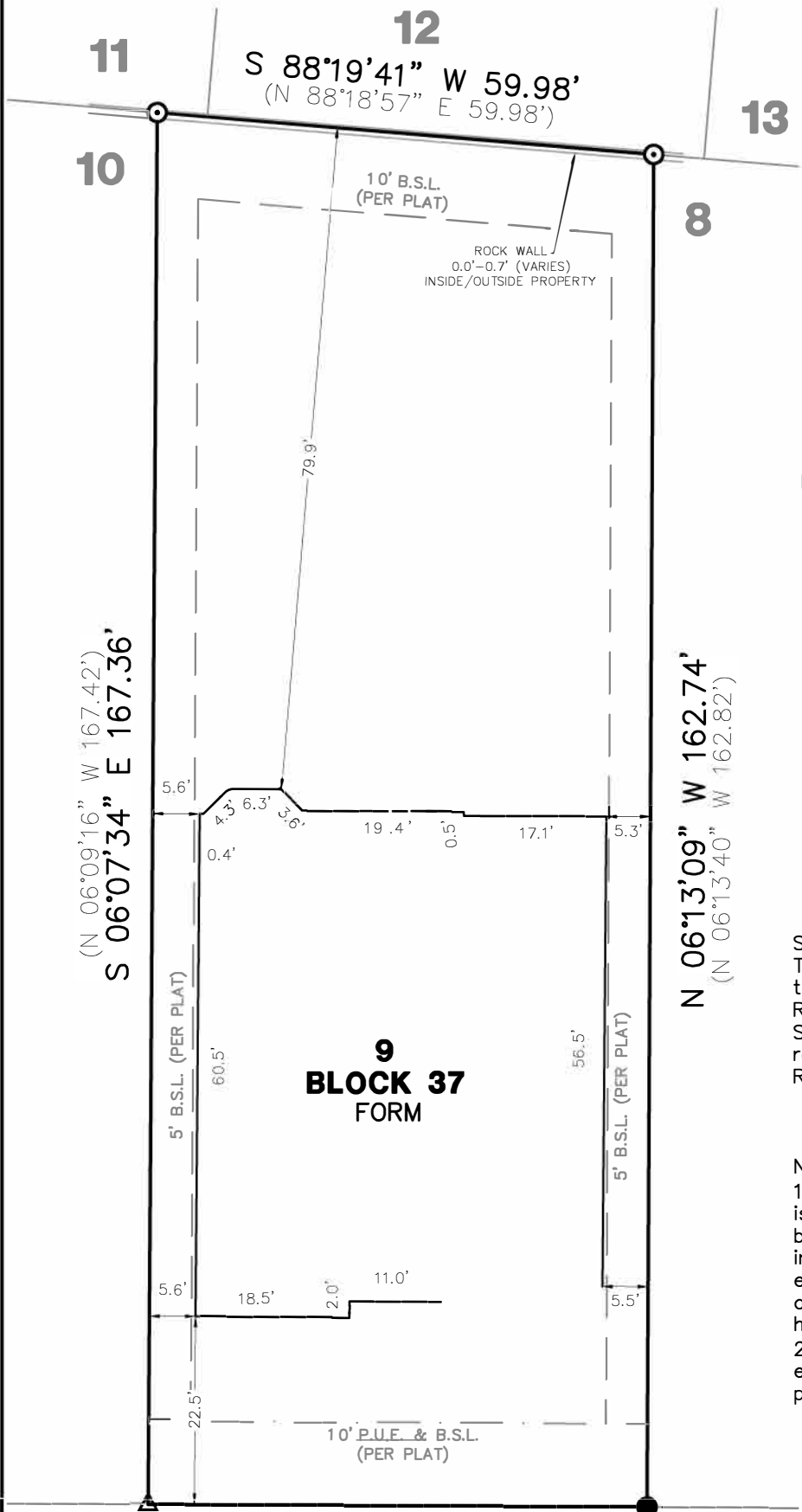
  
Signature of Applicant

10/16/2024  
Date

FORM SURVEY

ATS Job #22122008s

Reference: Meritage Homes Address: 406 Sue Peaks Loop, Dripping Springs, Texas  
Lot 9, Block 37, FINAL PLAT OF BIG SKY RANCH PHASE THREE AT DRIPPING SPRINGS, a  
subdivision in Hays County, Texas, according to the map or plat as recorded in Doc. No.  
22038606, Plat Records, Hays County, Texas.



SCALE: 1"=20'

NOTE:  
THIS SURVEY IS SIMPLY FOR THE  
PURPOSE OF LOCATING THE FORM ON  
THIS PARTICULAR LOT AND SHOULD NOT  
BE USED FOR ANY ADDITIONAL PURPOSES.

LEGEND	
●	½" (IRF) IRON ROD FOUND CAPPED: "DOUCET"
△	CALCULATED POINT (UNABLE TO SET, DEEP TRENCH PRESENT)
⊙	MAG NAIL FOUND IN ROCK WALL
P.U.E.	PUBLIC UTILITY EASEMENT
B.S.L.	BUILDING SETBACK LINE
P.P.D.	PUBLIC PARK DISTRICT
R.O.W.	RIGHT-OF-WAY
( )	RECORD INFORMATION

Surveyor's Note:  
The bearings shown hereon are based on  
the final plat of FINAL PLAT OF BIG SKY  
RANCH PHASE THREE AT DRIPPING  
SPRINGS according to the map or plat as  
recorded in Doc. No. 22038606, Plat  
Records, Hays County, Texas.

Notes:  
1) This map and the survey on which it  
is based have been prepared without the  
benefit of a title report and are not  
intended to reflect all easements,  
encumbrances or other circumstances  
affecting the title to the property shown  
hereon.  
2) All building setback lines and  
easements shown hereon are per subject  
plat unless otherwise noted.

I, Randolph Alfred Finch, HEREBY  
CERTIFY that a survey was made on the  
ground of the property shown hereon;  
that there are no visible discrepancies,  
conflicts, shortages in area, boundary  
line conflicts, encroachments,  
overlapping of improvements, easements  
or right-of-way, except as shown; that  
said property has access to and from a  
public roadway; and that this plat is an  
accurate representation of the property  
to the best of my knowledge.

N 83°54'42" E 60.06'  
(S 83°54'51" W 60.01')  
**SUE PEAKS LOOP**  
(50' R.O.W.)

*R. Finch*

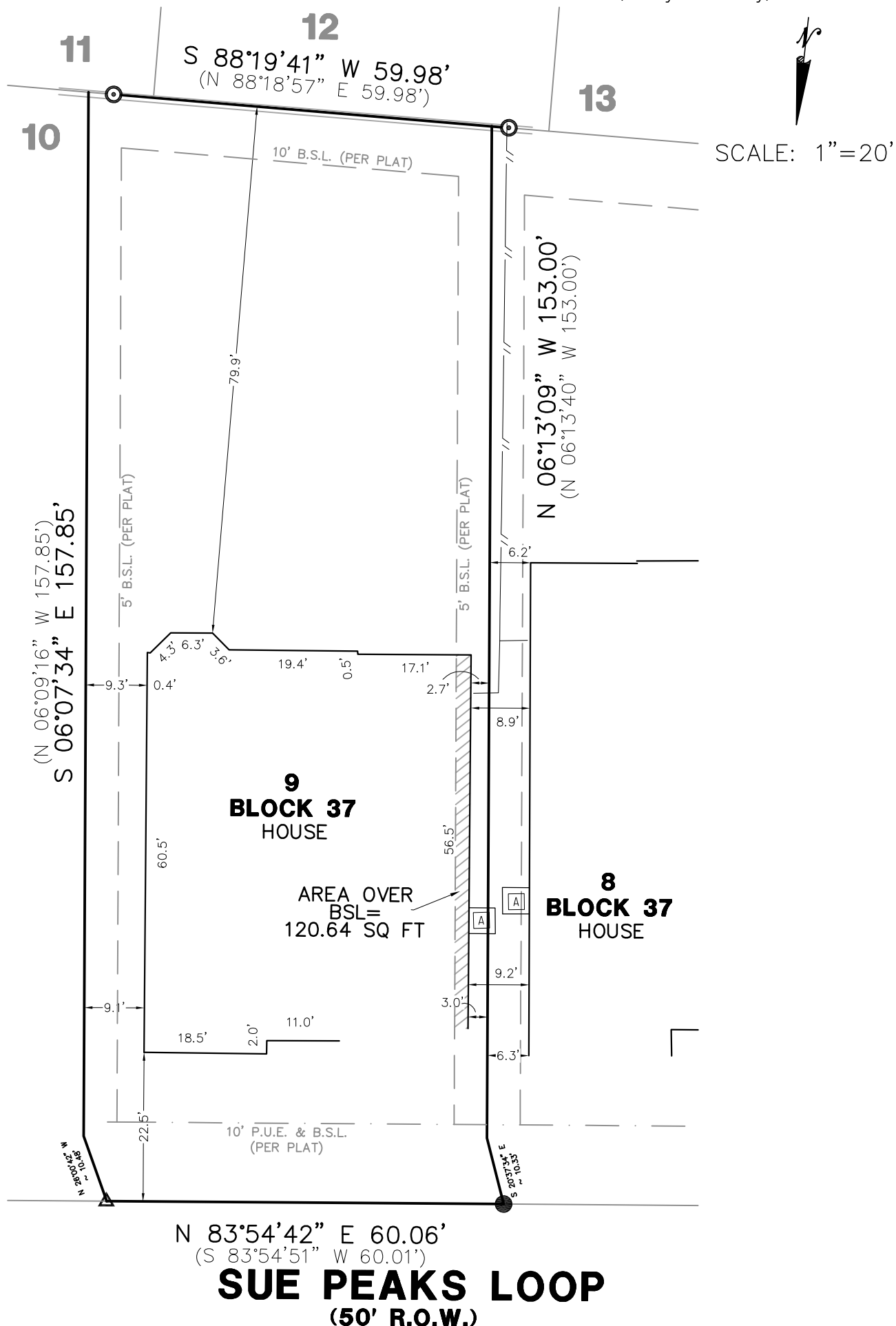
Randolph Alfred Finch, RPLS No. 4972  
Client: Meritage Homes  
Date of Field Work: 2/7/2023  
Field: KSiSSon  
Tech: ISantos  
Date Drawn: 2/9/2023  
Path: Projects\MeritageHomes\BigSkyRanch3\Forms\F009-037-BSR-3.dwg



**ATS Engineers Inspectors & Surveyors**  
www.ats-engineers.com  
TBPLS FIRM REG. #10128000  
4910 West Hwy 290  
AUSTIN, TEXAS 78735  
(512) 328-6995  
FAX: (512) 328-6996

Address: 394 & 406 Sue Peaks Loop, Dripping Springs, Texas  
Lots 8 & 9, Block 37, BIG SKY RANCH PHASE THREE AT DRIPPING SPRINGS, a subdiv  
in Hays County, Texas, according to the map or plat as recorded in Doc. No. 220386  
and as amended in Doc. No. 23024086 of the Plat Records, Hays County, Texas.

Item # 1.



**PLANNED DEVELOPMENT DISTRICT No. 10:**  
**Big Sky**

Planned Development District

Ordinance No. 2018-24

Approved by the Planning & Zoning Commission on:  
September 25, 2018.

Approved by the City Council on:  
October 9, 2018

**THIS PLANNED DEVELOPMENT DISTRICT ORDINANCE** (“Ordinance”) is enacted pursuant to City of Dripping Springs Code of Ordinances, Article 30.3.

**WHEREAS**, the Owner is the owner of certain real property consisting of approximately 200 acres located within the City Limits of the City of Dripping Springs (“City”), in Hays County, Texas, commonly known as “Big Sky” and as more particularly identified and described in *Exhibit “A”* (the “Property”) to *Attachment “A”*; and

**WHEREAS**, the Property will be subdivided and developed by Owner, its affiliates or their successors and assigns, for construction and use in general accordance with the PD Master Plan shown as *Exhibit “B”* to *Attachment “A”*; and

**WHEREAS**, the Owner, its affiliates or their successors and assigns intends to develop a master-planned community that will include a mix of land uses, together with parkland and roadway connections described herein;

**WHEREAS**, the Owner has submitted an application to the City to rezone the Property to Planned Development District (“PDD”), designating it “PDD – 10”; and

**WHEREAS**, after public notice, the Planning and Zoning Commission conducted a public hearing and recommended approval on September 25, 2018; and

**WHEREAS**, pursuant to the City’s Planned Development Districts Ordinance, Article 30.03 of the City’s Code of Ordinances (the “PD Ordinance”), the Owner has submitted a PD Master Plan that conceptually describes the Project, which is attached to this Ordinance as *Exhibit “B”* to *Attachment “A”*; and

**WHEREAS**, this Ordinance, PD Master Plan, and the Code of Ordinances shall be read in harmony, will be applicable to the Property, and will guide development of the Property; and

**WHEREAS**, the City Council has reviewed this proposed Ordinance, the PD Master Plan, and the Annexation and Development Agreement for Scott Ranch and has determined that it promotes the health, safety, and general welfare of the citizens of Dripping Springs; complies with the intent of the City of Dripping Springs Comprehensive Plan; and is necessary in light of changes in the neighborhood; and

**WHEREAS**, the City Council finds that this proposed Ordinance ensures the compatibility of land uses, and to allow for the adjustment of changing demands to meet the current needs of the community by meeting one or more of the following purposes under Code §30.03.004: provides for a superior design of lots or buildings; provides for increased recreation and/or open space opportunities for public use; provides amenities or features that would be of special benefit to the property users or community; protects or preserves natural amenities and environmental assets such as trees, creeks, ponds, floodplains, slopes, hills, views, and wildlife habitats; protects or preserves existing historical buildings, structures, features or places;



provides an appropriate balance between the intensity of development and the ability to provide adequate supporting public facilities and services; and meets or exceeds the present standards of this article;

**WHEREAS,** the City Council is authorized to adopt this Ordinance in accordance with Texas Local Government Code Chapters 51 and 211; and

**WHEREAS,** the Ordinance has been subject to public notices and public hearings and has been reviewed and approved by the City's Planning and Zoning Commission.

**NOW, THEREFORE, BE IT ORDAINED by the City Council of Dripping Springs:**

## **1. FINDINGS OF FACT**

The City Council finds that the facts and matters in the foregoing recitals are true and correct; and, are hereby incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

## **2. ENACTMENT**

- A. Zoning District Created.** PDD – 10 is hereby established consistent with *Attachment "A,"* which is attached hereto and incorporated into this Ordinance for all intents and purposes. Code of Ordinances Chapter 30, Exhibit A [Zoning Ordinance], § 3.1 [Zoning Districts] is hereby amended to add the zoning district identified as PDD – 10.
- B. Zoning Map Amended.** The official zoning map of the City is hereby amended to demarcate the boundaries of PDD – 10 consistently with the boundaries of the Property delineated in the Property Legal Description, *Exhibit "A"* to *Attachment "A"*.
- C. PD Master Plan Approved.** The PD Master Plan attached *as Exhibit "B" to Attachment "A"* is hereby approved. The PD Master Plan, together with *Attachment "A"*, constitutes the zoning regulations for the Project. All construction, land use and development of the Property must substantially conform to the terms and conditions set forth in the PD Master Plan, this Ordinance, *Attachment "A"* and the exhibits. The PD Master Plan is intended to serve as a guide to illustrate the general vision and design concepts. The PD Master Plan is to serve as the conceptual basis for the site plan(s) subsequently submitted to the City seeking site development permit approval.
- D. Administrative Approval of Minor Modifications.** In order to provide flexibility with respect to certain details of the development of the Project, the City Administrator is authorized to approve minor modifications. Minor modifications do not require consent or action of the Planning & Zoning Commission or City Council. Examples of minor modifications include the location of use classifications; slight adjustments to the internal street and drive alignments; building envelopes; number of buildings; orientation of buildings; and adjustments that do not result in overall increases to traffic, density, or impervious cover. The City Administrator may

approve minor modifications in writing following consultation with the City Engineer. Any appeal of the City Administrator's determination regarding whether or not a change is a minor modification may be appealed by any aggrieved party to the Board of Adjustment.

- E. Code of Ordinances.** The Code of Ordinances shall be applicable to the Project, except as specifically provided for by this Ordinance, *Attachment "A"*, or the PD Master Plan.
- F. Resolution of Conflicts.** The documents governing the PDD should be read in harmony to the extent possible. If a conflict arises between the charts included in the exhibits and the illustrations contained in the exhibits, the charts shall control. If a conflict arises between the terms of this Ordinance and the exhibits, the terms of this Ordinance shall control.
- G. PDD Fees.** Owner shall receive credit towards the Planned Development District Request Fee equal to \$20,030.00 previously paid by Owner to the City for the Development Agreement Fee.
- H. Attachments and Exhibits Listed.** The following attachment and exhibits thereto are incorporated into this Ordinance in their entirety, as though set forth fully in the text of this Ordinance:

*Attachment "A"* – Planned Development District No. 10 and Zoning Map

<b>Exhibit A</b>	<b>Property Legal Description</b>
<b>Exhibit B</b>	<b>PD Master Plan</b>
<b>Exhibit C</b>	<b>Parks, Trails and Open Space Plan</b>
<b>Exhibit D</b>	<b>PD Code Modifications Chart</b>
<b>Exhibit E</b>	<b>Founders Memorial Park and Pound House Improvements</b>
<b>Exhibit F</b>	<b>PD Street Standards</b>
<b>Exhibit G</b>	<b>Water Quality Buffer Zones</b>
<b>Exhibit H</b>	<b>PD Phasing Plan</b>
<b>Exhibit I</b>	<b>PD Uses Chart</b>

### 3. REPEALER

All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated herein.

### 4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

## 5. PENALTY

Any person, firm, association or persons, company, corporations or their agents or employees violating or failing to comply with any of the provisions of this Ordinance may be subject to a fine pursuant to Section 54.001 of the Texas Local Government Code, upon conviction of not more than Two Thousand Dollars (\$2,000.00). The foregoing fine may be cumulative of other remedies provided by State law, and the power on injunction as provided by Texas Local Government Code 54.012 and as may be amended, may be exercised in enforcing this Ordinance whether or not there has been a complaint filed.

## 6. CODIFICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

## 7. PROPER NOTICE & MEETING

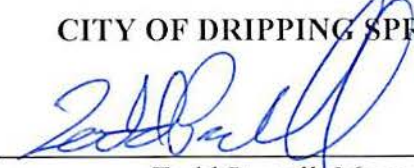
It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapters 52 and 211 of the Texas Local Government Code.

## 8. EFFECTIVE DATE

This Ordinance shall be effective immediately upon approval by the City Council and publication as required by law.

**PASSED & APPROVED** this, the 18<sup>th</sup> day of October 2018, by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:

  
\_\_\_\_\_  
Todd Purcell, Mayor

ATTEST:

  
\_\_\_\_\_  
Andrea Cunningham, City Secretary



## *Attachment “A”*

# City of Dripping Springs CODE OF ORDINANCES

## ARTICLE 30.03: PLANNED DEVELOPMENT DISTRICTS

### PLANNED DEVELOPMENT DISTRICT NO. 10:

#### ARTICLE I. GENERAL PROVISIONS

- 1.1. **Popular Name.** This Chapter shall be commonly cited as the “PDD – 10 Ordinance”, also referred to as “this Ordinance” herein.
- 1.2. **Scope.** This Ordinance applies to the Property.
- 1.3. **PD Master Plan.** The PD Master Plan has been approved by the City and shall guide permitting, development and use of the Property.
- 1.4. **Definitions.** Words and terms used herein shall have their usual meaning except as they may be specifically defined herein, or, if capitalized and not defined herein, as defined in the Code (hereinafter defined):

**City:** The City of Dripping Springs, an incorporated Type A, general-law municipality located in Hays County, Texas.

**City Administrator or Administrator:** The chief administrative officer of the City of Dripping Springs, Texas. The term also includes the Deputy City Administrator and City Administrator’s designee.

**City Council:** The governing body of the City of Dripping Springs, Texas.

**City Engineer:** The person or firm designated by the City Council as the engineer for the City of Dripping Springs, Texas.

**Code, City’s Code of Ordinances or City of Dripping Springs Code of Ordinances:** The entirety of the City’s ordinances, regulations and official policies in effect as of July 10, 2018 except as modified by the Project Approvals and variances granted under the Development Agreement and this Ordinance. This term does not include Zoning or Building Codes, Sign Ordinance, the Water Quality Protection Ordinance or regulations

mandated by state law, or that are necessary to prevent imminent harm to human safety or property, which may be modified and made applicable to the Project even after the Effective Date.

**Development Agreement:** The Annexation and Development Agreement for Scott Ranch between Owner and the City with the effective date of July 10, 2018.

**Effective Date:** The Effective Date of this Ordinance shall be the date of approval by the City Council and publication as required by law.

**Homeowners Association:** A community group that is organized with respect to the Property in which individual owners of lots share common interests and responsibilities for costs and upkeep of common space or facilities. The group may take the form of a Home Owners Association or Property Owners Association.

**Impervious Cover:** Buildings, parking areas, roads, and other impermeable man-made improvements covering the natural land surface that prevent infiltration as determined by City Engineer. For purposes of compliance with this document, the term expressly excludes storage tanks for rainwater collection systems, the structure covering specifically the rainwater collection tanks, decomposed granite surfaces, permeable concrete, or any other permeable surface.

**Impervious Cover Percentage:** The percentage calculated by dividing the total acres of impervious cover on the Property by the total number of acres included in the Property. Whether or not outdoor decks are included in the calculation of impervious cover shall be determined by the City Engineer based on the deck design and materials. In the calculation of impervious cover, the following shall be characterized as pervious for all purposes: open space, greenbelt, mitigation land, park, irrigation field, flood plain, water quality and/or drainage facility and/or area not lined with impermeable material, detention facility, swale, irrigation area, playground, athletic fields, granite and/or pea gravel trails, "green roof" areas and roof areas utilizing rainwater harvesting, and such other areas as determined by City Engineer.

**Landscaping Ordinance:** Article 28.06, Landscaping and Tree Preservation, of Chapter 28, Subdivisions and Site Development of the City of Dripping Springs Code of Ordinances.

**Outdoor Lighting Ordinance:** Article 24.06, Outdoor Lighting, of Chapter 24 of the City of Dripping Springs Code of Ordinances.

**Owner:** Meritage Homes of Texas, LLC., an Arizona limited liability company. and their successors and assigns as subsequent owners of any portion of the Property.

**Project:** A land use and development endeavor proposed to be performed on the Property, as provided by this Ordinance and generally depicted on the PD Master Plan on *Exhibit B*".

**Project Approvals:** The approvals, waivers and exceptions to the Applicable Rules approved by the City with respect to the development of the Property, as set forth on *Exhibit D*".

**Property:** The land as more particularly described in *Exhibit "A"*.

**TCEQ:** The Texas Commission on Environmental Quality, or its successor agency.

**TCSS Manual:** The City of Dripping Springs Technical Construction Standards and Specifications Manual.

**TIA:** Traffic Impact Analysis, as specified in Chapter 28, Article 28.02: Exhibit A-Subdivision Ordinance, Section 11.11 of the Dripping Springs Code of Ordinances.

**TxDOT:** The Texas Department of Transportation or its successor agency.

**Water Quality Protection Ordinance:** Article 22.05 of Chapter 22, General Regulations of the Code.

## **ARTICLE II. DEVELOPMENT STANDARDS**

- 2.1. **General Regulations.** Except as otherwise provided in this Ordinance and the PD Master Plan, the Property shall be governed by the site regulations and development standards contained in the Code of Ordinances.
- 2.2. **Phasing.** The Property may be developed in phases. The Project is intended to be developed in phases as shown on *Exhibit "H"*. Owner may change the phasing of development from time to time in response to market conditions or other factors. Phases may be developed concurrently. Site plans shall be submitted to the City for approval with each phase.
- 2.3. **Permitted Uses.**
  - 2.3.1. **Base Zoning:** The base zoning district for the Property shall be SF-3, which shall be the basis for all zoning specifications not addressed in this Ordinance or the PD Master Plan.
  - 2.3.2. **Allowed Uses:** Those uses listed in the PD Uses Chart attached as *Exhibit "I"* are hereby permitted by right within the Project.
- 2.4. **Design Specifications:**
  - 2.4.1 **Impervious Cover.** The Property may be developed with an Impervious Cover Percentage that does not exceed fifty percent (50%) over the entire Project. Owner shall have the right to apportion impervious cover limits on a lot by lot or use by use basis. Owner may apportion such limits as it deems desirable so long as the overall limitation herein specified is not exceeded.

**2.4.2 Minimum Lot Area:** Three thousand four hundred (3,400) square feet.

**2.4.3 Building Height.** Buildings shall not exceed 2 ½ stories or 40 feet, whichever is less, measured from the average elevation of the existing grade of the building to the highest point of a flat or multi-level or as defined in Section 28.05.004 of the 2017 City of Dripping Springs Code of Ordinances.

**2.4.4 Minimum Lot Width:** Thirty-four (34) feet measured from the set back line.

**2.4.5 Setbacks.** Building setbacks shall be as follows:

- a. Minimum Front Yard: Building setbacks shall be ten (10) feet from the street right of way.
- b. Minimum Side Yard: Building setbacks shall be five (5) feet; provided, however corner lots will be set back a minimum of seven and one half (7.5) feet from the street right of way.
- c. Minimum Rear Yard: Building setbacks shall be ten (10) ten feet.
- d. Minimum setback for Garage Door from Alley: Ten (10) feet.
- e. Minimum Setback for Accessory Building: Five (5) feet; no accessory buildings or structures are permitted in any front yard.
- f. Maximum Height of Fence within front Street Yard: Three (3) feet and shall provide a finished face to abutting streets.
- g. Maximum Height of Fence Outside Street Yard: Six (6) feet; provided, however, lots that are contiguous to the boundaries of the Property may have an eight (8) foot maximum height of fence outside street yard. All fences shall provide a finished face to abutting streets and these fences shall not conflict with sight triangles at street intersections or obstruct views from adjacent driveways.
- h. Buffer areas and Setbacks: A thirty (30) foot Land Use Transition buffer will extend along the shared property line where residential lots are contiguous to the Poundhouse Hill development to aid in screening the change in density. The lots adjacent to the Poundhouse Hill development shall be at least a fifth of an acre in size. The buffer along such shared boundary shall meet the requirements in City Ordinance Section 28.06.051 – Landscape Buffers. Additionally, residential lots that are contiguous to the lots in Poundhouse Hills development shall be a minimum of sixty (60) feet wide and shall have in addition to the thirty (30) foot buffer, a twenty (20) foot or fifteen (15) foot building set back line from the boundary of the buffer, depending on the



**R302.1 Exterior walls.**

Construction, projections, openings and penetrations of *exterior walls of dwellings* and accessory buildings shall comply with [Table R302.1\(1\)](#); or *dwellings* equipped throughout with an *automatic sprinkler system* installed in accordance with [Section P2904](#) shall comply with [Table R302.1\(2\)](#).

**Exceptions:**

1. Walls, projections, openings or penetrations in walls perpendicular to the line used to determine the *fire separation distance*.
2. *Walls of individual dwelling units and their accessory structures* located on the same *lot*.
3. Detached tool sheds and storage sheds, playhouses and similar structures exempted from permits are not required to provide wall protection based on location on the *lot*. Projections beyond the *exterior wall* shall not extend over the *lot line*.
4. Detached garages accessory to a *dwelling* located within 2 feet (610 mm) of a *lot line* are permitted to have roof eave projections not exceeding 4 inches (102 mm).
5. Foundation vents installed in compliance with this code are permitted.

**TABLE R302.1(1)**  
**EXTERIOR WALLS**

EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	Fire-resistance rated	1 hour—tested in accordance with ASTM E119, UL 263 or Section 703.3 of the <i>International Building Code</i> with exposure from both sides	0 feet
	Not fire-resistance rated	0 hours	≥ 5 feet
Projections	Not allowed	NA	< 2 feet
	Fire-resistance rated	1 hour on the underside, or heavy timber, or fire-retardant-treated wood <sup>a, b</sup>	≥ 2 feet to < 5 feet
	Not fire-resistance rated	0 hours	≥ 5 feet
Openings in walls	Not allowed	NA	< 3 feet
	25% maximum of wall area	0 hours	3 feet
	Unlimited	0 hours	5 feet
Penetrations	All	Comply with <a href="#">Section R302.4</a>	< 3 feet
		None required	3 feet

For SI: 1 foot = 304.8 mm.

NA = Not Applicable.

- a. The fire-resistance rating shall be permitted to be reduced to 0 hours on the underside of the eave overhang if fireblocking is provided from the wall top plate to the underside of the roof sheathing.
- b. The fire-resistance rating shall be permitted to be reduced to 0 hours on the underside of the rake overhang where gable vent openings are not installed.





**TO:** City of Dripping Springs

**FROM:** Meritage Homes

**DATE:** May 29, 2024

**SUB:** 406 Sue Peaks, Big Sky Ranch  
Dripping Springs, TX 78620

Please see information below to outline the steps Meritage Homes will take to address and correct the issues identified at 406 Sue Peaks.

## **Correction Process for 406 Sue Peaks**

### **Exterior Wall Corrections**

#### **1 Remove Exterior Facade**

- Remove brick on the first floor and siding on the second floor from the right side of the house.

#### **2 Soffit Overhang Adjustments**

- Cut back soffit overhangs to ensure they are a minimum of 2 feet from the property line.
- Any remaining soffit overhang will have a 1-hour fire rating on the underside per Table 302.1 (1).

#### **3 Window Removal**

- Remove windows at the second-floor game room that are less than 3 feet from the property line.

#### **4. Water Heater Vent Adjustment**

5. Remove the water heater vent on the right side. It will be vented through a chase added in the game room (see Interior Wall section).

#### **6. Vent Removal**

- Remove vents for bath fans and the dryer from the right side. These will be vented through a chase added in the game room (see Interior Wall section).

#### **7. HVAC Adjustments**

- Remove the HVAC condenser and all connections from the right side of the house. It will be moved to the left side of the house.
- Remove the 110V HVAC service plug from the right side of the house.

#### **8. Water Heater Drain Adjustment**

- Remove water heater secondary drains from the right side of the house. They will be relocated to the interior stud bay of said wall to exit the exterior of the front of the home.

#### **9. Pest Control Connection Removal**

- Remove the pest control connection on the right side of the house.

#### **10. Add Fire-Rated Sheathing**

- Install fire-rated sheathing as per the attached detail.

#### **11. Replace Soffit and Fascia Trim Boards**

- Ensure a minimum 2-foot clearance from the property line.
- Any remaining soffit overhang will have a 1-hour fire rating on the underside per Table 302.1 (1).

#### **12. Replace Exterior Facade**

- Replace the brick on the first floor and siding on the second floor.
- Replace the brick on the first floor with siding in an area 8 feet wide (4 feet O.C) of the master bath window to create an area 8x9 feet or 72 sq. ft. that is greater than 3 feet from the property line.

- Ensure the master bath window, which is 4x4 feet or 16 sq. ft., is under the 25% maximum allowable openings in the wall per Table R302.1 (1).

### **13. Replace Rain Gutters**

### **14. Move Front Hose Bib and Irrigation Control Wires to front facade of home and out of side lot line of home.**

- These will move to the front corner of home to be located outside of the side Building set-back line.

## **Interior Wall Corrections**

### **1. Flooring Removal**

- Remove carpet and pad from the primary bedroom, game room, and media room.

### **2. Bathroom Fixture Removal**

- Remove the primary shower and tub, including shower glass and tile surrounds.

### **3. Trim and Baseboard Removal**

- Remove all mechanical trims, shelving, and baseboards from the right exterior wall on the first and second floors.

### **4. Drywall Removal**

- Remove all vertical drywall on the right exterior wall on the first and second floors.

### **5. Window Removal and Reframing**

- Remove the windows at the second-floor game room, reframe, and insulate the opening.

### **6. Chase Installation in Game Room**

- Install chases in the game room to carry the water heater vent, vent fans, and dryer vent.

**7. Vent Rerouting**

- Reroute the water heater, dryer, and vent fans through the game room chases, including termination through the roof.

**8. Water Heater Drain Rerouting**

- Reroute the water heater drain to the garage floor.

**9. Electrical Adjustments**

- Replace electrical junction boxes with fire-resistant rated boxes per R302.4.

**10. Drywall Replacement**

- Replace drywall on the right exterior wall with 5/8" type "X" gypsum as per the attached detail.
- Repair interior drywall as needed, including chases in the game room and damage from relocating HVAC.

**11. Bathroom Fixture Reinstallation**

- Reinstall the primary tub and shower, including shower glass and tile surrounds.

**12. Trim and Baseboard Replacement**

- Replace all interior trims as needed, including mechanical trims, shelving, and baseboards.

**13. Repainting**

- Repaint the interior as required.

**14. Flooring Reinstallation**

- Reinstall flooring as required.

**15. Final Cleaning and Inspection**

- Clean the area thoroughly.
- Pass any applicable inspections.



**Travis Schirpik**

Vice President of Operations, Central Region

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O: 512.615.6430 | C: 512.563.0024

[Travis.Schirpik@meritagehomes.com](mailto:Travis.Schirpik@meritagehomes.com)



## City Council & Board of Adjustment Regular Meeting

*Dripping Springs ISD Center for Learning and Leadership*

*Board Room, 300 Sportsplex Drive – Dripping Springs, Texas*

*Tuesday, December 03, 2024, at 6:00 PM*

# MINUTES

## CALL TO ORDER & ROLL CALL

With a quorum of Council Members present, Mayor Foulds called the meeting to order at 6:03 PM.

### **City Council Members Present:**

Mayor Bill Foulds, Jr.

Council Member Place 2 Wade King

Council Member Place 3 Geoffrey Tahuahua

Council Member Place 4 Travis Crow

Council Member Place 5 Sherrie Parks

### **City Council Members Absent:**

Mayor Pro Tem Taline Manassian

### **Staff, Consultants, & Appointed/Elected Officials**

City Administrator Michelle Fischer

Deputy City Administrator Ginger Faught

Deputy City Administrator Shawn Cox

City Attorney Laura Mueller

Deputy City Attorney Aniz Alani

City Secretary Diana Boone

Planning Director Tory Carpenter

Farmers Market Manager Charlie Reed

Code Enforcement Inspector Mark Escobedo

Building Official Shane Pevehouse

Emergency Management Coordinator Roman Baligad

People & Communications Director Lisa Sullivan

Parks & Community Services Director Andy Binz

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member King.

## PRESENTATION OF CITIZENS

*A member of the public that wishes to address the City Council on any issue, regardless of whether it is posted on this agenda, may do so during Presentation of Citizens. It is the request of the City Council that individuals wishing to speak on agenda items with a public hearing hold their comments until the item is*

*being considered. Individuals are allowed two (2) minutes each to speak regarding issues not on the agenda and two (2) minutes per item on the agenda and may not cede or pool time. Those requiring the assistance of a translator will be allowed additional time to speak. Individuals are not required to sign in; however, it is encouraged. Individuals that wish to share documents with the City Council must present the documents to the City Secretary or City Attorney providing at least seven (7) copies; if seven (7) copies are not provided, the City Council will receive the documents the following day. Audio Video presentations will not be accepted during Presentation of Citizens. By law no action shall be taken during Presentation of Citizens; however, the Mayor may provide a statement of specific factual information, recitation of existing policy, or direction or referral to staff.*

No one spoke during Presentation of Citizens.

## **PRESENTATION**

- 1. Presentation of award to Constable Ron Hood for his years of service to the Emergency Management Committee.**

Council Member Tahuahua presented Constable Hood with an award for his years of service to the Emergency Management Committee. Emergency Management Coordinator Roman Baligad was also present and expressed his gratitude.

## **CONSENT AGENDA**

*The following items will be acted upon in a single motion and are considered to be ministerial or routine. No separate discussion or action on these items will be held unless pulled at the request of a member of the City Council or City staff.*

- 2. Approval of the November 19, 2024 City Council meeting minutes.**
- 3. Approval of the appointment of Dave Graham and the reappointment of Bob Luddy, Scott Collard, and Dillon Polk to the Emergency Management Committee for a term ending January 1, 2027.**

A motion was made by Council Member Tahuahua and seconded by Council Member King, to approve Consent Agenda items 2-3. The motion to approve carried unanimously 4 to 0.

## **BUSINESS AGENDA**

- 4. Discuss and consider termination of Sign Permit for Citgo pole sign located at Dripping Springs Grocery, 601 Hwy 290 W. Sponsor: Mayor Bill Foulds, Jr.**

This item was presented by Building Official Shane Pevehouse. Staff recommendation to council was to revoke the Pole Sign Variance and remove pole sign and lighting due to noncompliance.

Council Member Crow recused himself, stepped away, did not participate in the discussion, and did not vote.

A motion was made by Council Member Tahuahua and seconded by Council Member King, to revoke the variance for the pole sign located at 601 Hwy 290 W. and direct staff to take action towards removal of the sign and lighting. City Council directed staff to ensure that Citgo obtained an agreement within 10 business days to remove the sign for the sign to be removed within the following 45 days. The motion carried unanimously 3 to 0.

**5. Discuss and consider approval of the Building Inspector Apprentice Job Description.**

*Sponsor: Mayor Bill Foulds, Jr.*

This item was presented by City Attorney Laura Mueller. Council Member Tahuahua questioned the use of the word “apprentice” on the job title so staff may change the title.

A motion was made by Council Member Tahuahua and seconded by Council Member Crow, to approve the job description. The motion to approve carried unanimously 4 to 0.

**6. Discuss and consider approval of an Ordinance amending the Code of Ordinances to clarify and enhance the operations and governance of the Farmers Market.** *Sponsor: Council Member Sherrie Parks*

**a. Staff Report**

This item was presented by Deputy City Attorney Aniz Alani. Farmers Market Manager Charlie Reed was also available to answer questions. Staff recommends adoption to improve market operations, support local vendors, and enhance the market’s role in the community.

**b. Public Hearing**

No one spoke during the Public Hearing.

**c. Ordinance**

A motion was made by Council Member Parks and seconded by Council Member Tahuahua, to approve the ordinance amending the Code of Ordinances to clarify and enhance the operations and governance of the Farmers Market. The motion to approve carried unanimously 4 to 0.

**7. Discuss and Consider Approval of a Resolution Supporting Hays County's RM 12 at RM 150 Roundabout Application for 2024 CAMPO Carbon Reduction Program Funding.** *Sponsor: Mayor Bill Foulds*

This item was presented by Planning Director Tory Carpenter. Staff recommends approval of resolution.

A motion was made by Council Member Tahuahua and seconded by Council Member Parks, to support Hays County roundabout application. The motion carried 3 to 1 with Council Member Crow voting nay.



## CLOSED SESSION

A motion was made by Council Member Tahuahua and seconded by Council Member Crow to move items 8-10 into Closed Session under Sections 551.071 and 551.072. The motion carried unanimously 4 to 0.

Closed Session began at 6:46 PM and ended at 6:53 PM.

A motion was made by Council Member Tahuahua and seconded by Council Member Parks, to move agenda item 8 to regular session. The motion carried unanimously 4 to 0.

*The City Council has the right to adjourn into closed session on any item on this agenda and at any time during the course of this meeting to discuss any matter as authorized by law or by the Open Meetings Act, Texas Government Code Sections 551.071 (Consultation With Attorney), 551.072 (Deliberation Regarding Real Property), 551.073 (Deliberation Regarding Prospective Gifts), 551.074 (Personnel Matters), 551.076 (Deliberation Regarding Security Devices or Security Audits), and 551.087 (Deliberation Regarding Economic Development Negotiations), and 551.089 (Deliberation Regarding Security Devices or Security Audits). Any final action or vote on any Closed Session item will be taken in Open Session.*

- 8. Consultation with City Attorney related to opioid lawsuits.** *Consultation with Attorney, 551.071*

A motion was made by Council Member Tahuahua and seconded by Council Member Crow, to approve a resolution approving settlement participation. The motion to approve carried unanimously 4 to 0 .

- 9. Consultation with Attorney and Deliberation Regarding Real Property related to TIRZ Priority Projects and Other Potential Strategic Real Property Acquisitions.** *Consultation with Attorney, 551.071; Deliberation Regarding Real Property, 551.072*
- 10. Consultation with Attorney regarding legal issues related to the South Regional Water Reclamation Project, Wastewater, and Amendment 2 Permits, Wastewater Service Area and Agreements, Water Service, Wastewater Fees, Wastewater Infrastructure Agreements, facility liability coverage, and related items.** *Consultation with Attorney, 551.071*

No action was taken on items 9-10.

## ADJOURN

A motion to adjourn the meeting was made by Council Member Crow and seconded by Council Member Parks.

The meeting was adjourned at 6:56 PM.

**TEXAS OPEN MEETINGS ACT PUBLIC NOTIFICATION OF MEETING**

*I certify that this public meeting is posted in accordance with Texas Government Code Chapter 551, Open Meetings. This meeting agenda is posted on the bulletin board at the City of Dripping Springs City Hall, located at 511 Mercer Street, and on the City website at, [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com), on November 25, 2024 at 6:00 p.m.*

**APPROVED ON:    Month XX, 2024**

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*Bill Foulds, Jr., Mayor*

**ATTEST:**

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*Diana Boone, City Secretary*



**STAFF REPORT**  
**City of Dripping Springs**  
**PO Box 384**  
**511 Mercer Street**  
**Dripping Springs, TX 78620**

**Submitted By:** Diana Boone, City Secretary

**Council Meeting Date:** January 7, 2025

**Agenda Item Wording:** **Consider approval of the appointment of Ryan Thomas and the reappointment of Missy Atwood and Taline Manassian to the TIRZ No. 1 & No. 2 Board of Directors for a term ending December 31, 2026.**

**Agenda Item Requestor:** Michelle Fischer, City Administrator

**Summary/Background:** **Member Responsibilities - Section 2.04.224**

The TIRZ board shall act as an advisory board to the city council in the operation and administration of the TIRZ; all action by the board is subject to city council approval. The authority and responsibility of the board expressly includes:

- (1) Make recommendations to the city council regarding the administration of this division.
- (2) Make recommendations to the city council regarding agreements that are necessary or convenient to implement the project plan and reinvestment zone financing plan.
- (3) Make recommendations to the city council regarding agreements with local governments or political subdivisions for management of the zone or implementing the project plan and reinvestment zone financing plan.
- (4) Make recommendations to the city council regarding the expenditure of TIRZ funds related to development and redevelopment of land within the zone, in conformance with the following process.
- (5) Acting as the lead entity in working with other boards and commissions regarding incentives, regulations, infrastructure and all other physical and economic development decisions related to the TIRZ district.
- (6) Providing a progress report to the city council annually, or as requested by the city council.

**Member Selection – Section 2.04.223**

- (a) Beginning January 1, 2021, members shall initially serve staggering terms with even numbered places serving a two-year term and odd numbered places serving a one-year term, after which all places shall serve a two-year term. For members appointed by city council, when

appointed for each term, the city council will determine which member will be in each place. For members appointed by the county, the county will determine which member is in each place.

- (b) Vacancies on the board may be filled by appointment of the city council for the unexpired term.

**Membership Requirements – Section 2.04.222**

All regular board members shall be at least 18 years of age and a resident of the county. Any regular board member who ceases to possess such qualifications shall automatically be deemed to have vacated their membership on the board.

**Officer Appointments – 2.04.225**

The city council shall appoint a chair, as established in section 311.009.f of the Local Government Code, for a term of one year, beginning in January. The board may appoint other officers as it may establish in its bylaws.

**Current Membership**

Member	Place	Term
<b>Dave Edwards</b>	<b>Place 1</b>	<b>12/31/24</b>
Craig Starcher, Chair	Place 2	12/31/25
<b>Taline Manassian, Vice Chair</b>	<b>Place 3</b>	<b>12/31/24</b>
Miles Mathews	Place 4	12/31/25
<b>Missy Atwood</b>	<b>Place 5</b>	<b>12/31/24</b>
Susan Kimball	Place 6	12/31/25
<b>Walt Smith</b>	<b>Place 7</b>	<b>12/31/24</b>

**Vacancies and Applicants**

Place 1 – Board Member Dave Edwards is resigning. The Chair and Vice Chair interviewed 2 candidates to fill the vacancy and selected Ryan Thomas to serve on the TIRZ No. 1 and No. 2 Board.

Places 3 & 5 – Board Members Taline Manassian and Missy Atwood are seeking reappointment by City Council.

Place 7 – Board Member Walt Smith requested reappointment by the Hays County Commissioner's Court on December 17, 2024.

**Board  
Recommendations:**

*TIRZ Board No. 1 & No. 2 recommends approving the appointment of Ryan Thomas, and reappointment of Missy Attwood and Taline Manassian.*

**Recommended  
Council Actions:**

Staff recommends approval.

**Attachments:**

1. Resolution

**Next Steps/Schedule:**

1. Inform board members of City Council decision.
2. Update website and roster.

## CITY OF DRIPPING SPRINGS

### RESOLUTION No. 2025-R

A RESOLUTION OF THE CITY OF DRIPPING SPRINGS, TEXAS,  
APPOINTING A NEW MEMBER TO PLACE 1 AND REAPPOINTING  
MEMBERS TO PLACE 3 AND PLACE 5 OF THE CITY OF DRIPPING  
SPRINGS TAX INCREMENT REINVESTMENT ZONE NO. 1 AND TAX  
INCREMENT REINVESTMENT ZONE NO. 2 BOARD OF DIRECTORS.

**WHEREAS,** the City Council of the City of Dripping Springs, Texas (the “City”), desires to promote the development of a certain geographic area within its jurisdiction by the creation of a reinvestment zone, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code (the “Act”), as amended; and

**WHEREAS,** Section 311.009 of the Act requires the City Council to appoint between 5 and 15 members to the Board of Directors; and

**WHEREAS,** the City created the Tax Increment Reinvestment Zones on November 29, 2016 by ordinance and set the number of board members at seven; and

**WHEREAS,** the terms for Place 3 and Place 5 of the TIRZ Board have been expired; and

**WHEREAS,** it is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

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

Section 1. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. The City Council hereby appoints:

Place 1: Ryan Thomas for 2 year term.

Place 3: Taline Manassian for 2 year term.

Place 5: Missy Atwood for 2 year term.

to the Board of Directors of the Tax Increment Reinvestment Zone 1 and 2 Boards of Directors.

Section 3. This Resolution shall take effect immediately from and after its passage in accordance with law and it is accordingly so resolved.

Section 4. This Resolution does not require the City Council to take future action or to adopt the final project plan and financing plan.

**PASSED AND APPROVED** this, the \_\_\_\_ day of January 2025, by a vote of \_\_\_\_ (ayes) to \_\_\_\_ (nays) to 0 (abstentions) of the City Council of Dripping Springs, Texas:

**CITY OF DRIPPING SPRINGS:**

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Bill Foulds, Jr., Mayor

**ATTEST:**

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Diana Boone, City Secretary





**STAFF REPORT**  
**City of Dripping Springs**  
**PO Box 384**  
**511 Mercer Street**  
**Dripping Springs, TX 78620**

**Submitted By:** Diana Boone, City Secretary

**Council Meeting Date:** January 7, 2025

**Agenda Item Wording:** **Consider approval of the CERT recommendation to appoint Sandra Barber to the Emergency Management Committee for a term ending January 1, 2027.**

**rAgenda Item Requestor:** Roman Baligad, Emergency Services Coordinator

**Summary/Background:** The Emergency Management Committee is tasked with recommending policies and the application of policies for the development and implementation of an emergency management plan for the city and ETJ. The Committee is responsible for development, implementation, and review of the city's emergency management planning for disasters. The Committee is also responsible for providing information and training on emergency management response.

The Emergency Management Committee has nine voting members that are appointed by the City Council, where the Mayor shall appoint a member of the City Council as the Chair. The committee is made up of one (1) representative from the following organizations: At-large member, Hays County CERT (Community Emergency Response Team), Hays County Constable, Emergency Services Districts 1 & 6, Hays County Emergency Manager, Dripping Springs ISD, Chamber of Commerce, and Hays County Fire Marshall.

**This appointment is to fill a vacancy for a representative from the Community Emergency Response Team (CERT). CERT has recommended Sandra Barber.**

**Commission Recommendations:** The Emergency Management Committee recommends approval of the reappointments.

**Recommended Council Actions:** Staff recommends approval of the reappointments

**Attachments:**

1. Nomination Letters
2. Appointment Applications

**Next Steps/Schedule:**

1. Inform Committee members
2. Update website and roster

**From:** Paul Freeman [REDACTED] >  
**Sent:** Monday, December 16, 2024 4:30 PM  
**To:** Cathy Gieselman <[CGieselman@cityofdrippingsprings.com](mailto:CGieselman@cityofdrippingsprings.com)>  
**Cc:** Sandi Barber <[REDACTED]>; Candy Lonie <[candy.lonie@hayscountytexas.gov](mailto:candy.lonie@hayscountytexas.gov)>;  
Brayden Watson <[brayden.watson@hayscountytexas.gov](mailto:brayden.watson@hayscountytexas.gov)>  
**Subject:** Re: Emergency Management Committee

Ms. Gieselman,

We would like to wholeheartedly recommend Sandi Barber for membership to the Dripping Springs Emergency Management Committee.

She has been an active member with many of the Hays County CERT branches and groups since joining us in October of 2022 and is known and valued whenever she volunteers.

Sandi comes with a very extensive knowledge of the factors impacting the Emergency Services Field. She has taken many additional courses to improve her knowledge base and enhance her capabilities to be of greater value to this organization. She has clearly demonstrated great initiative, dedication, competency and tact in a variety of routine and stressful situations, anticipating the needs which may lie ahead.

As the Leader of the Hays County CERT Preparedness Group she has worked tirelessly to create, promote, and advance our Community Outreach capabilities to a level higher than anticipated.

Additionally, Sandi is an individual whom we know will step forward if able when the time comes to respond to emergencies both within the City of Dripping Springs and all of Hays County.

We feel she would be a very valued asset to your committee.

Sincerely,

Paul K. Freeman

Administration Section Chief

Hays Co. Community Emergency Response Team

810 S. Stagecoach Trail

San Marcos, TX 78666

Main: (512) 393-7300

Cell: (603) 490-9555



**STAFF REPORT**  
**City of Dripping Springs**  
**PO Box 384**  
**511 Mercer Street**  
**Dripping Springs, TX 78602**

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**Submitted By:** Riley Sublett, Maintenance Director

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**Council Meeting Date:** 01/07/2025

**Agenda Item Wording:** **Approval of a Resolution Accepting Improvements and Approving a Maintenance Bond for the Driftwood Club Core Phase V- Waterline, Forcemain and Street Improvements.** *Applicant: Jimmy Evans Company, LTD*

**Agenda Item Requestor:**

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**Summary/Background:** Jimmy Evans Company has completed Water and Wastewater Improvements for Driftwood Club Core Phase V. City staff has inspected the project throughout all stages of construction. The City Engineer has completed a final inspection and the Design Engineer has provided concurrence. All improvements have been built per plan.

**Commission  
Recommendations:**

**Recommended  
Council Actions:** City staff recommends approval

**Attachments:** Bond, Staff Report, and Resolution

**Next Steps/Schedule:** Send to City Secretary for execution.

## CITY OF DRIPPING SPRINGS

## RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY OF DRIPPING SPRINGS, TEXAS (“CITY”),  
ACCEPTING IMPROVEMENTS AND APPROVING AND ACCEPTING  
MAINTENANCE BOND FOR DRIFTWOOD CLUB CORE PHASE V-  
WATERLINE, FORCEMAIN AND STREET IMPROVEMENTS, PROVIDING  
FOR EFFECTIVE DATE; AND PROPER NOTICE & MEETING

**WHEREAS,** Jimmy Evans Company, LTD (“Contractor”) recently completed and the City Engineer for the City of Dripping Springs has inspected the revegetation, storm water, drainage, paving, wastewater (“Improvements”) for the Driftwood Club Core Phase V – Forcemain and Street Improvements; and

**WHEREAS,** The City desires to accept as being complete in accordance with applicable development the Improvements at Driftwood Club Core Phase V – Forcemain and Street Improvements; and

**WHEREAS,** the City of Dripping Springs City Council (“City Council”) seeks the Contractor to provide a Maintenance Bond (Attachment “A”) conditioned to guarantee for the period of Two (2) Years from and after the date of substantial completion of the Improvements, guaranteeing the materials and workmanship related to Contractor’s Improvements; and

**WHEREAS,** this Resolution conforms with the Maintenance and Guarantee regulation of the City’s Code requiring all public improvements be free from defects for a period of two (2) years; and

**WHEREAS,** pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS,** the City Council finds that it is necessary and proper for the good government, peace or order of the City to approve this Resolution.

**NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Dripping Springs City, Texas, that:**

1. The foregoing recitals are adopted as facts and are incorporated into this Resolution by reference as findings of fact as if expressly set forth herein.

City of Dripping Springs

Driftwood Club Core Phase V- Waterline,  
Forcemain and Street Improvements

Resolution No. 2025-\_\_\_\_\_

Page 1 of 2

2. The City Council hereby accepts the Improvements in Driftwood Club Core Phase V – Forcemain and Street Improvements.
3. The City Council hereby approves and accepts the Contractor’s proposed Maintenance Bond No. 4467872MNT, from SureTec Insurance Company (“Insurer”), included and attached herein (Attachment “A”).
4. Conditioned upon the fiscal guarantee for maintenance from the Contractor and the Insurer, the City shall assume responsibility for the repair, maintenance, and regulation of the Improvements for the benefit of the public.
5. The City Council hereby authorizes the Mayor or the Mayor’s designee to execute any documentation on the City’s behalf necessary to effectuate the intent and purpose of this Resolution.
6. This Resolution shall take effect immediately upon passage.
7. The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

**PASSED & APPROVED** this, the        day of       , 2025, by a vote of \_\_\_\_ (ayes) to \_\_\_\_ (nays) to \_\_\_\_ (abstentions) of the City Council of Dripping Springs, Texas.

**CITY OF DRIPPING SPRINGS:**

by: \_\_\_\_\_  
Mayor Bill Foulds

**ATTEST:**

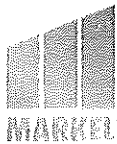
\_\_\_\_\_  
Diana Boone, City Secretary

*Attachment “A”*

**Maintenance Bond No. 4467872MNT Jimmy Evans Company, LTD and SureTec Insurance Company**

City of Dripping Springs  
Resolution No. 2025-\_\_\_\_\_

Driftwood Club Core Phase V- Waterline,  
Forcemain and Street Improvements  
Page 2 of 2



Received

DEC 12 2024

Item # 6.

City of Dripping Springs

**Bond No. 4467872MNT**

## **MAINTENANCE BOND**

**KNOW ALL MEN BY THESE PRESENTS**, that we Jimmy Evans Company, Ltd. as Principal, and **SureTec Insurance Company**, 2103 CityWest Boulevard, Suite 1300, Houston, TX 77042 (address), a corporation organized under the laws of the State of Texas, and duly authorized to do business in the State of Texas as Surety, are held and firmly bound unto City of Dripping Springs as Obligee, in the penal sum of One Million Four Hundred Five Thousand Nine Hundred Seventy Six and 42/100's Dollars (\$1,405,976.42) to which payment well and truly to be made we do bind ourselves, and each of our heirs, executors, administrators, successors and assigns jointly and severally, firmly by these presents.

**WHEREAS**, the said Principal has completed, and owner has inspected and accepted as being complete in accordance with applicable design documents (failing which, this bond shall become effective only upon such completion and inspection) that certain work (herein referred to as the "Work") described as: Driftwood Club Core Phase V - Waterline, Forcemain and Street Improvements.

**WHEREAS**, said Obligee requires that the Principal furnish a bond conditioned to guarantee for the period of Two (2) year(s) after substantial completion of the Work against defects in workmanship and materials which are the responsibility of the Principal under the contract under which the Work was constructed, and which did not appear prior to the final completion of the Work.

**NOW THEREFORE, THE CONDITIONS OF THIS OBLIGATION IS SUCH** that, if the Principal shall indemnify the Obligee for all loss that the Obligee may sustain by reason of defective materials or workmanship which may first become apparent, and with respect to which written notice is delivered to Surety, before the expiration of the period of Two (2) year(s) from and after date of substantial completion of the Work, then this obligation shall be void, otherwise to remain in full force and effect.

This obligation does not cover normal wear and tear of materials, misuse or abuse by the Obligee or third parties, failure of Owner to perform owner-required maintenance, nor any defects known to Obligee prior to final completion of the Work nor any defects discovered or occurring after the expiration of the period set forth above.

Surety's liability on any performance bond previously executed in connection with the Work shall terminate automatically upon acceptance of this Bond and Surety's liability shall thereafter be determined exclusively in accordance with the terms of this Bond.

No right of action shall accrue hereunder to or for the benefit of any person or entity other the Obligee named herein, nor shall any suit be filed or action maintained on this bond more than twenty five (25) months after the date of the earliest timely notice of defect by Obligee to Surety.

**SIGNED, SEALED AND DATED THIS 12th day of December, 2024.**

*Signatures on following page*



Principal: Jimmy Evans Company,  
Ltd.

By: 

Signature

Name: DENNY HUESSETitle: V.P. OF SITEWORK OPERATIONS

SureTec Insurance Company

By: 

Signature

Name: Brad Ballew  
Attorney-in-Fact

*The Rider(s) Attached Hereto Is/Are Incorporated in the Bond and Contains Important Coverage  
Information and Limitations*

# JOINT LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That SureTec Insurance Company, a Corporation duly organized and existing under the laws of the State of Texas and having its principal office in the County of Harris, Texas and Markel Insurance Company (the "Company"), a corporation duly organized and existing under the laws of the state of Illinois, and having its principal administrative office in Glen Allen, Virginia, does by these presents make, constitute and appoint:

David S. Ballew, Brad Ballew, Connie Davis, David Fernea

Their true and lawful agent(s) and attorney(s)-in-fact, each in their separate capacity if more than one is named above, to make, execute, seal and deliver for and on their own behalf, individually as a surety or jointly, as co-sureties, and as their act and deed any and all bonds and other undertaking in suretyship provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed the sum of:


Fifty Million and 00/100 Dollars (\$50,000,000.00)

This Power of Attorney is granted and is signed and sealed under and by the authority of the following Resolutions adopted by the Board of Directors of SureTec Insurance Company and Markel Insurance Company:

"RESOLVED, That the President, any Senior Vice President, Vice President, Assistant Vice President, Secretary, Assistant Secretary, Treasurer or Assistant Treasurer and each of them hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer or attorney, of the company, qualifying the attorney or attorneys named in the given power of attorney, to execute in behalf of, and acknowledge as the act and deed of the SureTec Insurance Company and Markel Insurance Company, as the case may be, all bond undertakings and contracts of suretyship, and to affix the corporate seal thereto."

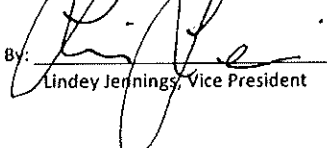
IN WITNESS WHEREOF, Markel Insurance Company and SureTec Insurance Company have caused their official seal to be hereunto affixed and these presents to be signed by their duly authorized officers on the 25th day of January , 2023 .

SureTec Insurance Company

By:   
Michael C. Keimig, President



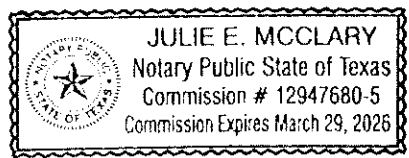
Markel Insurance Company

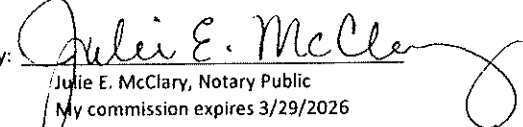
By:   
Lindsey Jennings, Vice President

State of Texas  
County of Harris:

On this 25th day of January , 2023 A. D., before me, a Notary Public of the State of Texas, in and for the County of Harris, duly commissioned and qualified, came THE ABOVE OFFICERS OF THE COMPANIES, to me personally known to be the individuals and officers described in, who executed the preceding instrument, and they acknowledged the execution of same, and being by me duly sworn, disposed and said that they are the officers of the said companies aforesaid, and that the seals affixed to the proceeding instrument are the Corporate Seals of said Companies, and the said Corporate Seals and their signatures as officers were duly affixed and subscribed to the said instrument by the authority and direction of the said companies, and that Resolutions adopted by the Board of Directors of said Companies referred to in the preceding instrument is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my Official Seal at the County of Harris, the day and year first above written.




By:   
Julie E. McClary, Notary Public  
My commission expires 3/29/2026

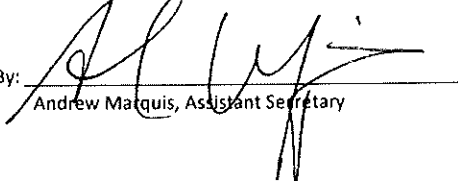
We, the undersigned Officers of SureTec Insurance Company and Markel Insurance Company do hereby certify that the original POWER OF ATTORNEY of which the foregoing is a full, true and correct copy is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, we have hereunto set our hands, and affixed the Seals of said Companies, on the 12th day of December , 2024 .

SureTec Insurance Company

By:   
M. Brent Beaty, Assistant Secretary

Markel Insurance Company

By:   
Andrew Marquis, Assistant Secretary

# SureTec Insurance Company

## IMPORTANT NOTICE Statutory Complaint Notice/Filing of Claims

To obtain information or make a complaint: You may call the Surety's toll free telephone number for information or to make a complaint or file a claim at: 1-866-732-0099. You may also write to the Surety at:

SureTec Insurance Company  
9500 Arboretum Blvd., Suite  
400  
Austin, TX 78759

You may contact the Texas Department of Insurance to obtain information on companies, coverage, rights or complaints at 1-800-252- 3439. You may write the Texas Department of Insurance at:

PO Box 149104  
Austin, TX 78714-  
9104  
Fax#: 512-490-1007  
Web: <http://www.tdi.state.tx.us>  
Email: [ConsumerProtection@tdi.texas.gov](mailto:ConsumerProtection@tdi.texas.gov)

PREMIUM OR CLAIMS DISPUTES: Should you have a dispute concerning your premium or about a claim, you should contact the Surety first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

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## CITY OF DRIPPING SPRINGS

## RESOLUTION NO. 2024-XX

A RESOLUTION OF THE CITY OF DRIPPING SPRINGS, TEXAS ("CITY"), ACCEPTING IMPROVEMENTS AND APPROVING AND ACCEPTING MAINTENANCE BOND FOR HERITAGE OFFSITE EFFLUENT LINE STAGE IMPROVEMENTS, PROVIDING FOR EFFECTIVE DATE; AND PROPER NOTICE & MEETING

**WHEREAS,** Cash Construction Company, INC ("Contractor") recently completed and the City Engineer for the City of Dripping Springs has inspected, the revegetation, storm water, drainage, paving, and wastewater improvements ("Improvements") for the Heritage Offsite Effluent Line Stage II Improvements; and

**WHEREAS,** The City desires to accept as being complete in accordance with applicable development the Improvements at Heritage Offsite Effluent Line Stage II Improvements; and

**WHEREAS,** the City of Dripping Springs City Council ("City Council") seeks the Contractor to provide a Maintenance Bond (Attachment "A") conditioned to guarantee for the period of Two (2) Years from and after the date of substantial completion of the Improvements, guaranteeing the materials and workmanship related to Contractor's Improvements; and

**WHEREAS,** this Resolution conforms with the Maintenance and Guarantee regulation of the City's Code requiring all public improvements be free from defects for a period of two (2) years; and

**WHEREAS,** pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS,** the City Council finds that it is necessary and proper for the good government, peace or order of the City to approve this Resolution.

**NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Dripping Springs City, Texas, that:**

1. The foregoing recitals are adopted as facts and are incorporated into this Resolution by

City of Dripping Springs  
Improvements  
Resolution No. 2024-\_\_\_\_\_

Heritage Offsite Effluent Line Stage II

Page 1 of 3

reference as findings of fact as if expressly set forth herein.

2. The City Council hereby accepts the Improvements for Heritage Offsite Effluent Line Stage II Improvements.
3. The City Council hereby approves and accepts the Contractor's proposed Maintenance Bond No. 108160619, from Travelers Casualty and Surety Company ("Insurer"), included and attached herein (Attachment "A").
4. Conditioned upon the fiscal guarantee for maintenance from the Contractor and the Insurer, the City shall assume responsibility for the repair, maintenance, and regulation of the Improvements for the benefit of the public.
5. The City Council hereby authorizes the Mayor or the Mayor's designee to execute any documentation on the City's behalf necessary to effectuate the intent and purpose of this Resolution.
6. This Resolution shall take effect immediately upon passage.
7. The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

**PASSED & APPROVED** this, the        day of       , 2024, by a vote of        (ayes) to        (nays) to        (abstentions) of the City Council of Dripping Springs, Texas.

**CITY OF DRIPPING SPRINGS:**

by: \_\_\_\_\_  
Mayor Bill Foulds

**ATTEST:**

\_\_\_\_\_  
Diana Boone, City Secretary

*Attachment "A"*

**Maintenance Bond No. 108160619 Cash Construction Company, Inc. and Travelers  
Casualty and Surety Company Insurance Corporation**

City of Dripping Springs  
Improvements  
Resolution No. 2024-\_\_\_\_\_

Heritage Offsite Effluent Line Stage II

Page 3 of 3



**STAFF REPORT**  
**City of Dripping Springs**  
**PO Box 384**  
**511 Mercer Street**  
**Dripping Springs, TX 78602**

**Submitted By:** Riley Sublett, Maintenance Director

**Council Meeting Date:** 01/07/2025

**Agenda Item Wording:** **Approval of a Resolution Accepting Improvements and Approving a Maintenance Bond for the Heritage Offsite Effluent Line Stage II Improvements.** *Applicant: Cash Construction Company, INC.*

**Agenda Item Requestor:**

**Summary/Background:** On November 14<sup>th</sup>, 2023, the City adopted an agreement with MI Homes. The City allowed for the connection of stage 2 LUE's described in the agreement, in return for the completion of a reclaimed water line. The line connected Founders Park and Sports and Rec Park to the existing infrastructure allowing for the use of reclaimed water for irrigation. The Heritage Offset Effluent Line Stage 2 improvements have been completed and inspected. The final walk through has been performed and all improvements were found to be completed in conformance with the approve construction plans.

**Commission  
Recommendations:**

**Recommended  
Council Actions:** City staff recommends approval

**Attachments:**

**Next Steps/Schedule:** Send to City Secretary for execution.





November 21, 2024

Attention: Chad Gilpin  
City of Dripping Springs  
City Engineer  
511 Mercer Street PO Box 384  
Dripping Springs, Texas 78620

**RE:     *Engineer's Concurrence Letter for Heritage Offsite Effluent Line Stage II Extension  
City Project No. SUB2022-0007***

Dear Mr. Gilpin,

On this day, I, the undersigned professional engineer, or my representative, made a visual observation of the above referenced project. No discrepancies in the approved construction plans or deficiencies in construction were visible or brought to my attention. I, therefore, certify that all improvements are constructed in substantial compliance with the approved construction plans.

Please contact me at 512-782-0602 if additional information is required.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

A handwritten signature in blue ink that reads 'Alejandro E. Granados Rico'.

Alex Granados, P.E.  
Project Manager  
TBPE F-928





RE: Texas Commission on Environmental Quality  
Engineer's Certificate of Completion of Wastewater District Project for:  
**Heritage Offsite Effluent Line Stage II Extension – Permit #WQ0014488-001**  
**WWPR Log No. 0124/055**  
**CN602491284, RN104005434**

Name of District: **City of Dripping Springs**

Owner of Property if other than District: **M/I Homes of Austin, LLC**

Kind of project, contract identification: **Treated Effluent Line Infrastructure Construction**

Name of Contractor: **Cash Construction**

Name of Consulting Engineer: **Kimley-Horn and Associates**

Address of Consulting Engineer: **501 South Austin Avenue, Suite 1310, Georgetown, Texas 78626**

I certify that this project was at least 95% complete on 11/04/2024; that the project was under continual observation; that all observation of the work performed by or under the supervision of Alejandro E. Granados Rico, Registered Professional Engineer; that to the best of my knowledge the project was in accordance with and includes all the items and specifications approved by all authorities having jurisdictions; and "record drawings" will be furnished to the district.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

A handwritten signature in blue ink that reads "Alejandro E. Granados Rico".

Alejandro E. Granados Rico, P.E.  
Project Manager  
TBPE F-928



# MAINTENANCE BOND

Bond No.: 108160619

KNOWN ALL BY THESE PRESENTS: That we Cash Construction Company, Inc.,  
as Principal, and Travelers Casualty and Surety Company, a corporation  
organized and existing under the Laws of the State of Connecticut, as Surety, are held  
and firmly bound unto City of Dripping Springs, as Obligee, in the  
total sum of Three Million Six Hundred Sixty-seven Thousand Six Hundred Ninety-two & 00/100  
U.S. Dollars (\$3,667,692.00) for the payment whereof said Principal and Surety bind  
themselves, jointly and severally, as provided herein.

WHEREAS, the Principal entered into a contract with the Obligee dated January 30, 2024 for  
Heritage Offsite Effluent Line Stage II Improvements ("Work").

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the Principal  
shall maintain and remedy said Work free from defects in materials and workmanship for a  
period of two year(s) commencing on November 13, 2024 (the  
"Maintenance Period"), then this obligation shall be void; otherwise it shall remain in full force  
and effect.

PROVIDED, HOWEVER, that any suit under this bond shall be commenced no later than one  
(1) year from the expiration date of the Maintenance Period; provided, however, that if this  
limitation is prohibited by any law controlling the construction hereof, such limitation shall be  
deemed to be amended so as to be equal to the minimum period of limitation permitted by  
such law, and said period of limitation shall be deemed to have accrued and shall commence  
to run on the expiration date of the Maintenance Period.

SIGNED this 20th day of November, 2024.

Cash Construction Company, Inc.  
(Principal)

By: Troy Gjerde, Sr VP Ops  
Travelers Casualty and Surety Company

By: Misty Witt, Attorney-in-Fact





**Travelers Casualty and Surety Company of America**  
**Travelers Casualty and Surety Company**  
**St. Paul Fire and Marine Insurance Company**

Item # 7.

### POWER OF ATTORNEY

**KNOW ALL MEN BY THESE PRESENTS:** That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint Misty Witt of Houston, Texas, their true and lawful Attorney(s)-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

**IN WITNESS WHEREOF**, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this **21st** day of **April**, **2021**.



State of Connecticut

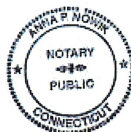
City of Hartford ss.

By:   
Robert L. Raney, Senior Vice President

On this the **21st** day of **April**, **2021**, before me personally appeared **Robert L. Raney**, who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

**IN WITNESS WHEREOF**, I hereunto set my hand and official seal.

My Commission expires the **30th** day of **June**, **2026**



  
Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, which resolutions are now in full force and effect, reading as follows:

**RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

**FURTHER RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

**FURTHER RESOLVED**, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

**FURTHER RESOLVED**, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of each of the Companies, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this 20th day of November, 2024.



  
Kevin E. Hughes, Assistant Secretary

**To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.**

**Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.**



**CITY OF DRIPPING SPRINGS, TEXAS  
MAINTENANCE BONDS CHECKLIST  
FOR APPROVAL OF BONDS BY STAFF**

NAIC#19038	City Staff	City Atty
1. Check to be sure the bonding company is qualified to do business in Texas and is listed on the U.S. Department of the Treasury list of approved sureties. (check rating) –Bond needs to list NAIC number of company <a href="https://www.fiscal.treasury.gov/fsreports/ref/suretyBnd/c570_a-z.htm">https://www.fiscal.treasury.gov/fsreports/ref/suretyBnd/c570_a-z.htm</a>	MB	_____
2. The name of the contractor (the Principal) must be stated as it was in the contract, or if a subdivision, be the developer of the contractor.  <b>No Contract with the city. Verified with authorized signature list.</b>	MB	_____
3. The name of the surety on the bond (the bonding company) must be the same on the bonds and on the power of attorney.	MB	_____
4. The amount of the bond must be the same amount stated as the full price of the contract or amount approved by the city engineer (i.e. engineer's opinion of probable cost).  <b>No contract with the city. Verified with final pay app.</b>	MB	_____
5. The date the bond is signed cannot be prior to the date of the contract, i.e. the date the bond is signed must be the same or a later date.	MB	_____
6. The items stated in the bond as the work to be done must exactly match the description of the work to be done stated in the construction contract. In most contracts there is a blank for a brief description of the work such as "improvements to Walnut Street, City of Dripping Springs." This frequently is on the cover of the contract documents. The same description should appear on the bond. Or, if for a subdivision, should list the subdivision's name.  <b>No contract with the city. Matched the projects description on the pay app.</b>	MB	_____
7. On the bond:  (a) The date that the Principal(s) and surety(s) sign cannot precede the date the contract was "made and entered into" or the date approved by the engineer.	MB	_____


NAIC#19038	City Staff	City Atty	Item # 7.
<p><b>(b)</b> The person who is authorized to sign the contract, and did sign the contract, should sign the bond as principal. <b>No Contract with the city. Verified with authorized signature list.</b></p> <p>(c) Type the name of the officer signing.</p> <p>(d) The Agent for Service should be located in the State of Texas. The agent may be either a person or business.</p> <p>(e) Surety's seal (which is the seal of the bond company) must appear under the surety's signature. All corporate sureties have seals.</p> <p>(f) Make sure the seal is the bond company's seal, not a notary's seal. The seal may be a facsimile seal, unless the instrument states otherwise.</p> <p>(g) The writing on the surety's seal must be legible.</p>	<p><b>MB</b></p> <p><b>MB</b></p> <p><b>MB</b></p> <p><b>MB</b></p> <p><b>MB</b></p> <p><b>MB</b></p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>8. All maintenance bonds must be in the forms acceptable to the City Administrator and the City Secretary.</p>	<p><b>MB</b></p>	<p>_____</p>	
<p>9. All maintenance bonds must be signed by an agent, and must be accompanied by a certified copy of the authority for him or her to act.</p>	<p><b>MB</b></p>	<p>_____</p>	
<p>10. Approval of bonding company based on the company's financial ratings.</p>	<p><b>MB</b></p>	<p>_____</p>	
<p>11. Inspector has confirmed that improvements are complete and acceptable.</p>	<p><b>MB</b></p>	<p>_____</p>	
<p>12. Term of two years as required by ordinance.</p>	<p><b>MB</b></p>	<p>_____</p>	
<p>13. Create resolution approving bond and accepting improvements.</p>	<p><b>MB</b></p>	<p>_____</p>	
<p>14. Attach the resolution accepting the bond.</p>	<p><b>MB</b></p>	<p>_____</p>	
<p>15. The attached resolution:</p> <p>(a) Accepts the maintenance bond.</p> <p>(b) Accepts the improvements listed in the bond.</p> <p>(c) Releases the construction board.</p>	<p><b>MB</b></p> <p><b>MB</b></p> <p><b>MB</b></p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____+</p>	



**DRIPPING SPRINGS**  
Texas

Item # 8.

**To:** Mayor Bill Foulds, Jr. and City Council, City of Dripping Springs

**From:** Shawn Cox, Deputy City Administrator 

**Date:** January 7, 2025

**RE:** November 2024 City Treasurer's Report

**General Fund:**

The General Fund received **\$767,723.35** in revenues for November.

General Fund revenues are in line with the adopted budget. Line items of note include:

- 100-000-40001: Sales Tax Revenue – \$409,340.80 was received in November, of which \$310,453.18. is considered City Revenues and is not allocated to either the Utility Fund or through agreements. This is a 2.35% increase over November 2023 collections.
- 100-201-43031: Building Code Fees – The City received \$141,469.35 in Building Code Fees in November.

General Fund expenditures are in line with the adopted budget. Line items of note include:

- 100-107-67001: TML Property Insurance – November shows the first quarterly payment to TML for Property Insurance. Rerates were provided after the budget process. The addition of new buildings may require this line item to be increased in a future budget amendment.
- 100-304-71002: Street Improvements – The \$473,627.76 shown being paid in November was to close out the 2024 Street Maintenance Projects. This was intended to be completed in FY24, but an amendment was approved to allow payment in FY25. The overage is intended to be covered with savings from other line items and will be included in a future budget amendment.

**Utility Fund:**

The Utility Fund received **\$438,629.68** in revenues for November.

Utility Fund revenues are in line with the adopted budget. Line items of note include:

- 400-320-47009: Sales Tax – For November, the Utility Fund received \$81,868.16 in Sales Tax Revenues. These show to have been deposited in line item 400-300-47009 but will be reallocated to the correct line item in a Journal Entry.
- 400-300-43018: Wastewater Service Fee – The Utility fund collected \$155,869.51 in Wastewater Fees in November.
- 400-.01-46041: Water Usage – \$41,605.84 was collected in Water Fees in November.

Utility Fund expenditures are in line with the adopted budget.





## DRIPPING SPRINGS Texas

Item # 8.

### Dripping Springs Ranch Park (DSRP):

The Ranch Park received **\$16,807.32** in November.

DSRP revenues are in line with the amended budget. Line items of note include:

- 200-401-43012: Facility Rental Fees – Through November, the DSRP collected \$22,225.00 in Facility Rental Fees.
- 200-401-44009: Ice Rink – While only \$1,750.00 is shown to have been collected through November, this does not include those revenues received from CivicRec, which will need to be transferred. Additionally, the Rink did not open until the end of November.

DSRP expenditures are in line with the amended budget. Line items of note include:

- 200-401-63024: Stall Cleaning & Repair – While more than half (\$2,600.00) of the \$4,000.00 has been utilized, it is typical for this line item to utilize large chunks of its budget at one time.
- 200-401-64030: Programming – This line item appears to be over budget by \$6,336.67, however the expenditures hitting this account are being reviewed to ensure they are coded correctly. The Finance Department is working with the DSRP to make sure no camp or rink expenditures were allocated to this line item.

### Banking:

On November 30<sup>th</sup>, the City's cash balance was **\$26.91 Million**. This is a 2.9% decrease from the previous month's cash balances. This is typical for this time of year. Many of the City's principal debt payments are made in December, while Ad Valorem revenues do not begin to come in until the beginning of the year. A total of **\$66,310.43** was collected in interest revenues in November.





		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 100 - General Fund							
Revenue							
<a href="#">100-000-40000</a>	Ad Valorem Tax	3,707,356.54	3,707,356.54	0.00	20,432.20	-3,686,924.34	99.45 %
<a href="#">100-000-40001</a>	Sales Tax Revenue	4,500,000.00	4,500,000.00	409,340.80	779,511.77	-3,720,488.23	82.68 %
<a href="#">100-000-40002</a>	Mixed Beverage	100,000.00	100,000.00	9,040.99	17,913.08	-82,086.92	82.09 %
<a href="#">100-000-40006</a>	Ad Valorem Tax Penalty/Interest	4,000.00	4,000.00	0.00	1,855.28	-2,144.72	53.62 %
<a href="#">100-000-41000</a>	Solid Waste Franchise Fee	55,000.00	55,000.00	0.00	0.00	-55,000.00	100.00 %
<a href="#">100-000-42000</a>	Alcohol Permit Fees	6,500.00	6,500.00	0.00	0.00	-6,500.00	100.00 %
<a href="#">100-000-46001</a>	Other Revenues	40,000.00	40,000.00	151,405.19	360,948.61	320,948.61	902.37 %
<a href="#">100-000-46002</a>	Interest	150,000.00	150,000.00	0.00	20,541.85	-129,458.15	86.31 %
<a href="#">100-000-46014</a>	Transportation Improvements Reim	1,010,000.00	1,010,000.00	0.00	0.00	-1,010,000.00	100.00 %
<a href="#">100-000-47005</a>	Transfer from HOT Fund	55,000.00	255,000.00	0.00	0.00	-255,000.00	100.00 %
<a href="#">100-000-47013</a>	Transfer From TIRZ	0.00	100,000.00	0.00	0.00	-100,000.00	100.00 %
<a href="#">100-000-47016</a>	Transfer from Sidewalk Fund	29,000.00	29,000.00	0.00	0.00	-29,000.00	100.00 %
<a href="#">100-105-46006</a>	Merchandise	0.00	0.00	-239.83	-239.83	-239.83	0.00 %
<a href="#">100-200-42001</a>	Health Permits/Inspections	75,000.00	75,000.00	2,455.00	5,445.00	-69,555.00	92.74 %
<a href="#">100-200-43000</a>	Site Development Fees	400,000.00	400,000.00	5,179.25	14,525.03	-385,474.97	96.37 %
<a href="#">100-200-43002</a>	Zoning Fees	65,000.00	65,000.00	1,255.00	3,420.00	-61,580.00	94.74 %
<a href="#">100-200-43030</a>	Subdivision Fees	295,100.00	295,100.00	38,232.60	48,882.60	-246,217.40	83.44 %
<a href="#">100-201-42007</a>	Sign Permits	0.00	0.00	5,380.00	7,005.00	7,005.00	0.00 %
<a href="#">100-201-43029</a>	Fire Inspections	50,000.00	50,000.00	3,920.00	6,214.00	-43,786.00	87.57 %
<a href="#">100-201-43031</a>	Building Code Fees	1,500,000.00	1,500,000.00	141,469.35	300,556.05	-1,199,443.95	79.96 %
<a href="#">100-400-44000</a>	Sponsorships & Donations	5,500.00	5,500.00	0.00	0.00	-5,500.00	100.00 %
<a href="#">100-400-44001</a>	Community Service Fees	1,800.00	1,800.00	75.00	195.00	-1,605.00	89.17 %
<a href="#">100-400-44002</a>	Program & Event Fees	9,500.00	9,500.00	0.00	20.00	-9,480.00	99.79 %
<a href="#">100-400-44004</a>	Park Rental Income	6,000.00	6,000.00	210.00	585.00	-5,415.00	90.25 %
<a href="#">100-400-47002</a>	Transfer from Parkland Dedication	8,500.00	8,500.00	0.00	0.00	-8,500.00	100.00 %
<a href="#">100-400-47003</a>	Transfer from Landscaping Fund	60,000.00	60,000.00	0.00	0.00	-60,000.00	100.00 %
<a href="#">100-400-47005</a>	Transfer from HOT Fund	16,500.00	16,500.00	0.00	0.00	-16,500.00	100.00 %
<a href="#">100-402-44003</a>	Aquatic Fees	41,750.00	41,750.00	0.00	0.00	-41,750.00	100.00 %
<a href="#">100-402-44004</a>	Park Rental Income	21,235.00	21,235.00	0.00	0.00	-21,235.00	100.00 %
<a href="#">100-404-45000</a>	FD Craft/Business Booths	7,540.00	7,540.00	0.00	0.00	-7,540.00	100.00 %
<a href="#">100-404-45001</a>	FD Food Booths	1,500.00	1,500.00	0.00	0.00	-1,500.00	100.00 %
<a href="#">100-404-45002</a>	FD BBQ Cooker Registration Fees	5,115.00	5,115.00	0.00	0.00	-5,115.00	100.00 %
<a href="#">100-404-45003</a>	FD Carnival	15,000.00	15,000.00	0.00	0.00	-15,000.00	100.00 %
<a href="#">100-404-45004</a>	FD Parade Registration Fees	4,675.00	4,675.00	0.00	0.00	-4,675.00	100.00 %
<a href="#">100-404-45005</a>	FD Sponsorships	100,000.00	100,000.00	0.00	0.00	-100,000.00	100.00 %
<a href="#">100-404-45006</a>	FD Parking Fees	500.00	500.00	0.00	0.00	-500.00	100.00 %
<a href="#">100-404-45007</a>	FD Electric Fees	3,000.00	3,000.00	0.00	0.00	-3,000.00	100.00 %
Revenue Total:		12,350,071.54	12,650,071.54	767,723.35	1,587,810.64	-11,062,260.90	87.45%
Expense							
<a href="#">100-000-60000</a>	Salaries	3,936,374.84	3,936,374.84	0.00	0.00	3,936,374.84	100.00 %
<a href="#">100-000-61000</a>	Health Insurance	315,432.63	315,432.63	5,309.84	10,192.19	305,240.44	96.77 %
<a href="#">100-000-61005</a>	Federal Withholding	309,012.18	309,012.18	0.00	0.00	309,012.18	100.00 %
<a href="#">100-000-61006</a>	TMRS	214,341.87	214,341.87	0.00	0.00	214,341.87	100.00 %
<a href="#">100-000-62009</a>	Human Resources Consultant	38,200.00	38,200.00	0.00	8,259.33	29,940.67	78.38 %
<a href="#">100-000-63004</a>	Dues, Fees & Subscriptions	74,462.85	74,462.85	-7,595.17	240.51	74,222.34	99.68 %
<a href="#">100-000-63005</a>	Training/Continuing Education	100,000.00	100,000.00	568.14	1,294.68	98,705.32	98.71 %
<a href="#">100-000-64000</a>	Office Supplies	37,000.00	37,000.00	938.74	938.74	36,061.26	97.46 %
<a href="#">100-000-64004</a>	Office Furniture and Equipment	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
<a href="#">100-000-66002</a>	Postage & Shipping	4,500.00	4,500.00	0.00	0.00	4,500.00	100.00 %
<a href="#">100-000-68004</a>	Animal Control	3,400.00	3,400.00	0.00	0.00	3,400.00	100.00 %

## Budget Report

For Fiscal: FY 2024-2025 Period Endin

Item # 8. 4

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
<a href="#">100-000-69002</a>	Economic Development	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00 %
<a href="#">100-000-70001</a>	Mileage	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %
<a href="#">100-000-70002</a>	Contingencies/Emergency Fund	62,000.00	62,000.00	0.00	0.00	62,000.00	100.00 %
<a href="#">100-000-70003</a>	Other Expenses	10,000.00	10,000.00	0.00	26,513.54	-16,513.54	-165.14 %
<a href="#">100-000-90000</a>	Transfer to Reserve Fund	500,000.00	500,000.00	0.00	0.00	500,000.00	100.00 %
<a href="#">100-000-90002</a>	Transfer to TIRZ	575,566.14	575,566.14	0.00	0.00	575,566.14	100.00 %
<a href="#">100-000-90013</a>	Transfer to Vehicle Replacement Fu	115,083.55	115,083.55	0.00	0.00	115,083.55	100.00 %
<a href="#">100-000-90015</a>	Transfer to Farmers Marke	16,542.01	16,542.01	0.00	0.00	16,542.01	100.00 %
<a href="#">100-100-69000</a>	Family Violence Center	7,000.00	7,000.00	0.00	0.00	7,000.00	100.00 %
<a href="#">100-100-69008</a>	Land Acquisition	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
<a href="#">100-101-60000</a>	Regular Employees	0.00	0.00	63,072.64	103,288.33	-103,288.33	0.00 %
<a href="#">100-101-60002</a>	Overtime	0.00	0.00	0.00	15.85	-15.85	0.00 %
<a href="#">100-101-61000</a>	Health Insurance	0.00	0.00	2,351.07	3,908.96	-3,908.96	0.00 %
<a href="#">100-101-61001</a>	Dental Insurance	0.00	0.00	202.20	337.00	-337.00	0.00 %
<a href="#">100-101-61002</a>	Medicare	0.00	0.00	867.24	1,419.06	-1,419.06	0.00 %
<a href="#">100-101-61003</a>	Social Security	0.00	0.00	2,637.95	4,997.51	-4,997.51	0.00 %
<a href="#">100-101-61004</a>	Unemployment	0.00	0.00	14.77	14.77	-14.77	0.00 %
<a href="#">100-101-61006</a>	TMRS	0.00	0.00	3,721.27	6,094.92	-6,094.92	0.00 %
<a href="#">100-102-60000</a>	Regular Employees	0.00	0.00	15,396.70	25,426.39	-25,426.39	0.00 %
<a href="#">100-102-60001</a>	Part-time Employees	0.00	0.00	2,280.00	3,442.00	-3,442.00	0.00 %
<a href="#">100-102-60002</a>	Overtime	0.00	0.00	118.58	167.37	-167.37	0.00 %
<a href="#">100-102-61000</a>	Health Insurance	0.00	0.00	1,535.67	2,558.79	-2,558.79	0.00 %
<a href="#">100-102-61001</a>	Dental Insurance	0.00	0.00	101.10	168.50	-168.50	0.00 %
<a href="#">100-102-61002</a>	Medicare	0.00	0.00	254.31	414.82	-414.82	0.00 %
<a href="#">100-102-61003</a>	Social Security	0.00	0.00	1,087.36	1,773.63	-1,773.63	0.00 %
<a href="#">100-102-61004</a>	Unemployment	0.00	0.00	36.48	55.07	-55.07	0.00 %
<a href="#">100-102-61006</a>	TMRS	0.00	0.00	915.40	1,510.04	-1,510.04	0.00 %
<a href="#">100-102-62000</a>	Municipal Election	8,000.00	8,000.00	0.00	0.00	8,000.00	100.00 %
<a href="#">100-102-62018</a>	Code Publication	6,461.47	6,461.47	0.00	0.00	6,461.47	100.00 %
<a href="#">100-102-64032</a>	Meeting Supplies	3,120.00	3,120.00	500.00	500.00	2,620.00	83.97 %
<a href="#">100-102-66003</a>	Public Notices	2,600.00	2,600.00	0.00	0.00	2,600.00	100.00 %
<a href="#">100-102-69003</a>	Records Management	720.00	720.00	0.00	0.00	720.00	100.00 %
<a href="#">100-103-62003</a>	Muni Court Attorney/ Judge	15,500.00	15,500.00	0.00	0.00	15,500.00	100.00 %
<a href="#">100-104-60000</a>	Regular Employees	0.00	0.00	33,006.85	54,027.12	-54,027.12	0.00 %
<a href="#">100-104-61000</a>	Health Insurance	0.00	0.00	1,559.01	2,596.68	-2,596.68	0.00 %
<a href="#">100-104-61001</a>	Dental Insurance	0.00	0.00	101.10	168.50	-168.50	0.00 %
<a href="#">100-104-61002</a>	Medicare	0.00	0.00	471.93	772.27	-772.27	0.00 %
<a href="#">100-104-61003</a>	Social Security	0.00	0.00	2,017.81	3,301.99	-3,301.99	0.00 %
<a href="#">100-104-61006</a>	TMRS	0.00	0.00	1,947.42	3,187.62	-3,187.62	0.00 %
<a href="#">100-104-62003</a>	Special Counsel and Consultants	16,000.00	16,000.00	0.00	750.00	15,250.00	95.31 %
<a href="#">100-104-69004</a>	Government Affairs	50,000.00	50,000.00	0.00	0.00	50,000.00	100.00 %
<a href="#">100-105-60000</a>	Regular Employees	0.00	0.00	21,777.10	38,279.50	-38,279.50	0.00 %
<a href="#">100-105-61000</a>	Health Insurance	0.00	0.00	1,577.46	2,627.94	-2,627.94	0.00 %
<a href="#">100-105-61001</a>	Dental Insurance	0.00	0.00	101.10	168.50	-168.50	0.00 %
<a href="#">100-105-61002</a>	Medicare	0.00	0.00	314.22	552.47	-552.47	0.00 %
<a href="#">100-105-61003</a>	Social Security	0.00	0.00	1,343.49	2,362.17	-2,362.17	0.00 %
<a href="#">100-105-61006</a>	TMRS	0.00	0.00	1,284.84	2,258.47	-2,258.47	0.00 %
<a href="#">100-105-63039</a>	Employee Engagement	20,000.00	20,000.00	292.10	292.10	19,707.90	98.54 %
<a href="#">100-105-66000</a>	Website	7,000.00	7,000.00	0.00	0.00	7,000.00	100.00 %
<a href="#">100-105-66005</a>	Public Relations	15,000.00	15,000.00	0.00	0.00	15,000.00	100.00 %
<a href="#">100-106-60000</a>	Regular Employees	0.00	0.00	10,096.15	16,397.08	-16,397.08	0.00 %
<a href="#">100-106-61000</a>	Health Insurance	0.00	0.00	796.11	1,325.65	-1,325.65	0.00 %
<a href="#">100-106-61001</a>	Dental Insurance	0.00	0.00	50.55	84.25	-84.25	0.00 %
<a href="#">100-106-61002</a>	Medicare	0.00	0.00	146.13	237.32	-237.32	0.00 %
<a href="#">100-106-61003</a>	Social Security	0.00	0.00	624.81	1,014.70	-1,014.70	0.00 %
<a href="#">100-106-61006</a>	TMRS	0.00	0.00	595.68	967.44	-967.44	0.00 %
<a href="#">100-106-64001</a>	Office IT Equipment & Support	117,329.00	117,329.00	0.00	110.00	117,219.00	99.91 %
<a href="#">100-106-64002</a>	Software	301,251.76	301,251.76	23,457.73	32,068.81	269,182.95	89.35 %

## Budget Report

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		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
<a href="#">100-106-65000</a>	Network/Phone	85,221.64	85,221.64	4,773.80	7,102.98	78,118.66	91.67 %
<a href="#">100-107-60000</a>	Regular Employees	0.00	0.00	32,395.37	52,002.18	-52,002.18	0.00 %
<a href="#">100-107-60002</a>	Overtime	0.00	0.00	13.53	57.71	-57.71	0.00 %
<a href="#">100-107-61000</a>	Health Insurance	0.00	0.00	2,584.20	4,132.10	-4,132.10	0.00 %
<a href="#">100-107-61001</a>	Dental Insurance	0.00	0.00	168.50	269.60	-269.60	0.00 %
<a href="#">100-107-61002</a>	Medicare	0.00	0.00	429.64	688.04	-688.04	0.00 %
<a href="#">100-107-61003</a>	Social Security	0.00	0.00	1,837.05	2,941.90	-2,941.90	0.00 %
<a href="#">100-107-61006</a>	TMRS	0.00	0.00	1,912.11	3,071.51	-3,071.51	0.00 %
<a href="#">100-107-62001</a>	Financial Services	37,500.00	37,500.00	0.00	0.00	37,500.00	100.00 %
<a href="#">100-107-67000</a>	TML Liability Insurance	33,908.00	33,908.00	6,692.75	6,692.75	27,215.25	80.26 %
<a href="#">100-107-67001</a>	TML Property Insurance	67,191.00	67,191.00	29,510.50	29,510.50	37,680.50	56.08 %
<a href="#">100-107-67002</a>	TML Workmen's Comp Insurance	42,497.00	42,497.00	10,624.25	10,624.25	31,872.75	75.00 %
<a href="#">100-107-70001</a>	Mileage	0.00	0.00	46.05	46.05	-46.05	0.00 %
<a href="#">100-107-80004</a>	Series 2024	486,041.67	486,041.67	0.00	0.00	486,041.67	100.00 %
<a href="#">100-107-80005</a>	Series 2025	865,000.00	865,000.00	0.00	0.00	865,000.00	100.00 %
<a href="#">100-107-90003</a>	Transfer to Wastewater Utility Fund	900,000.00	900,000.00	0.00	153,563.59	746,436.41	82.94 %
<a href="#">100-107-90004</a>	SPA & ECO D Transfers	259,200.00	259,200.00	17,019.46	34,353.85	224,846.15	86.75 %
<a href="#">100-200-60000</a>	Regular Employees	0.00	0.00	19,142.96	31,561.41	-31,561.41	0.00 %
<a href="#">100-200-60002</a>	Overtime	0.00	0.00	0.39	152.05	-152.05	0.00 %
<a href="#">100-200-61000</a>	Health Insurance	0.00	0.00	1,573.68	2,621.96	-2,621.96	0.00 %
<a href="#">100-200-61001</a>	Dental Insurance	0.00	0.00	101.10	168.50	-168.50	0.00 %
<a href="#">100-200-61002</a>	Medicare	0.00	0.00	267.36	442.82	-442.82	0.00 %
<a href="#">100-200-61003</a>	Social Security	0.00	0.00	1,143.23	1,893.47	-1,893.47	0.00 %
<a href="#">100-200-61006</a>	TMRS	0.00	0.00	1,129.45	1,871.09	-1,871.09	0.00 %
<a href="#">100-200-62002</a>	Engineering & Surveying	70,000.00	70,000.00	0.00	0.00	70,000.00	100.00 %
<a href="#">100-200-62006</a>	Architectural & Landscape Consulta	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00 %
<a href="#">100-200-62007</a>	Historic District Consultant	29,500.00	29,500.00	0.00	0.00	29,500.00	100.00 %
<a href="#">100-200-62010</a>	Miscellaneous Consultant	30,000.00	30,000.00	0.00	0.00	30,000.00	100.00 %
<a href="#">100-201-60000</a>	Regular Employees	0.00	0.00	60,615.84	97,869.54	-97,869.54	0.00 %
<a href="#">100-201-60002</a>	Overtime	0.00	0.00	1,429.11	3,220.13	-3,220.13	0.00 %
<a href="#">100-201-61000</a>	Health Insurance	0.00	0.00	6,401.55	10,485.97	-10,485.97	0.00 %
<a href="#">100-201-61001</a>	Dental Insurance	0.00	0.00	421.25	690.85	-690.85	0.00 %
<a href="#">100-201-61002</a>	Medicare	0.00	0.00	859.75	1,402.27	-1,402.27	0.00 %
<a href="#">100-201-61003</a>	Social Security	0.00	0.00	3,676.24	5,995.97	-5,995.97	0.00 %
<a href="#">100-201-61004</a>	Unemployment	0.00	0.00	53.61	65.07	-65.07	0.00 %
<a href="#">100-201-61006</a>	TMRS	0.00	0.00	3,660.66	5,964.28	-5,964.28	0.00 %
<a href="#">100-201-62004</a>	Bldg. Inspector	750,000.00	750,000.00	0.00	0.00	750,000.00	100.00 %
<a href="#">100-201-62008</a>	Lighting Consultant	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %
<a href="#">100-201-62014</a>	FireInspector	40,000.00	40,000.00	0.00	0.00	40,000.00	100.00 %
<a href="#">100-300-71001</a>	Transportation Improvement Proje	790,000.00	790,000.00	-8,710.29	-8,710.29	798,710.29	101.10 %
<a href="#">100-304-60000</a>	Regular Employees	0.00	0.00	64,508.34	102,963.66	-102,963.66	0.00 %
<a href="#">100-304-60002</a>	Overtime	0.00	0.00	1,193.53	2,089.35	-2,089.35	0.00 %
<a href="#">100-304-60003</a>	On Call Pay	0.00	0.00	1,400.00	2,200.00	-2,200.00	0.00 %
<a href="#">100-304-61000</a>	Health Insurance	0.00	0.00	7,595.59	12,169.43	-12,169.43	0.00 %
<a href="#">100-304-61001</a>	Dental Insurance	0.00	0.00	505.50	808.80	-808.80	0.00 %
<a href="#">100-304-61002</a>	Medicare	0.00	0.00	956.29	1,527.54	-1,527.54	0.00 %
<a href="#">100-304-61003</a>	Social Security	0.00	0.00	4,088.94	6,531.49	-6,531.49	0.00 %
<a href="#">100-304-61004</a>	Unemployment	0.00	0.00	78.59	78.59	-78.59	0.00 %
<a href="#">100-304-61006</a>	TMRS	0.00	0.00	3,959.01	6,327.92	-6,327.92	0.00 %
<a href="#">100-304-63000</a>	Office Maintenance/Repairs	36,880.00	36,880.00	1,800.00	1,800.00	35,080.00	95.12 %
<a href="#">100-304-63001</a>	Equipment Maintenance	17,750.00	17,750.00	0.00	0.00	17,750.00	100.00 %
<a href="#">100-304-63002</a>	Fleet Maintenance	103,675.00	103,675.00	329.70	329.70	103,345.30	99.68 %
<a href="#">100-304-63008</a>	Stephenson Building & Lawn Maint	2,500.00	2,500.00	0.00	0.00	2,500.00	100.00 %
<a href="#">100-304-63009</a>	Street/ROW Maintenance	215,075.00	215,075.00	1,396.00	1,396.00	213,679.00	99.35 %
<a href="#">100-304-64003</a>	Uniforms	17,500.00	17,500.00	0.00	0.00	17,500.00	100.00 %
<a href="#">100-304-64006</a>	Fleet Acquisition	50,000.00	50,000.00	0.00	44,667.00	5,333.00	10.67 %
<a href="#">100-304-64009</a>	Maintenance Equipment	115,500.00	115,500.00	0.00	0.00	115,500.00	100.00 %
<a href="#">100-304-64010</a>	Maintenance Supplies	6,500.00	6,500.00	77.15	77.15	6,422.85	98.81 %

## Budget Report

For Fiscal: FY 2024-2025 Period Endin

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		Original	Current	Period	Fiscal	Variance	
		Total Budget	Total Budget	Activity	Activity	Favorable	Percent
						(Unfavorable)	Remaining
<a href="#">100-304-65001</a>	Street Electricity	20,000.00	20,000.00	1,154.86	1,154.86	18,845.14	94.23 %
<a href="#">100-304-65002</a>	City Streets Water	4,000.00	4,000.00	0.00	286.15	3,713.85	92.85 %
<a href="#">100-304-65003</a>	Office Electricity	8,000.00	8,000.00	902.57	902.57	7,097.43	88.72 %
<a href="#">100-304-65004</a>	Office Water	750.00	750.00	0.00	222.14	527.86	70.38 %
<a href="#">100-304-65005</a>	Stephenson Bldg Electric	1,500.00	1,500.00	76.71	76.71	1,423.29	94.89 %
<a href="#">100-304-65006</a>	Stephenson Water	800.00	800.00	0.00	64.06	735.94	91.99 %
<a href="#">100-304-65009</a>	Triangle Electric	0.00	0.00	38.25	38.25	-38.25	0.00 %
<a href="#">100-304-65015</a>	Downtown Restroom Electric	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %
<a href="#">100-304-65021</a>	Downtown Restroom Water	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %
<a href="#">100-304-69001</a>	Lighting Compliance	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %
<a href="#">100-304-69010</a>	Downtown Bathroom	0.00	360,000.00	0.00	0.00	360,000.00	100.00 %
<a href="#">100-304-71002</a>	Street Improvements	0.00	439,269.14	473,627.76	473,627.76	-34,358.62	-7.82 %
<a href="#">100-304-71003</a>	City Hall Improvements	1,100,000.00	1,100,000.00	139,510.50	168,695.70	931,304.30	84.66 %
<a href="#">100-400-60000</a>	Regular Employees	0.00	0.00	55,247.05	80,899.00	-80,899.00	0.00 %
<a href="#">100-400-60001</a>	Part-time Employees	16,840.00	16,840.00	0.00	0.00	16,840.00	100.00 %
<a href="#">100-400-60002</a>	Overtime	0.00	0.00	247.14	483.03	-483.03	0.00 %
<a href="#">100-400-60003</a>	On Call Pay	0.00	0.00	600.00	800.00	-800.00	0.00 %
<a href="#">100-400-60005</a>	Camp Staff	0.00	0.00	2,295.80	3,699.41	-3,699.41	0.00 %
<a href="#">100-400-61000</a>	Health Insurance	0.00	0.00	2,416.66	3,484.93	-3,484.93	0.00 %
<a href="#">100-400-61001</a>	Dental Insurance	0.00	0.00	202.99	304.34	-304.34	0.00 %
<a href="#">100-400-61002</a>	Medicare	0.00	0.00	833.47	1,230.67	-1,230.67	0.00 %
<a href="#">100-400-61003</a>	Social Security	0.00	0.00	3,563.93	5,262.27	-5,262.27	0.00 %
<a href="#">100-400-61004</a>	Unemployment	0.00	0.00	82.46	104.90	-104.90	0.00 %
<a href="#">100-400-61006</a>	TMRS	0.00	0.00	2,927.69	4,238.33	-4,238.33	0.00 %
<a href="#">100-400-63004</a>	Dues, Fees & Subscriptions	2,725.00	2,725.00	0.00	0.00	2,725.00	100.00 %
<a href="#">100-400-63010</a>	Sports & Rec Park Lawn Mainten	0.00	0.00	2,090.00	2,090.00	-2,090.00	0.00 %
<a href="#">100-400-63011</a>	Founders Park Lawn Maintenance	0.00	0.00	500.00	500.00	-500.00	0.00 %
<a href="#">100-400-63012</a>	Charro Ranch Landscaping	0.00	0.00	20.00	20.00	-20.00	0.00 %
<a href="#">100-400-63013</a>	General Parks Maintenance	25,000.00	25,000.00	1,537.00	1,537.00	23,463.00	93.85 %
<a href="#">100-400-63015</a>	Founders Park/Pool Maintenance	26,000.00	26,000.00	0.00	0.00	26,000.00	100.00 %
<a href="#">100-400-63016</a>	Sports & Rec Park Maintenance	43,500.00	43,500.00	0.00	0.00	43,500.00	100.00 %
<a href="#">100-400-63017</a>	Charro Ranch Park Maintenance	26,150.00	26,150.00	0.00	0.00	26,150.00	100.00 %
<a href="#">100-400-63018</a>	Triangle/Veterans Park Maintenanc	5,700.00	5,700.00	0.00	0.00	5,700.00	100.00 %
<a href="#">100-400-63036</a>	Skate Park Maintenance	2,500.00	2,500.00	0.00	0.00	2,500.00	100.00 %
<a href="#">100-400-64005</a>	Equipment Rental	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00 %
<a href="#">100-400-64011</a>	Park Supplies	19,600.00	19,600.00	0.00	0.00	19,600.00	100.00 %
<a href="#">100-400-64012</a>	Charro Ranch Supplies	1,050.00	1,050.00	0.00	0.00	1,050.00	100.00 %
<a href="#">100-400-64014</a>	Sports & Rec Park Supplies	400.00	400.00	0.00	0.00	400.00	100.00 %
<a href="#">100-400-64015</a>	Park Program & Event Supplies	10,950.00	10,950.00	0.00	0.00	10,950.00	100.00 %
<a href="#">100-400-64033</a>	Rathgeber Supplies	1,504.00	1,504.00	0.00	0.00	1,504.00	100.00 %
<a href="#">100-400-65000</a>	Network/Phone	8,568.00	8,568.00	0.00	0.00	8,568.00	100.00 %
<a href="#">100-400-65007</a>	Portable Toilets	10,000.00	10,000.00	350.00	350.00	9,650.00	96.50 %
<a href="#">100-400-65009</a>	Triangle Electric	500.00	500.00	0.00	0.00	500.00	100.00 %
<a href="#">100-400-65010</a>	Triangle Water	500.00	500.00	0.00	35.18	464.82	92.96 %
<a href="#">100-400-65011</a>	Sports & Rec Park Water	13,000.00	13,000.00	0.00	2,351.04	10,648.96	81.92 %
<a href="#">100-400-65012</a>	Sports & Rec Park Electricy	2,500.00	2,500.00	722.91	722.91	1,777.09	71.08 %
<a href="#">100-400-65014</a>	Founders Park/Pool Electricy	0.00	0.00	577.44	577.44	-577.44	0.00 %
<a href="#">100-400-66001</a>	Advertising	15,500.00	15,500.00	0.00	0.00	15,500.00	100.00 %
<a href="#">100-400-70003</a>	Other Expenses	6,500.00	6,500.00	0.00	0.00	6,500.00	100.00 %
<a href="#">100-400-71004</a>	All Parks Improvements	247,000.00	247,000.00	0.00	0.00	247,000.00	100.00 %
<a href="#">100-400-71005</a>	Founders Park/Pool Improvmts	175,000.00	175,000.00	0.00	0.00	175,000.00	100.00 %
<a href="#">100-400-71006</a>	Sports & Rec Park Improvements	70,000.00	70,000.00	0.00	0.00	70,000.00	100.00 %
<a href="#">100-400-71009</a>	Triangle Improvements	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00 %
<a href="#">100-400-71012</a>	Skate Park Improvements	25,000.00	25,000.00	0.00	0.00	25,000.00	100.00 %
<a href="#">100-401-60000</a>	Regular Employees	293,829.00	293,829.00	49,208.50	90,509.48	203,319.52	69.20 %
<a href="#">100-401-60002</a>	Overtime	0.00	0.00	521.72	1,032.97	-1,032.97	0.00 %
<a href="#">100-401-60003</a>	On Call Pay	0.00	0.00	600.00	1,200.00	-1,200.00	0.00 %
<a href="#">100-401-61000</a>	Health Insurance	35,267.45	35,267.45	5,348.71	9,936.06	25,331.39	71.83 %

## Budget Report

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		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
<a href="#">100-401-61001</a>	Dental Insurance	0.00	0.00	353.06	656.11	-656.11	0.00 %
<a href="#">100-401-61002</a>	Medicare	0.00	0.00	700.11	1,287.78	-1,287.78	0.00 %
<a href="#">100-401-61003</a>	Social Security	0.00	0.00	2,993.61	5,506.45	-5,506.45	0.00 %
<a href="#">100-401-61004</a>	Unemployment	0.00	0.00	5.08	5.08	-5.08	0.00 %
<a href="#">100-401-61005</a>	Federal Withholding	17,049.43	17,049.43	0.00	0.00	17,049.43	100.00 %
<a href="#">100-401-61006</a>	TMRS	23,737.92	23,737.92	2,950.76	5,453.08	18,284.84	77.03 %
<a href="#">100-401-63023</a>	General Maintenance	17,000.00	17,000.00	0.00	0.00	17,000.00	100.00 %
<a href="#">100-402-60000</a>	Regular Employees	0.00	0.00	7,950.00	13,100.00	-13,100.00	0.00 %
<a href="#">100-402-60007</a>	Aquatic Staff	126,813.64	126,813.64	0.00	0.00	126,813.64	100.00 %
<a href="#">100-402-61000</a>	Health Insurance	0.00	0.00	768.54	1,280.48	-1,280.48	0.00 %
<a href="#">100-402-61001</a>	Dental Insurance	0.00	0.00	50.55	84.25	-84.25	0.00 %
<a href="#">100-402-61002</a>	Medicare	0.00	0.00	114.45	188.57	-188.57	0.00 %
<a href="#">100-402-61003</a>	Social Security	0.00	0.00	489.30	806.20	-806.20	0.00 %
<a href="#">100-402-61006</a>	TMRS	0.00	0.00	469.05	772.90	-772.90	0.00 %
<a href="#">100-402-63015</a>	Founders Park/Pool Maintenance	21,000.00	21,000.00	0.00	0.00	21,000.00	100.00 %
<a href="#">100-402-64013</a>	Pool Supplies	26,200.00	26,200.00	0.00	0.00	26,200.00	100.00 %
<a href="#">100-402-65000</a>	Network/Phone	2,500.00	2,500.00	170.87	170.87	2,329.13	93.17 %
<a href="#">100-402-65013</a>	FMP Pool/Pavilion Water	5,300.00	5,300.00	0.00	418.11	4,881.89	92.11 %
<a href="#">100-402-65014</a>	FMP Pool/Pavilion Electric	4,500.00	4,500.00	0.00	0.00	4,500.00	100.00 %
<a href="#">100-402-65019</a>	Propane/Natural Gas	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
<a href="#">100-402-71011</a>	Founders Pool Improvements	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
<a href="#">100-404-63019</a>	FD Clean Up	18,500.00	18,500.00	0.00	0.00	18,500.00	100.00 %
<a href="#">100-404-63038</a>	FD Transportation	10,500.00	10,500.00	0.00	0.00	10,500.00	100.00 %
<a href="#">100-404-64016</a>	FD Event Supplies	1,000.00	1,000.00	0.00	0.00	1,000.00	100.00 %
<a href="#">100-404-64017</a>	FD Event Tent, Table, & Chairs	7,000.00	7,000.00	0.00	0.00	7,000.00	100.00 %
<a href="#">100-404-64018</a>	FD Barricades	21,500.00	21,500.00	0.00	0.00	21,500.00	100.00 %
<a href="#">100-404-65007</a>	Portable Toilets	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
<a href="#">100-404-65016</a>	FD Electricity	2,225.00	2,225.00	0.00	0.00	2,225.00	100.00 %
<a href="#">100-404-66008</a>	FD Parade	500.00	500.00	0.00	0.00	500.00	100.00 %
<a href="#">100-404-66009</a>	FD Publicity	1,400.00	1,400.00	0.00	0.00	1,400.00	100.00 %
<a href="#">100-404-66010</a>	Events, Entertainment & Activities	25,000.00	25,000.00	0.00	0.00	25,000.00	100.00 %
<a href="#">100-404-66012</a>	FD Sponsorship	3,500.00	3,500.00	0.00	0.00	3,500.00	100.00 %
<a href="#">100-404-68005</a>	FD Security	38,000.00	38,000.00	0.00	0.00	38,000.00	100.00 %
<a href="#">100-404-68006</a>	FD Health, Safety & Lighting	17,500.00	17,500.00	0.00	0.00	17,500.00	100.00 %
<a href="#">100-500-60000</a>	Regular Employees	0.00	0.00	9,658.16	15,914.70	-15,914.70	0.00 %
<a href="#">100-500-61000</a>	Health Insurance	0.00	0.00	27.12	44.69	-44.69	0.00 %
<a href="#">100-500-61001</a>	Dental Insurance	0.00	0.00	50.55	84.25	-84.25	0.00 %
<a href="#">100-500-61002</a>	Medicare	0.00	0.00	138.90	228.86	-228.86	0.00 %
<a href="#">100-500-61003</a>	Social Security	0.00	0.00	593.88	978.51	-978.51	0.00 %
<a href="#">100-500-61006</a>	TMRS	0.00	0.00	569.82	938.95	-938.95	0.00 %
<a href="#">100-500-68000</a>	Emergency Management Equip	67,500.00	67,500.00	0.00	0.00	67,500.00	100.00 %
<a href="#">100-500-68001</a>	Emergency Fire& Safety	611.00	611.00	166.00	166.00	445.00	72.83 %
<a href="#">100-500-68002</a>	Emergency Management PR	3,000.00	3,000.00	0.00	0.00	3,000.00	100.00 %
<a href="#">100-500-68003</a>	Emergency Equipment Maint	12,299.00	12,299.00	0.00	960.00	11,339.00	92.19 %
<b>Expense Total:</b>		<b>14,707,607.05</b>	<b>15,506,876.19</b>	<b>1,256,961.55</b>	<b>1,916,284.31</b>	<b>13,590,591.88</b>	<b>87.64%</b>

**Fund: 100 - General Fund Surplus (Deficit):** -2,357,535.51 -2,856,804.65 -489,238.20 -328,473.67 2,528,330.98 88.50%

## Fund: 200 - Dripping Springs Ranch Park

## Revenue

<a href="#">200-401-42008</a>	Riding Permit Fees	8,000.00	8,000.00	20.00	1,620.00	-6,380.00	79.75 %
<a href="#">200-401-43010</a>	Stall Rental Fees	40,000.00	40,000.00	2,069.00	2,764.00	-37,236.00	93.09 %
<a href="#">200-401-43011</a>	RV Site Rental Fees	21,000.00	21,000.00	425.00	675.00	-20,325.00	96.79 %
<a href="#">200-401-43012</a>	Facility Rental Fees	125,000.00	125,000.00	6,275.00	22,225.00	-102,775.00	82.22 %
<a href="#">200-401-43013</a>	Equipment Rental Fees	8,000.00	8,000.00	0.00	2,665.00	-5,335.00	66.69 %
<a href="#">200-401-43014</a>	Staff & Miscellaneous Fees	4,000.00	4,000.00	600.00	1,000.00	-3,000.00	75.00 %
<a href="#">200-401-43015</a>	Cleaning Fees	25,000.00	25,000.00	1,650.00	4,840.00	-20,160.00	80.64 %
<a href="#">200-401-44000</a>	Sponsorships & Donations	52,275.00	52,275.00	0.00	304.00	-51,971.00	99.42 %
<a href="#">200-401-44005</a>	Coyote Camp	137,100.00	137,100.00	1,055.00	1,055.00	-136,045.00	99.23 %
<a href="#">200-401-44006</a>	Riding Series	35,000.00	35,000.00	3,915.00	4,575.00	-30,425.00	86.93 %



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		Original	Current	Period	Fiscal	Variance	
		Total Budget	Total Budget	Activity	Activity	Favorable	Percent
						(Unfavorable)	Remaining
<a href="#">200-401-44007</a>	Miscellaneous Events	12,000.00	12,000.00	30.00	12,904.00	904.00	107.53 %
<a href="#">200-401-44008</a>	Program Fees	53,000.00	53,000.00	-480.00	-400.00	-53,400.00	100.75 %
<a href="#">200-401-44009</a>	Ice Rink	229,169.00	229,169.00	1,250.00	1,750.00	-227,419.00	99.24 %
<a href="#">200-401-44012</a>	Rink Merchandise	500.00	500.00	0.00	0.00	-500.00	100.00 %
<a href="#">200-401-46001</a>	Other Revenues	500.00	500.00	0.00	1,462.44	962.44	292.49 %
<a href="#">200-401-46002</a>	Interest	4,500.00	4,500.00	273.57	799.20	-3,700.80	82.24 %
<a href="#">200-401-46006</a>	Merchandise Sales	22,065.20	22,065.20	374.75	692.75	-21,372.45	96.86 %
<a href="#">200-401-46015</a>	Concessions	0.00	0.00	-650.00	-533.48	-533.48	0.00 %
<a href="#">200-401-47005</a>	Transfer from HOT Fund	330,000.00	330,000.00	0.00	0.00	-330,000.00	100.00 %
Revenue Total:		1,107,109.20	1,107,109.20	16,807.32	58,397.91	-1,048,711.29	94.73%

## Expense

<a href="#">200-400-63035</a>	Ranch House Maintenance	5,000.00	5,000.00	360.00	360.00	4,640.00	92.80 %
<a href="#">200-400-64024</a>	Ranch House Supplies	1,000.00	1,000.00	0.00	0.00	1,000.00	100.00 %
<a href="#">200-401-60005</a>	Camp Staff	154,246.48	154,246.48	0.00	0.00	154,246.48	100.00 %
<a href="#">200-401-63000</a>	Building/Office Maintenance	0.00	0.00	209.25	1,596.25	-1,596.25	0.00 %
<a href="#">200-401-63001</a>	Equipment Maintenance	25,000.00	25,000.00	0.00	0.00	25,000.00	100.00 %
<a href="#">200-401-63002</a>	Fleet Maintenance	3,000.00	3,000.00	0.00	0.00	3,000.00	100.00 %
<a href="#">200-401-63004</a>	Dues, Fees & Subscriptions	5,127.50	5,127.50	44.69	84.39	5,043.11	98.35 %
<a href="#">200-401-63023</a>	General Maintenance	170,730.00	170,730.00	1,290.00	1,290.00	169,440.00	99.24 %
<a href="#">200-401-63024</a>	Stall Cleaning & Repair	4,000.00	4,000.00	2,600.00	2,600.00	1,400.00	35.00 %
<a href="#">200-401-63028</a>	Lift Station Maintenance	12,000.00	12,000.00	0.00	0.00	12,000.00	100.00 %
<a href="#">200-401-64000</a>	Office Supplies	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
<a href="#">200-401-64001</a>	IT Equipment	3,000.00	3,000.00	0.00	0.00	3,000.00	100.00 %
<a href="#">200-401-64003</a>	Uniforms	1,000.00	1,000.00	0.00	0.00	1,000.00	100.00 %
<a href="#">200-401-64005</a>	Equipment Rental	3,000.00	3,000.00	0.00	0.00	3,000.00	100.00 %
<a href="#">200-401-64021</a>	Merchandise	17,065.20	17,065.20	0.00	0.00	17,065.20	100.00 %
<a href="#">200-401-64023</a>	Equipment	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00 %
<a href="#">200-401-64026</a>	Sponsorship Expenses	2,100.00	2,100.00	0.00	0.00	2,100.00	100.00 %
<a href="#">200-401-64027</a>	Coyote Camp	12,000.00	12,000.00	0.00	0.00	12,000.00	100.00 %
<a href="#">200-401-64028</a>	Riding Series	28,000.00	28,000.00	3,750.00	7,850.00	20,150.00	71.96 %
<a href="#">200-401-64029</a>	Miscellaneous Events	700.00	700.00	25,069.46	25,069.46	-24,369.46	-3,481.35 %
<a href="#">200-401-64030</a>	Programing	8,000.00	8,000.00	14,336.67	14,336.67	-6,336.67	-79.21 %
<a href="#">200-401-64031</a>	Concert Series	229,169.00	229,169.00	57,292.25	57,292.25	171,876.75	75.00 %
<a href="#">200-401-65000</a>	Network/Phone	9,414.00	9,414.00	2,312.30	2,312.30	7,101.70	75.44 %
<a href="#">200-401-65005</a>	Water	7,000.00	7,000.00	1,531.29	1,531.29	5,468.71	78.12 %
<a href="#">200-401-65007</a>	Portable Toilets	960.00	960.00	80.00	80.00	880.00	91.67 %
<a href="#">200-401-65008</a>	Alarm	13,317.24	13,317.24	470.55	470.55	12,846.69	96.47 %
<a href="#">200-401-65017</a>	Electricity	60,000.00	60,000.00	6,230.00	6,230.00	53,770.00	89.62 %
<a href="#">200-401-65018</a>	Septic	750.00	750.00	0.00	0.00	750.00	100.00 %
<a href="#">200-401-65019</a>	Propane/Natural Gas	2,500.00	2,500.00	0.00	0.00	2,500.00	100.00 %
<a href="#">200-401-66001</a>	Advertising	15,000.00	15,000.00	0.00	0.00	15,000.00	100.00 %
<a href="#">200-401-70001</a>	Mileage	500.00	500.00	0.00	0.00	500.00	100.00 %
<a href="#">200-401-70002</a>	Contingencies/Emergency Fund	30,000.00	30,000.00	1,520.00	1,520.00	28,480.00	94.93 %
<a href="#">200-401-70003</a>	Other Expenses	10,000.00	10,000.00	4,462.12	10,228.23	-228.23	-2.28 %
<a href="#">200-401-70004</a>	Hays County Livestock Board Agree	13,200.00	13,200.00	0.00	0.00	13,200.00	100.00 %
<a href="#">200-401-70007</a>	Sponsored Events	7,900.00	7,900.00	0.00	0.00	7,900.00	100.00 %
<a href="#">200-401-71008</a>	DSRP Improvements	320,000.00	320,000.00	0.00	0.00	320,000.00	100.00 %
<a href="#">200-401-90013</a>	Transfer to Vehicle Replacement Fu	31,906.08	31,906.08	0.00	0.00	31,906.08	100.00 %
Expense Total:		1,221,585.50	1,221,585.50	121,558.58	132,851.39	1,088,734.11	89.12%

Fund: 200 - Dripping Springs Ranch Park Surplus (Deficit): -114,476.30 -114,476.30 -104,751.26 -74,453.48 40,022.82 34.96%

## Fund: 400 - Utilities

## Revenue

<a href="#">400-000-46001</a>	Other Revenues	0.00	0.00	20,258.61	20,258.61	20,258.61	0.00 %
<a href="#">400-300-43018</a>	Wastewater Service Fees	1,672,883.25	1,672,883.25	155,869.51	296,066.37	-1,376,816.88	82.30 %
<a href="#">400-300-43020</a>	Late Fees	9,000.00	9,000.00	0.00	1,149.81	-7,850.19	87.22 %
<a href="#">400-300-43021</a>	Delayed Connection Fees	5,000.00	5,000.00	0.00	3,500.00	-1,500.00	30.00 %
<a href="#">400-300-43024</a>	Over Use Fees	0.00	0.00	0.00	13,007.12	13,007.12	0.00 %

## Budget Report

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		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
<a href="#">400-300-43025</a>	Reuse Fees	0.00	0.00	4,191.74	-4,296.75	-4,296.75	0.00 %
<a href="#">400-300-43047</a>	Temporary Wastewater Service - Ca	0.00	0.00	1,045.00	1,485.00	1,485.00	0.00 %
<a href="#">400-300-43048</a>	Reclaimed Water Use Fee	0.00	0.00	91.00	123.50	123.50	0.00 %
<a href="#">400-300-47009</a>	Sales Tax	0.00	0.00	81,868.16	161,397.56	161,397.56	0.00 %
<a href="#">400-301-43020</a>	Late Fees	0.00	0.00	354.47	379.64	379.64	0.00 %
<a href="#">400-301-43038</a>	Meter Set Fees	3,000.00	3,000.00	400.00	800.00	-2,200.00	73.33 %
<a href="#">400-301-43040</a>	Water Base Rate	40,000.00	40,000.00	8,869.30	15,374.85	-24,625.15	61.56 %
<a href="#">400-301-43041</a>	Water Usage	200,000.00	200,000.00	41,605.84	80,336.00	-119,664.00	59.83 %
<a href="#">400-301-43043</a>	Equipment Fee	8,000.00	8,000.00	2,240.00	4,793.00	-3,207.00	40.09 %
<a href="#">400-301-43044</a>	Inspection Fees	1,000.00	1,000.00	300.00	700.00	-300.00	30.00 %
<a href="#">400-320-41001</a>	PEC	130,000.00	130,000.00	65,710.27	65,710.27	-64,289.73	49.45 %
<a href="#">400-320-41002</a>	ROW Fees	3,500.00	3,500.00	967.59	993.33	-2,506.67	71.62 %
<a href="#">400-320-41003</a>	Cable Franchise Fee	130,000.00	130,000.00	35,481.77	35,481.77	-94,518.23	72.71 %
<a href="#">400-320-41004</a>	Texas Gas Franchise Fee	4,250.00	4,250.00	0.00	0.00	-4,250.00	100.00 %
<a href="#">400-320-43024</a>	Overuse Fees	221,841.43	221,841.43	0.00	0.00	-221,841.43	100.00 %
<a href="#">400-320-46001</a>	Other Revenues	80,000.00	80,000.00	0.00	0.00	-80,000.00	100.00 %
<a href="#">400-320-46002</a>	Interest	180,000.00	180,000.00	19,376.42	39,448.79	-140,551.21	78.08 %
<a href="#">400-320-47009</a>	Sales Tax	900,000.00	900,000.00	0.00	74,034.19	-825,965.81	91.77 %
<a href="#">400-330-47008</a>	Transfer from TWDB	21,005,000.00	21,005,000.00	0.00	0.00	-21,005,000.00	100.00 %
<b>Revenue Total:</b>		<b>24,593,474.68</b>	<b>24,593,474.68</b>	<b>438,629.68</b>	<b>810,743.06</b>	<b>-23,782,731.62</b>	<b>96.70%</b>
<b>Expense</b>							
<a href="#">400-300-63004</a>	Dues, Fees & Subscriptions	0.00	0.00	57.47	114.93	-114.93	0.00 %
<a href="#">400-300-63025</a>	Wastewater Treatment Plant Maint	108,100.00	108,100.00	0.00	937.50	107,162.50	99.13 %
<a href="#">400-300-63026</a>	Routine Operations	95,700.00	95,700.00	450.00	450.00	95,250.00	99.53 %
<a href="#">400-300-63027</a>	Operations Non Routine	94,400.00	94,400.00	0.00	0.00	94,400.00	100.00 %
<a href="#">400-300-63028</a>	Lift Station Maintenance	81,000.00	81,000.00	0.00	0.00	81,000.00	100.00 %
<a href="#">400-300-63029</a>	Sanitary Sewer Line Maintenance	80,000.00	80,000.00	0.00	0.00	80,000.00	100.00 %
<a href="#">400-300-63030</a>	Drip Field Maintenance	41,000.00	41,000.00	0.00	0.00	41,000.00	100.00 %
<a href="#">400-300-63031</a>	Sludge Hauling	165,000.00	165,000.00	0.00	0.00	165,000.00	100.00 %
<a href="#">400-300-64003</a>	Uniforms	0.00	0.00	62.50	62.50	-62.50	0.00 %
<a href="#">400-300-64022</a>	Chemicals	16,500.00	16,500.00	0.00	0.00	16,500.00	100.00 %
<a href="#">400-300-65000</a>	Network/Phone	0.00	0.00	722.79	722.79	-722.79	0.00 %
<a href="#">400-300-65017</a>	Electric	88,000.00	88,000.00	6,845.43	6,845.43	81,154.57	92.22 %
<a href="#">400-300-70003</a>	Other Expenses	0.00	0.00	7,611.83	17,271.42	-17,271.42	0.00 %
<a href="#">400-300-90013</a>	Transfer to Vehicle Replacement Fu	50,545.02	50,545.02	0.00	0.00	50,545.02	100.00 %
<a href="#">400-301-63026</a>	Routine Operations	27,500.00	27,500.00	0.00	0.00	27,500.00	100.00 %
<a href="#">400-301-63027</a>	Operations Non Routine	15,000.00	15,000.00	0.00	0.00	15,000.00	100.00 %
<a href="#">400-301-63032</a>	Water Line Maintenance & Repair	25,000.00	25,000.00	0.00	0.00	25,000.00	100.00 %
<a href="#">400-301-64040</a>	Water Meters	60,000.00	60,000.00	0.00	0.00	60,000.00	100.00 %
<a href="#">400-310-60000</a>	Regular Employees	711,493.20	711,493.20	63,602.10	104,433.73	607,059.47	85.32 %
<a href="#">400-310-60002</a>	Overtime	48,672.00	48,672.00	2,704.77	4,229.44	44,442.56	91.31 %
<a href="#">400-310-60003</a>	On Call Pay	26,000.00	26,000.00	3,000.00	4,200.00	21,800.00	83.85 %
<a href="#">400-310-61000</a>	Health Insurance	70,133.37	70,133.37	6,893.64	11,485.61	58,647.76	83.62 %
<a href="#">400-310-61001</a>	Dental Insurance	0.00	0.00	454.95	758.25	-758.25	0.00 %
<a href="#">400-310-61002</a>	Medicare	0.00	0.00	982.42	1,598.97	-1,598.97	0.00 %
<a href="#">400-310-61004</a>	Unemployment	0.00	0.00	28.47	86.27	-86.27	0.00 %
<a href="#">400-310-61005</a>	Federal Withholding	53,169.15	53,169.15	0.00	0.00	53,169.15	100.00 %
<a href="#">400-310-61006</a>	TMRS	40,977.10	40,977.10	4,089.12	6,658.96	34,318.14	83.75 %
<a href="#">400-310-62001</a>	Financial Services	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
<a href="#">400-310-62003</a>	Special Coounsel and Consultants	55,000.00	55,000.00	0.00	0.00	55,000.00	100.00 %
<a href="#">400-310-62020</a>	Lab Testing	45,000.00	45,000.00	0.00	0.00	45,000.00	100.00 %
<a href="#">400-310-63001</a>	Equipment Maintenance	11,000.00	11,000.00	0.00	0.00	11,000.00	100.00 %
<a href="#">400-310-63002</a>	Fleet Maintenance	14,000.00	14,000.00	0.00	0.00	14,000.00	100.00 %
<a href="#">400-310-63005</a>	Training/Continuing Education	20,000.00	20,000.00	0.00	0.00	20,000.00	100.00 %
<a href="#">400-310-63034</a>	Utility Operations	69,000.00	69,000.00	0.00	23,880.00	45,120.00	65.39 %
<a href="#">400-310-63041</a>	SCADA	50,000.00	59,450.00	0.00	0.00	59,450.00	100.00 %
<a href="#">400-310-64001</a>	IT Equipment & Support	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00 %
<a href="#">400-310-64002</a>	Software	7,000.00	7,000.00	0.00	68.25	6,931.75	99.03 %



## Budget Report

For Fiscal: FY 2024-2025 Period Endin

Item # 8.

4

		Original	Current	Period	Fiscal	Variance	
		Total Budget	Total Budget	Activity	Activity	Favorable	Percent
						(Unfavorable)	Remaining
<a href="#">400-310-64003</a>	Uniforms	11,000.00	11,000.00	0.00	0.00	11,000.00	100.00 %
<a href="#">400-310-64006</a>	Fleet Acquisition	50,000.00	50,000.00	0.00	42,217.00	7,783.00	15.57 %
<a href="#">400-310-64008</a>	Fuel	22,000.00	22,000.00	0.00	0.00	22,000.00	100.00 %
<a href="#">400-310-64010</a>	Supplies	59,500.00	59,500.00	0.00	0.00	59,500.00	100.00 %
<a href="#">400-310-64023</a>	Equipment	320,000.00	320,000.00	0.00	0.00	320,000.00	100.00 %
<a href="#">400-310-65000</a>	Network/Phone	18,000.00	18,000.00	268.02	268.02	17,731.98	98.51 %
<a href="#">400-311-63025</a>	Arrowhead - Wastewater Treatment	21,250.00	21,250.00	0.00	0.00	21,250.00	100.00 %
<a href="#">400-311-63026</a>	Arrowhead - Routine Operations	26,000.00	26,000.00	0.00	0.00	26,000.00	100.00 %
<a href="#">400-311-63027</a>	Arrowhead - Non-Routine Operatio	24,000.00	24,000.00	0.00	0.00	24,000.00	100.00 %
<a href="#">400-311-63028</a>	Arrowhead - Lift Station Maintenanc	11,000.00	11,000.00	0.00	0.00	11,000.00	100.00 %
<a href="#">400-311-63030</a>	Arrowhead - Drip Field Maintenanc	52,000.00	52,000.00	0.00	0.00	52,000.00	100.00 %
<a href="#">400-311-63031</a>	Arrowhead - Sludge Hauling	50,000.00	50,000.00	0.00	0.00	50,000.00	100.00 %
<a href="#">400-311-64022</a>	Arrowhead - Chemicals	14,300.00	14,300.00	0.00	0.00	14,300.00	100.00 %
<a href="#">400-311-65017</a>	Arrowhead - Electricity	22,000.00	22,000.00	3,738.38	3,738.38	18,261.62	83.01 %
<a href="#">400-311-71000</a>	Arrowhead - Capital Projects	0.00	0.00	0.00	1,338.12	-1,338.12	0.00 %
<a href="#">400-311-71013</a>	Arrowhead Plant Lease	286,560.00	286,560.00	0.00	0.00	286,560.00	100.00 %
<a href="#">400-312-63025</a>	Big Sky - Wastewater Treatment Pla	8,700.00	8,700.00	0.00	0.00	8,700.00	100.00 %
<a href="#">400-312-63026</a>	Big Sky - Routine Operations	23,250.00	23,250.00	0.00	0.00	23,250.00	100.00 %
<a href="#">400-312-63027</a>	Big Sky - Non-Routine Operations	21,450.00	21,450.00	0.00	0.00	21,450.00	100.00 %
<a href="#">400-312-63028</a>	Big Sky - Lift Station Maintenance	6,500.00	6,500.00	0.00	0.00	6,500.00	100.00 %
<a href="#">400-312-63030</a>	Big Sky - Drip Field Maintenance	7,500.00	7,500.00	0.00	0.00	7,500.00	100.00 %
<a href="#">400-312-63031</a>	Big Sky - Sludge Hauling	39,000.00	39,000.00	0.00	0.00	39,000.00	100.00 %
<a href="#">400-312-64022</a>	Big Sky - Chemicals	13,000.00	13,000.00	0.00	0.00	13,000.00	100.00 %
<a href="#">400-312-65017</a>	Big Sky - Electricity	20,000.00	20,000.00	0.00	0.00	20,000.00	100.00 %
<a href="#">400-320-62002</a>	Engineering and Surveying	762,500.00	762,500.00	0.00	0.00	762,500.00	100.00 %
<a href="#">400-320-71000</a>	Capital Projects	2,600,000.00	2,600,000.00	0.00	0.00	2,600,000.00	100.00 %
<a href="#">400-330-72001</a>	TWDB Capital Projects	20,500,000.00	20,500,000.00	0.00	0.00	20,500,000.00	100.00 %
<a href="#">400-330-72002</a>	TWDB Engineering and Surveying	405,000.00	405,000.00	0.00	0.00	405,000.00	100.00 %
<a href="#">400-330-72004</a>	TWDB - Consultants and Legal	100,000.00	100,000.00	0.00	0.00	100,000.00	100.00 %
	<b>Expense Total:</b>	<b>27,678,699.84</b>	<b>27,688,149.84</b>	<b>101,511.89</b>	<b>231,365.57</b>	<b>27,456,784.27</b>	<b>99.16%</b>
	<b>Fund: 400 - Utilities Surplus (Deficit):</b>	<b>-3,085,225.16</b>	<b>-3,094,675.16</b>	<b>337,117.79</b>	<b>579,377.49</b>	<b>3,674,052.65</b>	<b>118.72%</b>
	<b>Report Surplus (Deficit):</b>	<b>-5,557,236.97</b>	<b>-6,065,956.11</b>	<b>-256,871.67</b>	<b>176,450.34</b>	<b>6,242,406.45</b>	<b>102.91%</b>

Group Summary

Account Type	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 100 - General Fund						
Revenue	12,350,071.54	12,650,071.54	767,723.35	1,587,810.64	-11,062,260.90	87.45%
Expense	14,707,607.05	15,506,876.19	1,256,961.55	1,916,284.31	13,590,591.88	87.64%
Fund: 100 - General Fund Surplus (Deficit):	-2,357,535.51	-2,856,804.65	-489,238.20	-328,473.67	2,528,330.98	88.50%
Fund: 200 - Dripping Springs Ranch Park						
Revenue	1,107,109.20	1,107,109.20	16,807.32	58,397.91	-1,048,711.29	94.73%
Expense	1,221,585.50	1,221,585.50	121,558.58	132,851.39	1,088,734.11	89.12%
Fund: 200 - Dripping Springs Ranch Park Surplus (Deficit):	-114,476.30	-114,476.30	-104,751.26	-74,453.48	40,022.82	34.96%
Fund: 400 - Utilities						
Revenue	24,593,474.68	24,593,474.68	438,629.68	810,743.06	-23,782,731.62	96.70%
Expense	27,678,699.84	27,688,149.84	101,511.89	231,365.57	27,456,784.27	99.16%
Fund: 400 - Utilities Surplus (Deficit):	-3,085,225.16	-3,094,675.16	337,117.79	579,377.49	3,674,052.65	118.72%
Report Surplus (Deficit):	-5,557,236.97	-6,065,956.11	-256,871.67	176,450.34	6,242,406.45	102.91%

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
100 - General Fund	-2,357,535.51	-2,856,804.65	-489,238.20	-328,473.67	2,528,330.98
200 - Dripping Springs Ranch Park	-114,476.30	-114,476.30	-104,751.26	-74,453.48	40,022.82
400 - Utilities	-3,085,225.16	-3,094,675.16	337,117.79	579,377.49	3,674,052.65
Report Surplus (Deficit):	-5,557,236.97	-6,065,956.11	-256,871.67	176,450.34	6,242,406.45



**STAFF REPORT**  
**City of Dripping Springs**  
**PO Box 384**  
**511 Mercer Street**  
**Dripping Springs, TX 78620**

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**Submitted By:** Laura Mueller, City Attorney

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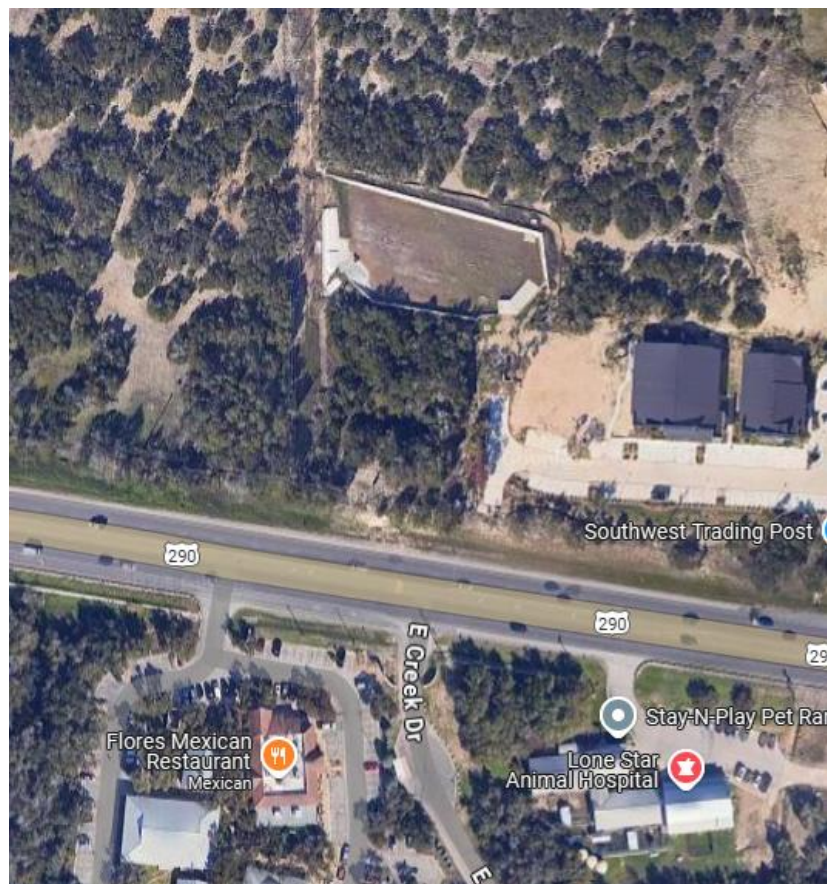
**Council Meeting Date:** January 7, 2025

**Agenda Item Wording:** **Approval of an easement for the Dripping Springs Independent School District related to the installation of fiber line in the City's right of way. Applicant: Dripping Springs Independent School District**

**Agenda Item Requestor:** Dripping Springs ISD

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**Summary/Background:** This easement is on right-of-way/property owned by the City adjacent to the Headwaters Development. It is for fiber for the Dripping Springs School District. The Easement language is standard and non-exclusive.



**Commission  
Recommendations:** N/A

**Recommended  
Council Actions:** Approval

**Attachments:** Easement, Survey, Staff Report

**Next Steps/Schedule:**

## DRAFT

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

### UTILITY LINE EASEMENT AGREEMENT

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

**Grantor:** **CITY OF DRIPPINGS SPRINGS**

**Grantor's Mailing Address:** P.O Box 384  
Dripping Springs, TX 788620-0384

**Grantee:** **BOARD OF TRUSTEES OF THE DRIPPING SPRINGS  
INDEPENDENT SCHOOL DISTRICT**

**Grantee's Mailing Address:** 300 Sportsplex Dr.  
Dripping Springs, Texas 78620  
Hays County, Texas

**Easement Property:**

A 12.77 feet wide (2,603 Square feet) easement, the "Easement Area" for the purpose of installing electric distribution lines, over, across, and upon the tract approximately consisting of **0.0598 ACRES of land**, more or less, out of and being part of the **sURVEY NO. 130, ABSTRACT NO. 475, IN HAYS COUNTY, TEXAS, BEING A PORTION OF A CALLED 1.0 ACRE TRACT CONVEYED TO THE CITY OF DRIPPING SPRINGS IN DOCUMENT NO. 6021228 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS D.R.H.C.T.**), more specifically described by metes and bounds in Exhibit A attached hereto and incorporated herein for all purposes..

**Easement Purpose:** Together with the right of ingress and egress over and along said property, the easement, with its rights and privileges, shall be used only for the purpose of installing, constructing, reconstructing, inspecting, patrolling, erecting poles, hanging wires on, maintaining and removing aerial strand, anchors, and associated hardware for electric distribution lines, consisting of a variable number of wires, and all necessary or desirable appurtenances (including any poles made out of wood, metal, or other materials, telecommunication lines, wires, props, and appurtenances; the right to relocate along the same general direction of said lines; the right to remove from said lands by standard industry practices employed in vegetation management, all trees, and parts thereof, any vegetation or obstructions which endanger or may interfere with the efficiency of said lines or appurtenances thereto and Grantor agrees that no building or structure of any kind will hereafter be erected or placed by Grantor, its successors and assigns, on said easement right-of-way herein granted, so long as this easement remains in effect; and the right of exercising all other rights hereby granted.

The exact location of the utility easement hereby conveyed is more fully described and illustrated in Exhibit A attached hereto and incorporated herein for all purposes.

**Underlying Easement:** This Easement will be located at the same location as a current utility easement between the [REDACTED] and Pedernales Electric Cooperative, Inc. ("PEC"), recorded on [REDACTED] in Volume [REDACTED], Page [REDACTED] of the Public Records of Hays County. The easement between the [REDACTED] and PEC is non-exclusive.

**Consideration:** The easement and the rights and privileges herein conveyed, are granted for and in consideration of the sum of Ten Dollar and No Cents (\$10.00) and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt and sufficiency of which is hereby acknowledged and confessed.

**Reservations from and Exceptions to Conveyance and Warranty:** Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; all rights, obligations, and other matters arising from and existing by reason of any Hays County water or utility district.

For Grantor and Grantor's successors and assigns forever, a reservation of all oil, gas and other minerals in and under and that may be produced from the Easement Property. Grantor waives and conveys to Grantee the right of ingress and egress to and from the surface of the Property relating to the portion of the mineral estate owned by Grantor and any and all rights to disturb the surface of the Property in any manner in connection with development, exploration and/or exploitation of the portion of the mineral estate owned by Grantor.

**THE EASEMENT IS SOLD AND CONVEYED TO AND ACCEPTED BY GRANTEE IN ITS PRESENT CONDITION, AS IS, WHERE IS, WITH ALL FAULTS AND WITHOUT ANY REPRESENTATIONS OR WARRANTIES WHATSOEVER, EXPRESS OR IMPLIED, OTHER THAN THE LIMITED SPECIAL WARRANTY OF TITLE INCLUDED HEREIN, AND GRANTEE EXPRESSLY ACKNOWLEDGES THAT THE SALES PRICE REFLECTS SUCH CONDITION. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, EXCEPT FOR THE LIMITED SPECIAL WARRANTY OF TITLE INCLUDED HEREIN, THE SALE OF THE PROPERTY IS WITHOUT ANY EXPRESS OR IMPLIED WARRANTY, REPRESENTATION, AGREEMENT, STATEMENT OR EXPRESSION OF OPINION (OR LACK THEREOF) OF OR WITH RESPECT TO: (A) THE CONDITION OF THE PROPERTY OR ANY ASPECT THEREOF, INCLUDING, WITHOUT LIMITATION, ANY AND ALL EXPRESS OR IMPLIED REPRESENTATIONS OR WARRANTIES RELATED TO SUITABILITY FOR HABITATION, MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE; (B) THE INCOME TO BE DERIVED FROM THE PROPERTY; (C) THE COMPLIANCE WITH ORDINANCES OR REGULATIONS OF ANY APPLICABLE GOVERNMENTAL AUTHORITY OR BODY; (D) THE SOIL CONDITIONS, WATER, DRAINAGE, TOPOGRAPHICAL FEATURES OR OTHER CONDITIONS OF THE PROPERTY OR WHICH AFFECT THE PROPERTY; (E) ANY CONDITIONS RELATING TO OR ARISING FROM ANY ARCHEOLOGICAL OR HISTORIC SITE, CEMETERY, BURIAL GROUND, ENDANGERED SPECIES HABITAT, OR OTHER SUCH CONDITION WHICH MAY AFFECT THE**

PROPERTY; (F) AREA, SIZE, SHAPE, CONFIGURATION, LOCATION, CAPACITY, QUANTITY, QUALITY, VALUE, CONDITION OR COMPOSITION OF THE PROPERTY; (G) THE MANNER OR QUALITY OF THE CONSTRUCTION OR MATERIALS, IF ANY, INCORPORATED INTO THE PROPERTY; (H) THE MANNER, QUALITY, STATE OF REPAIR OR LACK OF REPAIR OF THE PROPERTY; (I) ANY ENVIRONMENTAL, GEOLOGICAL, METEOROLOGICAL, STRUCTURAL OR OTHER CONDITION OR HAZARD OR THE ABSENCE THEREOF HERETOFORE, NOW OR HEREAFTER AFFECTING IN ANY MANNER ANY OF THE PROPERTY; AND (J) ALL OTHER EXPRESS OR IMPLIED REPRESENTATIONS AND WARRANTIES BY GRANTOR WHATSOEVER. GRANTEE HAS MADE ITS OWN PHYSICAL INSPECTION OF THE PROPERTY AND HAS SATISFIED ITSELF AS TO THE CONDITION OF THE PROPERTY FOR GRANTEE'S INTENDED USE. GRANTOR MAKES NO EXPRESS OR IMPLIED REPRESENTATIONS OR WARRANTIES AS TO THE NATURE OR QUANTITY OF THE INTERESTS THEY OWN IN ANY OIL, GAS AND OTHER MINERALS.

**Grant of Easement:** Grantor, for the Consideration and subject to the Reservations from Conveyance and Exceptions to Warranty, grants, sells, and conveys to Grantee and Grantee's successors and assigns an easement over, on, and across the Easement Property for the Easement Purpose, together with all and singular the rights and appurtenances thereto in any way belonging (collectively, the "Easement"), to have and to hold the Easement to Grantee and Grantee's successors and assigns forever. Grantor binds Grantor and Grantor's successors and assigns to warrant and forever defend the title to the Easement in Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the Easement or any part thereof, except as to the Reservations from Conveyance and Exceptions to Warranty, to the extent that such claim arises by, through, or under Grantor but not otherwise.

**Terms and Conditions:** The following terms and conditions apply to the Easement granted by this agreement:

1. *Character of Easement.* The Easement is for the benefit of Grantee and Grantee's heirs, successors, and permitted assigns (as applicable, the "**Holder**"). Subject to the terms of this Agreement, this Easement may be conveyed or assigned by plat dedication or instrument to the Dripping Springs Independent School District, any other governmental jurisdiction, and any utility providing service to the Grantee or Grantee's successors or assigns.

2. *Duration of Easement.* The duration of the Easement is perpetual.

3. *Reservation of Rights.* Holder's right to use the Easement Property (as shown in Exhibit A, attached hereto) is nonexclusive, and Grantor reserves for Grantor and Grantor's heirs, successors, and assigns all other rights, interests and uses of the Easement Property that are not inconsistent with Grantee's rights herein conveyed, and which do not interfere with or endanger the Easement Area, including, without limitation, retaining, or granting others, the right to use all or portions of the Easement Property for utility, drainage, landscaping, roadway or pedestrian purposes, and constructing improvements related to such uses within the Easement Property.

4. *Improvement and Maintenance of Easement Property.* Holder agrees that its use of the Easement Property and its operations shall at all times comply with all legal requirements, laws and regulations. Grantee agrees to construct its electric line in a good and workmanlike manner and agrees to maintain and operate the electric line, and the Easement granted herein in a prudent manner with due care for the uses of the property by Grantor. Holder shall bear all costs and expenses resulting from Holder's damage to any of Grantor's improvements caused by Holder's use of the Easement Property, including any portion of the Property utilized by Holder for ingress and egress. Holder shall be solely responsible for all



costs associated with the replacement of the improvements. If the Easement Property is damaged by Holder, Holder must promptly restore the property to its previous physical condition if changed by use of the rights granted by this easement.

5. *Binding Effect.* This agreement binds and inures to the benefit of the parties and their respective successors and permitted assigns.

6. *Choice of Law.* This agreement will be construed under the laws of the state of Texas, without regard to choice-of-law rules of any jurisdiction. Venue is in the county or counties in which the Easement Property is located.

7. *Counterparts.* This agreement may be executed in any number of counterparts with the same effect as if all signatory parties had signed the same document. All counterparts will be construed together and will constitute one and the same instrument.

8. *Waiver of Default.* It is not a waiver of or consent to default if the non-defaulting party fails to declare immediately a default or delays in taking any action. Pursuit of any remedies set forth in this agreement does not preclude pursuit of other remedies in this agreement or provided by law.

9. *Further Assurances.* Each signatory party agrees to act in good faith to execute and deliver any additional documents and instruments and to perform any additional acts necessary or appropriate to perform the terms, provisions, and conditions of this agreement and all transactions contemplated by this agreement.

10. *Integration.* This agreement contains the complete agreement of the parties and cannot be varied except by written agreement of the parties. The parties agree that there are no oral agreements, representations, or warranties that are not expressly set forth in this agreement.

11. *Legal Construction.* If any provision in this agreement is for any reason unenforceable, to the extent the unenforceability does not destroy the basis of the bargain among the parties, the unenforceability will not affect any other provision hereof, and this agreement will be construed as if the unenforceable provision had never been a part of the agreement. Whenever context requires, the singular will include the plural and neuter include the masculine or feminine gender, and vice versa. Article and section headings in this agreement are for reference only and are not intended to restrict or define the text of any section. This agreement will not be construed more or less favorably between the parties by reason of authorship or origin of language. It is agreed that this grant covers all the agreements between the parties and that no representation or statements, verbal or written, have been made modifying, adding to, or changing the terms of this agreement and easement.

12. *Notices.* Any notice required or permitted under this agreement must be in writing. Any notice required by this agreement will be deemed to be delivered (whether actually received or not) when deposited with the United States Postal Service, postage prepaid, certified mail, return receipt requested, and addressed to the intended recipient at the address shown in this agreement. Notice may also be given by regular mail, personal delivery, courier delivery, facsimile transmission, or other commercially reasonable means and will be effective when actually received. Any address for notice may be changed by written notice delivered as provided herein.

13. *Recitals.* Any recitals in this agreement are represented by the parties to be accurate, and constitute a part of the substantive agreement.

14. *Time.* Time is of the essence. Unless otherwise specified, all references to “days” mean calendar days. Business days exclude Saturdays, Sundays, and legal public holidays. If the date for performance of any obligation falls on a Saturday, Sunday, or legal public holiday, the date for performance will be the next following regular business day.

Should one or more of the Grantor(s) herein be a legal entity other than a natural person, it shall be conclusively presumed that the person signing on behalf of such party has been duly and legally authorized to so sign.

Grantor warrants that Grantor is the owner of said property and has the right to execute this easement. TO HAVE AND TO HOLD the above-described easement and rights unto Grantee and their successors and assigns, until said easement and rights shall be relinquished. Grantor does not warrant as to any other possessory interests.

**GRANTOR:**  
**CITY OF DRIPPING SPRINGS**

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

THE STATE OF TEXAS    }  
  }  
COUNTY OF HAYS        }

**ACKNOWLEDGMENT**

BEFORE ME, a Notary Public, on this day personally appeared \_\_\_\_\_ known to me to be the person whose name is subscribed to the foregoing instrument, and having been sworn, upon his oath stated that he was authorized to execute such instrument; and that said instrument is executed as the free and voluntary act and deed of such governmental unit for the purposes and consideration expressed therein.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Notary Public, State of Texas

**GRANTEE:**

DRIPPING SPRINGS INDEPENDENT SCHOOL  
DISTRICT

---

Name: Dr. Holly Morris-Kuentz

Title: Superintendent, DSISD

THE STATE OF TEXAS    }  
                                     }  
COUNTY OF HAYS        }

## ACKNOWLEDGMENT

BEFORE ME, a Notary Public, on this day personally appeared **Holly Morris-Kuentz** known to me to be the person whose name is subscribed to the foregoing instrument, and having been sworn, upon his oath stated that she has been duly authorized by the Dripping Springs Independent School District Board of Trustees to execute this easement and agreement, which was approved on [date] and that said instrument is executed as the free and voluntary act and deed of such governmental unit for the purposes and consideration expressed therein.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

---

Notary Public, State of Texas

*Return to Grantee's address:*

DRIPPING SPRINGS INDEPENDENT SCHOOL DISTRICT

300 Sportsplex Dr.

Dripping Springs, Texas 78620

Hays County, Texas

# EXHIBIT A DESCRIPTION OF EASEMENT

EXHIBIT " — "

Telecommunications Easement  
William Walker Jr. Survey No. 130, Abstract No. 475

Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 0.0598 ACRES (2,603 SQUARE FEET) OUT OF THE WILLIAM WALKER JR. SURVEY NO. 130, ABSTRACT NO. 475, IN HAYS COUNTY, TEXAS, BEING A PORTION OF A CALLED 1.0 ACRE TRACT CONVEYED TO THE CITY OF DRIPPING SPRINGS IN DOCUMENT NO. 6021228 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS (D.R.H.C.T.), SAID 0.0598 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**4WARD**  
Land Surveying  
PO Box 90876  
Austin, TX 78709  
512.554.3371  
jward@4wardls.com  
[www.4wardls.com](http://www.4wardls.com)

**BEGINNING**, at a 1/2-inch iron rod with "Grogan Surveying" cap found (from which a 1/2-inch iron pipe found bears, N02°43'10"W, a distance of 0.40') in the north right-of-way line of Highway 290 West (right-of-way varies), being the common south corner of a called 135.92 acres tract conveyed to Bordie Partners, LP in Volume 3553, Page 378 (D.R.H.C.T.) and said City of Dripping Springs tract, and being the southwest corner and **POINT OF BEGINNING** hereof;

**THENCE**, leaving the north right-of-way line of said Highway 290 west, with the common line of said Bordie tract and said City of Dripping Springs tract, N01°17'54"W, a distance of 210.47 feet to a 1/2-inch iron rod with "Grogan Surveying" cap found for the northwest corner hereof, being the common west corner of said City of Dripping Springs tract and Lot 2, Block C, Final Plat of Headwaters Commercial Phase 2B, a subdivision recorded in Document No. 20023057 of the Official Public Records of Hays County, Texas (O.P.R.H.C.T.);

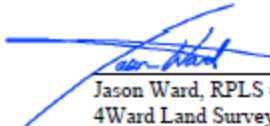
**THENCE**, leaving the east line of said Bordie tract, with the common line of said City of Dripping Springs tract and said Lot 2, S81°14'42"E, a distance of 12.35 feet to a calculated point for the northeast corner hereof;

**THENCE**, leaving the south line of said Lot 2, over and across said City of Dripping Springs tract, S01°24'42"E, a distance of 210.53 feet to a calculated point for the southeast corner hereof, being in the south line of said City of Dripping Springs tract and the north right-of-way line of said Highway 290 West, from which a 1/2-inch iron rod with "Grogan Surveying" cap found in the north right-of-way line of said Highway 290 West and being the common south corner of said City of Dripping Springs tract and said Lot 2 bears, S81°18'18"E, a distance of 197.59 feet;

**THENCE**, with the common line of said City of Dripping Springs tract and the north right-of-way line of said Highway 290 West, N81°18'18"W, a distance of 12.77 feet to the **POINT OF BEGINNING** and containing 0.0598 Acres (2,603 Square Feet) more or less.

NOTE:

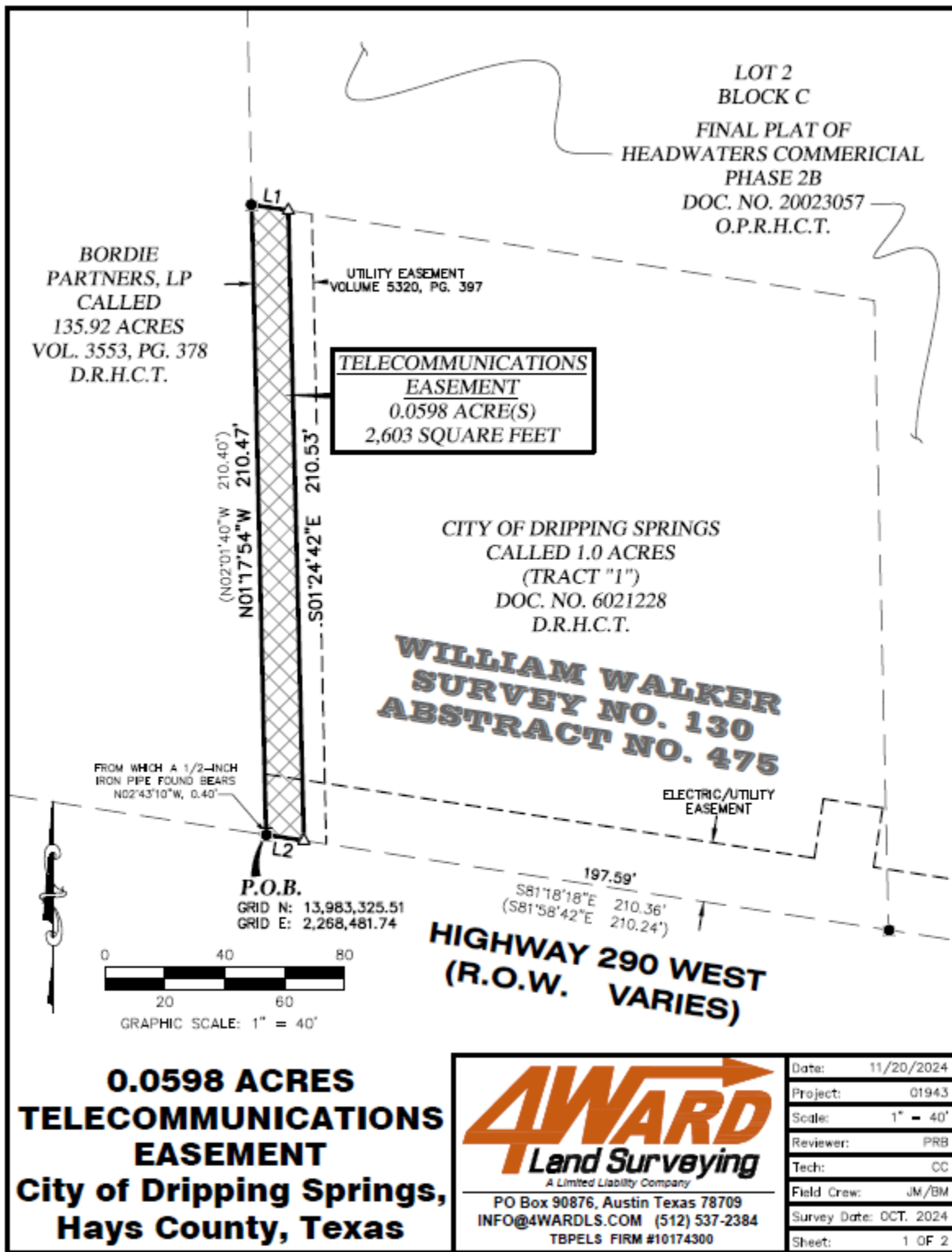
All bearings are based on the Texas State Plane Coordinate System, Grid North, South Central Zone (4204), all distances were adjusted to surface using a combined scale factor of 1.000081188832. See attached sketch (reference drawing: 01943-EE 1.dwg)

  
Jason Ward, RPLS #5811  
4Ward Land Surveying, LLC

11/20/2024



P:\01943\Metes &amp; Bounds &amp; Certifications\01943-EE-1.docx



LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S81°14'42"E	12.35'
L2	N81°18'18"W	12.77'

LEGEND	
	EASEMENT LINE
	EXISTING PROPERTY LINES
	EXISTING EASEMENTS
	CALCULATED POINT
	1/2" IRON ROD FOUND (UNLESS NOTED)
	1/2" IRON PIPE FOUND (UNLESS NOTED)
	IRON ROD WITH "GROGAN" CAP FOUND (UNLESS NOTED)
P.O.B.	POINT OF BEGINNING
VOL./PG.	VOLUME, PAGE
DOC. NO.	DOCUMENT NUMBER
R.O.W.	RIGHT-OF-WAY
O.P.R.H.C.T.	OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS
P.R.H.C.T.	PLAT RECORDS, HAYS COUNTY, TEXAS
(.....)	RECORD INFORMATION PER PLAT DOC. NO. 18021919
[.....]	RECORD INFORMATION FOR ADJACENT PROPERTIES

 11/19/2024



**NOTES:**

- 1) ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE, (4203), NAD83, ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000081188832.
- 2) SEE ATTACHED METES AND BOUNDS DESCRIPTION.

**0.0598 ACRES  
TELECOMMUNICATIONS  
EASEMENT  
City of Dripping Springs,  
Hays County, Texas**

 <b>4WARD</b> Land Surveying A Limited Liability Company PO Box 90876, Austin Texas 78709 INFO@4WARDLS.COM (512) 537-2384 TBPELS FIRM #10174300	Date:	11/20/2024
	Project:	01943
	Scale:	1" = 40'
	Reviewer:	PRB
	Tech:	CC
	Field Crew:	JM/BM
	Survey Date:	OCT. 2024
Sheet:	2 OF 2	

P:\01943\Drawg\01943\_L2.dwg

EXHIBIT “ ”

Telecommunications Easement  
William Walker Jr. Survey No. 130, Abstract No. 475

**Legal Description**

**BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 0.0598 ACRES (2,603 SQUARE FEET) OUT OF THE WILLIAM WALKER JR. SURVEY NO. 130, ABSTRACT NO. 475, IN HAYS COUNTY, TEXAS, BEING A PORTION OF A CALLED 1.0 ACRE TRACT CONVEYED TO THE CITY OF DRIPPING SPRINGS IN DOCUMENT NO. 6021228 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS (D.R.H.C.T.), SAID 0.0598 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**



PO Box 90876  
Austin, TX 78709  
512.554.3371  
jward@4wardls.com  
[www.4wardls.com](http://www.4wardls.com)

**BEGINNING**, at a 1/2-inch iron rod with “Grogan Surveying” cap found (from which a 1/2-inch iron pipe found bears, N02°43’10”W, a distance of 0.40’) in the north right-of-way line of Highway 290 West (right-of-way varies), being the common south corner of a called 135.92 acres tract conveyed to Bordie Partners, LP in Volume 3553, Page 378 (D.R.H.C.T.) and said City of Dripping Springs tract, and being the southwest corner and **POINT OF BEGINNING** hereof;

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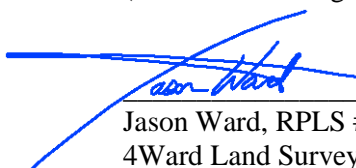
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**THENCE**, leaving the south line of said Lot 2, over and across said City of Dripping Springs tract, **S01°24’42”E**, a distance of **210.53** feet to a calculated point for the southeast corner hereof, being in the south line of said City of Dripping Springs tract and the north right-of-way line of said Highway 290 West, from which a 1/2-inch iron rod with “Grogan Surveying” cap found in the north right-of-way line of said Highway 290 West and being the common south corner of said City of Dripping Springs tract and said Lot 2 bears, **S81°18’18”E**, a distance of 197.59 feet;

**THENCE**, with the common line of said City of Dripping Springs tract and the north right-of-way line of said Highway 290 West, **N81°18’18”W**, a distance of **12.77** feet to the **POINT OF BEGINNING** and containing 0.0598 Acres (2,603 Square Feet) more or less.

**NOTE:**

All bearings are based on the Texas State Plane Coordinate System, Grid North, South Central Zone (4204), all distances were adjusted to surface using a combined scale factor of 1.000081188832. See attached sketch (reference drawing: 01943-EE 1.dwg)

 **11/20/2024**  
Jason Ward, RPLS #5811  
4Ward Land Surveying, LLC





LOT 2  
BLOCK C

FINAL PLAT OF  
HEADWATERS COMMERCIAL  
PHASE 2B

DOC. NO. 20023057  
O.P.R.H.C.T.

BORDIE  
PARTNERS, LP  
CALLED  
135.92 ACRES  
VOL. 3553, PG. 378  
D.R.H.C.T.

UTILITY EASEMENT  
VOLUME 5320, PG. 397

TELECOMMUNICATIONS  
EASEMENT  
0.0598 ACRE(S)  
2,603 SQUARE FEET

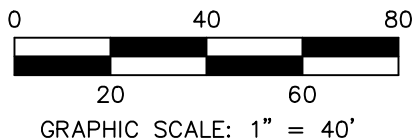
CITY OF DRIPPING SPRINGS  
CALLED 1.0 ACRES  
(TRACT "I")  
DOC. NO. 6021228  
D.R.H.C.T.

WILLIAM WALKER  
SURVEY NO. 130  
ABSTRACT NO. 475

FROM WHICH A 1/2-INCH  
IRON PIPE FOUND BEARS  
N02°43'10"W, 0.40'

ELECTRIC/UTILITY  
EASEMENT

P.O.B.  
GRID N: 13,983,325.51  
GRID E: 2,268,481.74



197.59'  
S81°18'18"E 210.36'  
(S81°58'42"E 210.24')  
HIGHWAY 290 WEST  
(R.O.W. VARIES)

**0.0598 ACRES  
TELECOMMUNICATIONS  
EASEMENT  
City of Dripping Springs,  
Hays County, Texas**

**4WARD**  
Land Surveying  
A Limited Liability Company

PO Box 90876, Austin Texas 78709  
INFO@4WARDLS.COM (512) 537-2384  
TBPELS FIRM #10174300

Date:	11/20/2024
Project:	01943
Scale:	1" = 40'
Reviewer:	PRB
Tech:	CC
Field Crew:	JM/BM
Survey Date:	OCT. 88
Sheet:	1



## LINE TABLE

LINE #	DIRECTION	LENGTH
L1	S81°14'42"E	12.35'
L2	N81°18'18"W	12.77'

## LEGEND

	EASEMENT LINE
	EXISTING PROPERTY LINES
	EXISTING EASEMENTS
	CALCULATED POINT
	1/2" IRON ROD FOUND (UNLESS NOTED)
	1/2" IRON PIPE FOUND (UNLESS NOTED)
	IRON ROD WITH "GROGAN" CAP FOUND (UNLESS NOTED)
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R.O.W.	RIGHT-OF-WAY
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11/19/2024

**NOTES:**

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- 2) SEE ATTACHED METES AND BOUNDS DESCRIPTION.

**0.0598 ACRES  
TELECOMMUNICATIONS  
EASEMENT  
City of Dripping Springs,  
Hays County, Texas**



A Limited Liability Company

PO Box 90876, Austin Texas 78709  
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Sheet:	2



**STAFF REPORT**  
**City of Dripping Springs**  
**PO Box 384**  
**511 Mercer Street**  
**Dripping Springs, TX 78602**

**Submitted By:** Shane Pevehouse, Building Official

**Council Meeting Date:** 7 January, 2025

**Agenda Item Wording:** **Approval of a Facility Use and Training Agreement between the City of Dripping Springs and South Central Planning and Development Commission for use of the Dripping Springs Ranch Park event room.**

**Agenda Item Sponsor:** Sherrie Parks

**Summary/Background:** South Central Planning and Development Commission (My Government Online/My Permit Now) host an annual state-wide training and education event called “MGO Connect Live!” in Georgetown, TX. This one-day event draws 180+ participants from across Texas and the surrounding states.

In an effort to further strengthen our relationship with MGO, drive tourism to Dripping Springs, and receive free focused training and education, we want to extend the use of the large event room at DSRP to MGO for free.

The City has 20 employees and 7 consultants/contractors from 6 departments using MGO to receive, process, and track 10 different project types.

**Commission  
Recommendations:**

**Recommended  
Council Actions:** Recommend Approval

**Attachments:** Finalized Rental Agreement, Finalized Facility Use Agreement

**Next Steps/Schedule:** Send to City Secretary for execution

## FACILITY USE AND TRAINING AGREEMENT

This Facility Use and Training Agreement (the "Agreement") is entered into on this \_\_\_\_ day of \_\_\_\_\_, 2025, by and between the City of Dripping Springs, Texas, a Type-A General Law Municipality (the "City"), and South Central Planning and Development Commission, a Louisiana entity with its principal office located at 5058 West Main Street, Houma, Louisiana 70360. (the "User").

WHEREAS,

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the City and User agree as follows:

### 1. Purpose and Facility Use

- (a) **Facility Use:** The City agrees to allow User the free use of the Large Event Room at the Dripping Springs Ranch Park and Event Center ("Facility") on October 1 and October 2, 2025 (the "Event Dates").
- (b) **Purpose:** The Facility is to be used by User exclusively for the purpose of hosting system training and education sessions related to the "My Government Online" program (the "Training"). The User agrees to provide free training to any and all City staff who wish to attend.

### 2. Consideration

- (a) **Facility Use Fee Waiver:** The City waives the standard facility rental fee for the use of the Large Event Room on the Event Dates. The provision of the training provides a public benefit to the City and surrounding communities.
- (b) **Training Services:** In exchange for the fee waiver, User agrees to provide free training and education on the "My Government Online" system at the Facility on the Event Dates.
- (c) **No Additional Fees:** The City shall not be required to pay any fees, costs, or expenses related to the training services provided by User.

### 3. Event Details

- (a) **Dates and Times:** The User shall have access to the Facility from 8:00 AM to 6:00 PM on the Event Dates. Any setup or breakdown time required by User must be coordinated with the City in advance.
- (b) **Point of Contact:** User designates Ryan Hutchinson as the primary point of contact for the event, reachable at ryan@scdpc.org or (866) 957-3764.

- (c) **Compliance with Facility Policies:** User agrees to adhere to all rules, policies, and procedures established by the Dripping Springs Ranch Park and Event Center for the use of its facilities.

#### 4. **User Responsibilities**

- (a) **Training Content:** User represents and warrants that the training sessions will provide comprehensive and accurate education on the “My Government Online” system.
- (b) **Insurance:** User shall provide proof of liability insurance in an amount deemed acceptable by the City prior to the Event Dates as directed by the Dripping Springs Ranch Park Rental Agreement.
- (c) **Cleanup and Restoration:** Following the conclusion of the event, User shall ensure that the Facility is cleaned and returned to its original condition. User shall be responsible for any damage caused to the Facility during the event.

#### 5. **City Responsibilities**

- (d) **Facility Access:** The City shall provide User access to the Large Event Room on the Event Dates, including necessary utilities and seating arrangements as agreed upon in the Dripping Springs Ranch Park Rental Agreement attached as Attachment “A”.
- (e) **Point of Contact:** The City will designate a staff member to coordinate with User regarding Facility access and any additional requirements.

#### 6. **Indemnification**

TO THE FULLEST EXTENT PERMITTED BY LAW, USER AGREES TO INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY, ITS OFFICIALS, EMPLOYEES, AND AGENTS FROM AND AGAINST ANY AND ALL CLAIMS, DAMAGES, LOSSES, OR EXPENSES (INCLUDING REASONABLE ATTORNEY FEES) ARISING OUT OF OR RESULTING FROM USER’S USE OF THE FACILITY, EXCEPT TO THE EXTENT CAUSED BY THE GROSS NEGLIGENCE OR WILLFUL MISCONDUCT OF THE CITY.

#### 7. **Termination**

Either party may terminate this Agreement with written notice to the other party no less than thirty (30) days prior to the Event Dates. In the event of termination, neither party shall have any further obligation to the other under this Agreement, except for obligations that expressly survive termination.

## 8. Notice.

All notice required or permitted under this Agreement shall be in writing and shall be delivered either in person or deposited in the United States mail, postage prepaid, addressed as follows:

**For the City:**

Attention: City Administrator  
City of Dripping Springs  
P.O. Box 384  
Dripping Springs, TX 78620

**For the User:**

Attention: Ryan Hutchinson  
P.O. Box 1870  
Gray, LA 70359  
ryan@scdpc.org

Either party may change such address from time to time by providing written notice to the other in the manner set forth above. Notice is deemed to have been received three (3) days after deposit in U.S. mail.

## 9. Miscellaneous.

- (a) **Entire Agreement.** This Agreement constitutes the entire understanding between the parties with respect to the subject matter hereof and supersedes all prior negotiations, representations, or agreements, whether written or oral. The Dripping Springs Rental Agreement attached as Attachment "A" is incorporated into this Agreement.
- (b) **Amendment.** This Agreement may only be amended in writing signed by both parties.
- (c) **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas.
- (d) **Severability.** If any provision of this Agreement is held to be invalid, illegal, or unenforceable, the remaining provisions shall continue in full force and effect.
- (e) **Waiver.** No waiver of any provision of this Agreement shall be effective unless in writing and signed by the party against whom enforcement is sought. No waiver of any breach of any provision of this Agreement shall constitute a waiver of any subsequent breach of the same or any other provision hereof.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

**THE CITY:**

*City of Dripping Springs*

**THE USER:**

*South Central Planning and Development Commission*

\_\_\_\_\_  
Michelle Fischer  
City Administrator

\_\_\_\_\_  
Name:  
Title:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

City of Dripping Springs  
Facility Use and Training Agreement

South Central Planning and Development Commission  
Page 3 of 4

**APPENDIX “A”**

**Dripping Springs Rental Agreement**

*[Insert completed DSRP Rental Agreement here]*



**STAFF REPORT**  
**City of Dripping Springs**  
**PO Box 384**  
**511 Mercer Street**  
**Dripping Springs, TX 78602**

---

**Submitted By:** Riley Sublett, Maintenance Director

---

**Council Meeting Date:** 01/07/2025

**Agenda Item Wording:** **Contract with Atlas Utility for the purchase of water meters.**  
*Sponsor: Mayor Bill Foulds, Jr*

**Agenda Item Requestor:**

---

**Summary/Background:** Atlas Utility is the sole provider of the E-Series Badger water meter that is currently being used by the City. The E-Series Badger water meter integrates with our current operations and billing systems allowing for automatic readings and ease of billing. This contract would allow the purchase of additional water meters needed for the growth of the City's water system. The water meters have been budgeted for and are a pass-through cost for the City.

**Commission  
Recommendations:**

**Recommended  
Council Actions:** City staff recommends approval

**Attachments:**

**Next Steps/Schedule:** Send to City Secretary for execution.



ATL20241023

## SUPPLY PRICING AGREEMENT

This Supply Pricing Agreement (the "Agreement") is entered into as of this \_\_\_\_ day of \_\_\_\_\_, 2024, by and between the City of Dripping Springs, Texas, a Type-A General Law Municipality (the "City"), and Atlas Utility Supply Company (the "Seller").

WHEREAS, the Seller agrees to provide the City with pricing for certain goods as described in Attachment "A" for a term of one (1) year; and

WHEREAS, the City, in consideration of the Seller's commitment to firm pricing, agrees to consider purchasing goods exclusively from the Seller for the duration of the term, subject to the City's purchasing needs and discretion; and

WHEREAS, the parties desire to establish the terms and conditions of this exclusivity arrangement;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the City and Seller agree as follows:

### **1. Pricing**

The Seller agrees to provide the City with the pricing for the goods listed in Attachment "A". The prices set forth in Attachment "A" are firm and may not be increased during the term of this Agreement.

### **2. Term**

This Agreement shall be in effect for one (1) year from the date on which all parties have executed the Agreement.

### **3. No Obligation to Purchase**

The City is under no obligation to purchase any equipment, goods, or services from the Seller during the term of this Agreement. The City may, at its sole discretion, determine whether to purchase any quantity of the goods listed in Attachment "A".

### **4. Exclusivity**

During the term of this Agreement, the City agrees that if it decides to purchase any of the goods listed in Attachment "A", it will do so exclusively from the Seller, provided that the Seller can meet the City's requirements in terms of quantity, quality, and delivery timelines. For greater certainty, the City is not obligated to purchase goods from the Seller if the Seller is unable to deliver the goods within one (1) month of the City's purchase order.

## 5. Attachment

Attachment "A" (Seller's Quote) is hereby made part hereof as if fully set out herein. In the event of any inconsistency between the body of this Agreement (pages 1-3 of this Supply Pricing Agreement) and the attachment, the body of this Agreement shall prevail to the extent of the inconsistency.

## 6. Warranty

The Seller warrants that the goods delivered under this Agreement shall be free from defects in material and workmanship for a period of one (1) year from the date of delivery.

## 7. Sales Tax Exemption.

The City is exempt from payment of sales, use, rental and certain excise taxes in accordance with Chapter 151 of the Texas Tax Code. Seller acknowledges and agrees that no such tax shall be included in any invoice or request for payment. City shall cooperate with the Seller in providing any necessary documentation to evidence the City's tax-exempt status, including providing a completed Texas Sales and Use Tax Exemption Certification form upon request.

## 8. Notice.

All notice required or permitted under this Agreement shall be in writing and shall be delivered either in person or deposited in the United States mail, postage prepaid, addressed as follows:

### For the City:

Attention: City Administrator  
City of Dripping Springs City  
P.O. Box 384  
Dripping Springs, TX 78620

### For the Seller:

Atlas Utility Supply Company  
2301 Carson Street  
Fort Worth, TX 76117-5212  
817-831-4275  
sales@atlasutility.com

Either party may change such address from time to time by providing written notice to the other in the manner set forth above. Notice is deemed to have been received three (3) days after deposit in U.S. mail.

## 9. Miscellaneous.

- (a) **Entire Agreement.** This Agreement constitutes the entire understanding between the parties with respect to the subject matter hereof and supersedes all prior negotiations, representations, or agreements, whether written or oral.

- (b) **Mandatory Disclosures.** Texas law requires that vendors make certain disclosures. Prior to the effective date of this Contract, the Contractor has submitted to the City a copy of the Conflict of Interest Questionnaire form (CIQ Form) approved by the Texas Ethics Commission (Texas Local Government Code Chapter 176). The Contractor also confirms it is in compliance with all Texas requirements related to government contracts including: (1) no boycott of Israel; (2) not listed as a foreign terrorist organization by the Texas Comptroller of Public Accounts; (3) Contractor does not have a policy or practice of discriminating against firearm entities or firearm trade associations; (4) Contractor does not boycott energy companies; and Contractor is compliant with all other Texas laws including any additional disclosure requirements.
- (c) **Amendment.** This Agreement may only be amended in writing signed by both parties.
- (d) **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas.
- (e) **Severability.** If any provision of this Agreement is held to be invalid, illegal, or unenforceable, the remaining provisions shall continue in full force and effect.
- (f) **Waiver.** No waiver of any provision of this Agreement shall be effective unless in writing and signed by the party against whom enforcement is sought. No waiver of any breach of any provision of this Agreement shall constitute a waiver of any subsequent breach of the same or any other provision hereof.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

**THE CITY:**  
*City of Dripping Springs*

**THE SELLER:**  
*Atlas Utility Supply Company*

\_\_\_\_\_  
Michelle Fischer  
City Administrator

\_\_\_\_\_  
Name:  
Title:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

## ATTACHMENT "A"



**ATLAS UTILITY SUPPLY COMPANY**  
 2301 CARSON STREET  
 FORT WORTH, TEXAS 76117-5212  
 817.831.4275 FAX 817.831.1014  
 EMAIL: SALES@ATLASUTILITY.COM

**PRICE QUOTE**

Page 1

Printed 09/17/24 HJ

<b>Quoted</b>	<b>Ship To</b>
CITY OF DRIPPING SPRINGS PO BOX 384 DRIPPING SPRINGS TX 78620 Buyer: DANE Sorensen Tel:512-858-4725 Fax:	CITY OF DRIPPING SPRINGS PO BOX 384 DRIPPING SPRINGS TX 78620

Quote #	Quote Date	Exp Date	Customer #	Customer P/O #	Ship Via	Writer
Q008373	09/17/2024	10/17/2024	0001780	DANE	BEST WAY	HJ
Job ID	Customer Terms			Salesman		
	NET 30 DAYS Std			HADEN JOHNSON		
Product	Description	UM	Quant	Unit Price	Extension	
BMM25 E SERIES T	BADGER 5/8" X 3/4" BRONZE G2 METER WITH HR-E LCD USG ENCODER AND 5' TWIST TIGHT CONNECTOR  -5/8" x 3/4" E SERIES - G2 BRONZE - USG - TWIST TIGHT 5' -----	EA	1	205.00	205.00	
BMM35 E SERIES T	BADGER 3/4" X 7 1/2" SHORT STAINLESS STEEL E-SERIES METER WITH USG HR-E LCD ENCODER AND TWIST TIGHT CONNECTOR 5' WIRE LEAD  - 3/4" X 7-1/2" "SHORT" SS E SERIES METER - 5' TWIST TIGHT LEAD -----	EA	1	230.00	230.00	
BMM55 E SERIES T	BADGER 1" G2 E-SERIES METER WITH HR-E LCD USG ENCODER AND 5' TWIST TIGHT CONNECTOR  - 1" E SERIES - G2 BRONZE - USG - 5' TWIST TIGHT CONNECTOR -----	EA	1	275.00	275.00	
BMM120 E SERIES	BADGER 1-1/2" STAINLESS STEEL E-SERIES METER WITH USG HR-E LCD ENCODER AND TWIST TIGHT CONNECTOR AND 5' WIRE LEAD	EA	1	660.00	660.00	

Continue...


**ATLAS UTILITY SUPPLY COMPANY**

2301 CARSON STREET  
 FORT WORTH, TEXAS 76117-5212  
 817.831.4275 FAX 817.831.1014  
 EMAIL: SALES@ATLASUTILITY.COM

**PRICE QUOTE**

Page 2

Printed 09/17/24 HJ

<b>Quoted</b>	<b>Ship To</b>
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Quote #	Quote Date	Exp Date	Customer #	Customer P/O #	Ship Via	Writer
Q008373	09/17/2024	10/17/2024	0001780	DANE	BEST WAY	HJ
Job ID	Customer Terms		Salesman			
	NET 30 DAYS Std		HADEN JOHNSON			
Product	Description	UM	Quant	Unit Price	Extension	
BMM170 ESERIES	BADGER 2" STAINLESS STEEL ELLIPTICAL E-SERIES METER WITH USG HR-E LCD ENCODER AND 5' TWIST TITE CONNECTOR	EA	1	865.00	865.00	
BM3x12 ESERIES	BADGER 3" X 12" LEAD FREE BRONZE E SERIES METER, USG.HRE LCD ENCODER, 10' WIRE LEAD TWIST TIGHT	EA	1	2500.00	2500.00	
BM3x17 ESERIES	BADGER 3" X 17" LEAD FREE BRONZE E-SERIES METER WITH USG HRE-LCD ENCODER AND 10FT TWIST TIGHT CONNECTION	EA	1	2700.00	2700.00	
BMO LTE-M CELLE	BADGER CELLULAR LTE-M ENDPOINT WITH TWIST TIGHT CONNECTOR -ORION LTE-M -TWIST TIGHT CONNECTOR -THRU-LID MOUNTING KIT	EA	1	160.00	160.00	
X: _____ (Accepted by)				Sub Total	\$7,595.00	<b>T o t a l</b>  <b>\$7,595.00</b>
				Freight	\$0.00	
				Misc Charges	\$0.00	
				Tax Amount	\$0.00	

MESSAGE	TERMS



**STAFF REPORT**  
**City of Dripping Springs**  
**PO Box 384**  
**511 Mercer Street**  
**Dripping Springs, TX 78620**

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**Submitted By:** Chad Gilpin, City Engineer; Laura Mueller, City Attorney

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**Council Meeting Date:** January 7, 2025

**Agenda Item Wording:** **Discuss and consider adoption of Flood Damage Prevention Ordinance as required by TCEQ for continued compliance with National Flood Insurance Program (NFIP).** *Sponsor: Mayor Bill Foulds*

**Agenda Item Requestor:** Mayor Bill Foulds

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**Summary/Background:** The City currently regulates development in the floodplain by referencing the Flood Damage Prevention Regulations adopted by Hays County February 21, 2017. A copy of Hays County's current Flood Damage Prevention Regulations Chapter 735 are attached for reference.

FEMA has produced revised Flood Insurance Rate Maps (FIRM) for Hays County, TX and incorporated areas, including the City of Dripping Springs (NFIP #481667). The new FIRM and Flood Insurance Study (FIS) will be made effective by FEMA on January 17, 2025.

FEMA requests a copy of the City's updated and adopted Flood Damage Prevention Ordinance (FDPO) indicating adoption of the new FIS and FIRM prior to January 17, 2025. This is required by FEMA in order for the City to continue compliance in good standing with the National Flood Insurance Program (NFIP).

It should be noted that the revised FEMA FIRM and FIS have been available to the public since 2017 as "Preliminary" and the City has been utilizing this information as "Best Available Data" when regulating floodplain development. As of January 17, 2017 this "Preliminary" data will be published as "effective".

For this updated and adopted FDPO staff is recommending adoption of the attached City Ordinance rather referring to Hays County Regulations. This FDPO was written by the City Engineer based on a statewide template issued by FEMA. It includes updates to the template to provide consistency with Hays County and with related City Ordinances.

**Commission  
Recommendations:** N/A

**Recommended  
Council Actions:** Approve Flood Damage Prevention Ordinance

**Attachments:** Current Hays County Flood Damage Prevention Regulations – Chapter 735  
New City Flood Damage Prevention Ordinance - Article 22.08

**Next Steps/Schedule:** If approved, the Flood Damage Prevention Ordinance will become effective  
January 17, 2025.



## CITY OF DRIPPING SPRINGS

## ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ADOPTING ARTICLE 22.08 FLOOD DAMAGE PREVENTION ORDINANCE; ESTABLISHING REGULATIONS FOR DEVELOPMENT RELATED TO FLOOD DAMAGE PREVENTION IN THE HILL COUNTRY ENVIRONMENT; PROVIDING FOR THE FOLLOWING: RULES; STANDARDS; PROCEDURES; CRIMINAL PENALTIES; AND, SEVERABILITY

**WHEREAS,** the City Council of the City of Dripping Springs (“City Council”) seeks to promote the public health, safety, morals and general welfare of the municipality and the safe, orderly, and healthful development of the municipality, including its extraterritorial jurisdiction where floodplains and flood damage prevention are considered; and

**WHEREAS,** the City Council finds that regulating development in a way that prevents flood damage is beneficial to the hill country environment; and

**WHEREAS,** the City Council finds that flood hazard areas of Dripping Springs are subject to periodic inundation, which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public’s health, safety and general welfare; and

**WHEREAS,** the City Council finds that these flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage; and

**WHEREAS,** the City Council has determined that reasonable rules and regulations governing development for flood damage prevention are necessary to maintain water quality, protect the region’s livability, preserve life and property, and reinforce Dripping Springs’ status as the Gateway to the Hill Country; and

**WHEREAS,** pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS,** pursuant to Section 16.315 of the Texas Water Code, the State of Texas has delegated the responsibility to local governmental units to adopt regulations designed to minimize flood losses; and

**WHEREAS,** the City has determined that adopting an ordinance related to flood damage prevention is required by state law; and

**WHEREAS,** the City Council finds that it is necessary and proper for the good government, peace or order of the City of Dripping Springs to adopt an ordinance regulating development as it relates to flood damage prevention.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Dripping Springs:

### **1. FINDINGS OF FACT**

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

### **2. ENACTMENT**

Article 22.08, Flood Damage Prevention Ordinance of the City of Dripping Springs Code of Ordinances is adopted to read in accordance with Attachment A, which is attached hereto and incorporated into this Ordinance for all intents and purposes.

### **3. REPEALER**

Article 22.08 and all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

### **4. SEVERABILITY**

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

### **5. CODIFICATION**

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

### **6. EFFECTIVE DATE**

This Ordinance shall be effective when enacted and publication is done as required by law.

### **7. PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**PASSED & APPROVED** this, the \_\_\_\_\_ day of \_\_\_\_\_, 2025, by a vote of \_\_\_\_\_ (*ayes*) to \_\_\_\_\_ (*nays*) to \_\_\_\_\_ (*abstentions*) of the City Council of Dripping Springs, Texas.

**CITY OF DRIPPING SPRINGS**

**By:** \_\_\_\_\_  
**Bill Foulds, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Diana Boone, City Secretary**

**CERTIFICATION OF ADOPTION**

**APPROVED:** \_\_\_\_\_  
**Diana Boone, City Secretary**

**PASSED: January 7, 2025**

**ORDINANCE BECOMES EFFECTIVE:** \_\_\_\_\_  
 (effective date)

I, the undersigned, Diana Boone, do hereby certify that the above is a true and correct copy of an ordinance duly adopted by the City of Dripping Springs, Texas, at a regular meeting duly convened on January 7, 2025.

\_\_\_\_\_  
 Diana Boone, City Secretary

**ARTICLE 22.08 – FLOOD DAMAGE PREVENTION ORDINANCE**

**DIVISION 1 – AUTHORIZATION AND PURPOSE AND METHODS**

**SECTION 22.08.001. – Title**

This article shall commonly be cited as the Flood Damage Prevention Ordinance

**SECTION 22.08.002. – Statutory Authorization**

The Legislature of the State of Texas has in the Flood Control Insurance Act, Texas Water Code, Section 16.315 delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses.

**SECTION 22.08.003. Statement of Purpose**

It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (a) Protect human life and health;
- (b) Minimize expenditure of public money for costly flood control projects;
- (c) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (d) Minimize prolonged business interruptions;
- (e) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (f) Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and
- (g) Ensure that potential buyers are notified that property is in a flood area.

**SECTION 22.08.004. – Methods of Reducing Flood Losses**

In order to accomplish its purposes, this ordinance uses the following methods:

- (a) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
- (b) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

- (c) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;
- (d) Control filling, grading, dredging and other development which may increase flood damage;
- (e) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

## **DIVISION 2 -- DEFINITIONS**

### **SECTION 22.08.005. – Definitions**

- (a) Rules of interpretation. Words and phrases used in this article shall have the meanings set forth in this section. Terms that are not defined below, but are defined elsewhere in the Code of Ordinances, shall be given the meanings set forth in the code. Words and phrases not defined in the Code of Ordinances shall be given their common, ordinary meaning unless the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense, words in the plural number shall include the singular number (and vice versa), and words in the masculine gender shall include the feminine gender (and vice versa). The word "shall" is always mandatory, while the word "may" is merely directory. Headings and captions are for reference purposes only. Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

- (b) Specific Definitions.

Alluvial Fan Flooding - means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

Apex - means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

Appeal board – Development review committee whose members are the planning director, city engineer, city planner, building official and any other pertinent city official(s).

Appurtenant Structure – means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure

Area of Future Conditions Flood Hazard – means the land area that would be inundated by the 1-percent-annual chance (100 year) flood based on future conditions hydrology.

*Area of Shallow Flooding* - means a designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent chance or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

*Area of Special Flood Hazard* - is the land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed rate-making has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE or V. The area may also be designated as a local floodplain by the City or County.

*Base Flood* - means the flood having a 1 percent chance of being equaled or exceeded in any given year.

*Base Flood Elevation (BFE)* – The elevation shown on the Flood Insurance Rate Map (FIRM) and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1% chance of equaling or exceeding that level in any given year - also called the Base Flood.

*Basement* - means any area of the building having its floor subgrade (below ground level) on all sides.

*Breakaway Wall* – means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

*Certification* – means a certification by a Texas registered professional engineer or other party that does not constitute a warranty or guarantee of performance, expressed or implied. Certification of data is a statement that the data is accurate to the best of the certifier's knowledge. Certification of analyses is a statement that the analyses have been performed correctly and in accordance with sound engineering practices. Certification of structural works is a statement that the works are designed in accordance with sound engineering practices to provide protection from the base flood. Certification of "as built" conditions is a statement that the structure(s) has been built according to the plans being certified, is in place, and is fully functioning.

*Critical Facility* – means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire, and emergency response installations, and installations which produce, use, or store hazardous materials or hazardous waste.

*Critical Feature* - means an integral and readily identifiable part of a flood protection

system, without which the flood protection provided by the entire system would be compromised.

*Development* - means any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

*Elevated Building* – means, for insurance purposes, a non-basement building, which has its lowest elevated floor, raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

*Existing Construction* - means for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."

*Existing Manufactured Home Park or Subdivision* - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

*Expansion to an Existing Manufactured Home Park or Subdivision* - means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

*Fill, also known as Earthen fill* – means fill that is sometimes placed in a Special Flood Hazard Area (SFHA) to reduce flood risk to the filled area. The placement of fill is considered development and will require a permit under applicable Federal, state and local laws, ordinances, and regulations. Fill is prohibited within the floodway unless it has been demonstrated that it will not result in any increase in flood levels. Some communities limit the use of fill in the flood fringe to protect storage capacity or require compensatory storage. The use of fill is prohibited for structural support of buildings in V Zones.

*Flood or Flooding* - means a general and temporary condition of partial or complete inundation of normally dry land areas from:

(a) the overflow of inland or tidal waters.

(b) the unusual and rapid accumulation or runoff of surface waters from any source.

*Flood Elevation Study* – means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination,



evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

*Flood Insurance Rate Map (FIRM)* - means an official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

*Flood Insurance Study (FIS)* – see *Flood Elevation Study*

*Floodplain or Flood-Prone Area* - means any land area susceptible to being inundated by water from any source (see definition of flooding).

*Floodplain administrator* – City Engineer or their designee, or other City employee or consultant appointed by City Council appointed as Floodplain administrator.

*Floodplain Management* - means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

*Floodplain Management Regulations* - means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

*Flood Protection System* – means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

*Flood Proofing* - means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

*Floodway* – see *Regulatory Floodway*

*Freeboard* – means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. “Freeboard” tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effects of urbanization of the watershed.

*Functionally Dependent Use* - means a use, which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking

facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

*Habitable Structure* – means a structure suitable for human habitation including, but not limited to, single or multi-family residences, hotel, condominium buildings, and buildings for commercial purpose. Each building of a condominium regime is considered a separate habitable structure, but if a building is divided into apartment, then the entire building, not the individual apartment, is considered a single habitable structure. Additionally, a habitable structure includes porches, gazebos, and other attached improvements.

*Highest Adjacent Grade* - means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

*Historic Structure* - means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
- (4) Individually listed on a local inventory or historic places in the City of Dripping Springs as processed through the Historic Preservation Ordinance:
  - (a) By an approved state program as determined by the Secretary of the Interior or;
  - (b) Directly by the Secretary of the Interior in states without approved programs.

*Levee* - means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

*Levee System* - means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

*Local Floodplain* – means a land area with an upstream contributing drainage basin of sixty-four (64) acres or greater that would be inundated by the 1-percent-annual chance (100 year) flood and a Regulatory floodplain has not previously been identified.

*Lowest Floor* - means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

*Manufactured Home* - means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

*Manufactured Home Park or Subdivision* - means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

*Mean Sea Level* - means, for purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

*New Construction* - means, for the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

*New Manufactured Home park or Subdivision* - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

*Non-habitable Structure* - means a structure that is not suitable or intended for human habitation.

*Participating Community* – means a community in which FEMA has authorized the sale of flood insurance. Also known as an eligible community.

*Recreational Vehicle* - means a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

*Regulatory Floodway* - means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

*Riverine* – means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

*Special Flood Hazard Area* – see *Area of Special Flood Hazard*

*Start of Construction* -- (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

*Structure* – means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

*Substantial Damage* - means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

*Substantial Improvement* - means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure." f

*Variance* – means a grant of relief by a community from the terms of a floodplain management regulation. (For full requirements see Section 60.6 of the National Flood Insurance

Program regulations.)

Water Surface Elevation - means the height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

### **DIVISION 3 – GENERAL PROVISIONS**

#### **SECTION 22.08.006. – Lands to Which This Ordinance Applies**

The ordinance shall apply to all properties that include areas of special flood hazard within the city limits and extra-territorial jurisdiction (ETJ) of the City of Dripping Springs. The City may at its discretion defer authority to the Hays County Floodplain administrator within the ETJ.

#### **SECTION 22.08.007. – Basis for Establishing the Areas of Special Flood**

The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, “Flood Insurance Study (FIS) for Hays County TX and Incorporated Areas,” dated Effective January 17, 2025, with accompanying Flood Insurance Rate Maps and/or Flood Boundary-Floodway Maps (FIRM and/or FBFM) dated January 17, 2025, and any revisions thereto are hereby adopted by reference and declared to be a part of this ordinance.

#### **SECTION 22.08.008. – Establishment of Development Permit**

A Floodplain Development Permit shall be required for any development within an Area of Special Flood Hazard or any area that is determined to be local floodplain by the City Floodplain administrator.

Additional floodplain data may be generated which will improve the accuracy of floodplain boundary identification. The City is routinely made aware of map changes and additional flood studies. The Floodplain administrator may determine whether a property or development is within a flood hazard area based on available data and may make recommendations for construction standards which will minimize or eliminate the possibility of damage from localized drainage problems.

#### **SECTION 22.08.009. – Compliance**

No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this ordinance and other applicable regulations.

#### **SECTION 22.08.010. – Abrogation and Greater Restrictions**

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant,

or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

#### **SECTION 22.08.011. – Interpretation**

In the interpretation and application of this ordinance, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body; and (3) deemed neither to limit nor repeal any other powers granted under State statutes.

#### **SECTION 22.08.012. – Warning and Disclaimer of Liability**

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

#### **SECTION 22.08.013. – Establishment of Fees**

The City Council, upon the recommendation of the Floodplain administrator, shall establish application fees commensurate with the service rendered by the City. Development fees are payable at the time of application. Floodplain and associated fees will be adopted by ordinance in the City of Dripping Springs Fee Schedule.

### **DIVISION 4 - ADMINISTRATION**

#### **SECTION 22.08.014. – Designation of the Floodplain administrator**

The City Engineer or their designee is hereby appointed the Floodplain administrator to administer and implement the provisions of this ordinance and other appropriate sections of 44 CFR (Emergency Management and Assistance - National Flood Insurance Program Regulations) pertaining to floodplain management.

#### **SECTION 22.08.015. – Duties and Responsibilities of the Floodplain administrator**

Duties and responsibilities of the Floodplain administrator shall include, but not be limited to, the following:

- (1) Maintain and hold open for public inspection all records pertaining to the provisions of this ordinance.
- (2) Review permit application to determine whether proposed construction or other

development, including the placement of manufactured homes, will be reasonably safe from flooding.

- (3) Review, approve or deny all applications for development permits required by adoption of this ordinance.
- (4) Review permits for proposed development to assure that all necessary permits have been obtained from those Federal, State or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.
- (5) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain administrator shall make the necessary interpretation.
- (6) Notify, in riverine situations, adjacent communities and the State Coordinating Agency which is the Texas Water Development Board (TWDB) and also the Texas Commission on Environmental Quality (TCEQ), prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
- (7) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.
- (8) When base flood elevation data has not been provided in accordance with Section 22.08.008, the Floodplain administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a Federal, State or other source, in order to administer the provisions of Part 5.
- (9) When a regulatory floodway has not been designated, the Floodplain administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
- (10) Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than 1 foot, provided that the community first completes all of the provisions required by Section 65.12.

#### **SECTION 22.08.016. – Permit Procedures**

(a) Application for a Floodplain Development Permit shall be presented to the Floodplain administrator, prior to undertaking any development activities, using forms furnished by the Floodplain administrator and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information, certified by a Texas professional who is authorized to certify such information, is required:

(1) Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;

(2) Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;

(3) A certificate from a Texas registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of Section 22.08.009 (b);

(4) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development;

(5) Maintain a record of all such information in accordance with Section 22.08.015 (a).

(6) Upon placement of the lowest floor, or flood proofing by whatever construction means, it shall be the duty of the permit holder to submit to the Floodplain administrator a certification of the elevation of the lowest floor or flood proofed elevation, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a Texas registered land surveyor or Texas licensed professional engineer who is authorized to certify such information, and certified by same. Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The Floodplain administrator shall review the lowest floor elevation and flood proofing certificate. Should these documents be found not in conformance with the requirements of these rules, the permit holder shall immediately cease further work, and shall correct any deficiencies. Failure of the permit holder to submit the surveyed lowest floor elevation and flood proofing certificate, and failure to correct said deficiencies required hereby, shall be the cause to issue a stop-work order for the project.

(b) Approval or denial of a Floodplain Development Permit by the Floodplain administrator shall be based on all of the provisions of this ordinance and the following relevant factors:

(1) The danger to life and property due to flooding or erosion damage;



- (2) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - (3) The danger that materials may be swept onto other lands to the injury of others;
  - (4) The compatibility of the proposed use with existing and anticipated development;
  - (5) The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - (6) The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
  - (7) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
  - (8) The necessity to the facility of a waterfront location, where applicable;
  - (9) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
- (c) It shall be unlawful to use, occupy or permit the use or occupancy of any building, development, or premises or part thereof hereafter created, erected, changed, converted, altered, or enlarged in its use or structure until a Flood Hazard Area Permit has been issued by the Floodplain administrator stating that the use of the development conforms to the requirements of this Section.
- (d) Permit Expiration - Approval of a Flood Hazard Area Permit shall expire and be of no further force and effect in the event that:
- (1) None of the activities authorized in the permit are commenced within one (1) year from the date of issuance; or,
  - (2) All of the activities authorized in the permit are not completed within two (2) years from the date of issuance.

#### **SECTION 22.08.017. – Variance Procedures**

- (a) Presumption. There shall be a presumption against variances.
- (b) General. Where the appeal board finds that undue hardships will result from strict compliance with a certain provision(s) of this article, or where the purposes of these regulations may be served to a greater extent by an alternative proposal, the city may

approve a variance from any portion of these regulations so that substantial justice may be done and the public interest is secured, provided that the variance shall not have the effect of nullifying the intent and purpose of these regulations.

- (c) In approving a variance, the appeal board may require such conditions as will, in its judgment, secure substantially the purposes described herein.
- (d) Variance Application.
  - (1) An application for a variance shall be submitted in writing by the property owner before the permit application is submitted for the consideration of the planning director or other approving authority. The application for variance must be submitted prior to review by the planning director.
  - (2) The application shall state fully the grounds for the application, and all of the facts relied upon by the applicant.
- (e) The appeal board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain administrator in the enforcement or administration of this ordinance.
- (f) Any person or persons aggrieved by the decision of the appeal board may appeal such decision in the courts of competent jurisdiction.
- (g) The Floodplain administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.
- (h) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this ordinance.
- (i) Variances may be issued for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in Section 22.08.016 (b) have been fully considered. As the lot size increases beyond the 1/2 acre, the technical justification required for issuing the variance increases.
- (j) Upon consideration of the factors noted above and the intent of this ordinance, the Appeal board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this ordinance (Section 22.08.003).
- (k) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

- (l) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- (m) Prerequisites for granting variances:
  - (1) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
  - (2) Variances shall only be issued upon, (i) showing a good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
  - (3) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
- (n) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that (i) the criteria outlined in Section 22.08.017 (a)-(i) are met, and (ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

## **DIVISION 5 – PROVISIONS FOR FLOOD HAZARD REDUCTION**

### **SECTION 22.08.018. – General Standards**

In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements.

- (a) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- (b) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
- (c) All new construction or substantial improvements shall be constructed with materials resistant to flood damage;

- (d) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- (e) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (f) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and,
- (g) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

### **SECTION 22.08.019. – Specific Standards**

In all areas of special flood hazards where base flood elevation data has been provided as set forth in (i) Section 22.08.007, (ii) Section 22.08.015 (h), or (iii) Section 22.08.020 (c), the following provisions are required:

- (a) Residential Construction - new construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to at least one (1) foot above the base flood elevation. A Texas registered professional engineer, architect, or land surveyor shall submit a certification to the Floodplain administrator that the standard of this subsection as proposed in Section 22.08.016 (a) a, is satisfied.
- (b) Nonresidential Construction - new construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to at least one (1) foot above the base flood level or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A Texas registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain administrator.
- (c) Enclosures - new construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a

Texas registered professional engineer or architect or meet or exceed the following minimum criteria:

- (1) A minimum of two openings on separate walls having a total net area of not less than 1 square inch for every square foot of enclosed area subject to flooding shall be provided.
  - (2) The bottom of all openings shall be no higher than 1 foot above grade.
  - (3) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- (d) Manufactured Homes -
- (1) Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated such that the lowest floor of the manufactured home is elevated to at least one (1) foot above the base flood elevation and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.
  - (2) Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to at least one (1) foot above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- (e) Recreational Vehicles - Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either (i) be on the site for fewer than 180 consecutive days, or (ii) be fully licensed and ready for highway use, or (iii) meet the permit requirements of Section 28.08.016 (a), and the elevation and anchoring requirements for "manufactured homes" in Section 28.08.018 (d) of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.
- (f) Fences in Special Flood Hazard Area

- (1) Exempted Fencing -- No Flood Hazard Area Permit is required for open pipe, rail, or wire fencing that is 90% "open" and that have posts less than 14" diameter placed no closer than 8-feet apart.
- (2) Non Exempt Fencing-- any proposed fence in a 100-year floodplain that is not an exempt fence is considered to be development and requires issuance of a Flood Hazard Area Permit.
- (3) Any fencing that crosses a stream channel must be designed and constructed so that it will break away or collapse to allow discharge of flood waters.
- (4) On a navigable stream or river a property owner must comply with the Texas Parks and Wildlife Code so that public recreational use is not limited, obstructed, restricted, or interfered with.

#### **SECTION 22.08.020. – Standards for Subdivision and Site Developments**

- (a) All subdivisions including the placement of manufactured home parks and subdivisions shall be consistent with Sections 22.08.002, 22.08.003, and 22.08.004 of this ordinance.
- (b) All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet Development Permit requirements of Section 22.08.008; Section 22.08.016; and the provisions of Division 5 of this ordinance.
- (c) Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than 50 lots or 5 acres, whichever is lesser, if not otherwise provided pursuant to Section 22.08.007 or Section 22.08.015 (h) of this ordinance.
- (d) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.
- (e) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- (f) All plats shall have the Floodplain and Floodway clearly delineated on the plat and, where appropriate, shall have the lowest floor elevations for all lots located within Flood Hazard Areas.
- (g) All subdivision and site development Applications which include land which is encroached by areas of special flood hazard, must include the placement of a permanent benchmark indicating the elevation relative to mean sea level. The benchmark must be located within the platted property, and must be indicated on the subdivision plat.

- (h) A drainage area of sixty-four (64) acres or greater within a contributing watershed for which a Regulatory floodplain has not previously been identified shall require the identification of a local flood plain. For areas of flow with less than sixty-four (64) acres of contributing area, the identification of a local flood plain is not required; however, any concentrated flow necessitates the dedication of a drainage easement to contain the spread of the 100-year storm flow.
- (i) Where a property is traversed by a watercourse, drainageway or channel, there shall be provided a storm drainage easement conforming substantially with the 100-year floodplain of such course and of such additional width as may be designated by the Floodplain administrator, subject to determination according to proper engineering considerations.

#### **SECTION 22.08.021. – Standards for Areas of Shallow Flooding (AO/AH Zones)**

Located within the areas of special flood hazard established in Section 22.08.007, are areas designated as shallow flooding. These areas have special flood hazards associated with flood depths of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

- (a) All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated to at least one (1) foot above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least 2 feet if no depth number is specified).
- (b) All new construction and substantial improvements of non-residential structures;
  - (1) have the lowest floor (including basement) elevated to at least one (1) foot above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least 2 feet if no depth number is specified); or
  - (2) together with attendant utility and sanitary facilities be designed so that below the base specified flood depth in an AO Zone, or below the Base Flood Elevation in an AH Zone, level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.
- (c) A Texas registered professional engineer or architect shall submit a certification to the Floodplain administrator that the standards of this Section, as proposed in Section 22.08.016 are satisfied.
- (d) Require within Zones AH or AO adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.

### **SECTION 22.08.022. – Floodways**

Floodways - located within areas of special flood hazard established in Section 22.08.007, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:

- (a) Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
- (b) If Section 22.08.022 (a) above is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this ordinance.
- (c) Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program Regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first completes all of the provisions required by Section 65.12.

### **SECTION 22.08.023. – Critical Facilities**

Construction of new critical facilities shall be, to the extent possible, located outside the limits of the SFHA, preferably outside the 0.2% annual chance floodplain. Construction of new critical facilities may be permissible within the SFHA if feasible alternative sites are unavailable. Critical facilities constructed within the SFHA shall have the lowest floor elevated at least one (1) foot above the base flood elevation at the site. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the maximum extent possible.

## **DIVISION 6 – VIOLATIONS AND PENALTIES**

### **SECTION 22.08.024. – Violations.**

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. . Nothing herein contained shall prevent the City of Dripping Springs from taking such other lawful action as is necessary to prevent or remedy any violation. Should the property owner receiving written notice from the floodplain administrator, building official, or code enforcement official of a violation of this article fails to correct a violation of this article within the time stated in the written notice, the floodplain administrator or the administrator's designee may cause correction of the violation. The floodplain administrator may also pursue criminal penalties



and/or civil action as provided for under this article and state law.

### **SECTION 22.08.025 -- Offense**

- (a) A person who violates, causes, allows or permits a violation a section of this article commits a misdemeanor punishable by a fine not exceeding \$500.00.
- (b) Each violation of this article designated as an offense constitutes a separate offense.
- (c) Sections containing an offense:
  - (1) Section 22.08.009, Compliance.
  - (2) Section 22.08.016, Permit Procedures.
  - (3) Section 22.08.018, General Standards.
  - (4) Section 22.08.019, Specific Standards.
  - (5) Section 22.08.020, Standards for Subdivision and Site Developments.
  - (6) Section 22.08.021, Standards for Areas of Shallow Flooding (AO/AH Zones).
  - (7) Section 22.08.022, Floodways.
  - (8) Section 22.08.024, Violations.

### **SECTION 22.08.026 – Liability.**

The provisions of this chapter shall not be construed as relieving or limiting in any way the responsibility or liability of any person that develops or owns property, from personal injury or property damage resulting from the development of the property, or resulting from the negligence or willful acts of such person in the design, construction, maintenance, repair or development of property developed in accordance with a permit issued under the provisions of this article. Nor shall it be construed as imposing upon the city or its officers, employees or agents any responsibility or liability by reason of the approval of any permit or variance under these provisions.

### **SECTION 22.08.027 – Civil remedies.**

Nothing in this article shall be construed as a waiver of the city's right to bring a civil action to enforce the provisions of this article and to seek remedies as allowed by law, including, but not limited to the following:

- (1) Injunctive relief to prevent specific conduct that violates the chapter or to require specific conduct that is necessary for compliance with the article enjoined of development that violates this article at the expense of the property owner; and
- (2) A civil penalty up to \$1,000.00 a day when it is shown that the defendant was notified of the provisions of the article and after receiving notice committed acts in violation of the article or failed to take action necessary for compliance with the article; and other available relief.



## **CHAPTER 735 - FLOOD DAMAGE PREVENTION**

### ***Sub-Chapter 1 - Applicability***

#### **§1.01. General Requirements**

This Chapter shall govern activities associated with development in Hays County, Texas.

#### **§1.02. Legal Authority**

The Legislature of the State of Texas has, in TEXAS WATER CODE ANNOTATED, Sections 16.313, 16.315, and 16.318, delegated the responsibility to local governmental units to adopt regulations designed to minimize flood losses. Legal Authority for adopting and enforcing the regulations in this Chapter is granted to the County under Texas Local Government Code (TLGC) in Chapter 232 and under the Texas Water Code in Chapters 26 and 35. Therefore, the Commissioners Court of Hays County, Texas, does hereby adopt the following flood management regulations.

#### **§1.03. Findings of Fact**

- (A) The flood hazard areas of Hays County are subject to periodic inundation, which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety, and general welfare.
- (B) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses which are vulnerable to floods and hazardous to other lands because they are inadequately elevated, flood-proofed, or otherwise protected from flood damage.

#### **§1.04. Statement of Purpose**

- (A) It is the purpose of this Chapter to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to: Protect human life, health, safety, and welfare;
- (B) Minimize expenditure of public money for costly flood control projects;
- (C) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (D) Minimize prolonged business interruptions;
- (E) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges and culverts located in floodplains;
- (F) Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and,
- (G) Ensure that potential buyers are notified that property is in a flood hazard area.
- (H) Protect the beneficial functions of floodplains.

#### **§1.05. Approval Required Prior to Development**

Approval of the County is required prior to conducting development activities in Flood Hazard Areas, unless excluded or exempted under State law or as exempted below.

**§1.06. Methods of Reducing Flood Losses**

In order to accomplish its purposes, this Chapter authorizes the use of the following methods:

- (A) Restrict or prohibit uses that are dangerous to health, safety or property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- (B) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage throughout their intended lifespan;
- (C) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation or channeling of flood waters;
- (D) Control filling, grading, dredging and other development which may increase flood damage; and,
- (E) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

***Sub-Chapter 2 - Definitions Specific to This Chapter***

Unless specifically defined below, words or phrases used in this Chapter shall be interpreted to give them the meaning they have in common usage and to give this Chapter its most reasonable application.

- (1) Alluvial Fan Flooding - means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.
- (2) Apex - means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.
- (3) Appeal Board - means the Hays County Commissioners Court.
- (4) Appurtenant Structure – means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.
- (5) Area of Future Conditions Flood Hazard – means the land area that would be inundated by the 1-percent-annual chance (100 year) flood based on future conditions hydrology.
- (6) Area of Shallow Flooding - means a designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
- (7) Area of Special Flood Hazard - means the land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed rate making has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO,

AR/AH, AR/A, VO, V1-30, VE, or V. The term “special flood hazard area,” for purposes of these regulations, is synonymous with the phrase “area of special flood hazard.”

- (8) Base Flood - means the flood having a 1 percent chance of being equaled or exceeded in any given year (also called the “regulatory flood”).
- (9) Base Flood Elevation (BFE) - means the elevation shown on the Flood Insurance Rate Map (FIRM) and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1% chance of equaling or exceeding that level in any given year - also called the Base Flood.
- (10) Basement - means any area of the building having its floor subgrade (below ground level) on all sides.
- (11) Breakaway Wall – means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.
- (12) Building – see “Structure.”
- (13) Certification – means a certification by a Texas registered professional engineer or other party that does not constitute a warranty or guarantee of performance, expressed or implied. Certification of data is a statement that the data is accurate to the best of the certifier’s knowledge. Certification of analyses is a statement that the analyses have been performed correctly and in accordance with sound engineering practices. Certification of structural works is a statement that the works are designed in accordance with sound engineering practices to provide protection from the base flood. Certification of “as built” conditions is a statement that the structure(s) has been built according to the plans being certified, is in place, and is fully functioning.
- (14) Critical Facility – means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire, and emergency response installations, and installations which produce, use, or store hazardous materials or hazardous waste.
- (15) Critical Feature - means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.
- (16) Development - means any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or storage of equipment or materials.
- (17) Elevated Building – means, for insurance purposes, a non-basement building, which has its lowest elevated floor, raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.
- (18) Existing Construction - means for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before

January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."

- (19) Existing Manufactured Home Park or Subdivision - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.
- (20) Expansion to an Existing Manufactured Home Park or Subdivision - means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
- (21) Fill, also known as Earthen fill – means fill that is sometimes placed in a Special Flood Hazard Area (SFHA) to reduce flood risk to the filled area. The placement of fill is considered development and will require a permit under applicable Federal, state and local laws, ordinances, and regulations. Fill is prohibited within the floodway unless it has been demonstrated that it will not result in any increase in flood levels. Some communities limit the use of fill in the flood fringe to protect storage capacity or require compensatory storage. The use of fill is prohibited for structural support of buildings in V Zones.
- (22) Flood or Flooding - means a general and temporary condition of partial or complete inundation of normally dry land areas from:
  - (1) the overflow of inland or tidal waters.
  - (2) the unusual and rapid accumulation or runoff of surface waters from any source.
- (23) Flood Boundary and Floodway Map (FBFM) – means the official map of a community on which FEMA has delineated the areas of flood hazards and regulatory floodway.
- (24) Flood Elevation Study – means an examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation, and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.
- (25) Flood Hazard Boundary Map (FHBM) – means an official map of a community, issued by FEMA, where the boundaries of the special flood hazard areas have been identified in Zone A.
- (26) Flood Insurance Rate Map (FIRM) - means an official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.
- (27) Flood Insurance Study (FIS) – see “Flood Elevation Study.”
- (28) Floodplain or Flood-Prone Area - means any land area susceptible to being inundated by water from any source (see definition of flooding).

- (29) Floodplain Management - means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.
- (30) Floodplain Management Regulations - means this Chapter, along with such other subdivision and development regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.
- (31) Flood Proofing - means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
- (32) Flood Protection System - means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees, or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.
- (33) Floodway – see “Regulatory Floodway.”
- (34) Freeboard – means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. “Freeboard” tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effects of urbanization of the watershed.
- (35) Functionally Dependent Use - means a use, which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.
- (36) Habitable Structure – means a structure suitable for human habitation including, but not limited to, single or multi-family residences, hotels, condominium buildings, and buildings for commercial purpose. Each building of a condominium regime is considered a separate habitable structure, but if a building is divided into apartment, then the entire building, not the individual apartment, is considered a single habitable structure. Additionally, a habitable structure includes porches, gazebos, and other attached improvements.
- (37) Highest Adjacent Grade - means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
- (38) Historic Structure - means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
  - (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
  - (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or,
  - (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
    - (a) By an approved state program as determined by the Secretary of the Interior; or,
    - (b) Directly by the Secretary of the Interior in states without approved programs.
- (39) Increased Cost of Compliance (ICC) – means the coverage by a standard flood insurance policy under the NFIP that provides for the payment of a claim for the cost to comply with the State of Texas and Hays County floodplain management laws or ordinances after a direct physical loss by flood, when Hays County declares the structure to be “substantially” or “repetitively” flood-damaged. ICC coverage is provided for in every standard NFIP flood insurance policy and will help pay for the cost to floodproof, relocate, elevate, or demolish the structure.
- (40) Levee - means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.
- (41) Levee System - means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.
- (42) Lowest Floor - means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; **provided** that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.
- (43) Manufactured Home - means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle."
- (44) Manufactured Home Rental Community or Subdivision - means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.



- (45) Map – means the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by FEMA.
- (46) Mean Sea Level - means, for purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.
- (47) New Construction - means, for the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.
- (48) New Manufactured Home ~~Park~~ Rental Community or Subdivision - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.
- (49) Non-habitable Structure - means a structure that is not suitable or intended for human habitation.
- (50) Participating Community – means a community in which FEMA has authorized the sale of flood insurance. Also known as an eligible community.
- (51) Principally Above Ground – mean that at least 51 percent of the actual cash value of the structure is above ground.
- (52) Recreational Vehicle - means a vehicle which is:
  - (1) built on a single chassis;
  - (2) 400 square feet or less when measured at the largest horizontal projections;
  - (3) designed to be self-propelled or permanently towable by a light duty truck; and,
  - (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
  - (5) Does not exceed the legal size or weight limits required for an oversize/overweight(OS/OW) permit and route from the TxDMV to travel on Texas roads.
- (53) Reasonably safe from flooding – means base flood waters will not inundate the land or damage structures to be removed from the SFHA and that any subsurface waters related to the base flood will not damage existing or proposed buildings.
- (54) Repetitive Loss – means flood-related damages sustained by a structure on two separate occasions during a 10-year period ending on the date of the event for which the second claim is made, for which the cost of repairs at the time of each such flood event, on the

average, equaled or exceeded 25% of the market value of the structure before the damages occurred.

- (55) Regulatory Floodway - means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
- (56) Riverine – means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.
- (57) Special Flood Hazard Area – see “Area of Special Flood Hazard” – means an area having special flood hazard and shown on an FHBM or FIRM as Zone A, AO, A1-30, AE, AH, A99, or AR,.
- (58) Start of Construction - (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
- (59) Structure – means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.
- (60) Substantial Damage - means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
- (61) Substantial Improvement - means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either: (1) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or (2) any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

- (62) Variance – means a grant of relief by a community from the terms of a floodplain management regulation. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)
- (63) Violation - means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.
- (64) Water Surface Elevation - means the height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

### ***Sub-Chapter 3 - General Provisions***

#### **§3.01. Lands to Which This Chapter Applies**

This Chapter shall apply to all areas of special flood hazard within the jurisdiction of Hays County, Texas.

#### **§3.02. Basis for Establishing the Areas of Special Flood Hazard**

The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "The Flood Insurance Study for Hays County, Texas," dated February 18, 1998, with accompanying effective Flood Insurance Rate Maps and/or Flood Boundary- Floodway Maps (FIRM and/or FBFM) dated September 2, 2005, and any revisions thereto, are hereby adopted by reference and declared to be part of this Chapter.

#### **§3.03. Establishment of Development Permit System**

A Flood Hazard Area Permit System is hereby established to ensure compliance with the provisions of this Chapter. This system shall require an Application for a Development Authorization by the Applicant or the Permittee seeking the Development Authorization.

A county-wide application system is a necessary and reasonable action to insure that all permits for development in flood hazard areas have been obtained. The Commissioners Court through the Floodplain Administrator will develop and promulgate any and all forms as may be necessary for the implementation of this court order.

Additional floodplain data may be generated which will improve the accuracy of floodplain boundary identification. Since the County will constantly be aware of map changes and additional data, the responsibility for determining whether a property or development is within a flood hazard area must rest with the Hays County Floodplain Administrator. Flood Hazard Boundary Maps published by the Federal Insurance Administration delineate only the major flood prone areas within the County. With a County-wide review procedure, the Floodplain Administrator will be able to make recommendations for construction standards which will minimize or eliminate the possibility of damage from localized drainage problems.

#### **§3.04. Compliance**

No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this Chapter and other applicable regulations.

### **§3.05. Abrogation and Greater Restrictions**

This Chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Chapter and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

### **§3.06. Interpretation**

In the interpretation and application of this Chapter, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body; and (3) deemed neither to limit nor repeal any other powers granted under State statutes.

### **§3.07. Warning and Disclaimer of Liability**

The degree of flood protection required by this Chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. This Chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This Chapter shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this Chapter or any administrative decision lawfully made hereunder.

### **§3.08. Establishment of Fees**

The Commissioners Court, upon the recommendation of the Floodplain Administrator, shall establish application fees commensurate with the service rendered by the County. Development fees are payable at the time of application.

## ***Sub-Chapter 4 – Administration***

### **§4.01. Designation of the Floodplain Administrator**

The Commissioners Court shall appoint the Floodplain Administrator to administer and implement the provisions of this Chapter and other appropriate sections of 44 CFR (Emergency Management and Assistance - National Flood Insurance Program Regulations) pertaining to floodplain management. If no other individual has been appointed by the Commissioners Court, the Director of the Department, or his designee, shall serve as the Floodplain Administrator.

### **§4.02. Duties and Responsibilities of the Floodplain Administrator**

Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:

- (A) Maintain and hold open for public inspection all records pertaining to the provisions of this Chapter.
- (B) Review permit application to determine whether to ensure that the proposed building site project, including the placement of manufactured homes, will be reasonably safe from flooding.

- (C) Review, approve, or deny all applications for development permits required by adoption of this Chapter.
- (D) Verify and record the actual elevation (in relation to mean sea level) of the lowest floor of all new construction and substantial improvements, in accordance with Sec. 735.04.04(A)(2).
- (E) Verify and record the actual elevation (in relation to mean sea level) to which the new or substantially improved non-residential structures in A-Zones have been flood proofed, in accordance with Sec. 735.04.04(A)(2).
- (F) Review permits for proposed development within a special flood hazard area to assure that all necessary permits have been obtained from those Federal, State, or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) or by area-wide agencies from which prior approval is required prior to issuing a development permit. Such documentation is to be maintained on file with the development permit.
- (E) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.
- (F) Notify, in riverine situations, adjacent communities and the State Coordinating Agency which is the Texas Water Development Board (TWDB), prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
- (G) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.
- (H) When base flood elevation data has not been provided in accordance with Section §735.3.02, the Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation data and floodway data available from a Federal, State or other source, in order to administer the provisions of Subchapter 5 of this Chapter.
- (I) When a regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than 1 foot, provided that the community first completes all of the provisions required by Section 65.12.
- (J) Participate actively in evaluating the variance requests and provide input and recommendations in variance hearings/proceedings.

- (K) Coordinate all change requests to the FIS and FIRM or FHBM, or both, with the requester, State, and FEMA.

#### **§4.03. Classification of Flood Hazard Area Permits**

Development Authorizations issued as Flood Hazard Area Permits (FHAP) shall be classified as follows:

- (A) Development located on real property for which there is no Flood Hazard area delineated shall qualify for a Class A (Exemption Certificate) FHAP. The FHAP shall state that the proposed development is located on real property that does not lie within an identified Flood Hazard Area and that the construction standards contained in this Chapter are not applicable to the proposed development. Class A FHAPs (Exemption Certificates) shall be issued by the Floodplain Administrator.
- (B) Habitable structures located on real property in flood hazard areas shall require a Class B FHAP. Class B FHAPs that comply with the terms of this Chapter may be issued by the Floodplain Administrator. Variances requested in conjunction with a Class B FHAP shall require approval of the Commissioners Court.
- (C) Non-habitable structures or development located on real property in flood hazard areas shall require a Class C FHAP.

The Floodplain Administrator shall issue FHAPs that comply with the terms of this Chapter, including specifically authorized variances.

#### **§4.04. Permit Procedures**

- (A) Applications for an FHAP will be processed in accordance with Chapter 701 of the Hays County Development Regulations.
- (B) Application for a Flood Hazard Area Permit shall be presented, prior to undertaking any development activities, to the Floodplain Administrator on forms furnished by him/her and must include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area under consideration for development, proposed landscape alterations, existing and proposed structures and other features, including the placement of manufactured homes, earthen fill, storage of materials or equipment, drainage facilities, perimeter setbacks, environmental features such as base floodplain areas, wetlands, and other protected areas, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information, certified by a Texas professional who is authorized to certify such information, is required:
- (1) Application Stage:
- (a) Elevation (in relation to mean sea level) of the area of development for both existing and proposed development.
- (b) Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;
- (c) Elevation (in relation to mean sea level) to which any nonresidential structure shall be flood proofed;

- (d) A certificate from a Texas ~~licensed~~ registered professional engineer or Texas licensed architect that the nonresidential flood proofed structure shall meet the flood proofing criteria of Subchapter 5 of this Chapter;
- (e) Existing and proposed infrastructure;
- (f) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development; and,
- (g) Maintain a record of all such information in accordance with Subchapter 4 of this Chapter.

(2) Construction Stage:

Upon placement of the lowest floor, or flood proofing by whatever construction means, it shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the elevation of the lowest floor or flood proofed elevation, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a Texas registered land surveyor or Texas licensed professional engineer who is authorized to certify such information, and certified by same. Any work undertaken prior to submission of the certification shall be at the permit holder's risk.

The Floodplain Administrator shall review the lowest floor elevation and flood proofing certificate. Should these documents be found not in conformance with the requirements of these rules, the permit holder shall immediately cease further work, and shall correct any deficiencies. Failure of the permit holder to submit the surveyed lowest floor elevation and flood proofing certificate, and failure to correct said deficiencies required hereby, shall be the cause to issue a stop-work order for the project.

- (C) Approval or denial of a Flood Hazard Area Permit by the Floodplain Administrator shall be based on all of the provisions of this Chapter and the following relevant factors:
- (1) The danger to life and property due to flooding or erosion damage;
  - (2) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - (3) The danger that materials may be swept onto other lands to the injury of others;
  - (4) The compatibility of the proposed use with existing and anticipated development;
  - (5) The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - (6) The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical, and water systems;
  - (7) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
  - (8) The necessity to the facility of a waterfront location, where applicable; and,

- (9) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.
- (D) It shall be unlawful to use, occupy or permit the use or occupancy of any building, development, or premises or part thereof hereafter created, erected, changed, converted, altered, or enlarged in its use or structure until a Flood Hazard Area Permit has been issued by the Floodplain Administrator stating that the use of the development conforms to the requirements of this Chapter.

#### **§4.05. Expiration of Flood Hazard Area Permits**

Approval of a Flood Hazard Area Permit shall expire and be of no further force and effect in the event that:

- (A) None of the activities authorized in the permit are commenced within one (1) year from the date of issuance; or,
- (B) All of the activities authorized in the permit are not completed within two (2) years from the date of issuance.

#### **§4.06. Variance Procedures**

- (A) The Appeal Board, as established by the community, shall hear and render judgment on requests for variances from the requirements of this Chapter.
- (B) The Appeal Board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this Chapter.
- (C) Any person(s) aggrieved by the decision of the Appeal Board may appeal such decision in the courts of competent jurisdiction.
- (D) The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.
- (E) Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this Chapter.
- (F) Variances may be issued for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in Section §735.4.03(B) have been fully considered. As the lot size increases beyond the 1/2 acre, the technical justification required for issuing the variance increases.
- (G) Upon consideration of the factors noted above and the intent of this Chapter, the Appeal Board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this Chapter.
- (H) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.



- (I) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- (J) Prerequisites for granting variances:
  - (1) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
  - (2) Variances shall only be issued upon: (i) showing a good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
  - (3) Any applicant to which a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, ~~and~~ that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation, and that such construction below the base flood level increases risks to life and property.
- (K) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that (i) the criteria outlined in Section §735.04.04(B) are met, and (ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
- (L) A request for variance is not an after-the-fact request and should be made prior to the commencement of any development activities sought under an FHAP.

### ***Sub-Chapter 5 - Provisions for Flood Hazard Reduction***

#### **§5.01. General Standards**

In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:

- (A) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- (B) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
- (C) All new construction or substantial improvements shall be constructed with materials and utility elements resistant to flood damage;
- (D) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;

- (E) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (F) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and,
- (G) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
- (H) When located in multiple flood zones with varying base flood elevations or in the same flood zone with multiple base flood elevations, the requirements for the flood zone with the most stringent requirements and the highest base flood elevation shall apply.
- (I) Base flood elevation data and floodway boundaries shall be generated by a detailed engineering study for development purposes in Zone A and within 100 feet of the contour lines of Zone A, as indicated on the community's FIRM, if the Floodplain Administrator requires this based on proximity to channel, or obvious inaccuracy of the FIRM in area of the proposed development, or historical records of flooding. The Applicant shall bear the cost of the engineering studies.

#### **§5.02. Specific Standards**

In all areas of special flood hazards where base flood elevation data has been provided as set forth in (i) Subchapter 3, (ii) Subchapter 4, or (iii) Subchapter 5, the following provisions are required:

- (A) Residential Construction - new construction and substantial improvement of any residential structure shall have the lowest floor (including basement) elevated to at least one (1) foot above the base flood elevation. A Texas registered professional engineer, Texas licensed architect, or Texas licensed land surveyor shall submit a certification to the Floodplain Administrator that the standard of this subsection as proposed in Section §735.04.03 is satisfied.
- (B) Nonresidential Construction - new construction and substantial improvements of any commercial, industrial, or other nonresidential structure shall either have the lowest floor (including basement) elevated to at least one (1) foot above the base flood level or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A Texas registered professional engineer or Texas licensed architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator.
- (C) Enclosures - new construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access, or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this

requirement must either be certified by a Texas registered professional engineer or Texas licensed architect or meet or exceed the following minimum criteria:

- (1) A minimum of two openings on separate walls having a total net area of not less than 1 square inch for every square foot of enclosed area subject to flooding shall be provided.
  - (2) The bottom of all openings shall be no higher than 1 foot above the floor or bottom of the interior of the enclosed structure
  - (3) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- (D) Manufactured Homes -
- (1) Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated such that the lowest floor of the manufactured home is elevated to at least one (1) foot above the base flood elevation and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.
  - (2) Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to at least one (1) foot above the base flood elevation, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement,;
- (E) Recreational Vehicles - Require that recreational vehicles placed on sites within Zones A, A1-30, AH, and AE on the community's FIRM either (i) be on the site for fewer than 180 consecutive days, or (ii) be fully licensed and ready for highway use, or (iii) meet the permit requirements of Section §735.4.03, and the elevation and anchoring requirements for "manufactured homes" in Section §735.5.02(D)(2). A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.
- (F) Fences in Special Flood Hazard Area
- (1) Exempted Fencing -- No Flood Hazard Area Permit is required for open pipe, rail, or wire fencing that is 90% "open" and that have posts less than 14" diameter placed no closer than 8-feet apart.
  - (2) Non Exempt Fencing-- any proposed fence in a 100-year floodplain that is not an exempt fence is considered to be development and requires issuance of a Flood Hazard Area Permit.
  - (3) Any fencing that crosses a stream channel must be designed and constructed so that it will break away or collapse to allow discharge of flood waters.

- (4) On a navigable stream or river a property owner must comply with the Texas Parks and Wildlife Code so that public recreational use is not limited, obstructed, restricted, or interfered with.

### **§5.03. Standards for Subdivision Proposals**

- (A) All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with this Chapter and shall be approved by the County Floodplain Administrator prior to issuance of the Development Authorization by the County. Plat specifications and details for submission will be governed by Chapter 705 and other applicable provisions of these Regulations.
- (B) All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet the requirements this Chapter.
- (C) Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is are greater than 50 lots or 5 acres, whichever is lesser, if not otherwise provided pursuant to this Chapter.
- (D) All subdivision plats shall have the Floodplain and Floodway clearly delineated on the plat and, where appropriate, shall have the lowest floor elevations for all lots located within Flood Hazard Areas. Finish floor elevations and floodway will not be required if Floodplain is contained within a drainage easement prohibiting development.
- (E) All subdivision Applications including the placement of manufactured home parks and subdivisions shall include provisions for adequate drainage as required under Chapter 725, to reduce exposure to flood hazards.
- (F) All subdivision Applications including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- (G) All subdivision Applications which include land which is encroached by areas of special flood hazard, must include the placement of a permanent benchmark indicating the elevation relative to mean sea level. The benchmark must be located within the platted property, and must be indicated on the subdivision plat. If all floodplain is contained within a drainage easement, a benchmark is not required.

### **§5.04. Standards for Areas of Shallow Flooding (AO/AH Zones)**

Located within the areas of special flood hazard as defined above are areas designated as shallow flooding. These areas have special flood hazards associated with flood depths of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

- (A) All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated to at least one (1) foot above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least 2 feet if no depth number is specified).

- (B) All new construction and substantial improvements of non-residential structures:
- (1) have the lowest floor (including basement) elevated to at least one (1) foot above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least 2 feet if no depth number is specified); or,
  - (2) together with attendant utility and sanitary facilities be designed so that below the base specified flood depth in an AO Zone, or below the Base Flood Elevation in an AH Zone, level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.
- (C) A Texas registered professional engineer, Texas licensed architect, or, for purposes of satisfying the requirements of 5.04(B)(1) above, a Texas registered professional land surveyor, shall submit a certification to the Floodplain Administrator that the standards of this Section are satisfied.
- (D) Require within Zones AH or AO adequate drainage paths around structures on slopes to guide flood waters around and away from proposed structures.

#### **§5.05. Floodways**

Located within areas of special flood hazard are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions shall apply:

- (A) Encroachments are prohibited, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
- (B) If Section §735.5.05(A) above is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of the remainder of this Chapter.
- (C) Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program Regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first completes all of the provisions required by Section 65.12.

#### **§5.06. Critical Facilities**

Construction of new critical facilities shall be, to the extent possible, located outside the limits of the SFHA, preferably outside the 0.2% annual chance floodplain. Construction of new critical facilities may be permissible within the SFHA if feasible alternative sites are unavailable. Critical facilities constructed within the SFHA shall have the lowest floor elevated at least one (1) foot above the base flood elevation at the site. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters.

Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the maximum extent possible.

#### **§5.06. Severability**

If any section, clause, sentence, or phrase of this Chapter is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Chapter.

#### **§5.07. Penalties for Non-Compliance**

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this Chapter and other applicable regulations. Violation of the provisions of this Chapter by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this Chapter or fails to comply with any of its requirements is subject to the following penalties:

- (A) **CIVIL PENALTY:** A person who violates this Chapter is subject to a civil penalty of not more than \$100 for each act of violation and for each day of violation.
- (B) **CRIMINAL PENALTY:**
  - (1) A person commits an offense if the person violates this Chapter.
  - (2) An offense under this Chapter is a Class C misdemeanor.

Each violation of this Chapter and each day of continuing violation is a separate offense. Any person shall, upon conviction, pay the related fine as specified above for each violation, along with all costs and expenses involved in the case.

#### **§5.08. ENFORCEMENT BY POLITICAL SUBDIVISION:**

- (A) If it appears that a person has violated, is violating, or is threatening to violate this Chapter or a rule adopted by order issued under this Chapter, a political subdivision may institute a civil suit in the appropriate court for:
  - (1) Injunctive relief to restrain the person from continuing the violation or threat of violation, including an order directing the person to remove illegal improvements and restore preexisting conditions;
  - (2) The assessment and recovery of the civil penalty; or
  - (3) Both the injunctive relief and the civil penalty.
- (B) On application for injunctive relief and a finding that a person has violated, is violating, or is threatening to violate this Chapter or rule adopted, or order issued under this Chapter, the court shall grant the injunctive relief that the facts warrant.

Nothing herein contained shall prevent Hays County from taking such other lawful action as is necessary to prevent or remedy any violation.



**STAFF REPORT**  
**City of Dripping Springs**  
**PO Box 384**  
**511 Mercer Street**  
**Dripping Springs, TX 78620**

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**Submitted By:** Roman Baligad, Emergency Management Coordinator

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**Council Meeting Date:** January 7, 2025

**Agenda Item Wording:** **Discuss and consider approval of a Memorandum of Understanding between the Texas Emergency Management Assistance Teams (TEMAT) and the City of Dripping Springs and an Ordinance Establishing a Program Response and Recovery Phases of Comprehensive Emergency Management.**

**Agenda Item Requestor:**

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**Summary/Background:** The Incident Support Task Force (ISTF) is a state resource, deployable under the direction of the Texas Division of Emergency Management, comprised of multi-disciplined, multi-talented, and high qualified subject-matter experts with experience in all phases of emergency management. The Incident Support Task Force maintains a reservist roster comprised of local-level government employees who may be requested to deploy to assist other local jurisdictions in the response to and recovery from disasters. In this “locals helping locals” effort, members deploy from unimpacted regions of the state to assist affected communities with all hazards.

Creating a local ordinance to establish a comprehensive emergency management plan ensures compliance with state requirements by formalizing the city’s commitment to disaster preparedness, response, recovery, and mitigation. Such an ordinance provides the legal framework necessary to develop, implement, and maintain an all-hazards emergency management program that aligns with state laws and guidelines. It also demonstrates the jurisdiction’s proactive approach to safeguarding its residents and infrastructure, enabling access to state and federal resources, funding, and technical assistance during emergencies. By codifying the plan, local governments ensure consistency, accountability, and the integration of state mandates into local emergency operations.

**Commission Recommendations:** Emergency Management Committee recommends approval.

**Recommended  
Council Actions:**

City staff recommends approval.

**Attachments:**

TEMAT MOU

Emergency Management Ordinance

**Next Steps/Schedule:**



**Memorandum of Understanding**  
**Between**  
**[Texas Emergency Management Assistance Teams Program**  
**Administrator]**  
**And**  
**Texas Emergency Management Assistance Teams Employee**  
**Member**  
**And**  
**Participating Jurisdiction/Employer**

This memorandum of understanding (MOU) is entered into this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_, and becomes effective the date of final signature, by and between the Texas Emergency Management Assistance Teams (TEMAT) state agency and/or nonprofit program administrator(s) the Texas Division of Emergency Management (TDEM), a member of The Texas A&M University System and agency of the State of Texas; the Texas A&M Engineering Extension Service (TEEX), a member of the Texas A&M University System and agency of the State of Texas; the Texas A&M Forest Service (TFS), a member of the Texas A&M University System and agency of the State of Texas; and Roman Baligad (member) and his/her employer, a TEMAT participating jurisdiction/employer, City of Dripping Springs (jurisdiction).

**I. PURPOSE**

To delineate responsibilities and procedures for TEMAT activities under the authority of Texas Government Code Chapter 418, Subchapter E-1 Texas Statewide Mutual Aid System, and the State of Texas Emergency Management Plan.

TEMAT programs in the table below are administered by the state agency administrators (administrators) also listed below:

<b>TEMAT Program</b>	<b>State Agency Program Administrator</b>	<b>Program Summary</b>
Disaster Recovery Task Force	Texas Division of Emergency of Management (TDEM)	Provides support through multiple areas of expertise not listed below.
Public Works Response Team (PWRT)	Texas A&M Engineering Extension Service (TEEX)	Provides support for critical infrastructure systems
Texas A&M Task Force Search and Rescue Teams (TX-TF)	Texas A&M Engineering Extension Service (TEEX)	Provides search and rescue support through Texas A&M Task Force 1, Texas Task Force 2, and Texas A&M Task Force 1 Region 3

All-Hazards Incident Management Teams (AHIMT)	Texas A&M Forest Service (TFS)	Provides incident command post and emergency operations support	Item # 13.
Texas Intrastate Fire Mutual Aid System (TIFMAS)	Texas A&M Forest Service (TFS)	Provides wildland and fire department support	

## II. SCOPE

The provisions of this memorandum of understanding apply to TEMAT activities performed at the request of the State of Texas at the option of the participating jurisdiction/employer. These activities may be in conjunction with, or in preparing of, a local, state or federal declaration of disaster. The scope of this MOU also includes training activities sponsored by local jurisdictions and administrators to maintain TEMAT operational readiness.

## III. PERIOD OF PERFORMANCE

This MOU commences on the date of the last signature and continues for a period of five (5) years unless terminated earlier in accordance with section VIII.B. of this MOU.

## IV. DEFINITIONS

- A. Administrator: State agency and/or nonprofit administrative body participating in the program or administering the program on behalf of the State of Texas.
- B. Backfill: The assignment of personnel by a participating jurisdiction to meet their minimum level of staffing to replace a deployed TEMAT member.
- C. Member: An employee of a jurisdiction/employer who has been formally accepted into a TEMAT program and is in compliance with all program requirements (for both TEMAT overall and specific requirements for the program(s) for which they are a member and who has executed a separate individual agreement for their participation in a TEMAT program with the concurrence of their jurisdiction/employer.
- D. Participating Jurisdiction/Employer (Jurisdiction): A TEMAT member's employer, which, by the execution of this MOU, has provided official approval of their employee's membership involvement with TEMAT.
- E. Program: One of the TEMAT programs listed in the above table and administered by a Texas state agency and/or nonprofit administrative body to provide assistance during an emergency event or disaster.
- F. TEMAT: Any response team administered by a state Jurisdiction of Texas to provide response assistance to local jurisdictions.

- G. TEMAT Training and Exercises – Jurisdiction Sponsored: Training and/or exercise performed at the direction, control, and funding of a participating jurisdiction in order to develop and maintain capabilities of the member and TEMAT.
- H. TEMAT Training and Exercises – Administrator Sponsored: Training and/or exercises performed at the direction, control, and funding of the administrator. TEMAT sponsored training shall be coordinated prior to the event with TDEM and/or administrators to receive written authorization to conduct such training.
- I. Disaster Recovery Task Force (DRTF): The section of TDEM responsible for maintaining all TEMAT program information to include but not limited to this MOU and the TEMAT Business and Operation Manual.
- J. PIV-I: Personal Identification Verification Interoperability card should be issued to all first responders.

## V. RESPONSIBILITIES

- A. The DRTF shall be responsible for the following:
  - 1. Provide and maintain administrative and personnel management guidelines and procedures related to TEMAT and this MOU.
  - 2. Maintain, in coordination with administrators, a TEMAT Business and Operation Manual to provide standard operating procedures that are current and readily available to administrators, jurisdictions, and members.
  - 3. Provide training to members. Training shall be consistent with the objectives of the TEMAT program overall to include but not limited to State Operations Center functions, financial reimbursement, and other training.
  - 4. Work with administrators to ensure all administrative, fiscal, and personnel management guidelines are consistent across all TEMAT programs.
  - 5. Provide coordination between the administrators, other relevant governmental and private entities, participating jurisdiction/employer, and member.
  - 6. Maintain overall TEMAT contact list for all participating jurisdictions and members.
  - 7. Maintain personnel files for all Disaster Recovery Task Force members to maintain training records, emergency notification information, and other documentation required by the administrators.
- B. The administrator shall be responsible for the following:
  - 1. Recruit and manage TEMAT members according to guidelines outlined in the TEMAT Business and Operations Manual.

2. Produce related portion of TEMAT Business and Operation Manual to provide standard operating procedures that are current and readily available to members.
3. Provide and maintain qualifications, training, and operational guidelines and procedures related to the TEMAT program they administer.
4. Provide upon approval of membership and then collect upon separation from the program equipment, uniforms, and identification issued on behalf of TEMAT.
5. Provide training to members. Training must be consistent with the objectives of developing, increasing, and maintaining individual skills necessary to maintain operational readiness related to emergency management response.
6. Develop, implement, and exercise an internal notification and call-out system for members.
7. Provide coordination between administrator(s), other governmental and private entities, participating agency/employer, and member. Administrators will notify jurisdictions of the need for activation of members.
8. Maintain and submit to, on an as-needed basis, a primary contact list for their respective program, for all participating jurisdictions and members, to the state.
9. Maintain personnel files on all members of administered programs for the purpose of documenting training records, qualifications, emergency notification, and other documentation as required by administrators.
10. Ensure the issuance of PIV-I to each member through coordination with TDEM. If removed from team then the PIV-I must be retrieved and revoked immediately. Administrator must retrieve the PIV-I and notify TDEM for immediate revocation.

C. The jurisdiction shall:

1. Determine which TEMAT programs the jurisdiction will support by providing members and being able to respond as requested by the administrator(s).
2. Upon signature, the jurisdiction will submit a roster within 14 calendar days of final signature to the administrator(s). Maintain a roster of all its personnel participating in TEMAT activities and will submit that roster no less than twice a year on May 31 and December 31.
3. Ensure that each TEMAT member meets the necessary professional qualification requirements and experience level with his/her position on each TEMAT program in accordance with the TEMAT Business and Operation Manual.
4. Provide a primary point of contact to the administrator(s) for the purpose of notification of TEMAT activities and for administrative activities.

5. Provide administrative support to member(s) of TEMAT, i.e., time off when fiscally reasonable to do so for TEMAT activities such as training, meetings, and actual deployments.
6. Ensure all reimbursement claims meet the requirements of the TEMAT Business and Operation Manual.
7. Upon notification by the administrator(s), the jurisdiction will determine which members within jurisdiction are qualified and available for deployment. Jurisdiction determines which qualified members deploy.

D. Member shall:

1. Perform duties, as required by their membership in a TEMAT program, when requested and deployed by TEMAT.
2. Maintain knowledge, skills, and abilities necessary to operate safely and effectively in the assigned position and conduct themselves in accordance with the TEMAT Code of Conduct in the TEMAT Business and Operation Manual.
3. Advise the administrator of any change in the notification process, i.e., address, change of employment, or phone number changes.
4. Ensure availability for immediate call-out during the period in which a member's assigned TEMAT is first on the rotation for activation.
5. Maintain, for deployment, all equipment issued by TEMAT and advise administrator of any lost, stolen, or damaged items assigned to member.
6. Maintain support of jurisdiction for participation in TEMAT activities.
7. Keep jurisdiction advised of TEMAT activities that may require time off from work.
8. Be prepared to operate in a disaster environment, which may include living and working in austere conditions.
9. During any period in which TEMAT is activated by the State of Texas or during any TEMAT sponsored or sanctioned training, member shall be acting as a representative of the State of Texas.

## VI. QUALIFICATIONS, TRAINING, AND EXERCISES

### A. Training and Exercises

#### TEMAT Training and Exercises – Jurisdiction Sponsored:

Periodically, members will be requested and/or invited to attend local jurisdiction-sponsored training and/or exercises. These trainings and/or exercises shall be

performed at the direction, control, and funding of the local jurisdiction in order to develop the technical skills of members

TEMAT Training and Exercises – Administrator Sponsored:

Periodically, members will be required and/or invited to attend administrator training and/or exercises. These trainings and exercises shall be performed under the direction, control, and funding of the administrator in order to develop and maintain the incident support capabilities of the TEMAT. Allowable costs will be listed in the TEMAT Business and Operation manual.

**B. Minimum Qualification and Training Requirements**

Participating jurisdictions shall allow members appropriate time to maintain the qualifications required for each position a member fills in the TEMAT programs.

Members are required to attend available TEMAT training and exercise opportunities provided for the assigned TEMAT position to ensure the maintenance of position qualifications. Failure to attend or maintain qualifications may result in dismissal from the TEMAT program when qualifications are no longer valid.

**VII. ADMINISTRATIVE, FINANCIAL, AND PERSONNEL MANAGEMENT**

**A. Reimbursement of Administrators/Jurisdiction**

1. Costs will be reimbursed in accordance with the Texas Emergency Management Division's mutual aid reimbursement policy upon receipt of an accurately completed (all documentation included) reimbursement request.
2. All guidelines and procedures for requesting reimbursement will be maintained in the TEMAT Business and Operation Manual.
3. All financial commitments herein are made subject to the availability of funds from the state.

**B. Categories of Cost Reimbursement**

1. Force Account Labor, which is the labor and benefit costs of a jurisdiction's employee deployed on a TEMAT mission/assignment. Labor reimbursement will be based on jurisdiction policies and rates, including labor reimbursement for portal-to-portal pay. Eligible backfill labor costs will also be reimbursed.

The state, through the administrators, has no obligation to make any payments to or on behalf of a member except as expressly stated in this MOU. The state will not withhold any amount that would normally be withheld from an employee's pay, and the member will not participate in any benefits the State offers to its employees.

2. Travel reimbursement will be based on the jurisdiction's travel policy to include per diem rates and receipt submission.

3. Force Account Equipment will be paid and is the usage of jurisdiction owned equipment by a member while on a TEMAT mission/assignment. All equipment used will be based on hours used and reimbursed based on the current FEMA Schedule of Equipment Rates. If no rate is available, see the appropriate section of TEMAT Business and Operation Manual for the rate.
4. Damaged equipment costs will be reimbursed after submission of documentation showing damage occurred during TEMAT mission/assignment less any insurance proceeds. The TEMAT Business and Operation Manual will provide a process for reporting damages as it relates to repairs or equipment unable to be repaired.
5. Materials costs will be reimbursed based on jurisdiction policies and cost documentation that materials were purchased for use on the incident or taken from inventory for use on the incident.
6. Rentals will be reimbursed based on jurisdiction policies and itemized invoice documentation from the rental vendor and proof of use on the incident.
7. Contracts will be reimbursed based on jurisdiction policies and itemized invoice documentation from rental vendor and proof of use on the incident.

**Note: Refer to the individual program's Business and Operation Manual for specific details on the allowability of costs.**

#### C. Medical Care for Injury or Illness

During any period in which TEMAT is activated by the state of Texas or during any TEMAT sponsored or sanctioned training, TEMAT members shall be included in the coverage provided under Chapter 501 of the Texas Labor Code in the same manner as an employee, as defined by Section 501.001.

### VIII. CONDITIONS, AMENDMENTS, AND TERMINATION

- A. This MOU may be modified or amended only by the written agreement of all parties.
- B. This MOU may be terminated by any signing party, upon thirty (30) days written notice.
- C. The state complies with the provisions of the Department of Labor Executive Order 11246 of September 24, 1965, as amended and with the rules, regulations, and relevant orders of the Secretary of Labor. To that end, the State shall not discriminate against any employee or Member on the grounds of race, color, religion, sex, or national origin. In addition, the use of state or federal facilities, services, and supplies will be in compliance with regulations prohibiting duplication of benefits and guaranteeing nondiscrimination. Distribution of supplies, processing of applications, provisions of technical assistance, and other relief assistance activities shall be accomplished in an equitable and impartial manner, without discrimination on the grounds of race, color, religion, nationality, sex, age, or economic status.

- D. This MOU is governed by the laws of the state of Texas. (but not its conflict of laws statutes and principles). Pursuant to Section 85.18 (b), Texas Education Code, venue for a state court suit filed against any member of The Texas A&M University System, or any officer or employee of The Texas A&M University System is in the county in which the primary office of the chief executive officer of the system or member, as applicable, is located.
- E. The parties expressly acknowledge that the state agency administrators are agencies of the State of Texas and nothing in this MOU will be construed as a waiver or relinquishment by any state agency administrator of its right to claim such exemptions, privileges, and immunities as may be provided by law.
- F. By executing this MOU, all parties and each person signing on behalf of each party certifies, and in the case of a sole proprietorship, partnership or corporation, each party thereto certifies as to its own organization, that to the best of their knowledge and belief, no member of The Texas A&M University System or The A&M System Board of Regents, nor any employee, or person, whose salary is payable in whole or in part by The Texas A&M University System, has direct or indirect financial interest in the award of this MOU, or in the services to which this MOU relates, or in any of the profits, real or potential, thereof.
- G. Each party is responsible to ensure that employees participating in work for any of The Texas A&M University System members have not been designated by a member of The Texas A&M University System as Not Eligible for Rehire (NEFR) as defined in System policy 32.02, Section 4. Non-conformance to this requirement may be grounds for termination of this agreement. In event a system member becomes aware that a contracting party has any employees that are designated as NEFR under this MOU, the nonconforming employee is immediately required to be removed from all performance duties upon demand by a system member.

## IX. JURISDICTION DECLARATION OF PARTICIPATION IN TEMAT

Jurisdiction agrees to abide by the terms and conditions of this MOU and the TEMAT Business and Operation Manual. Jurisdiction agrees to allow employees/members to serve as TEMAT members for the approved TEMAT Programs checked below:

TEMAT Program	Check for Participation	Jurisdiction Point of Contact Initials
Disaster Recovery Task Force (DRTF)	<input checked="" type="checkbox"/>	
Public Works Response Team (PWRT)	<input type="checkbox"/>	
Texas A&M Task Force	<input type="checkbox"/>	
All-Hazards Incident Management Teams (AHIMT)	<input checked="" type="checkbox"/>	
Texas Intrastate Fire Mutual Aid System (TIFMAS)	<input type="checkbox"/>	



**X. POINTS OF CONTACT****TDEM**

**Name:** Chief Nim Kidd  
**Title:** Chair – Texas Emergency  
 Management Council  
**DRTF Div. Chief:** Kharley Smith  
**Address Line 1:** 1033 La Posada Dr  
**Address Line 2:**  
**City, State, Zip:** Austin, TX 78752  
**Phone Number:** 512-424-2436  
**Email:** Nim.kidd@tdem.texas.gov

**[Program Administrator]**

**Name:** \_\_\_\_\_  
**Title:** \_\_\_\_\_  
**Address Line 1:** \_\_\_\_\_  
**Address Line 2:** \_\_\_\_\_  
**City, State, Zip:** \_\_\_\_\_  
**Phone Number:** \_\_\_\_\_  
**Email:** \_\_\_\_\_

**[Local Jurisdiction]**

**Name:** Shawn Cox  
**Title:** Deputy City Administrator  
**Address Line 1:** 511 Mercer Stret  
**Address Line 2:** \_\_\_\_\_  
**City, State, Zip:** Dripping Springs, TX, 78620  
**Phone Number:** (512) 858-4725  
**Email:** SCox@cityofdrippingsprings.com

**[Member]**

**Name:** Roman Baligad  
**Title:** Emergency Management Coordinator  
**Address Line 1:** 200 Retha Drive  
**Address Line 2:** \_\_\_\_\_  
**City, State, Zip:** Dripping Springs, TX, 78620  
**Phone Number:** (512) 661-9689  
**Email :** hlpfrmabuv@gmail.com

## **XI. GENERAL PROVISIONS**

- A. This MOU, with the rights and privileges it creates, is assignable only with the written consent of the parties.
- B. Pursuant to Texas Government Code Section 321.013, acceptance of funds under this MOU constitutes acceptance of the authority of the State, the Texas State Auditor's Office, or any successor agency (collectively, "Auditor"), to conduct an audit or investigation in connection with those funds under Texas Education Code Section 51.9335(c). Member shall cooperate with the Auditor in the conduct of the audit or investigation, including without limitation, providing all records requested.
- C. Pursuant to Texas Government Code Sections 2107.008 and 2252.903, any payments owing to the member under this MOU may be applied directly toward certain debts or delinquencies that member owes the state of Texas or any agency of the state of Texas regardless of when they arise until such debts or delinquencies are paid in full.
- D. To the extent applicable, the member shall use the dispute resolution process provided in Chapter 2260, Texas Government Code, and the related rules adopted by the Texas Attorney General to attempt to resolve any claim for breach of contract made by Member that cannot be resolved in the ordinary course of business. Member shall submit written notice of a claim of breach of contract under this Chapter to the state's designated official, who will examine the claim and any counterclaim and negotiate in an effort to resolve the claim.

## **XI. ENTIRE AGREEMENT**

This MOU, along with the following Attachments, reflects the entire agreement between the parties:

Attachment A, TEMAT Business and Operation Manual

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Administrator, member, and jurisdiction hereby acknowledge that they have read and understand this entire MOU. All oral or written agreements between the parties hereto relating to the subject matter of this MOU that was made prior to the execution of this MOU have been reduced to writing and are contained herein. Administrator, member, and jurisdiction agree to abide by all terms and conditions specified herein and certify that the information provided to the state is true and correct in all respects to the best of their knowledge and belief.

This MOU is entered into by and between the following parties:

#### TEXAS DIVISION OF EMERGENCY MANAGEMENT

Signature: \_\_\_\_\_  
 Name: W. Nim Kidd  
 Title: Chief, Division of Emergency Management  
 Date: \_\_\_\_\_

[STATE AGENCY PROGRAM ADMINISTRATOR – IF APPLICABLE]

Signature: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

#### LOCAL JURISDICTION EMPLOYER

Signature: \_\_\_\_\_  
 Name: Shawn Cox  
 Title: Deputy City Administrator  
 Date: \_\_\_\_\_

#### TEMAT PROGRAM MEMBER

Signature: \_\_\_\_\_  
 Name: Roman Baligad  
 Title: Emergency Management Coordinator  
 Date: \_\_\_\_\_

## CITY OF DRIPPING SPRINGS, TX

ORDINANCE NO. 2025 - \_\_\_\_

AN ORDINANCE ESTABLISHING A PROGRAM RESPONSE AND RECOVERY PHASES OF COMPREHENSIVE EMERGENCY MANAGEMENT; ACKNOWLEDGING THE OFFICE OF EMERGENCY MANAGEMENT DIRECTOR; AUTHORIZING THE APPOINTMENT OF AN EMERGENCY MANAGEMENT COORDINATOR; AND PROVIDING FOR THE DUTIES AND RESPONSIBILITIES OF THOSE OFFICES; IDENTIFYING AN OPERATIONAL ORGANIZATION; GRANTING NECESSARY POWERS TO COPE WITH ALL PHASES OF EMERGENCY MANAGEMENT WHICH THREATEN LIFE AND PROPERTY IN THE CITY OF DRIPPING SPRINGS; AUTHORIZING COOPERATIVE AND MUTUAL AID AGREEMENTS FOR RELIEF WORK BETWEEN THIS AND OTHER CITIES OR COUNTIES AND FOR RELATED PURPOSES.

**WHEREAS**, the City Council of the City of Dripping Springs finds that the identification of potential hazards and the prevention or mitigation of their effects must be an on-going concern of the City if the lives and property of the populace are to be protected; and

**WHEREAS**, the City Council hereby declares that the preparation of a Comprehensive Emergency Management plan, and the means for its implementation, for the protection of lives and property of lives and property in the City of Dripping Springs from natural or man-caused disasters or threat thereof is immediately essential; and

**WHEREAS**, the City Council further finds that in times of disasters which may imperil the safety of the inhabitants of the City, or their property, it becomes necessary to effectuate and place into operation the preconceived plans and preparations with a minimum of delay; and

**WHEREAS**, the City adopted its primary emergency management plan in September 2020; and

**WHEREAS**, the City Council finds, therefore, that the preparation and implementation of such plans are now imperative.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Dripping springs, Texas, that:

### SECTION 1. ORGANIZATION

- (a) There exists the office of the Emergency Management Director of the City of Dripping Springs, which shall be held by the Mayor in accordance with State

law.

- (b) An Emergency Management Coordinator may be appointed by and serve at the pleasure of the Director;
- (c) The Director shall be responsible for a program of comprehensive emergency management within the City and for carrying out the duties and responsibilities set forth in this ordinance. The Director may delegate authority for execution shall remain with the Director.
- (d) The operational Emergency Management organization of the City of Dripping Springs shall consist of the officers and employees of the City as designated by the Director in the emergency management plan, as well as organized volunteer groups. The functions and duties of this organization shall be distributed among such officers and employees in accordance with the terms of the Emergency Management plan.

## **SECTION 2. EMERGENCY MANAGEMENT DIRECTOR - POWERS AND DUTIES**

The duties and responsibilities of the Emergency Management Director shall include the following:

- (a) Surveying actual or potential hazards which threaten life and property within the City and identifying and requiring or recommending the implementation of measures which would tend to prevent the occurrence or reduce the impact of such hazards if a disaster did occur.
- (b) Supervision of the development and approval of an emergency management plan for the City of Dripping Springs and shall recommend for adoption by the City Council all mutual aid arrangements deemed necessary for the implementation of such plan.
- (c) Authority to declare a local state of disaster. The declaration may not be continued or renewed for a period in excess of 7 days except by or with the consent of the City Council. Any order or proclamation declaring, continuing, or terminating a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
- (d) Issuance of necessary proclamations, regulations, or directives which are necessary for carrying out the purposes of this ordinance. Such proclamations, regulations, or directives shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and, unless circumstances attendant on the disaster prevent or impede, promptly filed with the City Secretary.
- (e) Direction and control of the operations of the \_\_\_\_\_Emergency

Management organization as well as the training of Emergency Management personnel.

- (f) Determination of all questions of authority and responsibility that may arise within the Emergency Management organization of the City.
- (g) Maintenance of liaison with other municipal, County, District, State, regional or federal Emergency Management organizations.
- (h) Marshaling of all necessary personnel, equipment, or supplies from any department of the City to aid in the carrying out of the provisions of the emergency management plan.
- (i) Supervision of the drafting and execution of mutual aid agreements, in cooperation with the representatives of the State and of other local political subdivisions of the State, and the drafting and execution, if deemed desirable, of an agreement with the county in which said City is located and with other municipalities within the County, for the County-wide coordination of Emergency Management efforts.
- (j) Supervision of, and final authorization for the procurement of all necessary supplies and equipment, including acceptance of private contributions, which may be offered for the purpose of improving Emergency Management within the City.
- (k) Authorizing of agreements, after approval by the City Attorney, for use of private property for public shelter and other purposes.
- (l) Surveying the availability of existing personnel, equipment, supplies, and services which could be used during a disaster, as provided for herein.
- (m) Other requirements as specified in the Texas Disaster Act (Chapter 418 of the Government Code).

### **SECTION 3. EMERGENCY MANAGEMENT PLAN**

A comprehensive Emergency Management Plan shall be developed and maintained in the current state. The plan shall set forth the form of the organization; establish and designate divisions and functions; assign responsibilities, tasks, duties, and powers; and designate officers and employees to carry out the provisions of this ordinance. As provided by State law, the plan shall follow the standards and criteria established by the State Division of Emergency Management of the State of Texas. Insofar as possible, the form of organization, titles, and terminology shall conform to the recommendations of the State Division of Emergency Management. When approved, it shall be the duty of all departments and agencies to perform the functions assigned by the plan and to always maintain their portion of the plan in a current state of readiness. The emergency management plan shall be considered supplementary to this ordinance and have the effect of law during the time of a disaster.

## **SECTION 4. INTER-JURISDICTIONAL PROGRAM**

The Mayor is hereby authorized to join with the County Judge of the County of Hays and the Mayors of the other cities in said County in the formation of an inter-jurisdictional emergency management program for the County of Hays, and shall have the authority to cooperate in the preparation of an inter-jurisdictional emergency management plan and in the appointment of a joint Emergency Management Coordinator, as well as all powers necessary to participate in a County-wide program of emergency management insofar as said program may affect the City of Dripping Springs

## **SECTION 5. OVERRIDE**

At all times when the orders, rules, and regulations made and promulgated pursuant to this ordinance shall be in effect, they shall supersede and override all existing ordinances, orders, rules, and regulations insofar as the latter may be inconsistent therewith.

## **SECTION 6. LIABILITY**

This ordinance is an exercise by the City of its governmental functions for the protection of the public peace, health, and safety and neither the City of Dripping Springs, the agents and representatives of said City, nor any individual, receiver, firm, partnership, corporation, association, or trustee, nor any of the agents thereof, in good faith carrying out, complying with or attempting to comply with, any order, rule, or regulation promulgated pursuant to the provisions of this ordinance shall be liable for any damage sustained to persons as the result of said activity. Any person owning or controlling real estate or other premises who voluntarily and without compensation grants to the City of Dripping Springs a license of privilege, or otherwise permits the City to inspect, designate, and use the whole or any part or parts of such real estate or premises for the purpose of sheltering persons during an actual, impending, or practice enemy attack or natural or man-made disaster shall, together with his successors in interest, if any, not be civilly liable for the death of, or injury to, any person on or about such real estate or premises under such license, privilege or other permission or for loss of, or damage to, the property of such person.

## **SECTION 7. COMMITMENT OF FUNDS**

No person shall have the right to expend any public funds of the City in carrying out any Emergency Management activity authorized by this ordinance without prior approval by the City Council, nor shall any person have any right to bind the City by contract, agreement, or otherwise without prior and specific approval of the City Council unless during a declared disaster. During a declared disaster, the Mayor may expend and/or commit public funds of the City when deemed prudent and necessary for the protection of health, life, or property.

## **SECTION 8. OFFENSES; PENALTIES**

- (a) It shall be unlawful for any person willfully to obstruct, hinder, or delay any member of the Emergency Management organization in the enforcement of any

rule or regulation issued pursuant to this ordinance.

- (b) It shall likewise be unlawful for any person to wear, carry, or display any emblem, insignia, or any other means of identification as a member of the Emergency Management organization of the City of Dripping Springs, unless authority to do so has been granted to such person by the proper officials.
- (c) Convictions for violations of the provisions of this ordinance shall be punishable by fine not to exceed five hundred dollars (\$500).

## **SECTION 9. SEVERABILITY**

If any portion of this ordinance shall, for any reason, be declared invalid such, invalidity shall not affect the remaining provisions thereof.

## **SECTION 10. LIMITATIONS**

This ordinance shall not be construed so as to conflict with any State or Federal statute or with any military or naval order, rule, or regulation.

## **SECTION 11. REPEALER**

All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

## **SECTION 12. PROPER NOTICE & MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**PASSED & APPROVED** this, the \_\_\_\_ day of \_\_\_\_\_, 2025 by the City Council of Dripping Springs, Texas.

### **CITY OF DRIPPING SPRINGS:**

By: \_\_\_\_\_  
Bill Foulds Jr., Mayor

### **ATTEST:**

By: \_\_\_\_\_  
Diana Boone, City Secretary





**STAFF REPORT**  
**City of Dripping Springs**  
**PO Box 384**  
**511 Mercer Street**  
**Dripping Springs, TX 78602**

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**Submitted By:** Laura Mueller, City Attorney

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**Council Meeting Date:** January 7, 2025

**Agenda Item Wording:** **Discuss and consider approval of a Resolution Establishing Priorities for the 88th Legislative Session in Texas, and Authorizing Representation of the Municipality in Advocating Certain Positions.** *Sponsor: Councilmember Tahuahua*

**Agenda Item Requestor:**

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**Summary/Background:** Every two years the Texas Legislature meets to make decisions that affect the City of Dripping Springs. In anticipation for this, the City adopts a legislative program every other year. This year we asked our boards and commissions, as well as staff, to weigh in. Once we approve our legislative program, we will send it to the appropriate entities including the Texas Municipal League, Hays County, House Representatives, and our Senator.

**Commission Recommendations:** See above.

**Recommended Council Actions:** Adoption of the program.

**Attachments:** Resolution and program.

**Next Steps/Schedule:** Send to the Texas Municipal League, the City's state representatives, and Hays County.

# CITY OF DRIPPING SPRINGS

## RESOLUTION NO. 2025 -R

### LEGISLATIVE PRIORITIES FOR 2025

#### A RESOLUTION OF THE CITY OF DRIPPING SPRINGS, TEXAS, ESTABLISHING PRIORITIES FOR THE 89<sup>TH</sup> LEGISLATIVE SESSION IN TEXAS, AND AUTHORIZING REPRESENTATION OF THE MUNICIPALITY IN ADVOCATING CERTAIN POSITIONS.

**WHEREAS,** the City Council of the City of Dripping Springs (“City Council”) finds it to be in the public interest, and necessary for the public health, safety and welfare, that the city take positions on certain issues that may or have come before the 89<sup>th</sup> Texas Legislature in the Spring of 2025; and

**WHEREAS,** the City Council finds legislative involvement to be a legitimate exercise of its elected duties as the governing body serving those who live, work, visit, and own property in the city limits and the extraterritorial jurisdiction; and

**WHEREAS,** the City Council understands that members of the Texas Senate and the Texas House of Representatives benefit from learning of the analysis performed and positions taken by locally-elected public officials; and

**WHEREAS,** the City Council has identified the following items as being worthy of voicing a position on behalf of the people of Dripping Springs; and

#### **NOW, THEREFORE, BE IT RESOLVED by the City of Dripping Springs City Council:**

##### **A. Support-**

- 1. Wedding Capital of Texas:** The City Council hereby supports legislation that would re-designate the City as the “Wedding Capital of Texas”. (The designation was made through House Concurrent Resolution No. 43 in the 84<sup>th</sup> Legislature, Regular Session in 2015.).
- 2. Local Control:** The City Council hereby supports legislation that upholds the principle of local government and reinforces the lawful statutory authority of the elected leaders of Dripping Springs to respect the priorities of their citizenry and respond to local challenges and opportunities.
- 3. Funding:** The City Council supports legislation that assists the City with additional tools for funding for transportation, parks, and other essential services.
- 4. Infrastructure:** The City Council supports legislation that assists the City with the acquisition of property, permitting, and construction of infrastructure to serve development within the city limits and extraterritorial jurisdiction of the City.
- 5. Land Use:** The City Council supports legislation that would make beneficial

amendments to allow greater authority for regulation of exterior design and building materials, and to allow greater flexibility and predictability in processing plat and site plan applications, and to assist the City adequately prepare for its future planning needs.

6. **Water:** The City Council supports legislation that would provide the City with additional authority to collaborate with water providers to ensure that future development has adequate access to water prior to being approved for entitlements.
7. **Lighting:** The City Council hereby supports legislation that would expand the City's authority to regulate lighting and Dark Sky requirements.
8. **Property Tax:** The City Council supports legislation that would increase transparency in the ad valorem (property) tax and budget adoption by coordinating state, county, and city timelines for review, notice, and approval of ad valorem tax. City Council supports legislation that would increase the accuracy of appraisals of all types of property.
9. **Sales Tax:** The City Council hereby supports legislation that would make beneficial amendments to district or other taxing district sales tax and areas to authorize cities to replace some or all sales taxes in an area with city sales taxes, provided a district or other taxing jurisdiction's existing sales tax debt is proportionately and reasonably provided for in some manner.
10. **Signs:** The City Council hereby supports legislation that would affirm State and City authority over off-premise and other commercial signs in the city limits and the extraterritorial jurisdiction. The City Council supports legislation that supports Scenic Highways in the Hill Country.
11. **Transportation:** The City Council supports legislation that would provide direction and funding for future projects within the City Limits and Extraterritorial Jurisdiction of the City of Dripping Springs. The City Council also supports any effort that increases communications with the Texas Department of Transportation and other regional partners related to projects within the City Limits and Extraterritorial Jurisdiction of the City of Dripping Springs.
12. **Extraterritorial Jurisdiction:** The City Council supports legislation that would protect the extraterritorial jurisdiction and the city's authority to regulate development as it relates to water availability, wastewater availability, impervious cover, drainage, and other beneficial infrastructure.
13. **Planning and Zoning Commission:** The City Council supports legislation that would make beneficial amendments to clarify and simplify both the zoning and subdivision process for the City and applicants while still allowing for regulation of health and safety issues.
14. **Elections:** The City Council supports legislation that would make beneficial amendments to simplify the election and related processes for the city secretary's office.

**B. Opposition –**

1. **Local Control:** The City Council hereby opposes legislation that erodes local control or weakens the ability of locally-elected leaders to respond to challenges or opportunities unique to the Dripping Springs community or Texas Hill Country region.
2. **Appraisal & Revenue Caps:** The City Council hereby opposes legislation that expands appraisal caps or imposes revenue caps on *ad valorem* (property) taxes.
3. **Elections:** The City Council opposes legislation that would limit municipal elections.
4. **ETJ:** The City Council hereby opposes legislation that lessens municipal authority to

regulate in the extraterritorial jurisdiction (ETJ) or removes or abolishes the area of the City's ETJ.

5. **Impervious Cover:** The City Council hereby opposes legislation that limits the authority of municipalities to provide for water quality protection and pollution prevention by regulating impervious cover, lot sizes, drainage infrastructure, and other aspects of development that impact stormwater controls and watersheds.
6. **Infrastructure:** The City Council opposes legislation that would erode municipal authority related to the provision of utility, parks, street, or other infrastructure.
7. **Land Use:** The City Council hereby opposes legislation that lessens municipal authority to reasonably regulate land use including preemption of land use authority by other governmental entities. The City Council opposes legislation that limits the authority or the amount of time the City has to adequately review site plans and plats. The City Council opposes legislation that lessens the City's authority to engage in voluntary annexation.
8. **Lighting:** The City Council hereby opposes legislation that lessens municipal authority to regulate lighting, including Dark Sky requirements, or preempts municipal lighting regulations.
9. **Municipal Courts:** The City Council hereby opposes legislation that curtails the authority of a municipal court to enforce its judgments.
10. **Signs:** The City Council hereby opposes legislation that lessens municipal authority to regulate signs or preempts municipal sign regulations.
11. **Trees:** The City Council hereby opposes legislation that restricts the ability of municipalities to preserve their scenic landscapes and protect trees.
12. **Vesting:** The City Council hereby opposes legislation that amends Texas Local Government Code Chapter 245 to restrict the application of current municipal regulations, thus expanding entitlements under which stagnant or dormant land development projects can build or operate under old or outdated regulations.

#### ***C. Administration-***

1. **Legislators:** The City Council directs City staff to provide a copy of this Resolution to the State Senator for District 25, and the State Representatives for District 45 and District 73.
2. **Texas Municipal League:** The City Council directs City staff to provide a copy of this Resolution to the Texas Municipal League.
3. **Hays County:** The City Council directs City staff to provide a copy of this Resolution to the Hays County Commissioners Court.
4. **Advocacy:** City officials are hereby authorized to advocate and otherwise convey positions expressed herein in accordance with the city's Legislative Policy.
5. **Open Meetings:** The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

**PASSED & APPROVED** this, the \_\_\_\_\_ day of \_\_\_\_\_ 2025, by a vote of \_\_\_\_ (ayes) to \_\_\_\_ (nays) to \_\_\_\_ (abstentions) of the City Council of Dripping Springs, Texas.

**CITY OF DRIPPING SPRINGS:**

*by:* \_\_\_\_\_  
Bill Foulds, Jr., Mayor

**ATTEST:**

\_\_\_\_\_  
Diana Boone, City Secretary



**STAFF REPORT**  
**City of Dripping Springs**  
**PO Box 384**  
**511 Mercer Street**  
**Dripping Springs, TX 78620**

**Submitted By:** Chad Gilpin, City Engineer;

**Council Meeting Date:** January 7, 2025

**Agenda Item Wording:** **Mercer Street Public Restroom Project: Construction Progress Update.**  
*Chad Gilpin, City Engineer*

**Agenda Item Requestor:** Mayor Bill Foulds

**Summary/Background:** The City is constructing public restrooms on the City lot between the Old Post Office and Vintage Soul. The project includes 4 individually doored restrooms. The site around the restrooms is envisioned to develop into a pedestrian path linking Mercer Street with the Stephenson Building and a future public parking lot.

**Project Information:**

NTP Date: December 9, 2024  
 Contractual Finish Date: April 7, 2025  
 % Contract Time Used: 25%

Contract Amount: \$ 362,495.00  
 % Complete: 22%

To date the Contractor has completed mobilization, demo, site clearing, erosion controls and survey layout.

Work scheduled for the first 2 weeks of January is:

- Electric Service Install
- Water Service Install
- WW Service Install
- Form & Pour Concrete Foundation
- Form & Pour Sidewalk
- Structure Framing
- Begin Roof & Wall Sheathing

**Commission  
Recommendations:** N/A

**Recommended  
Council Actions:** N/A

**Attachments:** Project Schedule

**Next Steps/Schedule:** Construction continues. Building framing and rough-in anticipated to begin mid-January.

Bill Positions	Number	Percentage		
Bills Supported by City	32	1.60%		
Bills Opposed by City	107	5.34%		
Neutral Bills	1496	74.65%		
Bills being Watched (or needing further review)	338	16.87%		
Bills Pending Review (All Bills)	28	1.40%		
Bill Number	CODS Position	Category	Bill Description	TML Summary
HB151	Watch	Other Finance and Administration	Relating to honesty in state taxation.	
HB156	Watch	Utilities and Environment	Relating to a study by the Texas Commission on Environmental Quality regarding the protection of certain water facilities from catastrophes.	
HB163	Watch	Public Safety and Emergency Management	Relating to the possession and administration of an epinephrine auto-injector by certain entities.	
HB165	Oppose	Property Tax	Relating to the elimination of ad valorem taxes and the creation of a joint interim committee on the elimination of those taxes.	would, among other things: (1) eliminate property taxes by 2035; and (2) create a joint interim committee to conduct a comprehensive study of alternative methods of taxation to replace local tax revenue that will be lost when property taxes are eliminated.
HB167	Oppose	Personnel	Relating to the implementation of diversity, equity, and inclusion initiatives and certain prohibited considerations in contracting by governmental entities.	would, among other things: (1) provide that a governmental entity, including a city shall not, except as required by federal law: (a) establish or maintain a diversity, equity, and inclusion (DEI) office; (b) hire or assign an employee or contract with a third party to perform the duties of a DEI office; (c) compel, require, induce or solicit any person to provide a DEI statement or give preferential consideration to any person based on the provision of a DEI statement; (d) give preference on the basis of race, sex, color, ethnicity,
HB179	Watch	Other Finance and Administration	Relating to elimination of limitations periods for suits for personal injury arising from certain offenses against a child.	
HB182	Oppose	Personnel	Relating to rest breaks for employees of certain governmental entity contractors; providing an administrative penalty.	would provide that: (1) a governmental entity, including a city, contracting with a general construction contractor shall require the contractor and any subcontractor to provide to each employee performing work under the contract at least a ten minute paid rest break during every four-hour work period; (2) each general construction contract with a governmental entity must include terms that: (a) authorizes an employee of a contractor or subcontractor required to work without a rest break in violation of (1), above, to make a verbal or written complaint to the governmental entity contracting with the contractor; (b) requires, on confirmation of a violation of (1), above, that is the subject of a complaint, the governmental entity shall provide to the contractor written notice of the violation by hand delivery or certified mail; (c) inform a contractor the governmental entity is authorized to impose an administrative penalty if the contractor fails to comply with (1), above, after the date on which the contractor receives notice; and (d) state that an imposed penalty amount may be withheld from a payment otherwise owed to a contractor under the contract; (3) the governmental entity may impose an administrative penalty against a contractor in an amount of not less than \$100 and not more than
HB189	Watch	Open Government	Relating to the filing with the Texas Ethics Commission of campaign treasurer appointments and reports of political contributions and political expenditures.	
HB191	Watch	Land Use	Relating to the purchase of or acquisition of title to real property by certain foreign entities.	



Bill Number	CODS Position	Category	Bill Description	TML Summary
HB194	Watch	Land Use	Relating to the establishment of faith-based child-care facilities.	
HB202	Oppose	Property Tax	Relating to making permanent the limitation on increases in the appraised value of certain real property for ad valorem tax purposes.	would amend the Texas Constitution to authorize the legislature to establish a ten percent appraisal cap on property that: (1) is a single-family residential property leased to a lessee and used by the lessee as a primary residence; and (2) is leased to the lessee for a rent that does not exceed the fair market rent. (See
HB203	Oppose	Property Tax	Relating to a limitation on increases in the appraised value for ad valorem tax purposes of certain leased residential real property.	would amend the Texas Constitution to authorize the legislature to define "farm products" and "in the hands of the producer" for purposes of the farm production property tax exemption and may include in the definition of "farm products" livestock, poultry, timber, and supplies used or produced in a farming operation. (See
HB205	Watch	Other Finance and Administration,	Relating to the eligibility for grants for alternative fueling facilities.	
HB206	Watch	Other Finance and Administration	Relating to limitations on a county's authority to require a cash bond before approving the construction of a pipeline.	
HB209	Watch	Elections	Relating to the separation of federal elections from state and local elections, and to related practices and procedures.	
HB217	Oppose	Property Tax	Relating to the vote required in an election to approve an ad valorem tax rate that exceeds a taxing unit's voter-approval tax rate; making conforming changes.	would require a 60 percent majority of voters to approve a property tax rate for which an automatic election is required.
HB218	Watch	Property Tax	Relating to the allocation and deposit of certain surplus state revenue to the property tax relief fund for use in reducing school district maintenance and operations ad valorem taxes.	
HB219	Watch	Elections	Relating to a person submitting proof of citizenship to verify eligibility to vote in Texas.	
HB223	Oppose	Other Finance and Administration	Relating to exemptions to competitive requirements for purchases of certain services by a municipality.	would provide that an expenditure by a city to procure lobbying, government relations, or similar services intended to influence state or federal lawmakers on behalf of a city may not be classified as a personal, professional, or planning service for competitive procurement purposes.
HB228	Watch	Property Tax	Relating to the allocation and deposit of certain surplus state revenue to the property tax relief fund for use in reducing school district maintenance and operations ad valorem taxes.	
HB239	Watch	Other Finance and Administration	Relating to regulations and policies for entering or using certain private spaces; authorizing a civil penalty.	
HB240	Watch	Property Tax	Relating to the quorum requirement for a tax levy vote in certain counties.	
HB242	Watch	Elections, Open Government	Relating to the creation of the criminal offense of obtaining personally identifiable voter information.	
HB244	Watch	Property Tax	Relating to the applicability of the law governing the provision of state aid to certain local governments disproportionately affected by the granting of ad valorem tax relief to disabled veterans.	
HB246	Watch	Other Finance and Administration	Relating to landowner compensation for certain damage to or on agricultural land caused by certain criminal activities.	
HB247	Support	Property Tax	Relating to the taxation of border security infrastructure.	would amend the Texas Constitution to authorize the legislature to reduce the property tax appraisal cap on residence homesteads from ten to five percent. (See

Bill Number	CODS Position	Category	Bill Description	TML Summary
HB249	Watch	Property Tax	Relating to installment payments of ad valorem taxes imposed on residence homesteads in certain counties.	
HB250	Oppose	Property Tax	Relating to the calculation of certain ad valorem tax rates of a taxing unit and the manner in which a proposed ad valorem tax rate that exceeds the voter-approval tax rate is approved; making conforming changes.	would, among other things: (1) remove the revenue multiplier from the voter-approval tax rate calculation to require an election for any revenue increase; and (2) eliminate the concepts of special taxing units, the de minimis property tax rate, the unused increment rate, and the special tax rate calculation in tax years following a disaster declaration.
HB254	Watch	Property Tax	Relating to the eligibility of an individual to pay the ad valorem taxes imposed on the individual's residence homestead in installments.	would authorize an individual to pay the property taxes imposed on the individual's residence homestead in four equal installments.
HB255	Oppose	Property Tax	Relating to the definitions of certain terms for purposes of the exemption from ad valorem taxation of farm products in the hands of the producer.	would amend the Texas Constitution to authorize the legislature to establish a ten percent appraisal cap on real property with a market value that is not greater than a certain amount. (See
HB263	Watch	Transportation	Relating to the grant program distributing money from the transportation infrastructure fund.	
HB279	Watch	Land Use	Relating to procedural requirements for uranium mining production area	
HB282	Watch	Land Use	Relating to the authority of certain counties and municipalities to regulate certain subdivisions in a municipality's extraterritorial jurisdiction.	would provide that for a county with a population of 370,000 or more that contains more than six cities each with populations under 2,000: (1) the commissioners court of the county may issue an order amending an agreement to regulate subdivision plats and approve permits in the extraterritorial jurisdiction (ETJ) with the city and transfer control of subdivision authority to the county for certain qualifying parcels located in the city's ETJ; and (2) any party to the agreement may submit amendments to the agreement to binding arbitration under certain conditions.
HB283	Watch	Transportation	Relating to axle weight limitations for certain vehicles transporting aggregates.	
HB291	Watch	Property Tax	Relating to the appraisal of real property for ad valorem tax purposes.	would, among other things, provide that:
HB292	Watch	Community and Economic Development	Relating to the grant amount awarded to certain moving image projects under the moving image industry incentive program.	
HB293	Watch	Other Finance and Administration	Relating to the requirements for applications for low income housing tax credits for developments financed through the private activity bond program.	
HB294	Oppose	Land Use	Relating to the regulation by a municipality or property owners' association of food production on single-family residential lots.	would, among other things: (1) prohibit a city from adopting or enforcing an ordinance or restrictive covenant that prohibits any of the following activities on a single-family residential lot: (a) the growing of fruits and vegetables; or (b) the raising of six or fewer domestic fowls or six or fewer rabbits; (2) allow a city to impose reasonable regulations on the growing of the fruits and vegetables in the front, side, or rear yard of a residence,
HB309	Watch	Other Finance and Administration	Relating to the use by a political subdivision of public funds for lobbying and certain other activities.	
HB310	Support	Other Finance and Administration	Relating to the use of money transferred from the Texas water fund.	would require that the Texas Water Development Board to ensure that a portion of the money transferred from the Texas Water Fund is used for water infrastructure projects, prioritized by risk or need, for: (1) rural political subdivisions; (2) cities with a population of less than 20,000; and (3) cities with a population of 20,000 or more but less than 150,000.

Bill Number	CODS Position	Category	Bill Description	TML Summary
HB312	Watch	Other Finance and Administration	Relating to the eligibility of a person who is not a United States citizen to be appointed to or serve in a public office or on an advisory board or task force.	would: (1) require that a person be a U.S. citizen to be appointed or serve in a public office, including on the governing body of a commission, board, or other agency, or on an advisory board or task force within the executive, legislative, or judicial branch of state government or a political subdivision for appointments that occur on or after September 1, 2025; (2) exempt offices for which the federal or state constitution prescribes exclusive qualification requirements from (1), above; and (3) provide that the term of office of any person who is not a U.S. citizen who was appointed before September 1, 2025 ends on September 1, 2025.
HB323	Watch	Personnel	Relating to requiring political subdivisions of this state to participate in the federal electronic verification of employment authorization program, or E-verify.	would: (1) require a political subdivision, including a city, to register and participate in the E-verify program to verify information of all new employees; and would provide that: (1) a city or county's total expenditures from all available sources of revenue in a fiscal year may not exceed the greater of statewide changes in population and inflation, according to a formula provided in the bill, or the previous year's expenditures; (2) a city or county may exceed the limit in (1), above, if the voters approve the additional expenditure at an election held on a uniform election date or the city or county is located in an area in which the governor declares or renews a disaster declaration; and
HB325	Oppose	Other Finance and Administration	Relating to a limit on municipal and county expenditures.	
HB328	Watch	Land Use	Relating to the regulation of manufactured home rental communities located in certain counties.	
HB338	Oppose	Property Tax	Relating to the limitation on increases in the appraised value of a residence homestead for ad valorem taxation.	would amend the Texas Constitution to authorize the legislature to reduce the property tax appraisal cap on residence homesteads from ten to five percent. (See
HB339	Watch	Land Use	Relating to municipal regulation of structured sober living homes.	would, among other things, provide that a city may adopt standards for structured sober living homes which may require the structured sober living homes to: (1) provide written notice to residents and potential residents that includes certain contact information; (2) supervise residents during all hours of operation; and (3) establish and maintain an operation plan.
HB342	Watch	Elections	Relating to the combination of certain election precincts.	
HB346	Oppose	Community and Economic Development	Relating to support for new businesses.	would direct the Texas Secretary of State to coordinate with city officials to work to eliminate all fees related to licensing and registration required to be paid by a business entity in the entity's first year of business.
HB356	Watch	Property Tax	Relating to the limitation on increases in the appraised value of a residence homestead for ad valorem taxation.	
HB359	Oppose	Land Use	Relating to the authority of a property owners' association to assess a fine for discolored vegetation or turf during a period of residential watering restriction.	would prohibit a property owner's association from assessing a fine against a property owner related to the maintenance of green turf or vegetation while the property is subject to residential watering restrictions mandated by a city, water utility, or other water supplier, and for a reasonable period following the lifting of the watering restrictions. (Companion bill is S.B. 542 by Schwertner.)
HB365	Watch	Other Finance and Administration	Relating to the authority of the Texas Water Development Board to provide financial assistance from the economically distressed areas account that is not required to be repaid.	would provide that the total amount of financial assistance provided by the Texas Water Development Board to political subdivisions for assistance to economically distressed areas for water supply and sewer services from state-issued bonds for which repayment is not required may not exceed at any time 90 percent of the total principal amount of issued and unissued bonds plus outstanding interest on those bonds.
HB369	Oppose	Land Use	Relating to the authority of a municipality to regulate the number of dwellings allowed on certain property.	would (1) prohibit a city from adopting or enforcing an ordinance, zoning variance, or other regulation that allows for the construction of more than one single-family dwelling on a lot that: (a) was zoned for single-family dwellings on September 1, 2023; and (b) is located in a subdivision with at least one developed lot; (2) prohibit a city from changing a zoning classification, regulation, boundary, or an allowed use under a zoning classification for the purpose of allowing more than one single-family dwelling on a lot described by (1), above; (3) create an exception to (1) and (2), above, to allow a city to adopt or enforce a
HB374	Watch	Personnel	Relating to the designation of certain election days as state holidays.	

Bill Number	CODS Position	Category	Bill Description	TML Summary
HB375	Oppose	Property Tax	Relating to a limitation on increases in the appraised value of real property for ad valorem tax purposes.	would amend the Texas Constitution to authorize the legislature to reduce the property tax appraisal cap on residence homesteads from ten to five percent. (See
HB377	Watch	Land Use	Relating to consent requirements for municipal annexation of an area on request of the landowners.	would provide that for annexation of property into a city which requires a certain written services agreement to be entered between the owners of the property and the city: (1) the written services agreement may not be entered into earlier than the 90th day before the date of annexation; and (2) any agreement that authorizes a city to annex the property that is the subject of the agreement may not waive the requirement that the city and land owners enter into a written service agreement.
HB378	Watch	Property Tax	Relating to an increase in the amount of the exemption of residence homesteads from ad valorem taxation by a school district and the protection of school districts against the resulting loss in local revenue.	
HB382	Oppose	Property Tax	Relating to an exemption from ad valorem taxation of the total appraised value of the residence homesteads of certain elderly persons and their surviving spouses.	would amend the Texas Constitution to authorize the legislature to expand the application of the ten percent appraisal cap on a residence homestead to all real property. (See
HB388	Watch	Personnel	Relating to a uniform coordination of benefits questionnaire for health benefit plans.	
HB391	Watch	Open Government	Relating to board of directors meeting locations of certain rural area water districts.	
HB392	Watch	Elections	Relating to the provision of the reason for rejecting a voter registration application.	
HB398	Support	Property Tax	Relating to the limitations on increases in the appraised value of certain property for ad valorem tax purposes.	would amend the Texas Constitution to authorize a political subdivision other than a school district to adopt a property tax freeze on the residence homestead of individuals who are elderly or disabled and their surviving spouses. (Note: Cities already have this authority. H.J.R. 59 would expand the authority to additional political subdivisions that levy property taxes.) (See
HB402	Watch	Land Use	Relating to the purchase of or acquisition of title to real property by certain aliens or foreign entities.	
HB404	Watch	Other Finance and Administration	Relating to state agency review of adopted rules.	
HB405	Watch	Transportation	Relating to fees on and grants for fuel ethanol, renewable methane, biodiesel, and renewable diesel.	
HB406	Watch	Community and Economic Development	Relating to notification of the execution of certain local economic development agreements by a municipality or county to local workforce development boards.	would: (1) require a city to provide written notice of a local economic development agreement to the local workforce development for the workforce development area in which the city is located not later than the 14th day after the date of entering into, amending, or renewing the agreement; and (2) provide specific information that must be included in the notice in (1), above.
HB407	Oppose	Land Use	Relating to municipal and county requirements for solar energy device compatibility for certain residential construction; creating criminal offenses.	would provide, among other things, that: (1) a city by ordinance shall incorporate into its municipal building code a requirement that the construction of new residential buildings suitable for one to four families must be compatible with the installation of certain solar energy devices that may be interconnected with the electric distribution system serving the area; (2) a residential builder shall have construction inspected for compliance with the requirements in (1), above; and (3) failure to comply with the requirements described in (1), above, or a violation of (2), above, is a Class C misdemeanor.
HB408	Watch	Transportation	Relating to the awarding of contracts by the Texas Department of Transportation for certain materials used in road construction projects.	

Bill Number	CODS Position	Category	Bill Description	TML Summary
HB414	Watch	Land Use	Relating to the unauthorized entry, occupancy, sale, rental, lease, advertisement for sale, rental, or lease, or conveyance of real property, including the removal of certain unauthorized occupants of a dwelling; creating criminal offenses; increasing a criminal penalty; authorizing a fee.	
HB415	Watch	Public Safety and Emergency Man	Relating to a study on mold contamination in housing developments supported by financial assistance administered by the Texas Department of Housing and Community	would: 1. extend the deadline for the chief appraiser to prepare and certify the appraisal roll to the taxing units from July 25 to August 25; 2. extend the date past which the chief appraiser is authorized to provide an estimate of the taxable value of property in the taxing unit if the appraisal district has not yet approved the appraisal records from July 20 to August 2; 3. extend the deadline for the assessor to submit the appraisal roll to the governing body of the taxing units from August 1 to September 1; 4. extend the deadline by which the collector should certify the anticipated collection rate to the governing body from August 1 to September 1; 5. extend the deadline by which the designated officer or employee should submit tax rates to the governing body from August 7 to September 7; 6. change the date on which the chief appraiser must publish notice about the appraisal district's property tax database from August 7 to September 7; 7. reduce the time period after the date the certified appraisal roll is received by the governing body during which the governing body may adopt a tax rate from 60 days to 30 days; 8. extend the deadline for the county assessor-collector to post on the website the tax rate calculation forms from August 7 to September 7; 9. extend the date by which the appraisal review board must finalize all challenges from July 20 to August 20; 10. change the date a board of directors of an appraisal district established for a county with a population of at least one million may postpone the deadline in (9), above, from August 30 to September 15; 11. extend the deadline for a property owner to initiate a protest after the owner received notice of the appraised value from 30 days after to 60 days after; and 12. change the deadline for an appraisal review board to schedule a protest hearing from 90 days after the protest is initiated to 60 days after.
HB416	Watch	Property Tax	Relating to the deadlines for performing various functions in connection with the ad valorem tax system.	
HB417	Watch	Elections	Relating to early voting by mail by any qualified voter and to the repeal of certain criminal offenses concerning the solicitation and distribution of an application to vote by mail.	
HB420	Watch	Open Government	Relating to the meeting places for the board of directors of certain water districts.	
HB423	Watch	Open Government	Relating to a prohibition on the board of trustees of a school district from entering into certain contracts and the disclosure of certain conflicts of interest.	
HB431	Watch	Land Use	Relating to the regulation by a property owners' association of the installation of solar roof tiles.	



Bill Number	CODS Position	Category	Bill Description	TML Summary
HB440	Watch	Other Finance and Administration	Relating to requiring certain alert messages to be in English and Spanish.	would provide that the following alerts must be in English and Spanish: (1) power outage alerts to electricity customers; (2) America's Missing: Broadcast Emergency Response (AMBER) and missing persons with intellectual disabilities alerts; (3) active shooter alerts; (4) silver alerts for missing senior citizens or persons with Alzheimer's disease; (5) blue alerts to aid in the apprehension of an individual suspected of killing or causing serious bodily injury to a law enforcement officer; and (6) coordinated law enforcement adult rescue (CLEAR) alerts for missing adults.
HB442	Oppose	Property Tax	Relating to the limitation on increases in the appraised value of a residence homestead for ad valorem taxation.	would amend the Texas Constitution to authorize the legislature to reduce the property tax appraisal cap on residence homesteads from ten to five percent and apply the new appraisal cap to all real property. (See
HB447	Support	Transportation	Relating to traffic studies before the issuance of certain municipal utility district bonds.	would require that before a municipal utility district may issue a bond to finance a road project, each entity with jurisdiction over a road intersection located inside the district or within one mile of the boundaries of the district, or over a road that will provide ingress or egress from a residential development in the district, must conduct a study evaluating potential changes to traffic patterns and volumes for the intersection or road that would result from the project.
HB455	Oppose	Property Tax	Relating to the establishment of a limitation on the total amount of ad valorem taxes that certain taxing units may impose on the residence homesteads of individuals who are disabled or elderly and their surviving spouses.	would amend the Texas Constitution to: (1) exempt from property tax the total market value of the residence homestead of an individual who is 72 years of age or older and has received a residence homestead exemption on the property for at least the preceding 10 years; and (2) provide that the surviving spouse of an individual who qualified for an exemption under (1), above, is entitled to an exemption from taxation of the total appraised value of the same property to which the deceased spouse's exemption applied if: (a) the deceased spouse died in a year in which they qualified for the exemption; (b) the surviving spouse was 55 years of age or older when their spouse died; and (c) the property was the residence homestead of the surviving spouse when their spouse died and remains their residence homestead. (See
HB457	Watch	Public Safety and Emergency Man	Relating to an alert system for notification of the release of toxic chemicals by a manufacturing facility.	would establish an alert system for notification of the release of toxic chemicals by a manufacturing facility.
HB465	Watch	Elections	Relating to preferential voting in runoff elections for certain voters voting by mail.	
HB472	Watch	Personnel	Relating to the reimbursement of state employees for groceries consumed while traveling on official state business.	
HB480	Watch	Personnel	Relating to required provision of workers' compensation insurance coverage for employees of building and construction contractors and subcontractors.	
HB485	Watch	Sales Tax	Relating to the authority of an emergency services district to impose a sales tax on gas and electricity sold for residential use.	
HB486	Watch	Open Government	Relating to prohibiting the publication of certain criminal record information of individuals involved in the criminal justice system.	

Bill Number	CODS Position	Category	Bill Description	TML Summary
HB487	Oppose	Community and Economic Development	Relating to criminal offenses applicable to and authorized uses of gambling devices, including eight-liners.	would, among other things, provide that: (1) the term "gambling device" includes an "eight-liner" device; (2) it is a defense to prosecution for gambling that the conduct consists of entirely playing or using a gambling device in which: (a) skill is the predominant requirement for the player or user to win or be awarded a thing of value for playing or using the device; and (b) the player or user may only win or be awarded as a thing of value for playing or using the device: (i) noncash merchandise available only on the premises where the device is located; or (ii) a ticket, coupon, or other representation of value redeemable only on the premises where the device is located for noncash merchandise; (3) for purposes of (2), above: (a) the value of the noncash merchandise or representation of value redeemable for noncash merchandise won or awarded for a single play of game on or use of a gambling device may not exceed the lesser of a wholesale value of ten times the amount charged for the single play or use or five dollars; and (b) the wholesale value of an item of noncash merchandise won or awarded for playing or using the device or for which a person may redeem one or more tickets, coupons, or other representations of value won or awarded for playing or using the device may not exceed \$50;
HB490	Oppose	Property Tax	Relating to a limitation on increases in the appraised value of real property for ad valorem tax purposes.	would amend the Texas Constitution to authorize the legislature to: (1) reduce the property tax appraisal cap on residence homesteads from 10 to 2.5 percent; (2) reduce the temporary appraisal cap on real property other than a residence homestead from 20 to 8 percent; and (3) make permanent the temporary appraisal cap on real property other than a residence homestead. (See
HB492	Watch	Land Use	Relating to prohibiting the allocation of low income housing tax credits for certain developments.	
HB493	Watch	Elections	Relating to ineligibility to serve as a poll watcher.	
HB496	Watch	Elections	Relating to a ballot option to not vote for any candidate.	
HB502	Watch	Open Government	Relating to the confidentiality of identifying information of victims of certain offenses.	
HB504	Watch	Personnel	Relating to health benefit plan coverage for hair prostheses for cancer patients.	
HB509	Oppose	Elections	Relating to the authority of certain entities and individuals to prevent individuals from accessing private property for the purpose of registering voters or communicating political messages.	would, among other things, provide that: (1) a city may not adopt or enforce a regulation that prevents an individual from knocking on the front door of a residential unit, ringing the doorbell of the unit, or leaving a written communication at the unit for the purpose of: (a) assisting an occupant of the unit with registering to vote; or (b) communicating to an occupant of the unit support or opposition for: (i) a political candidate; (ii) a political party; or (iii) a ballot measure; (2) a city may adopt and enforce reasonable restrictions on the time, place, and manner of an activity described in (1), above; and (3) a peace officer or private party may not prevent an individual from engaging in an activity described in (1), above, unless the officer or party reasonably believes that that activity poses a threat to a person or property or is in violation of a statute, ordinance, order, rule, or policy.
HB511	Oppose	Property Tax	Relating to an exemption from ad valorem taxation of the total appraised value of the residence homestead of an unpaid caregiver of an individual who is eligible to receive long-term services and supports under the Medicaid program while the individual is on a waiting list for the services and supports.	would amend the Texas Constitution to provide that a residence homestead is not subject to seizure or sale for delinquent ad valorem taxes.
HB514	Watch	Personnel	Relating to a maternal health care workforce campaign.	

Bill Number	CODS Position	Category	Bill Description	TML Summary
HB516	Watch	Utilities and Environment	Relating to notice of a water service interruption provided by public water systems in unincorporated areas of certain counties.	would, among other things, for a public water system located in the unincorporated area of a county that contains a city in which the governing body of the city or another regulatory authority has adopted standards to require the installation and maintenance of a hydrant in accordance with state law; (1) require the regulatory authority of a public water system to which the bill applies to adopt rules requiring the public water system to provide to each fire department providing fire suppression services in the area where the hydrant is located notice of a water service interruption that renders the hydrant temporarily unavailable for use in a fire emergency; (2) require a public water system to which the bill applies to provide to each fire department notified of a water service interruption under (1), above, notice of the water service's resumption not later than two hours after the time the water service is resumed; and (3) provide that the regulatory authority of a public water system may delegate the system's duty to provide notice under (2) or (3), above, to a public safety answering point that relays information to fire departments providing fire suppression services in the area where the affected hydrant is located.
HB517	Watch	Utilities and Environment	Relating to the authority of a property owners' association to assess a fine for discolored vegetation or turf during a period of residential watering restriction.	would prohibit a property owner's association from assessing a fine against a property owner related to the maintenance of green turf or vegetation while the property is subject to residential watering restrictions mandated by a city, water utility, or other water supplier, and for a reasonable period following the lifting of the watering restrictions. (Companion bill is S.B. 542 by Schwertner.)
HB518	Watch	Land Use	Relating to the ownership of agricultural land by nonresident aliens or foreign entities.	
HB519	Oppose	Land Use	Relating to honey production operations and the harvesting and packaging of honey and honeycomb.	would, among other things, provide that: (1) honey production operations are not food service establishments; (2) a local government authority, including a city, may not regulate the production or honey or honeycomb; and (3) honey and honeycomb are raw agricultural commodities.
HB520	Oppose	Community and Economic Development	Relating to cottage food production operations.	would, among other things, provide that a local government authority, including a city, may not: (1) require a cottage food production operation to obtain any type of license or permit or pay any fee to sell certain foods directly to a consumer or vendor; or (2) employ or continue to employ a person who knowingly requires or attempts to require a cottage food production operation to obtain a license or permit in violation of (1), above.
HB521	Watch	Elections	Relating to accommodating voters with a disability; creating criminal offenses.	
HB522	Watch	Elections	Relating to the ability of voters with certain disabilities to cast a secret ballot.	
HB523	Watch	Public Safety and Emergency Management	Relating to the authority of the legislature, courts, the governor, and other state and local officials regarding declared states of disaster.	would, among other things, provide that: (1) a state or local official may issue recommendations and nonbinding guidelines to assist with a state of disaster and may coordinate public and private resources to prevent or respond to the disaster; (2) notwithstanding any other law, an order issued by the governor or a state or local official that regulates or infringes on the rights of any private person must be: (a) narrowly tailored to serve a compelling public health or safety purpose; and (b) limited in duration, applicability, and scope to reduce any infringement on individual liberty; (3) district and appellate courts have jurisdiction to hear cases challenging a state or local disaster order and shall expedite hearings for the cases; (4) a court may invalidate or enjoin a disaster order or the application of a disaster order that is not narrowly tailored to serve a compelling public health or safety purpose because of the order's inequality in application to or impact on groups, situations, or circumstances; (5) only the governor may issue an order that infringes in a nontrivial manner on a protected constitutional right, including but not limited to: (a) the rights to travel, work, assemble, and speak; (b) the freedom of religious exercise; (c) the right to contract without state interference; (d) property rights; (e) the freedom from unreasonable searches and seizures; and (f) the freedom to purchase lawfully acquired firearms and ammunition; (6) an order in (5), above, expires on the 30th day after the date the governor issues the order unless the governor or legislature terminates the order on an earlier date or the legislature extends the order on or before the expiration date; and (7) the governor may only suspend state agency orders and rules (not statutory requirements) during a
HB529	Watch	Public Safety and Emergency Management	Relating to eligibility for the bulletproof vest and body armor grant program.	would provide that a law enforcement agency means an agency of the state or an agency of a political subdivision of the state authorized by law to employ peace officers, including an independent school district.



Bill Number	CODS Position	Category	Bill Description	TML Summary
HB531	Watch	Elections	Relating to the use of certain devices by a person occupying a voting station.	
HB533	Watch	Other Finance and Administration	Relating to imposing liens for labor and supplies provided by cleaners.	
HB536	Watch	Personnel	Relating to covered benefits under the child health plan.	
HB537	Watch	Land Use	Relating to the authority of certain counties to regulate noise levels in residential areas; creating a criminal offense.	
HB540	Watch	Elections	Relating to the use of preferential voting in certain elections.	
HB545	Watch	Elections	Relating to the appointment of volunteer deputy voter registrars.	
HB546	Support	Property Tax	Relating to the eligibility of land taken by condemnation for appraisal for ad valorem tax purposes as qualified open-space land.	would provide that land owned by an entity other than the state or a political subdivision that acquired the land by condemnation is not eligible for appraisal as open-space land.
HB551	Watch	Open Government	Relating to address information contained on reports of political contributions and expenditures made available on the Internet by the Texas Ethics Commission.	
HB554	Watch	Public Safety and Emergency Management	Relating to the sale of fireworks on and before the Juneteenth holiday in certain counties.	
HB560	Watch	Land Use	Relating to light pollution mitigation for wind turbine generators.	
HB561	Watch	Other Finance and Administration	Relating to the eligibility of certain local governmental entities affected by the realignment of defense worker jobs or facilities to receive grants.	
HB562	Watch	Community and Economic Development	Relating to the regulation of licensed dog and cat breeders.	
HB563	Support	Other Finance and Administration	Relating to the establishment of the small municipality revenue recovery grant program to provide financial assistance for economic development to small municipalities facing severe economic hardships.	would provide, among other things, that: (1) the comptroller shall establish and administer the small municipal revenue recovery grant program; (2) cities with population of 10,000 or less that experienced a decrease in total revenue of at least 15 percent during the preceding fiscal year as the result of a reduction or termination of contracts with private sector entities may apply for a grant from the program; (3) the comptroller may award a grant to a qualified city in the amount of: (a) not more than \$7 million for economic development programs; and (b) not less than \$100,000 or more than \$7 million to fund one or more specific projects to create or promote the creation of jobs in the city, including the purchase of real and personal property and the construction or improvement of new buildings, facilities, infrastructure, or other improvements.
HB564	Watch	Personnel	Relating to health benefit plan coverage for treatment of autism spectrum disorders.	
HB568	Watch	Elections	Relating to the registration of voters at a polling place and related procedures.	

Bill Number	CODS Position	Category	Bill Description	TML Summary
HB571	Oppose	Other Finance and Administration	Relating to the use by a political subdivision of public funds for lobbying and certain other activities.	would: (1) except as provided by (2), below, prohibit a political subdivision from spending public funds to: (a) hire an individual required to register as a lobbyist for the purpose of lobbying a member of the Texas legislature; or (b) pay a nonprofit state association or organization that: (i) primarily represents political subdivisions; and (ii) hires or contracts with an individual required to register as a lobbyist; (2) provide that the prohibition in (1), above, does not prevent: (a) a city or county from spending public funds to compensate or contract with an individual required to register as a lobbyist for the purpose of influencing or attempting to influence the outcome of legislation related to the military, military service members, or military veterans; or (b) a full-time employee of a nonprofit state association or organization that primarily represents political subdivisions from: (i) providing legislative services, including services related to bill tracking, bill analysis, and legislative alerts; (ii) communicating directly with a member of the legislature to provide information; or (iii) testifying for or against legislation before a legislative committee; (3) provide that if a political subdivision engages in activity prohibited by (1), above, a taxpayer or resident of the political subdivision is entitled to injunctive relief to prevent any further prohibited activity and any further payments of public funds; and (3) provide that a taxpayer or resident who prevails in an action under (3), above, is entitled to recover reasonable attorney's fees and costs from the political subdivision.
HB582	Watch	Open Government	Relating to proper etiquette during the recitation of the pledge of allegiance to the state flag.	
HB583	Watch	Utilities and Environment	Relating to the regulation of fences near certain reservoirs by certain counties.	
HB584	Watch	Elections	Relating to electronic voter registration.	
HB587	Watch	Other Finance and Administration	Relating to a requirement that certain rules proposed by state agencies in the executive branch of state government be approved by certain elected state officials.	
HB590	Watch	Elections	Relating to notification by the secretary of state when a person convicted of a felony may register to vote.	
HB597	Watch	Transportation	Relating to the issuance of an excess gross weight permit for certain farm tractors on county, farm-to-market, and ranch-to-market roads; authorizing a fee.	
HB602	Support	Open Government	Relating to the qualifications for serving as a member of the board of directors of a municipal utility district.	would require all members of a municipal utility district's board of directors to own land subject to taxation in the district.
HB603	Watch	Transportation	Relating to the operation of school buses at certain railroad grade crossings.	
HB606	Oppose	Other Finance and Administration	Relating to de novo review and interpretation of state laws and state agency rules by reviewing court judges and administrative law judges.	would: (1) require a court and administrative law judge when reviewing a provision of state law, to interpret the meaning and effect of the provision de novo, without deference to a state agency's interpretation of the provision; (2) require a court in an action brought by or against a state agency concerning an ambiguous provision of state law, after applying all other rules and cannons of interpretation, to resolve the ambiguity in favor of limiting state agency authority; and (3) require an administrative law judge when conducting a hearing concerning an ambiguous provision of state law, after applying all other rules and cannons of interpretation, to resolve the ambiguity in favor of limiting state agency authority.
HB611	Watch	Elections	Relating to electronic voter registration.	
HB616	Watch	Personnel	Relating to health benefit plan coverage for certain at-home testing kits.	
HB618	Watch	Personnel	Relating to health benefit plan coverage of certain in vitro fertilization procedures for certain governmental employees and retirees.	

Bill Number	CODS Position	Category	Bill Description	TML Summary
HB621	Watch	Land Use	Relating to the authority of a property owners' association to regulate the assembly, association, and speech of property owners or residents related to governmental officials or candidates for political office.	
HB638	Watch	Open Government	Relating to a requirement that certain water districts make audio and video recordings of open meetings available on the Internet.	
HB640	Watch	Elections	Relating to the office hours of an election authority during an election period.	would provide that, during an election period, the city secretary shall keep his or her office open for election duties for at least three hours each day, during regular office hours, on the days on which the main business office of the city is regularly open for business.
HB643	Watch	Other Finance and Administration	Relating to the requirement for payment bonds from certain public work contractors.	
HB645	Watch	Other Finance and Administration	Relating to the provision of certain co-navigation services to individuals who are deaf-blind.	
HB646	Watch	Public Safety and Emergency Management	Relating to the use of an unmanned aircraft to locate and retrieve wounded or killed wildlife.	
HB648	Watch	Land Use	Relating to the regulation of clotheslines by a property owners' association.	
HB656	Watch	Public Safety and Emergency Management	Relating to law enforcement policies regarding the issuance of citations for misdemeanors punishable by fine only and to a limitation on the authority to arrest a person for certain fine-only misdemeanors.	would, with respect to issuing citations in lieu of arrest for misdemeanor offenses, provide that: (1) the Bill Blackwood Law Enforcement Management Institute of Texas, in collaboration with law enforcement agencies, law enforcement associations, law enforcement training experts, and community organizations engaged in the development of law enforcement policy, shall publish a model policy related to the issuance of citations for misdemeanor offenses, including traffic offenses, that are punishable by fine only, that includes the procedure for a peace officer, upon a person's presentation of appropriate identification, to verify the person's identity and issue a citation to the person; (2) each law enforcement agency shall adopt a written policy regarding the issuance of citations for misdemeanor offenses, including traffic offenses, that are punishable by fine only, provided such policy meets the requirements of the model policy described in (1), above; (3) a law enforcement agency may adopt the model policy developed under (1), above; and (4) a peace officer may not arrest, without warrant, a person found only committing one or more misdemeanors related to certain traffic offenses that are punishable by fine only, and in such instances shall issue a written notice to appear to the person.
HB657	Watch	Elections	Relating to requirements for counties posting election information on an Internet website.	
HB665	Watch	Elections	Relating to the secretary of state posting on the secretary of state's Internet website databases containing certain information about elections.	would, among other things, provide that: (1) the secretary of state shall post on the secretary of state's public internet website a database containing information on each election for a partisan office, the office of mayor, or a position on the governing body of a city or board of trustees of an independent school district; (2) the secretary of state shall post on the secretary of state's internet website a database containing information about each holder of and candidate for any partisan elected office, office of mayor, or position on the governing body of the city or board of trustees of an independent school district; (3) the authority responsible for giving notice of the election shall deliver, in January of each year, information on an election for a partisan office, the officer of mayor, or a position on the governing body of the city for the secretary of state's database of election information in an electronic format to the county in which the authority is located; and (4) a political subdivision, including a city, shall provide information about a candidate or officeholder to the county in which the political subdivision is located and the county shall forward the information to the secretary of state.

Bill Number	CODS Position	Category	Bill Description	TML Summary
HB670	Watch	Property Tax	Relating to the authority of a taxing unit other than a school district to establish a limitation on the amount of ad valorem taxes that the taxing unit may impose on the residence homesteads of individuals who are disabled or elderly and their surviving spouses.	would amend the Texas Constitution to authorize the legislature to provide that: (1) the appraised value of residence homestead for the first year the owner qualifies for a homestead exemption is equal to the market value of the property; (2) if the owner acquired the property as a purchaser, the purchase price of the property is considered to be the market value of the property; (3) the appraised value of the residence homestead for a subsequent tax year is equal to the appraised value of the property for the preceding tax year plus the value of new improvements. (See
HB671	Oppose	Other Finance and Administration	Relating to the use by a political subdivision of public funds for lobbying and certain other activities.	would: (1) except as provided by (2), below, prohibit a political subdivision from spending public funds to: (a) hire an individual required to register as a lobbyist for the purpose of lobbying a member of the Texas legislature; or (b) pay a nonprofit state association or organization that: (i) primarily represents political subdivisions; and
HB673	Watch	Personnel	Relating to the eligibility of certain first responders for workers' compensation benefits for post-traumatic stress disorder.	
HB675	Watch	Open Government	Relating to the imposition of charges by a governmental body for providing copies of public information under the public information law.	would provide that: (1) a governmental body, including a city, may not impose a charge for providing a copy of public information if the information is a campaign report required to be filed with the governmental body unless those
HB676	Watch	Public Safety and Emergency Man	Relating to the use of an unmanned aircraft to locate and retrieve wounded or killed wildlife.	
HB677	Watch	Elections	Relating to the restrictions on political activities of a county elections administrator.	
HB682	Watch	Community and Economic Develop	Relating to the creation of certain criminal offenses concerning firearm sales at gun shows.	
HB685	Watch	Utilities and Environment	Relating to rates established by municipalities for water or sewer service for certain entities.	would prohibit a city from establishing a higher rate for water or sewer utilities that applies only to entities that qualify for a sales tax or property tax exemption.
HB691	Watch	Personnel	Relating to the minimum wage.	would, among other things, provide that, with limited exceptions, an employer, including a city, shall pay to each employee not less than the greater of \$19 an hour or the federal minimum wage.
HB695	Oppose	Elections	Relating to the use of certain facilities of a building being used as a polling place or early voting polling place.	would provide that the secretary of state shall adopt rules requiring an entity that owns or controls a building being used as a polling place or an early voting polling place to permit a person electioneering on the building's premises to use the facilities of the building otherwise available to voters or election officials, including bathrooms provided that the person: (1) may not bring political signs or literature inside the facilities; (2) must cover or remove any political logos or messaging before entering the facilities; and (3) must meet any other requirements determined by the secretary of state to be necessary to ensure compliance.
HB697	Watch	Land Use	Relating to the applicability of prohibitions on municipal or county regulations on the rental or leasing of housing accommodations.	would authorize local ordinances or regulations that prohibit a property owner from refusing to rent or lease a housing accommodation to certain groups based on their lawful source of income, specifically military veterans, people 62 years old or older,
HB698	Oppose	Property Tax	Relating to the abolition of ad valorem taxes and the creation of a joint interim committee on the abolition of those taxes.	would, among other things: (1) repeal the Property Tax Code; (2) prohibit a political subdivision from imposing a property tax beginning in the year 2031; and (3) convene a committee to determine how property tax revenue could be replaced by local sales and use tax revenue. (See H.J.R. 64, below.)
HB704	Watch	Utilities and Environment	Relating to the disconnection of service provided to residential customers by certain utilities and propane gas distribution system retailers.	would provide that private utility providers may not disconnect service to a residential customer on a weekend day, on a holiday officially observed by the State of Texas, on a day preceding a weekend day or during an extreme weather emergency.
HB706	Watch	Other Finance and Administration	Relating to the jurisdiction of certain international organizations.	
HB708	Watch	Community and Economic Develop	Relating to the sale of distilled spirits to ultimate consumers by the holder of a distiller's and rectifier's permit.	

Bill Number	CODS Position	Category	Bill Description	TML Summary
HB710	Oppose	Personnel	Relating to the recognition of occupational licenses and government certifications issued in other states; authorizing a fee.	would, among other things: (1) require a state agency or political subdivision, including a city, to issue an occupational license or government certification to an individual who applies in a manner prescribed by the political subdivision if the individual: (a) holds a current and valid occupational license or government certification in another state in a lawful occupation with a similar scope of practice; (b) has held the occupational license or government certification in another state for at least one year; (c) was required by a board in another state to pass an examination or to meet education, training, or experience standards; (d) is in good standing with the board in the other state; (e) does not have a disqualifying criminal record; (f) has not had an occupational license or government certification revoked by the board of another state or surrendered due to negligence or intentional misconduct;
HB712	Watch	Personnel	Relating to health benefit plan coverage for certain tests to detect prostate cancer.	
HB716	Watch	Public Safety and Emergency Man	Relating to the offense of failure to comply with an order from a fire marshal and the authority of certain county peace officers to issue citations for certain violations; changing a criminal penalty.	
HB721	Watch	Personnel	Relating to the applicability of certain laws requiring health care cost disclosures by health benefit plan issuers and administrators.	
HB724	Watch	Public Safety and Emergency Man	Relating to notice of the health of children attending and adults employed by a child-care facility.	
HB734	Watch	Public Safety and Emergency Man	Relating to the failure to report child abuse or neglect; increasing a criminal penalty.	
HB735	Watch	Community and Economic Develop	Relating to required labeling of meat, poultry, shrimp, and certain related food products.	
HB736	Watch	Other Finance and Administration	Relating to certain procedures for civil suits brought by local governments or certain other persons for violations of certain laws under the jurisdiction of, or rules adopted or orders or permits issued by, the Texas Commission on Environmental Quality.	would provide that a local government, a person affected, or an authorized agent may institute a claim for certain violations under the Texas Commission on Environmental Quality's (TCEQ) jurisdiction after the attorney general and TCEQ executive director receive the required notice unless TCEQ has commenced a proceeding or the attorney general has commenced a civil suit concerning at least one of the alleged violations set forth in the notice.
HB737	Watch	Other Finance and Administration	Relating to the use of dynamic message signs for the Keep 'Em Safe Texas Gun Storage Campaign.	
HB742	Watch	Personnel	Relating to human trafficking prevention, including training for first responders, disclosure of human trafficking information by certain health care facilities, and protection for facility employees who report human trafficking.	would provide, among other things, that: (1) a first responder, within the time prescribed by the Health and Human Services Commission (HHSC) rule, shall successfully complete a training course approved by the executive commissioner on identifying, assisting, and reporting victims of human trafficking; and (2) the HHSC executive commissioner shall approve training courses on human trafficking prevention, including at least one course available without charge and post a list of the approved training courses on HHSC's Internet website.
HB743	Watch	Municipal Court	Relating to a justice or municipal court's authority to order a defendant confined in jail for failure to pay a fine or cost or for contempt and to the authority of a municipality to enforce the collection of certain fines by imprisonment of the defendant.	would, among other things: (1) prohibit a municipal court judge from ordering the confinement of a person, including a child, for failing to pay all or part of a fine or cost imposed or for contempt of a judgment entered for the conviction of an offense punishable by fine only; (2) require the release of a defendant confined in jail in violation of (1), above; (3) allow a municipal court judge to order that a defendant appear at a hearing and show cause as to why the defendant defaulted in discharging a judgment entered against the defendant; and (4) provide that court credit the defendant for applicable time served in jail at a rate of not less than \$150 for each period served that is not less than eight hours or more than 24 hours, as specified by the judge.
HB747	Watch	Land Use	Relating to the adoption of a certain plumbing code by the Texas State Board of Plumbing Examiners.	would mandate that the Texas State Board of Plumbing Examiners adopt the 2015 or later edition of the International Plumbing Code.



Bill Number	CODS Position	Category	Bill Description	TML Summary
HB755	Oppose	Other Finance and Administration	Relating to certain requirements applicable to certain public entities that engage in lobbying.	would: (1) prohibit the governing body of a public entity, including a city, from spending public money or providing other compensation to a lobbyist to communicate directly with one or more members of the legislative branch to influence legislation pending before the legislature unless the expenditure is: (a) authorized by a majority vote of the governing body of the entity in an open meeting of the governing body; and (b) voted on by the governing body as a stand-alone item on the agenda at the meeting; (2) require a public entity that contracts with a lobbyist to publish on the entity's Internet website: (a) the amount of money authorized for the purpose of contracting with the person; (b) the name of the person, (c) a copy of the contract; (d) the amount of money, if any, spent by the entity for membership fees or dues to a nonprofit state association or organization of similarly situated entities that contracts with a lobbyist; and (e) a copy of any current legislative agenda or resolution adopted by the entity; (3) prohibit a lobbyist that contracts with a public entity from communicating directly with a member of the legislative branch on behalf of the entity regarding legislation pending before the legislature that specifically proposes to amend state statutes dealing with the calculation of property tax rates;
HB760	Watch	Other Finance and Administration	Relating to references to "the people's money" in state documents, publications, and notices.	
HB761	Watch	Other Finance and Administration	Relating to fee waivers for certain hunting and fishing licenses for honorably discharged veterans.	
HB762	Watch	Personnel	Relating to severance pay for political subdivision employees and independent contractors.	would, among other things, provide that: (1) a political subdivision, including a city, that enters into a contract or employment agreement, or renewal or renegotiation of an existing contract or employment agreement, that contains a provision for severance pay with an employee or independent contractor must include: (a) a requirement that severance pay that is paid from tax revenue may not exceed the amount of compensation, at the rate at the termination of employment or the contract, the employee or independent contract would have been paid for 20 weeks, excluding paid time off or accrued vacation leave; and (b) a prohibition of the provision of severance pay when the employee or independent contractor is terminated for misconduct; (2) a political subdivision shall post each severance agreement in a prominent place on the political subdivision's internet website; and (3) for an action brought against a political subdivision by an employee or independent contractor of the political
HB763	Oppose	Property Tax	Relating to the repeal of provisions authorizing certain taxing units in the year following the year in which a disaster occurs to adopt an ad valorem tax rate that exceeds the voter-approval tax rate without holding an election to approve the adopted tax rate; making conforming changes.	would repeal the provision authorizing cities to adopt an ad valorem tax rate the exceeds the voter-approval tax rate without holding an election in the year following the year in which a disaster occurs.
HB766	Watch	Elections	Relating to the ballot application requirements for the election of a precinct chair.	
HB768	Watch	Other Finance and Administration	Relating to credit services organizations and extensions of consumer credit facilitated by credit services organizations; increasing a criminal penalty.	would, among other things, provide that: (1) the bill does not preempt a city ordinance regulating: (a) a credit access business; or (b) any form of an extension of consumer credit that a credit access business is authorized to obtain for a consumer or assist a consumer in obtaining as provided by the bill; (2) if a city ordinance described by (1), above, conflicts with a provision of the bill, the more stringent regulation controls to the extent of the conflict; and (3) a credit services organization may not obtain for a consumer or assist a consumer in obtaining an extension of consumer credit in any form other than in the form of: (a) a single-payment deferred presentment transaction; (b) a multiple-payment deferred presentment transaction; (c) a single-payment motor vehicle title loan; or (c) a multiple-payment motor vehicle title loan.
HB769	Support	Transportation	Relating to a grant program for neighborhood organization pedestrian infrastructure administered by the Texas Department of Housing and Community Affairs.	would, among other things, provide: (1) for the creation of the pedestrian infrastructure grant fund; (2) that the Texas Department of Housing and Community Affairs (TDHCA) administer the fund; and (3) that TDHCA may make grants to neighborhood organizations to construct certain pedestrian infrastructure related to sidewalks, curbs, or pedestrian lighting.

Bill Number	CODS Position	Category	Bill Description	TML Summary
HB774	Watch	Property Tax	Relating to municipal and county ad valorem tax relief.	would: (1) define “surplus revenue” as the total amount of money received by a city in excess of the amount determined by multiplying the amount of the city’s adopted budget for the preceding fiscal year by the inflation rate and population growth rate; (2) require a city to use its total amount of surplus revenue to provide property tax relief in a manner that reduces the amount of property tax a property owner would otherwise be required to pay; (3) limit a city’s tax rate to a rate calculated by multiplying total revenue from all sources for the preceding year by the inflation rate, subtracting the amount of estimated revenue from all sources other than property tax for the current year, and dividing that amount by the total taxable value of property in the city; and (4) provide that a city may exceed the tax rate described in (3), above, if before the adoption of the tax rate the city pledged the tax revenue for payment of a debt and adopting a lower rate would impair the obligation of the contract creating the debt.
HB777	Watch	Personnel	Relating to the places a public employer may provide for employees to express breast milk.	would require a public employer to provide a place, other than a bathroom, where an employee can express breast milk.
HB778	Watch	Personnel	Relating to required health benefit plan coverage for gender transition adverse effects and reversals.	
HB784	Support	Transportation	Relating to a grant program for municipal pedestrian infrastructure administered by the Texas Department of Housing and Community Affairs.	would: (1) establish a grant fund and program to provide grants to cities to construct pedestrian infrastructure related to sidewalks, curbs, or pedestrian lighting, subject to certain contract conditions; and (2) direct the Texas Department of Housing and Community Affairs to adopt rules necessary to administer (1), above.
HB788	Watch	Other Finance and Administration	Relating to daylight saving time.	
HB790	Support	Other Finance and Administration	Relating to the amount of an expenditure made by certain political subdivisions for which a competitive procurement method may be required to be used.	would, among other things: (1) increase the threshold at which competitive bidding is required for city purchases from \$50,000 to \$200,000; and (2) increase the threshold at which competitive bidding in relation to historically underutilized businesses is required from \$50,000 to \$200,000.
HB793	Watch	Open Government	Relating to the confidentiality of certain personal information of an applicant for or a person protected by a protective order.	
HB794	Oppose	Personnel	Relating to limitations on the enforcement of certain occupational regulations.	would, among other things: (1) direct each licensing authority, including a city, by September 1, 2026, to conduct a comprehensive review of each occupational regulation applicable to a license issued by the authority, and: (a) specify the public health, safety, or welfare objective served by the regulation and reason the regulation is necessary to serve each objective; (b) analyze the effects of the regulation on: (i) worker opportunity; (ii) consumer choice and costs; (iii) general unemployment; (iv) market competition;
HB798	Watch	Land Use	Relating to certain rights and duties of residential tenants and landlords; increasing the amount of civil penalties.	
HB801	Watch	Personnel	Relating to the application for funding for certain workforce development programs.	
HB808	Watch	Community and Economic Development	Relating to the creation of certain criminal offenses concerning firearm sales at gun shows.	
HB811	Watch	Other Finance and Administration	Relating to the applicability of lobbyist registration requirements to a person who provides legal services to a political subdivision.	would provide that a person who has established an attorney-client relationship with a political subdivision to provide legal services and who is entitled to receive compensation, reimbursement, or expenses under an agreement under which the person
HB813	Watch	Personnel	Relating to health benefit plan coverage for treatment of autism.	
HB816	Watch	Community and Economic Development	Relating to the licensing and regulation of youth sports programs; providing civil and administrative penalties; authorizing fees.	

Bill Number	CODS Position	Category	Bill Description	TML Summary
HB817	Watch	Elections	Relating to the determination of a majority vote in certain elections.	would provide that: (1) in an election requiring a majority vote to be elected to a public office, a candidate must receive more than half of the votes as originally cast; and (2) a majority may not be determined by using a preferential voting system (voting system which permits a voter to rank each candidate through a numerical designation from the candidate the voter favors most to the candidate the voter favors least) to reassign votes.
HB822	Watch	Personnel	Relating to requiring certain employers to provide paid sick leave to employees; providing administrative and civil penalties.	would: (1) require certain employers to provide annual paid sick leave to each employee, accruing on the date the employee is hired at a rate of one hour paid sick leave for each 30 hours worked by the employee; and (2) provide that an employee may use such leave for specific reasons, including to attend: (a) to the employee's or the employee's family member's health condition; (b) to family violence related matters; and (c) a meeting at a child family member's school.
HB823	Watch	Personnel	Relating to the recovery of exemplary damages based on a compensable death under the Texas Workers' Compensation Act.	
HB826	Watch	Utilities and Environment	Relating to monitoring air contaminant emissions in certain counties.	
HB828	Watch	Community and Economic Development	Relating to the creation of certain criminal offenses concerning firearm sales at gun shows; authorizing a fee.	
HB829	Watch	Property Tax	Relating to the text of ballot propositions that increase taxes.	
HB831	Watch	Other Finance and Administration	Relating to the interlocutory appeal of certain orders regarding the constitutionality, effect, or enforceability of a statute.	
HB834	Watch	Public Safety and Emergency Management	Relating to limiting the locations where a person may carry a firearm other than a handgun in certain counties; creating a criminal offense.	
HB835	Watch	Personnel	Relating to unlawful employment practices with respect to compensation and wage history.	
HB841	Watch	Personnel	Relating to requiring certain employers to provide paid sick leave to employees; providing administrative penalties.	
HB843	Watch	Land Use	Relating to certain general definitions in the Code Construction Act.	
HB844	Watch	Land Use	Relating to the authority of a municipality or county to request a hearing from the Texas Commission on Environmental Quality related to the construction of a concrete plant.	
HB851	Watch	Property Tax	Relating to the determination and reporting of the number of residence homesteads of certain property owners for which the owner is receiving certain ad valorem tax benefits.	
HB853	Watch	Utilities and Environment	Relating to the issuance of air quality permits for certain facilities located in a nonattainment area.	would, for the construction or major modification of a facility that is a major stationary source and is located or proposed to be located in an area designated as a nonattainment area, provide that the Texas Commission on Environmental Quality (TCEQ), in making its finding as to whether emissions from the facility will contravene the intent of the Clean Air Act, the TCEQ shall: (1) conduct an analysis of alternative locations, sizes, production processes, and environmental control techniques for the facility that demonstrates that the benefits of the facility significantly outweigh the environmental and social costs imposed as a result of the facility's location, construction, or modification; and (2) in conducting the analysis, consider the cumulative impacts that would result from the issuance of the permit without changes to the site location, size, production processes, and environmental control techniques.
HB859	Watch	Utilities and Environment	Relating to the establishment of the Texas Environmental Justice Advisory Council.	



Bill Number	CODS Position	Category	Bill Description	TML Summary
HB860	Watch	Other Finance and Administration	Relating to requirements for subscription service contracts; providing a civil penalty.	
HB863	Watch	Public Safety and Emergency Man	Relating to senior independent living communities; providing civil and administrative penalties.	would, among other things: (1) require the Texas Division on Emergency Management to: (a) establish, maintain, and annually
HB871	Watch	Land Use	Relating to the residential and commercial building codes of municipalities.	would, among other things, provide for the adoption of the International Residential Code and International Building Code as they existed on May 1, 2021, as the municipal residential building code and municipal commercial building code for all cities in Texas.
HB873	Watch	Utilities and Environment	Relating to air quality permits for aggregate production operations and concrete batch plants.	would, among other things: (1) provide that the Texas Commission on Environmental Quality (TCEQ) shall accept written questions about a facility requesting a standard permit for the production of aggregates or the operation of a concrete plant that performs wet batching, dry batching, or central mixing from the public until the 15th day before the date of the hearing or meeting; (2) require TCEQ to, not later than the 14th day before the date of the hearing or meeting in (1), above, notify each city and county in which the facility is located or proposed to be located, among others, of the date, time, and place of the hearing or meeting; (3) provide that a person authorized to use a standard permit for the production of aggregates or the operation of a concrete plant that performs wet batching, dry batching, or central mixing must: (a) install equipment to monitor noise levels from the facility: (i) at the point on the perimeter of the property on which the facility is located that is closest to the nearest building in use as a single-family or multifamily residence, school, place of worship, or commercial enterprise; and (ii) at two other points on the perimeter of the property on which the facility is located equidistant from the point described by (3)(a)(i), above; (b) ensure that outdoor lighting installed at the facility complies with standards adopted by the Illuminating Engineering Society;
HB875	Support	Personnel	Relating to workers' compensation insurance coverage and bid bonding requirements for small municipal construction projects.	would provide that: (1) for a construction project for an amount that is less than one percent of the total amount of a municipality's most recently adopted budget, the municipality is not required to: (a) ensure that the contractor is covered by workers' compensation insurance coverage; or (b) require the contractor to obtain a performance bond; (2) for the purpose of determining the contracted amount of a construction project under (1), above, a municipality may not aggregate work from more than one project; and (3) a project in (1), above, includes all work to be completed on a construction project for a municipality at one location within 12 months of the date the work begins.
HB878	Watch	Land Use	Relating to the regulation of residential land use and accessory dwelling units by a political subdivision; authorizing a fee.	This bill addresses, among other things, both density preemption in certain cities, and the regulation of accessory dwelling units (ADUs) in all cities. The density preemption components of the bill apply to a city with a population of 85,000 or more that is wholly or partly located in a county with a population of one million or more, and would provide, among other things, that: would provide, among other things, that: (1) a public employer, including a city, that has not adopted civil service for its public safety employees, shall implement, for its city police officers, a progressive disciplinary matrix and adopt implementing rules that consist of a range of progressive disciplinary actions applied in a standardized way based on the nature of the infraction and the officer's prior conduct record; (2) the matrix described in (1), above, must include: (a) standards for disciplinary actions relating to the use of force against another person, including the failure to de-escalate force incidents in accordance with departmental policy; (b) standards for evaluating the level of discipline appropriate for uncommon infractions; and (c) presumptive actions to be taken for each type of infraction and any adjustment to be made based on a police officer's previous disciplinary record;
HB881	Watch	Public Safety and Emergency Man	Relating to a progressive disciplinary matrix for police officer misconduct in certain municipalities.	
HB882	Watch	Land Use	Relating to building codes applicable in the unincorporated areas of a county; authorizing a fee.	

Bill Number	CODS Position	Category	Bill Description	TML Summary
HB884	Watch	Sales Tax	Relating to the municipal sales and use tax for street maintenance.	would, among other things, provide that: (1) for a city in which a majority of the voters voting in each of the last two consecutive elections concerning the adoption or reauthorization of the street maintenance sales tax favored adoption or reauthorization and in which the tax has not expired since the first of those two consecutive elections, the city may call an election to reauthorize the tax for a period of eight or ten years, instead of four years; and (2) revenue from the street maintenance sales tax may be used to maintain and repair: (a) a city street or sidewalk; and (b) a city water, wastewater, or stormwater system located in the width of a way of a city street.
HB892	Watch	Elections	Relating to requiring a person to submit proof of citizenship to register to vote.	
HB894	Watch	Elections	Relating to the acceptance of identification for voters who identify as transgender.	
HB901	Oppose	Personnel	Relating to a limitation on the salary paid to officers and employees of this state and political subdivisions of this state.	would, among other things, provide that the taxpayer funded salary of an officer or employee of a political subdivision, including a city, may not exceed the amount of the salary set by the state law for the governor.
				would, among other things, provide that:
				1. a public entity, including a city: (a) is legally responsible for a wrongful act or omission of the entity's peace officer if the act or omission occurs under the color of law; and (b) accepts responsibility under respondeat superior for the officer's conduct under the color of law, regardless of whether the officer acted in accordance with a policy or custom of the entity;
				2. an individual may bring an action for any appropriate relief in a court in this state against a public entity on the basis that a peace officer employed by the entity, by an act or omission under the color of law, deprived the individual of a right, privilege or immunity under the law or constitution;
				3. statutory immunity or limitation on liability, damages, or attorney's fees is waived for an action brought under Number 2, above;
				4. a peace officer may not be found financially liable in an action brought under Number 2, above;
				5. notwithstanding any other law, contract or agreement, a public entity may terminate a contract or agreement with or the employment of a peace officer if the court finds in an action brought under Number 2, above, the officer deprived the claimant of a right, privilege or immunity under the law or constitution;
				6. all petitions, judgements, settlements, or consent decrees related to an action brought under Number 2, above, are public information subject to disclosure under the Texas Public Information Act;
				7. a peace officer: (a) may, if authorized, arrest offenders without a warrant; (b) shall identify as a peace officer before taking any action within the course and scope of the officer's official duties unless the identification would render the action impracticable; and (c) shall intervene to prevent an action by another peace officer if: (i) the action includes excessive use of force; (ii) the intervening officer knows or should know the other officer's actions violates department policy or local, state or federal law; or (iii) the action puts a person at risk of bodily injury;
				8. a law enforcement agency: (a) shall adopt a written policy regarding the issuance of citations for misdemeanor offenses, including traffic offenses, that are punishable by fine only, and (b) the policy shall meet the requirements of a model policy published by the Texas Southern University;
				9. a law enforcement agency shall adopt a written policy regarding the use of force by peace officer that: (a) emphasizes conflict de-escalation and use of proportionate force; (b) mandates that deadly force be only used by peace officers as a last resort; and (c) affirms
HB909	Watch	Public Safety and Emergency Management	Relating to law enforcement misconduct and law enforcement interactions with certain detained or arrested individuals and other members of the public, to public entity liability for those interactions, and to the confinement, conviction, or release of detained or arrested individuals.	
HB910	Watch	Elections	Relating to the venue for the prosecution of an election offense.	
HB911	Watch	Personnel	Relating to the designation of Celebration of Life Day as a state holiday.	
HB918	Watch	Land Use	Relating to the authority of a property owners' association to regulate the assembly, association, and speech of property owners or residents.	

Bill Number	CODS Position	Category	Bill Description	TML Summary
HB920	Oppose	Sales Tax	Relating to an exemption from sales and use taxes for firearms, ammunition, and other related items.	would exempt from the sales tax a firearm, firearm accessory, and ammunition.
HB922	Watch	Elections	Relating to residence for purposes of voting and other matters affecting a candidate's eligibility.	
HB925	Oppose	Public Safety and Emergency Management	Relating to the applicability of a defense to prosecution for an offense relating to carrying a handgun in certain prohibited locations and to repealing associated notice requirements.	would repeal the provisions: (1) allowing a person to post a sign stating that a person may not carry a firearm or other weapon on a property; and (2) making unavailable a defense to prosecution if: (a) a sign described by (1), above, was posted prominently at each entrance to the premises or other property, as applicable; or (b) at the time of the offense, the actor knew that carrying a firearm or other weapon on the premises or other property was prohibited.
HB926	Watch	Other Finance and Administration	Relating to the adoption and voidability of certain rules proposed by a state agency.	
HB927	Oppose	Community and Economic Development	Relating to the interpretation of certain laws protecting the free exercise of religion.	would clarify that a city may not substantially burden a person's free exercise of religion.
HB934	Watch	Elections	Relating to the eligibility to vote in certain primary elections.	
HB937	Watch	Open Government	Relating to the procedure by which certain special districts are required to provide notice of certain matters.	
HB938	Watch	Community and Economic Development	Relating to a cause of action for drag performances performed in the presence of a minor.	
HB939	Watch	Other Finance and Administration	Relating to a liability limit for noneconomic damages for personal injury claims.	
HB941	Watch	Public Safety and Emergency Management	Relating to the resilience of the electric grid and certain municipalities.	
HB943	Watch	Public Safety and Emergency Management	Relating to informed consent before the provision of certain medical treatments involving COVID-19 vaccination.	
HB948	Watch	Open Government, Personnel	Relating to the required posting by governmental entities of employee contracts and compensation on entity Internet websites.	
HB949	Watch	Open Government, Personnel	Relating to an employee's right to privacy of personal health information; providing a civil penalty.	would provide, among other things, that: (1) an employee has the right to keep the employee's personal health information private and is not required to disclose that information to the employee's employer, including a city, unless the disclosure is required by state or federal law; (2) an employer may not take an adverse employment action or discriminate against an employee who exercises the right described by (1), above; and would, among other things: (1) define "full municipal services" to mean a city's provision of each of the following services to land following annexation: (a) police protection; (b) fire protection including fire hydrants; (c) emergency medical services; (d) solid waste collection; (e) construction, operation, and maintenance of: (i) water and wastewater facilities; (ii) roads and streets, including lighting; and
HB950	Oppose	Land Use	Relating to the provision of municipal services to land annexed by a municipality for full purposes.	
HB951	Watch	Elections	Relating to requiring a voter to be affiliated with a political party to vote in that party's primary election or otherwise participate in that party's affairs; creating a criminal offense.	
HB952	Watch	Elections	Relating to identification of early voting ballots voted by mail by electronic code.	
HB953	Watch	Other Finance and Administration	Relating to a prohibition on the receipt of bond proceeds by persons who make a contribution to certain political committees.	

Bill Number	CODS Position	Category	Bill Description	TML Summary
HB954	Watch	Land Use	Relating to the authority of a county to cancel subdivisions in the extraterritorial jurisdiction of a municipality.	would provide that a person owning real property located in a portion of the city's extraterritorial jurisdiction subject to county control over platting may apply to the county commissioner's court for cancellation of certain subdivision plats.
HB959	Watch	Elections	Relating to the date of the primary election runoff.	
HB960	Oppose	Property Tax, Sales Tax	Relating to the repeal of or limitations on certain state and local taxes, including school district maintenance and operations ad valorem taxes, the enactment of state and local value added taxes, and related school finance reform; imposing taxes.	would, among other things, repeal local sales and use taxes and authorize a political subdivision that was authorized to impose a sales and use tax to impose a value added tax not to exceed two percent.
HB963	Watch	Property Tax	Relating to the limitation on increases in the appraised value of a residence homestead for ad valorem tax purposes.	would, among other things: (1) provide that the appraised value of residence homestead for the first year the owner qualifies for a homestead exemption is equal to the market value of the property; (2) provide, if the owner acquired the property as a purchaser, that the purchase price of the property is considered to be the market value of the property; (3) provide that the appraised value of residence homestead for a subsequent tax year is equal to the appraised value of the property for the preceding tax year as adjusted by the chief appraiser for the current tax year to reflect any positive change from the preceding tax year in the purchasing power of the dollar for consumers in this state as determined by the comptroller; and
HB968	Watch	Elections	Relating to processes to address election irregularities; providing a civil penalty.	
HB972	Watch	Property Tax	Relating to an exemption from ad valorem taxation of a portion of the appraised value of a property other than a residence homestead that is the primary residence of an adult who has an intellectual or developmental disability and who must be related to the owner or trustee of the property within a certain degree by consanguinity.	would amend the Texas Constitution to provide that the appraised value of a residence homestead: (1) is equal to the market value of the property for the first year the owner qualifies for a homestead exemption; and (2) is equal to the appraised value of the property for the preceding tax year as adjusted by the chief appraiser for the current tax year to reflect any positive change from the preceding tax year in the purchasing power of the dollar for consumers in this state for a subsequent tax year. (See
HB981	Oppose	Open Government	Relating to access to certain litigation, law enforcement, corrections, and prosecutorial records under the public information law.	would provide that: (1) for purposes of the exception to disclosure for pending or reasonably anticipated litigation, litigation is considered reasonably anticipated only if a person with an alleged claim, or that person's attorney, has: (a) threatened in writing to take legal action against the governmental body; or (b) made a written demand for compensation as a result of an alleged claim against the governmental body; (2) a law enforcement record related to the detection, investigation or prosecution of crime that did not result in conviction or deferred adjudication is not excepted from public disclosure under the law enforcement exception if a written request for the record is made by: (a) a person who is the subject of the record or the person's attorney; or (b) if the person described in (2)(a), above, is deceased, the person's spouse, child or parent, an administrator of the person's estate, or any of their attorneys.
HB982	Watch	Other Finance and Administration	Relating to the authority of a taxing unit other than a school district, county, municipality, or junior college district to establish a limitation on the amount of ad valorem taxes that the taxing unit may impose on the residence homesteads of certain low-income individuals who are disabled or elderly and their surviving spouses.	

Bill Number	CODS Position	Category	Bill Description	TML Summary
HB989	Oppose	Elections	Relating to processes to address election irregularities; providing a civil penalty.	would provide that: (1) a person who participated in the relevant election as a candidate, a county chair or state chair of a political party, a presiding judge, an alternate presiding judge or the head of a specific-purpose political committee that supports or opposes a ballot may issue a written request to the county clerk or other authority conducting an election for an explanation and supporting documentation for: (a) an action taken by the election officer that appears to violate the Election Code; (b) irregularities in results in a precinct or at a polling place or early voting polling place; (c) inadequacy or irregularity of documentation required to be maintained under the Election Code; or (d) irregularity or reconciliation results identified in reconciliation reports regarding voters and votes cast; (2) not later than the 20th day after the date a request is received under (1), above, the county clerk or other authority shall provide the requested explanation and any supporting documentation; (3) a requestor who is not satisfied with the explanation and supporting documentation provided under (2), above, may issue a request for further explanation and supporting documentation to the county clerk or other authority; (4) not later than the 10th day after the date a request is received under (3), above, the county clerk or other authority shall provide the requested explanation and any supporting documentation; (5) a requestor who is not satisfied with the explanation and supporting documentation provided by the clerk or other authority may issue a request for an audit to the secretary of state that includes the request submitted to the clerk or other authority and explanations and supporting documentation; (6) not later than the 30th day after the date the secretary of state receives a request for an audit, the secretary must determine whether the information submitted sufficiently explains the irregularity defined in (1), above; (7) if the information submitted by the requestor is insufficient, the secretary of state shall immediately begin an audit of the identified irregularity at the expense of the county or other authority conducting the election; (8) the county clerk or other authority conducting the election shall cooperate with the office of the secretary of state and may not interfere with or obstruct the audit; (9) on conclusion of the audit the secretary of state shall provide notice of the findings of the audit to the person who submitted the request for an audit and the county clerk or other authority conducting the election; (10) the secretary of state, may, in the secretary's discretion, make a determination that a violation of the Election Code has occurred solely on the basis of the evidence submitted under (5), above, without conducting an audit, and shall send notice of the determination to the person who submitted the request for an audit and to the county clerk or other authority conducting the election; (11) if, following an audit, the secretary would, among other things: (1) require a city to provide certain notice to an applicant for a building permit, if the city is unable to grant or deny a building permit within 45 days of application; (2) provide that a city may reach a written agreement with an applicant providing for a deadline for granting or denying a building permit that goes beyond the 45 day limit only for a commercial building permit; and (3) prohibit a city from: (a) denying a building permit solely because the city is unable to grant or deny the application within 45 days of the date of application; or (b) requiring an applicant to waive certain requirements.
HB993	Oppose	Other Finance and Administration	Relating to the time for processing a municipal building permit application.	would, among other things, provide that: (1) an election record that is public information shall be made available to the public during the regular business hours of the record's custodian and not later than ten days after the date the custodian receives a request for public inspection; (2) not later than the 60th day after election day, the general custodian of election records shall make available for public inspection election records that are: (a) original voted ballots; or (b) images of voted ballots, if a county maintains images of voted ballots; (3) the custodian of election records shall adopt procedures to ensure the redaction of any personally identifiable information of the voter contained on a ballot before making the voted ballot available for public inspection; and (4) repeal the provision that allows the custodian of elections to adopt reasonable rules limiting public access to election records for the purpose of safeguarding election records or economizing the custodian's time.
HB999	Oppose	Elections	Relating to the public inspection of election records.	



Bill Number	CODS Position	Category	Bill Description	TML Summary
HB1001	Oppose	Elections	Relating to the use of paper ballots and certain electronic devices in conducting an election.	would, among other things, provide that: (1) a signature roster in the form of an electronic device that is used for purposes of capturing a voter's signature next to the voter's name at a polling place may not be used in an election; (2) a poll list in the form of an electronic device for purposes entering each accepted voter's name on the list after the voter signs the signature roster may not be used in an election; (3) a combination form in the form of an electronic device for purposes of combining the poll list, the signature roster, or a list of registered voters may not be used in an election; (4) an election officer at a polling place where an electronic voting system is used must provide a paper ballot to each voter who requests one, and the paper ballot must be printed at the time the request is made; (5) after the paper ballot described in (3), above, is voted by the voter, the ballot must be scanned at the polling place with an optical scanner; and (6) a voting system that consists of a ballot marking device may not be used in an election.
HB1002	Watch	Elections	Relating to the disposition of certain election records.	
HB1005	Oppose	Elections	Relating to the process of canvassing elections.	would provide that the city council, as the canvassing authority of an election of the city, shall compare the precinct returns with the corresponding tally list.
HB1006	Watch	Land Use	Relating to the amendment of restrictive covenants applicable to certain subdivisions.	
HB1007	Oppose	Elections	Relating to the security of election systems.	would, among other things, provide that: (1) an election system that is capable of being connected to the Internet or any other computer network may not be used, except for the use of a visible wired connection to an isolated local area network within the building; and (2) equipment used in the operation of a voting system must have a documented chain of custody and be stored in a locked facility with video surveillance monitoring the storage facility at all times.
HB1008	Oppose	Elections	Relating to the systems used in a central counting station.	would provide that an authority operating a central counting station may not purchase or use a ballot scanner unless the ballot scanner can only use a data storage device on which information, once written, is incapable of being modified without

Bill Number	CODS Position	Category	Bill Description	TML Summary
HB1013	Oppose	Elections	Relating to election integrity and security, including by preventing fraud in the conduct of elections in this state; authorizing a penalty, increasing a penalty.	would, among other things, provide that: 1. each election precinct established for an election shall be served by a single polling place located within the boundary of the precinct or adjoining precinct; 2. more than one precinct may vote at the same location provided the location is large enough to accommodate all required election activities while keeping those activities separate and distinct for each precinct; 3. the room where the election is conducted shall be used solely for that purpose during the election and shall be capable of being locked and secured from unauthorized access at any time an election judge is not present; 4. a polling place may not be located: (a) at the business location of certain persons; or (b) in a movable structure; 5. in addition to any other penalty set forth in the Election Code, failure to comply with the procurement and distribution of supplies and ballots by an election administrator or election officer whether or not intentionally impacting more than one precinct shall result in the removal of the administrator or office and the election shall be reconducted; 6. the authority responsible for procuring the election supplies for an election shall provide for each election precinct a number of ballots equal to at least the number of registered voters in that precinct plus 1 percent of that number; 7. a person commits a state jail felony if the person intentionally obstructs the distribution of elections supplies for an election; 8. in the event of a misprint or other error in printing one or more ballots, such ballots: (a) must be marked "VOID" in large letters across the front of the ballots; and (b) must be accounted for by ballot number, placed in locked containers, with numbered seals marked "VOID MISPRINTED BALLOTS" and placed in a secure, locked location and retained as election records; 9. a ballot: (a) shall be designed for hand marking and shall be printed in black ink, on secure, auditable, counterfeit resistant, non-encrypted paper, on white or light-colored paper; (b) may not contain any QR or bar code or any other code not readable by the human eye; (c) may not contain any open or encrypted means of tracking, tracing or identifying a voter's ballot; and (d) shall include the voting precinct number and polling location pre-printed on all pages of the ballot; 10. the failure of an election administrator to comply with Number 9, above, shall be a Class A misdemeanor;
HB1018	Watch	Utilities and Environment	Relating to the establishment of a certification program for public work contracting purposes for operators of certain facilities that emit air contaminants.	would: (1) direct the Texas Commission on Environmental Quality (TCEQ) to establish a certification program for operators of facilities that have been issued a permit or an authorization to use a permit for: (a) the production of aggregates; or (b) the operation of a concrete plant that performs wet batching, dry batching, or central mixing;
HB1019	Watch	Personnel	Relating to requiring political subdivisions of this state to participate in the federal electronic verification of employment authorization program, or E-verify.	would: (1) require a political subdivision, including a city, to register and participate in the E-verify program to verify information of all new employees; and (2) provide that an employee of a political subdivision who is responsible for verifying information of new employees of the political subdivision as required by (1), above, is subject to immediate termination of employment if the employee fails to comply with (1), above.
HB1028	Support	Open Government	Relating to certain political subdivisions publishing required notices by alternative media.	would, among other things, provide that for cities with a population of 75,000 or less and in which there is no newspaper of general circulation: (1) the city may satisfy a requirement to provide notice by publication in a newspaper by publishing the notice: (a) using the following forms of alternative media: (i) social media; (ii) free newspapers; (iii) a homeowners' association newsletter or magazine; (iv) utility bills; (v) direct mailings; or (vi) a print or digital newsletter; and (b) for a continuous period of not less than two weeks in a prominent location on an internet website maintained by the city that meets certain search requirements and does not require user registration or payment for access; (2) before providing notice by an alternative method, the city must hold a public meeting about the notice method; and (3) a city providing notice using alternative media must submit notice to the attorney general describing the alternative notice method that includes: (a) a list of the other laws requiring notice by newspaper publication for which notice published under this section is an alternative; (b) a description of the alternative media used for the notice; and (c) a link to the Internet website maintained by the city where the public notice will be posted.

Bill Number	CODS Position	Category	Bill Description	TML Summary
HB1035	Watch	Personnel	Relating to the criteria for a local option exemption from ad valorem taxation by a county or municipality of all or part of the appraised value of real property used to operate a child-care facility.	would extend the eligibility for the local option property tax exemption for a child-care facility to leased property when the property is subject to a net lease under which the lessee is directly responsible for the payment of property taxes imposed on the property.
HB1045	Watch	Personnel	Relating to health benefit plan coverage of treatment for chemical dependency.	
HB1047	Watch	Personnel	Relating to the designation of certain optional holidays.	
HB1050	Watch	Utilities and Environment	Relating to the award of attorney's fees in certain suits involving a groundwater conservation district.	
HB1051	Watch	Personnel	Relating to health benefit plan coverage of telemedicine, teledentistry, and telehealth services provided by only synchronous or asynchronous audio interaction.	
HB1052	Watch	Personnel	Relating to health benefit plan coverage of telemedicine, teledentistry, and telehealth appointments with an originating site or distant site located outside this state.	
HB1053	Watch	Property Tax	Relating to the text of municipal ballot propositions on the issuance of bonds.	would provide that a ballot proposition to approve bonds issued by a city that would add or increase taxes must include the statement "THIS IS A TAX INCREASE."
HB1058	Watch	Elections	Relating to the eligibility requirements to serve as an election watcher.	
HB1069	Watch	Personnel	Relating to the classification of certain construction workers and the eligibility of those workers for unemployment benefits; providing an administrative penalty.	would, among other things: (1) require a contractor to properly classify each individual providing construction services as either an employee or an independent contractor in accordance with Texas Workforce Commission (TWC) rules; (2) provide an exception for services performed by an individual in the employ of, among others, a political subdivision or an instrumentality of a political subdivision that is wholly owned by one or more states, political subdivisions, or Indian tribes, provided that the services are excluded from employment in certain circumstances under the Federal Unemployment Tax Act; and (3) provide that if the TWC determines that a contractor has violated (1), above, the TWC shall provide notice of the violation to each governmental entity that the TWC reasonably believes has received construction services provided by the contractor.
HB1075	Watch	Community and Economic Development	Relating to a cause of action for drag performances performed in the presence of a minor.	
HB1076	Watch	Land Use	Relating to the unauthorized entry, occupancy, sale, rental, lease, advertisement for sale, rental, or lease, or conveyance of real property, including the removal of certain unauthorized occupants of a dwelling; creating criminal offenses; increasing a criminal penalty; authorizing a fee.	
HB1077	Oppose	Personnel	Relating to the right of public employees to collectively bargain with governmental entities.	would, among other things, provide that: (1) an official of the state or a political subdivision may enter into a collective bargaining agreement with a labor organization regarding wages, hours or conditions of employment of public employees; and (2) public employees may strike or engage in an organized work stoppage against the state or a political subdivision of the state.



Bill Number	CODS Position	Category	Bill Description	TML Summary
HB1080	Support	Other Finance and Administration	Relating to the publication of required notice by a political subdivision by alternative media.	would: (1) allow a political subdivision to satisfy any law that requires notice to be published in a newspaper by publishing the notice in the following locations: (a) social media, free newspapers, school newspapers, a homeowners' association newsletter or magazine, utility bills, direct mailings, or any other form of media authorized by the comptroller; and (b) the internet websites maintained by the political subdivision and the comptroller; (2) provide that before providing notice under (1), above, a political subdivision must hold a public meeting about the alternative notice under (1)(a), above, and demonstrate that the circulation will be greater than the circulation of the newspaper with the greatest circulation in the political subdivision; (3) authorize the comptroller to grant a city's request for a waiver from publishing notice in accordance with (1)(b), above, if the city provides sufficient proof that Internet access is limited in the city, and if the comptroller grants the waiver, the city must provide additional notice on a public agenda board within the city; (4) require a city using alternative media described in (1)(a), above, to submit notice to the comptroller describing the alternative notice method in (1)(a), above, and certain other information; (5) authorize the comptroller to require a political subdivision to provide notice in a newspaper if the comptroller determines that the means under (1)(a), above, do not have greater circulation than a newspaper with the greatest circulation in the political subdivision; and (6) require the comptroller to prepare a report identifying and comparing the effectiveness of different methods of notice publication used by political subdivisions and provide the report to the governor, lieutenant governor, and the speaker of the house.
HB1091	Watch	Elections	Relating to practices and procedures for an early voting ballot voted by mail.	would, among other things, provide that: (1) the deadline to submit an application for ballot by mail or an application for an annual ballot by mail is no later than the 15th day before election day; (2) a carrier envelope contained a marked ballot voted by mail that is delivered by mail or common or contract carrier must: (a) arrive at the address on the carrier envelope not later than 5 p.m. on the day before election day; and (b) be placed for delivery by mail or common or contract carrier or a courier on or before the fourth day before election day;
HB1111	Watch	Personnel	Relating to the prohibition of certain discrimination based on sexual orientation or gender identity or expression; providing an administrative penalty.	would, among other things, provide that an employer, including a city, may not discriminate against a person on the basis of sexual orientation or gender identity or expression.
HB1125	Watch	Personnel	Relating to prohibited provisions in a settlement agreement between a governmental agency and employee regarding a claim or complaint involving sexual assault or certain unlawful conduct based on sex.	would provide that: (1) a settlement agreement between a governmental agency and the agency's employee related to a claim filed in a civil action or a complaint filed in an administrative action involving a sexual assault or an unlawful employment practice based on sex may not contain a provision that prevents the disclosure of factual information related to the claim or complaint unless the provision is requested by the employee; (2) a provision in a settlement agreement prohibited by (1), above, is void and unenforceable as against public policy; and (3) the provision under (1), above, does not prohibit the entry or enforcement of a provision in a settlement agreement that prevents the disclosure of the amount paid to settle the claim or complaint.
HB1128	Watch	Elections	Relating to the applicability to election judges of a prohibition on the carrying of a concealed handgun at a polling place.	would provide that a person may carry a concealed handgun on the premises of a polling place on election day or while early voting is in progress if the person: (1) is licensed to carry a handgun; and (2) is engaged in the performance of the person's duties as: (a) an election judge; or (b) an early voting clerk or a deputy early voting clerk who is serving as an election judge at an early voting polling place.
HB1131	Oppose	Property Tax	Relating to the repeal of provisions authorizing certain taxing units in the year following the year in which a disaster occurs to adopt an ad valorem tax rate that exceeds the voter-approval tax rate without holding an election to approve the adopted tax rate; making conforming changes.	would repeal the provision authorizing cities to adopt an ad valorem tax rate the exceeds the voter-approval tax rate without holding an election in the year following the year in which a disaster occurs.
HB1133	Watch	Land Use	Relating to the authority of a property owners' association to prohibit or regulate certain swim instruction provided in a pool on an owner's or resident's property.	

Bill Number	CODS Position	Category	Bill Description	TML Summary
HB1142	Watch	Personnel	Relating to coverage for mental health conditions and substance use disorders under certain governmental health benefit plans.	
HB1144	Watch	Public Safety and Emergency Man	Relating to state and local government disaster preparedness.	would: (1) expand the model guide for local officials regarding disaster response and recovery required to be developed by the Texas Department of Emergency Management to include planning practices for developing and reviewing local and interjurisdictional emergency management plans to ensure: (a) the needs of the community's vulnerable populations, including persons with disabilities, persons who are homeless, and low-income households, are accurately identified; (b) the emergency management plans address the needs in (a), above; and (c) the community resources that vulnerable populations
HB1164	Watch	Personnel	Relating to the prohibition of certain discrimination; authorizing civil penalties.	
HB1177	Watch	Utilities and Environment	Relating to the creation of the criminal offense of diverting or impounding the flow of surface water in a manner that damages the property of another by the overflow of the water diverted or impounded.	would: (1) create a criminal offense for diverting or impounding the natural flow of surface waters or permitting a diversion or impoundment by them to continue, in a manner that damages the property of another by the overflow of the water diverted or impounded; and (2) provide a defense to prosecution if an actor filled the mouth of a gully or slough up to the height of the adjoining banks of a river or creek as allowed under state law.
HB1183	Support	Land Use	Relating to county and municipal authority to prohibit the operation of e-cigarette retailers near primary or secondary schools.	would provide that: (1) a governing body of a city may adopt an ordinance applicable within the city prohibiting an e-cigarette retailer from operating within: (a) 300 feet of a public or private primary or secondary school campus; (b) 1,000 feet of a public primary or secondary school campus on request of the school district board of trustees for the campus; or (c) 1,000 feet of a private primary or secondary school campus on request of the governing body of the school; (2) the board of trustees of a school district or governing body of a private school may request the governing body of a city to adopt a prohibition described in (1)(b) or (1)(c), above, for a district or school campus within the described area in (1), above; and (3) a city ordinance adopted in (1), above, does not apply to an e-cigarette retailer whose gross receipts from the sale of e-cigarettes is less than 50 percent of the retailer's total gross receipts at the retailer's premises within an area described in (1), above.
HB1189	Oppose	Other Finance and Administration	Relating to the use by a political subdivision of public funds for lobbying and certain other activities.	
HB1191	Watch	Personnel	Relating to inquiries about and the consideration of criminal history record information regarding an applicant for employment.	would provide that: (1) an employer, including a city, may not include a question regarding an applicant's criminal history record information on an initial employment application form; (2) an employer may inquire into or consider an applicant's initial employment application form; (2) an employer may inquire into or consider an applicant's criminal history record information after the employer has: (a) determined that the applicant is otherwise qualified; and (b) conditionally offered the applicant employment or invited the applicant to an interview; and (3) the provisions in (1) and (2), above, do not apply to an applicant for a position for which consideration of criminal history record information is required by law.
HB1197	Oppose	Elections	Relating to a requirement that an election for a member of a board of trustees of an independent school district is partisan.	would, among other things: (1) repeal the option for an election for trustees of an independent school district to be held on the same date as the election for city councilmembers of a city located in the school district; (2) require that an election for trustees of an independent school district be held on the same date as the general election for state and county officers; and (3) require that an election for a member of a board of trustees of an independent school district is partisan.

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HB1198	Support	Other Finance and Administration	Relating to consideration of the location of a bidder's principal place of business in certain municipal contracts.	would provide that in purchasing any real property, personal property that is not affixed to real property, or services, if a city receives one or more competitive sealed bids from a bidder whose principal place of business is in the city and whose bid is within five percent of the lowest bid price received by the city from a bidder who is not a resident of the city, the city may enter into a contract for construction services or other purchases in an amount of less than \$500,000 with: (1) the lowest bidder; or (2) the bidder whose principal place of business is in the city if the governing body of the city determines, in writing, that the local bidder offers the city the best combination of contract price and additional economic development opportunities for the city created by the contract award, including the employment of residents of the city and increased tax revenues to the city.
HB1207	Watch	Personnel	Relating to conditions applicable to health benefit plan coverage of in vitro fertilization procedures.	
HB1223	Watch	Open Government	Relating to the publication of a line-item budget by school districts and municipalities.	would, among other things, require a city to prepare its proposed budget and final budget in line-item form.
HB1227	Watch	Other Finance and Administration	Relating to municipal solid waste management services contracts; limiting the amount of a	
HB1228	Watch	Land Use	Relating to municipal and county permitting requirements to conduct certain repairs on residential buildings.	would provide, among other things that: (1) a city shall allow an owner of a damaged residential building to immediately begin to repair to the building if: (a) the owner applies for an emergency permit; and (b) the repairs are necessary to protect public safety, prevent further damage to the building, or protect the overall structural integrity of the building; (2) an owner of a residential building may apply for an emergency permit to conduct repairs by filing an application not later than the third business day after the later of the date the repairs commence or the date the city is able to accept the application;
HB1231	Watch	Open Government	Relating to public access to personal financial statements filed by public officials and candidates.	
HB1232	Watch	Open Government	Relating to the reporting of violations of law under the whistleblower protection laws.	would prohibit a state or local government entity from suspending or terminating the employment of, or taking other adverse personnel action against, a public employee who in good faith reports a violation of law by an elected official of the employing governmental entity.
HB1241	Watch	Utilities and Environment	Relating to the installation of conduit by the Texas Department of Transportation in the state highway system.	would, among other things, provide that for each road construction or reconstruction project in a part of the state highway system in which telecommunications conduit has not been installed under the improved portion of the highway, the Texas Department of Transportation shall: (1) provide for the installation of telecommunications conduit as part of the project at intervals not to exceed: (a) one mile in an unincorporated area; and (b) 500 feet in an incorporated area; and (2) ensure that access points to the conduit are provided at each interval described by (1), above, to facilitate use by a telecommunications provider.
HB1243	Watch	Property Tax	Relating to the authority of spouses who occupy separate properties as their principal residences to each qualify the property in which they reside as their residence homestead for ad valorem tax purposes.	would permit individuals married to each other who reside in different homes to each claim a residence homestead exemption for the property that is the principal residence of each spouse.
HB1244	Watch	Property Tax	Relating to the eligibility of land to continue to be appraised for ad valorem tax purposes as qualified open-space land following a transfer to a person who uses the land in materially the same way as the former owner and to late applications for such appraisal filed by the new owner of the land.	would: (1) provide that land that was eligible for agricultural appraisal remains eligible after a change in ownership if the new owner uses the land in materially the same way it was used in the preceding year and the use is conducted by the same individuals who conducted the use in the preceding year; and (2) require the chief appraiser to accept an application for agricultural appraisal after the deadline if the land was appraised as agricultural land in the preceding year, the new owner uses the land in materially the same way as the former owner, and the application is received not later than the first anniversary of the date ownership of the land was
HB1245	Watch	Utilities and Environment	Relating to a prohibition on the use of water on nonresidential property to irrigate nonfunctional turf during a drought.	would: (1) require wholesale and retail public water suppliers' and irrigation districts' drought contingency plans to prohibit the use of water on nonresidential property to irrigate nonfunctional turf during periods of water shortages and drought; and (2) include methods for enforcing compliance with the prohibition.

Bill Number	CODS Position	Category	Bill Description	TML Summary
HB1246	Watch	Public Safety and Emergency Man	Relating to the authority of sheriffs and constables to enter into contracts to provide law enforcement services and county financial authority in relation to sheriffs and constables.	would provide, among other things, that a county sheriff or constable may enter into a contract with a property owners' association or an owner of land in a subdivision to provide law enforcement services in the sheriff's county: (1) in and near the area managed or regulated by the association or the area owned by the owner; and (2) to the persons residing in or visiting an area described in (1), above.
HB1251	Oppose	Sales Tax	Relating to an exemption from sales and use taxes for certain educational materials.	would: (1) expand the sales tax exemption for school supplies and backpacks so that it is effective year-round; and (2) exempt from the sales tax education materials necessary for in-class learning, including textbooks and school computers.
HB1252	Watch	Sales Tax	Relating to an exemption from sales and use taxes for purchases up to a certain amount.	
HB1256	Watch	Property Tax	Relating to the authority of a county commissioners court to adopt an exemption from ad valorem taxation by each taxing unit that taxes the property of the portion of the appraised value of a person's property that is attributable to the installation in or on the property of certain water conservation systems.	would: (1) authorize the county commissioners court to adopt an exemption from taxation of the portion of the appraised value of a person's property that is attributable to the installation in or on the property of a rainwater harvesting or graywater system; and (2) provide that the exemption in (1), above, would be applicable to the taxation by each taxing unit that taxes the property. (See H.J.R. 88, below.)
HB1261	Support	Public Safety and Emergency Man	Relating to the disposition of abandoned or unclaimed property seized by a peace officer.	would, among other things, provide that: (1) for purposes of any unclaimed or abandoned personal property, a person designated by the city to dispose of the property may, instead of sending a notice to the last known address of the owner of the property by certified mail, place a one-time notice on the internet website and social networking website of the law enforcement agency that seized the property; and (2) the notice described in (1), above, shall state that if the owner does not claim the property before the 90th day after the date of the notice, the property shall be disposed of, and the proceeds placed in the city treasury.
HB1263	Watch	Elections	Relating to the verification of citizenship of an applicant for voter registration.	

Bill Number	CODS Position	Category	Bill Description	TML Summary
HB1280	Watch	Personnel	Relating to prohibiting governmental discriminatory practices as well as submissions and trainings that could lead to discriminatory treatment of individuals because of personal identity characteristics including an individual's race, color, ethnicity, sex, national origin or religion and the establishment of remedies and penalties for discriminatory treatment.	would, among other things, (1) define "prohibited discriminatory practice," among other things, (a) as engaging in or maintaining a policy, procedure, practice, program, office, initiative, or required training that, based on an individual's personal identity characteristics promotes the differential treatment of an individual; or (b) engaging in or maintaining a policy, procedure, practice, program, office, initiative, or required training that, among other things, asserts that an individual, by virtue of the individual's personal identity characteristics, is inherently privileged, oppressed, racist, sexist, oppressive, or a victim, whether consciously or unconsciously; or asserts that an individual, by virtue of the individual's personal identity characteristics, bears responsibility for actions committed in the past by other individuals with the same personal identity characteristics; (2) define "prohibited submission" as a submission, statement, or document that relates to a policy, program, or initiative regarding: (a) anti-racism; (b) bias; (c) critical race theory; (d) implicit bias; (e) intersectionality; (f) prohibited discriminatory practice, as that term is defined in the bill; or (g) racial privilege; (3) define "prohibited training" as a mandatory instructional program and related materials that require employees, prospective employees, to attend that promote prohibited discriminatory practices as that term is defined in the bill; (3) provide that a governmental employer, including a city, may not: (a) engage in prohibited discriminatory practices; (b) establish or maintain an office, division, employment position, or other unit of an institution established to implement, develop, plan, or promote campus policies, procedures, practices, programs, or initiatives, regarding prohibited discriminatory practices; or (c) employ or assign an employee or a third-party whose duties for an institution include coordinating, creating, developing, designing, implementing, organizing, planning, or promoting policies, programming, training, practices, activities, and procedures relating to prohibited discriminatory practices; (4) provide that a governmental employer may not require, request, solicit, or compel a prohibited submission as a certification or condition before taking action with respect to, among other things, employment; (5) prohibit a governmental employer, including a city, from requiring prohibited training; (6) create a cause of action to enforce the bill and provide for attorney's fees; and (7) create a criminal misdemeanor offense if a person, on behalf of a governmental employer, (a) knowingly engages in, promotes or facilitates a discriminatory practice; or (b) knowingly requests or requires a person to produce or provide a prohibited submission; or (c) knowingly conducts, promotes or facilitates a prohibited training.
HB1284	Watch	Property Tax	Relating to the duty of an appraisal review board to determine a motion or protest filed by a property owner and the right of the owner to appeal the board's determination.	
HB1286	Oppose	Other Finance and Administration	Relating to the award of attorney's fees to a prevailing property owner in a judicial appeal of certain ad valorem tax determinations.	would provide that: (1) a property owner who prevails in an a judicial appeal of property taxes may be awarded reasonable attorney's fees; (2) except as provided by (3), below, the amount of the award may not exceed the greater of \$25,000 or 50 percent of the total amount by which the property owner's tax liability is reduced as a result of the appeal; and (3) the amount of an award of attorney's fees to the prevailing property owner is not subject to the limitation in (2), above, if: (a) the property owner prevails in an appeal for excessive appraisal or unequal appraisal; and (b) the property owner qualifies the property as the owner's residence homestead.
HB1288	Watch	Transportation	Relating to discretionary funding decisions of the Texas Transportation Commission.	would repeal a statute limiting the Department of Transportation's discretionary funding decision to no more than ten percent of its then-current biennial budget.
HB1294	Oppose	Other Finance and Administration	Relating to the use by a political subdivision of public funds for lobbying and certain other activities.	
HB1298	Watch	Elections	Relating to the days and hours during which the polls are open for early voting by personal appearance.	would, among other things, provide that: (1) an authority ordering an election may order early voting by personal appearance at the main early voting polling place to be conducted during an extended early voting period beginning the 19th day before election day and continuing for any number of consecutive days up to and including the third day before election day; and (2) an authority that orders early voting during an extended early voting period shall order personal appearance voting at the main early voting polling place to be conducted for at least 12 hours on any weekday or Saturday and for at least five hours on any Sunday of the extended early voting period.



Bill Number	CODS Position	Category	Bill Description	TML Summary
HB1308	Watch	Personnel	Relating to employment practices of governmental entities, state contractors, and private employers in this state regarding the legal status of employees, including requiring participation in the federal electronic verification of employment authorization program, or E-verify program, and authorizing the suspension of certain licenses held by private employers for certain conduct in relation to the employment of persons not lawfully present.	would provide that: (1) a governmental entity, including a city: (a) shall register and participate in the E-verify program to verify information of all new employees; and (b) may not knowingly hire, employ, recruit or refer for a fee a person not lawfully present in the United States; (2) a person who has reasonable belief that a governmental entity violated (1), above, may report the allegation to the attorney general; (3) a governmental entity is ineligible to receive state grant funding if: (a) the entity fails to submit to the attorney general required information in response to the attorney general's investigation; or (b) the attorney general determines that required corrective action taken in response to the attorney general's investigation did not cure the entity's violation; (4) the comptroller shall maintain a list of governmental entities identified by the attorney general for purposes of ensuring that an entity included in the list does not receive grant funding from the state; and (5) any verification form or electronic process used by an employer to report wages paid by the employer for purposes of unemployment compensation shall require the employer to certify the employer's compliance with (1), above.
HB1309	Watch	Property Tax	Relating to the applicability of the law governing the provision of state aid to certain local governments disproportionately affected by the granting of ad valorem tax relief to disabled veterans and to the effect of the receipt of such aid on the maintenance and operations ad valorem tax rate of a local government.	would: (1) provide that, for purposes of the law governing the provision of state aid to certain local governments disproportionately affected by the granting of property tax relief to disabled veterans, the term "local government" includes a city located in a county in which a United States military installation is wholly or partly located; and (2) prohibit a city that received a state aid payment described in (1), above, in the preceding year from adopting a maintenance and operations tax rate that is greater than the rate adopted in the preceding year.
HB1312	Watch	Elections	Relating to a person submitting proof of citizenship to verify eligibility to vote in Texas.	
HB1318	Watch	Utilities and Environment	Relating to a certificate of public convenience and necessity to provide water or sewer service in an area incorporated or annexed by a municipality.	would, among other things, provide that, when a city annexes property and the municipally owned utility (MOU) seeks a certificate of convenience and necessity for water or sewer for the annexed area, the Public Utility Commission shall determine in its order granting the certificate to the MOU the adequate and just compensation to be paid for the transferred property and damages to or adverse effects on property remaining in the ownership of the retail public utility after single certification.
HB1321	Watch	Elections	Relating to electronic voter registration.	
HB1322	Oppose	Land Use	Relating to municipal approval of subdivision plans or plats in certain municipalities.	would provide that for cities with populations under 10,000: (1) the municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove a plat within 90 days after the date the plat is filed; (2) if the city requires a plat be approved by the city council in addition to the planning
HB1335	Watch	Utilities and Environment	Relating to underground facility safety.	
HB1342	Watch	Land Use, Other Finance and Admi	Relating to the issuance of private activity bonds for qualified residential rental projects.	
HB1344	Support	Utilities and Environment	Relating to prioritization of requests for financial assistance from certain funds administered by the Texas Water Development Board.	would provide that, in providing financial assistance from any revolving fund for financial assistance for water pollution control, the Texas Water Development Board shall, to the extent permissible under federal law, give priority to a request for financial assistance from a city located not more than 50 miles from an area of high growth.
HB1349	Watch	Land Use	Relating to property owners' associations, including condominium unit owners' associations.	

Bill Number	CODS Position	Category	Bill Description	TML Summary
HB1351	Watch	Personnel	Relating to employment leave for certain family or medical obligations.	would create a state family and medical leave law that, among other things: (1) requires an employer, including a city, to provide an employee who has been employed for at least one year not less than 30 days of leave for specific family and medical reasons; (2) creates a wage replacement fund administered by the Texas Workforce Commission that is funded by an assessment on each employee's wages in an amount equal to one quarter of one percent of the employee's average monthly pay; (3) provides that if an employer provides paid sick leave to its employees, an employee is entitled to use such paid leave for the specific family and medical reasons described in (1), above, in an amount not to exceed the lesser of the paid leave or 30 days; (4) provides that if an employer does not provide paid leave to its employees, or provides paid leave that may not be used for the specific family and medical reasons described in (1), above, the employee is entitled to wage replacement benefits for leave taken for such reasons; and (5) provides that an employer may not interfere with an employee's attempt to take leave, discharge an employee or otherwise discriminate against an individual for opposing an practice made unlawful by the bill, or discriminate or discharge an employee for exercising the employee's rights to leave.
HB1360	Support	Land Use	Relating to certain regulations adopted by governmental entities for the construction or alteration of residential or commercial buildings.	would, among other things, provide for additional exemptions to the current building materials preemption related to: (1) an energy code adopted by the State Energy Conservation Office for building energy efficiency performance standards; (2) an energy and water conservation design standards established by the State Energy Conservation Office; and (3) a high-performance building standards approved by a board of regents relating to the construction of a building, structure, or other facility owned by an institution of higher education.
HB1362	Watch	Personnel	Relating to eligibility for unemployment compensation for employees who leave the workplace due to sexual harassment.	would allow an individual to qualify for unemployment benefits if the individual involuntarily leaves the workplace because of sexual harassment and: (1) reports the sexual harassment to the individual's employer or a law enforcement agency; or (2) files a sexual harassment complaint with the Texas Workforce Commission or the Equal Employment Opportunity Commission.
HB1363	Watch	Municipal Court	Relating to implicit bias training for justices and judges of state courts, judicial officers, certain court personnel, and attorneys licensed to practice law in this state.	would, among other things, require municipal court judges and any judicial officer and court personnel who interact with the public on matters before a court to complete an implicit bias training course every two years.
HB1367	Watch	Property Tax	Relating to the authority of the commissioners court of a county to adopt an exemption from ad valorem taxation by the county of a portion, expressed as a dollar amount, of the appraised value of an individual's residence homestead.	
HB1370	Watch	Property Tax	Relating to an exemption from ad valorem taxation of the amount of the appraised value of real property that arises from the use of xeriscape on the property.	would provide that a person is entitled to an exemption from taxation of the amount of the appraised value of real property owned by the person that arises from the use of xeriscape on the property. (See H.J.R. 97, below.)
HB1374	Watch	Community and Economic Development	Relating to the labeling of beef, pork, beef products, and pork products; providing a civil penalty.	
HB1378	Oppose	Utilities and Environment	Relating to municipal and county regulation of certain electric energy storage.	would: (1) provide that a city by ordinance or a county by order shall prohibit the installation of electric energy storage within 500 yards of real property owned by a person other than the owner or operator of the proposed storage unless the owner or operator of the proposed storage obtains written consent from each owner of the real property; (2) provide that a county may not regulate under (1), above, the installation of electric energy storage within the corporate boundaries of a city; and (3) require a city to adopt an ordinance providing for the prohibition on the installation of electric energy storage as required by (1), above, by October 1, 2025.
HB1385	Watch	Community and Economic Development	Relating to the labeling of beef and beef products; providing a civil penalty.	

Bill Number	CODS Position	Category	Bill Description	TML Summary
HB1392	Watch	Property Tax	Relating to the postponement of the delinquency date for a payment of ad valorem taxes imposed by a taxing unit if the office of the collector for the taxing unit is closed on the delinquency date.	
HB1394	Oppose	Other Finance and Administration	Relating to sovereign immunity and civil rights actions related to certain laws protecting the free exercise of religion.	would, among other things: (1) waive sovereign immunity in state and federal court for certain claims of violation of religious freedom; and (2) seek to expand the federal constitutional bar against citizens of other states or nations suing the State of Texas or Texas cities in federal court for violations of religious freedom.
HB1398	Watch	Transportation	Relating to signs posted under the memorial sign program for victims of certain vehicle collisions.	
HB1399	Watch	Property Tax	Relating to an exemption from ad valorem taxation of tangible personal property consisting of animal feed held by the owner of the property for sale at retail.	would exempt from the property tax tangible personal property consisting of animal feed that is exempt from the sales tax if the property is held by the owner for sale at retail. (See H.J.R. 99, below.)
HB1407	Watch	Utilities and Environment	Relating to public utility agencies; providing authority to issue bonds; providing authority to impose assessments.	would, among other things: (1) add a water supply or sewer service corporation to the definition of "public entity" for the purposes of state law that allows two or more public entities that have the authority to engage in the collection, transportation, treatment, or disposal of sewage or the conservation, storage, transportation, treatment, or distribution of water to join together as cotenants or co-owners to plan, finance, acquire, construct, own, operate, or maintain water or sewer facilities; (2) provide that each participating public entity may: (a) make an acquisition of property and easements for a facility through a purchase from a public or private entity; and (b) for the use and benefit of each participating public entity, acquire by purchase a public utility, other than an affected county; (3) provide that a public utility agency includes a retail public utility as defined in state law; (4) provide that a participating public entity may withdraw from a public utility agency by providing an ordinance or resolution of the governing body of the participating public entity to the agency not later than the 180th day before the proposed date of withdrawal; (5) provide that the Public Utility Commission (PUC) has appellate jurisdiction over the rates and charges of a public utility agency in the manner provided by state law; and (6) provide that ratepayers of a public utility agency may appeal the decision of the agency affecting their water, drainage or sewer rates to the PUC.
HB1424	Support	Utilities and Environment	Relating to the structuring of water rates by retail public utilities to promote water conservation; authorizing a fee.	would, among other things, provide that the governing body of a city may by ordinance: (1) structure the city's rates for water service in a manner that promotes water conservation by all of the city's water customers so that customers in a class who consume greater amounts of water pay a higher rate per unit volume than customers in a class who consume lesser amounts of water; and (2) establish an excessive use fee for water customers whose water usage is greater than the water usage of a percentage of the city's other customers.
HB1430	Oppose	Property Tax	Relating to a limitation on increases in the appraised value of certain commercial real property for ad valorem tax purposes.	would establish a 20 percent appraisal cap on commercial real property with a market value of \$10 million or less. (See H.J.R. 101, below.)
HB1431	Watch	Community and Economic Development	Relating to the prohibited manufacture, processing, possession, distribution, offer for sale, and sale of cell-cultured protein.	
HB1432	Watch	Land Use	Relating to restrictive covenants regulating certain landscaping and water conservation practices.	



Bill Number	CODS Position	Category	Bill Description	TML Summary
HB1433	Oppose	Other Finance and Administration	Relating to efficiency audits for certain political subdivisions.	would, among other things, require: (1) a political subdivision other than a school district, including a city, that adopts a property tax rate that exceeds the no-new-revenue tax rate for five consecutive years to conduct an efficiency audit; (2) the political subdivision to pay for the costs associated with the efficiency audit; (3) the governing body of the political subdivision conducting an efficiency audit to hold an open meeting to discuss the results of the efficiency audit; (4) the results of an efficiency audit to be posted on the political subdivision's website not later than 30 days after the date of the open meeting described by (3), above; and (4) the political subdivision to provide all documents, records, and personnel requested by an auditor conducting an efficiency audit as needed to conduct the audit in an efficient manner.
HB1435	Support	Open Government	Relating to an expedited response by a governmental body to a request for public information.	
HB1439	Watch	Elections	Relating to early voting by mail.	would, among other things, provide that: (1) a person eligible for early voting by mail because of a disability or confinement for childbirth, or because the person is a member of the United States armed forces or the member's family member, may cast a ballot using an accessible absentee mail system (an electronic system, including software, used for the sole purpose of enabling any voter to mark the voter's ballot and print and submit the ballot in the manner required by law for a ballot marked by the voter); (2) a person eligible to vote by mail because of a disability or confinement for childbirth may request, by e-mail, mail in ballot materials from the appropriate early voting clerk; (3) the early voting clerk shall grant a request for the e-mail transmission of balloting materials if: (a) the requestor has submitted a valid application for a ballot to be voted by mail; (b) the requestor provides an e-mail address with the request; (c) the request is submitted on or before the seventh day before the date of the election;
HB1452	Support	Community and Economic Development	Relating to the promotion of film and television production in this state, including the eligibility of film or television productions for funding under the major events reimbursement program, the creation of a film events trust fund and a film production tax rebate trust fund, the establishment of virtual film production institutes, and the designation of media production development zones.	would, among other things: (1) create the film events trust fund and a film production tax rebate trust fund; (2) add a film or television production to the major events reimbursement program; (3) provide that a city may submit a request for funding for a film event to the Texas Economic Development and Tourism Office (the office); (4) provide that an endorsing city that requests funding for a film event shall submit the city's hotel occupancy tax revenue determined to be directly attributable to the film event less any amount of the revenue the city determines is necessary to meet the obligations of the city; (5) provide that the comptroller shall place an endorsing city's sales and use tax revenue and alcoholic beverage tax attributable to the film event in the film event trust fund; (6) provide that the office may disburse money from the film events trust fund for a purpose for which an endorsing entity, including a city, or the state is obligated under an event support contract, including any obligation to pay costs incurred in preparing, producing, performing, or presenting the film event; and (7) provide that on payment of all municipal, county, or state obligations under an event support contract related to the location of a film event in Texas, the office shall remit to each endorsing entity, in proportion to the amount contributed by the entity, any money remaining in the film events trust fund.

Bill Number	CODS Position	Category	Bill Description	TML Summary
				would, among other things: 1. prohibit the governing body of an issuer, including a city council, from authorizing an anticipation note to pay a contractual obligation to be incurred if a bond proposition to authorize bonds for the same purpose was submitted to the voters during the preceding five years and failed to be approved; 2. allow the governing body of an issuer to authorize an anticipation note that the governing body is otherwise prohibited from authorizing under Number 1, above, if the note is issued: (a) to mitigate the impact of a public health emergency in the jurisdiction of the issuer that poses an imminent danger to the physical health or safety of the residents of the issuer; or (b) to finance the cleanup, mitigation, or remediation of a natural disaster in the jurisdiction of the issuer subject to a state of disaster declared by the governor or the presiding officer of the governing body of an issuer; 3. prohibit a city from issuing a certificate of obligation (CO) for the following types of public improvements: (a) a public safety facility, including a police station, fire station, emergency shelter, jail, or juvenile detention facility; (b) a judicial facility; (c) an administrative office building housing the governmental functions of the city or county; (d) an animal shelter; (e) a library; (f) a park or recreation facility that is generally accessible to the public and is part of the city or county park system; (g) the rehabilitation, expansion, reconstruction, or maintenance of an existing stadium, arena, civic center, convention center, or coliseum that is owned and operated by the city or county or by an entity created to act on behalf of the city or county; (h) constructing or equipping a jail; and (i) constructing a bridge that is part of or connected to a county road or an approach to such a bridge; 4. allow the governing body of an issuer to authorize a CO only as necessary to pay a contractual obligation, or professional services associated with an obligation, to be incurred for the construction, renovation, repair, or improvement of a public work that the governing body determines is necessary to: (a) comply with a state or federal law or rule, but only if the issuer has been officially notified of noncompliance with the law or rule; (b) to mitigate the impact of a public health emergency in the jurisdiction of the issuer that poses an imminent danger to the physical health or safety of the residents of the issuer, so long as the governing body adopts a resolution describing the conditions and circumstances of the public health emergency and makes a determination that the emergency exists; (c) to finance the cleanup, mitigation, or remediation of a
HB1453	Watch	Other Finance and Administration	Relating to the issuance of anticipation notes and certificates of obligation by certain local governments.	
HB1462	Watch	Land Use	Relating to the authority of certain counties to regulate junkyards, automotive wrecking and salvage yards, and recycling businesses.	
HB1463	Watch	Land Use	Relating to the manufacture, transportation, storage, and disposal of new and scrap tires; authorizing a fee.	
HB1464	Watch	Personnel	Relating to a prescription drug purchasing pool for certain health benefit plan issuers and employers.	
HB1471	Watch	Personnel	Relating to the designation of Diwali and Dashain as optional holidays.	
HB1476	Watch	Elections	Relating to a ballot option to not vote for any candidate.	
HB1477	Watch	Elections	Relating to preparing and delivering precinct election returns; increasing a criminal penalty.	
HB1478	Watch	Elections	Relating to the failure of a voter registrar to comply with voter registration laws.	
HJR26	Oppose	Property Tax	Proposing a constitutional amendment to authorize the legislature to make permanent the limit on the maximum appraised value of real property other than a residence homestead for ad valorem tax purposes.	

Bill Number	CODS Position	Category	Bill Description	TML Summary
HJR30	Oppose	Property Tax	Proposing a constitutional amendment to authorize the legislature to provide for a limitation on the maximum appraised value for ad valorem tax purposes of certain leased residential real property.	
HJR32	Oppose	Property Tax	Proposing a constitutional amendment to authorize the legislature to limit the maximum appraised value of certain commercial real property for ad valorem tax purposes.	
HJR34	Oppose	Property Tax	Proposing a constitutional amendment to authorize the legislature to exempt from ad valorem taxation the portion of the assessed value of a person's property that is attributable to the installation or construction in or on the property of border security infrastructure.	
HJR36	Oppose	Property Tax	Proposing a constitutional amendment to authorize the legislature to set a lower limit on the maximum appraised value of a residence homestead for ad valorem taxation.	
HJR39	Oppose	Property Tax	Proposing a constitutional amendment to authorize the legislature to set a lower limit on the maximum appraised value of a residence homestead for ad valorem taxation.	
HJR42	Oppose	Property Tax	Proposing a constitutional amendment establishing a limitation on the total amount of ad valorem taxes that certain political subdivisions may impose on the residence homesteads of persons who are disabled or elderly and their surviving spouses.	
HJR43	Oppose	Property Tax	Proposing a constitutional amendment to exempt from ad valorem taxation the total market value of the residence homesteads of certain elderly persons and their surviving spouses.	
HJR45	Oppose	Property Tax	Proposing a constitutional amendment to authorize the legislature to limit the maximum appraised value of real property for ad valorem tax purposes.	
HJR49	Watch	Elections	Proposing a constitutional amendment to require a person to submit proof of citizenship to register to vote.	
HJR50	Oppose	Property Tax	Proposing a constitutional amendment to authorize the legislature to set a lower limit on the maximum appraised value of a residence homestead for ad valorem taxation.	
HJR52	Watch	Land Use	Proposing a constitutional amendment protecting private schools from state and local regulation.	
HJR53	Oppose	Property Tax	Proposing a constitutional amendment to authorize the legislature to limit the maximum appraised value of real property for ad valorem tax purposes.	

Bill Number	CODS Position	Category	Bill Description	TML Summary
HJR55	Oppose	Property Tax	Proposing a constitutional amendment to increase the amount of the exemption of residence homesteads from ad valorem taxation by a school district.	
HJR56	Oppose	Property Tax	Proposing a constitutional amendment to authorize the legislature to set lower limits on the maximum appraised value of residence homesteads and of real property other than a residence homestead for ad valorem tax purposes and to make permanent the limit on the maximum appraised value of real property other than a residence homestead.	
HJR59	Watch	Property Tax	Proposing a constitutional amendment to authorize a political subdivision other than a school district to establish a limitation on the amount of ad valorem taxes that the political subdivision may impose on the residence homesteads of persons who are disabled or elderly and their surviving spouses.	
HJR64	Oppose	Property Tax	Proposing a constitutional amendment to abolish ad valorem taxes.	
HJR66	Oppose	Property Tax	Proposing a constitutional amendment authorizing the legislature to exempt from ad valorem taxation income-producing tangible personal property for a certain period of time.	
HJR67	Watch	Property Tax	Proposing a constitutional amendment authorizing the legislature to exempt from ad valorem taxation the total assessed value of the residence homestead of an unpaid caregiver of an individual who is eligible to receive long-term services and supports under the Medicaid program while the individual is on a waiting list for the services and supports.	
HJR71	Watch	Property Tax, Other Finance and Administration	Proposing a constitutional amendment providing that a residence homestead is not subject to seizure or sale for delinquent ad valorem taxes.	
HJR72	Watch	Property Tax	Proposing a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of a portion of the market value of a property that is the primary residence of an adult who has an intellectual or developmental disability and who must be related to the owner or trustee of the property within a certain degree by consanguinity.	

Bill Number	CODS Position	Category	Bill Description	TML Summary
HJR74	Watch	Property Tax	Proposing a constitutional amendment authorizing the legislature to provide that the appraised value of a residence homestead for ad valorem tax purposes for the first tax year that the owner of the property qualifies the property for a residence homestead exemption is the market value of the property and that, if the owner purchased the property, the purchase price of the property is considered to be the market value of the property for that tax year and to limit increases in the appraised value of the homestead for subsequent tax years based on the inflation rate.	
HJR82	Watch	Property Tax	Proposing a constitutional amendment to provide for an exemption from ad valorem taxation by certain political subdivisions of a portion of the market value of the residence homestead of the parent or guardian of a person who is disabled and who resides with the parent or guardian.	
HJR83	Watch	Property Tax	Proposing a constitutional amendment to authorize the legislature to exclude from the market value of real property for ad valorem tax purposes the value of any improvement, or any feature incorporated in an improvement, made to the property if the primary purpose of the improvement or feature is compliance with the requirements of standards that address accessible design of buildings or other facilities.	
HJR88	Watch	Property Tax, Utilities and Environment	Proposing a constitutional amendment to authorize the commissioners court of a county to exempt from ad valorem taxation by each political subdivision that taxes the property the portion of the assessed value of a person's property that is attributable to the installation in or on the property of a rainwater harvesting or graywater system.	
HJR94	Watch	Community and Economic Development	Proposing a constitutional amendment protecting the right to produce meat and meat food products naturally derived from livestock.	
HJR97	Watch	Property Tax, Utilities and Environment	Proposing a constitutional amendment to authorize the legislature to provide for an exemption from ad valorem taxation of the amount of the market value of real property that arises from the use of xeriscape on the property.	
HJR99	Oppose	Property Tax	Proposing a constitutional amendment authorizing the legislature to exempt from ad valorem taxation tangible personal property consisting of animal feed held by the owner of the property for sale at retail.	

Bill Number	CODS Position	Category	Bill Description	TML Summary
HJR101	Oppose	Property Tax	Proposing a constitutional amendment to authorize the legislature to limit the maximum appraised value of certain commercial real property for ad valorem tax purposes.	would, among other things, provide that: (1) public information for purposes of the Public Information Act (PIA) includes data dictionary or other indicia of the type or category of information held in the applicable field of a database, other than metadata that directly implicates database security; (2) if a request for public information applies to electronic public information (public information produced and maintained in an electronic spreadsheet or database that is searchable or sortable) and the requestor requests the electronic public information in a searchable or sortable format, a governmental body shall: (a) provide an electronic copy of the requested electronic public information in the searchable or sortable format requested using computer software the governmental body uses to access, support, program, manipulate, or otherwise manage the governmental body's information; (b) if the requestor prefers, provide a copy of electronic public information in the form of a paper printout; (3) a governmental body may not refuse to provide a copy of electronic public information on the grounds that exporting the information or redacting excepted information will require inputting range, search, filter, report parameters, or similar commands or instructions into the governmental body's computer system if the commands or instructions can be executed with computer software the governmental body uses in the ordinary course of business to access, support, or otherwise manage the information; (4) if a requestor requests that a copy of electronic information be provided in the format in which the governmental body maintains information or in a standard export format such as a flat file electronic American Standard Code for Information Interchange (ASCII), the governmental body shall provide the copy if the computer programs the governmental body uses support exporting the information in that format; (5) the copy of electronic information provided to the requestor under (4), above, shall: (a) be in the requested format or in another format acceptable to the requestor; and (b) on suitable electronic media; (6) if electronic public information is maintained by a governmental body in a format that is: (a) searchable but not sortable, the governmental body shall provide an electronic copy of the information in a searchable format; or (b) sortable, the governmental body shall provide an electronic copy of the information in a sortable format; (7) governmental body shall use reasonable efforts to ensure that a contract the governmental body enters into for the creation and maintenance of electronic public information does not impair the public's ability to inspect or copy the information or make the information more difficult for the public to inspect or copy than records the governmental body maintains; and (8) the provision related to responding to requests for information that require
SB50	Oppose	Open Government	Relating to maintenance and production of electronic public information under the public information law.	
SB63	Watch	Community and Economic Development	Relating to the licensing and regulation of child swim instruction operators; requiring an occupational license; imposing penalties, including administrative penalties; authorizing fees.	
SB72	Watch	Community and Economic Development	Relating to the regulation of private passenger vehicle rental companies.	
SB73	Watch	Other Finance and Administration	Relating to the creation and duties of the unfunded mandates interagency work group.	would establish an unfunded mandate interagency workgroup and require the group to, among other things, publish an advisory list of mandates for which the legislature has not provided reimbursement following each regular or special session of the legislature.
SB75	Watch	Public Safety and Emergency Management, Utilities and Environment	Relating to the resilience of the electric grid and certain municipalities.	
SB76	Oppose	Elections	Relating to elimination of the countywide polling place program.	would, among other things, repeal the provisions that allow for use of countywide polling places in elections.



Bill Number	CODS Position	Category	Bill Description	TML Summary
SB77	Watch	Elections	Relating to the use of paper ballots and certain electronic devices in conducting an election.	would, among other things, provide that: (1) a signature roster in the form of an electronic device may not be used in an election; (2) an election officer at a polling place where an electronic voting system is used must provide a paper ballot to each voter who requests one; (3) a paper ballot provided under (2), above, must be printed at the time the request is made and, after being voted by the voter, must be scanned at the polling place with an optical scanner; and (4) a voting system that consists of a ballot marking device may not be used in an election.
SB78	Oppose	Elections	Relating to the security of election systems.	would, among other things, provide that: (1) an election system that is capable of being connected to the Internet or any other computer network may not be used in an election held in this state, except for the use of a visible wired connection to an isolated local area network within the building; and (2) equipment used in the operation of a voting system must have a documented chain of custody and be stored in a locked facility with video surveillance monitoring the storage facility at all times.
SB80	Oppose	Other Finance and Administration	Relating to the Texas Sovereignty Act.	would, among other things: (1) establish the Joint Legislative Committee on Constitutional Enforcement (JLCCE); (2) provide for the JCCLE's membership and powers, including declaring a federal action unconstitutional; (3) provide that a federal action declared unconstitutional by the JCCLE has no legal effect in this state and may not be recognized by this state or a political subdivision of this state as having legal effect; (4) prohibit the state and a political subdivision of the state from spending public money on a federal action declared to be unconstitutional by the JCCLE; and (5) provide that a person authorized to enforce state law may enforce such laws against a person who attempts to implement or enforce a federal action declared unconstitutional by the JCCLE.
SB84	Oppose	Other Finance and Administration	Relating to the definition and use of the terms "male" and "female" for purposes of certain government documents.	would require that all government documents, policies, surveys, questionnaires, reports, publications, notices, or other written or electronic material reference only male or female when requesting or providing information regarding a person's sex.
SB102	Support	Utilities and Environment	Relating to the notice and petition for the creation of a municipal utility district in certain counties.	would provide that for a municipal utility district which is to be located outside the corporate limits of a city before a petition requesting creation of a proposed district is filed with the Texas Commission on Environmental Quality, notice must be sent to the commissioners court of each county in which the proposed district is to be located and shall: (1) generally describe the boundaries to be included in the district; and (2) inform the commissioners of the right to: (a) respond to the notice; (b) review the petition requesting creation of the proposed district; and (c) submit a written opinion on the creation of the proposed district. (Companion bill is S.B. 102 by Hall.)
SB103	Watch	Other Finance and Administration	Relating to prohibiting the purchase of or acquisition of title to real property by and contracts or other agreements with certain aliens or foreign entities.	would provide, among other things, that: (1) the following entities and individuals may not purchase or otherwise acquire title to real property in Texas: (a) a governmental entity of China, Iran, Russia, or North Korea; (b) a company or entity that is (i) headquartered in China, Iran, Russia, or North Korea; (ii) directly or indirectly under the control of China, Iran, Russia, or North Korea; or (iii) owned or under the control of one or more individuals who are citizens of China, Iran, Russia, or North Korea; (c) a company or other entity that is owned or controlled by a company or entity described in (1)(b), above; or (d) and individual who is a citizen of China, Iran, Russia, or North Korea; (2) a city may not enter a contract payable with public money with: (a) a governmental entity or other entity described in (1), above; or (b) an individual who is a citizen of China, Iran, Russia, or North Korea.
SB104	Oppose	Elections	Relating to the availability of paper ballots for a person voting by personal appearance.	would provide that: (1) the authority responsible for procuring election supplies shall provide, unless the number of ballots provided to an election precinct is equal to the total number of registered voters in the precinct, the means to print additional paper ballots at each precinct polling place and early voting polling place; (2) an election officer shall provide a paper ballot to a voter who requests a paper ballot; and (3) the secretary of state may prescribe procedures to implement the provisions of (2), above.
SB105	Oppose	Elections	Relating to the procedure for closing a polling place.	would, among other things, provide that: (1) when closing the polls on the last day of early voting, the presiding election judge and alternate presiding judge shall place the printed tape that shows the counter was set to zero for each candidate or measure on the ballot in envelope no. 2; and (2) when closing the polls for voting on election day, any watcher present, but not more than three, may sign the printed tape described in (1), above.

Bill Number	CODS Position	Category	Bill Description	TML Summary
SB106	Watch	Elections	Relating to the separation of federal elections from state and local elections, and to related practices and procedures.	
SB107	Watch	Elections	Relating to the disposition of certain election records.	
SB108	Watch	Elections	Relating to the appointment of election clerks.	would provide that: (1) the alternate presiding judge shall serve as the presiding judge for an election if the regularly appointed presiding judge is not present at a polling location; (2) a person may not prevent an alternate presiding judge from freely observing or occupying the area in which voters are being accepted for voting; (3) the alternate presiding judge for an election precinct shall appoint an election clerk to assist the judge in the conduct of an election at the polling place served by the judge; (4) the authority that appoints election judges shall prescribe the maximum number of election clerks that the alternate presiding judge may appoint for each election; (5) the alternate presiding judge shall appoint at least one clerk for each precinct in each election; and (6) the provision that requires the presiding judge to appoint, in an election conducted by the regularly appointed presiding judge, an alternate presiding judge as one of the clerks is repealed.
SB109	Watch	Elections	Relating to the procedure for closing a polling place.	would provide that any watcher present at the opening and closing of a polling place, but not more than three, may sign a tape printed to show the number of votes cast for each candidate or ballot measure for each voting machine.
SB110	Watch	Elections	Relating to accommodating a voter unable to enter a polling place.	would provide that: (1) for a voter who is physically unable to enter the polling place without personal assistance or likelihood of injuring the voter's health, on the voter's request for assistance in marking the ballot, two election officers shall provide assistance in marking the ballot; and (2) any person accompanying the voter described in (1), above, shall exit the vehicle and remain outside of the vehicle unless the person is selected by the voter to provide the voter assistance.
SB115	Watch	Personnel	Relating to civil liability for, governmental health plan coverage of, and public funding for gender modification procedures and	would, among other things, prohibit a governmental entity from using or providing public money for the provision or administration of a gender modification procedure or treatment.
SB121	Oppose	Public Safety and Emergency Man	Relating to the right to choose medical treatments and certain control measures and to the imposition of isolation or quarantine control measures.	would, among other things, provide that: (1) before ordering an individual or a group of individuals to implement control measures that involve isolation or quarantine, a health authority must: (a) provide notice of the control measures to the individual or group of individuals; and (b) provide to the individual or group of individuals an opportunity to demonstrate that implementing the control measures is unnecessary; (2) a health authority may not order an individual or a group of individuals to implement control measures described by (1), above, for a period that exceeds five days unless the health authority obtains from a district court of the county in which the individual or group of individuals resides, is located, or is receiving court-ordered health services a court order authorizing the health authority to order the individual or group of individuals to implement the control measures; and (3) in ordering an individual or group of individuals to implement control measures described by (1), above, a health authority to the greatest extent possible must: (a) use the least restrictive means available; (b) allow an individual to isolate or quarantine with other individuals subject to the same court order under (2), above; (c) if the individual subject to the control measure is a minor, allow the individual to isolate or quarantine with the individual's parent, legal guardian, or managing conservator; and (d) allow an individual to isolate or quarantine in the individual's home or with another family member or a



Bill Number	CODS Position	Category	Bill Description	TML Summary
SB131	Oppose	Public Safety and Emergency Man	Relating to the enforcement within this state of certain federal laws for federally declared public health emergencies.	would provide that: (1) a city or its employees may not enforce or provide assistance to a federal agency or official with respect to enforcing a federal statute, order, rule, or regulation that: (a) is enacted or issued in response to a federally declared public health emergency; and (b) imposes a prohibition, restriction, or other regulation that does not exist under state law; (2) a city is ineligible to receive state money from the general revenue fund or a grant program if it through consistent actions or a contract adopts a rule, order, ordinance, or policy under which the city enforces or assists with the enforcement of a federal statute, order, rule or regulation described in (1), above; (3) an individual residing in the city may file a complaint with the attorney general if the individual offers evidence to support an allegation in (1), above; (4) if the attorney general determines that a complaint filed under (3), above, is valid, the attorney general may file a petition for a writ of mandamus or apply for other equitable relief (including court costs, reasonable attorney's fees, investigative costs, witness fees, and deposition costs) in a district court in Travis County or in a county in which the city is located; (5) an appeal of an action brought under (4), above, shall be accelerated and an appellate court shall render its final order or judgment with the least possible delay; and (6) the attorney general shall defend a city in an action by the federal government for an act or omission consistent with this law.
SB134	Oppose	Public Safety and Emergency Man	Relating to agreements between municipalities and counties and United States Immigration and Customs Enforcement to enforce federal immigration law.	would: (1) require the governing body of each city and the commissioners court of each county to request, and as offered, enter into a written agreement with the United States Immigration and Customs Enforcement to authorize officers and employees of the city or county to enforce federal immigration law; (2) require that an agreement under (1), above, include the scope, duration, and limitations of the authority; (3) authorize the Office of Attorney General to bring an action for injunctive relief against a city or county that fails to comply with (1), above, plus recovery of reasonable expenses;
SB141	Oppose	Public Safety and Emergency Man	Relating to the authority of a municipality or a property owners' association to regulate the raising or keeping of chickens.	would, among other things, provide that a city: (1) may not adopt or enforce a regulation prohibiting the raising or keeping of six or fewer chickens on a single-family residential lot; (2) may impose reasonable regulations on the raising or keeping of poultry on a single-family residential lot that do not have the effect of prohibiting the activity, including: (a) a limit on the number of chickens that may be raised or kept in excess of six; (b) a prohibition on poultry breeding; (c) a prohibition on keeping roosters; or (d) the minimum distance between a chicken coop and a residential structure.
SB145	Watch	Elections	Relating to early voting by mail by any qualified voter and to the repeal of certain criminal offenses concerning the solicitation and distribution of an application to vote by mail.	
SB146	Watch	Elections	Relating to the voter registration of naturalized United States citizens.	
SB170	Watch	Public Safety and Emergency Man	Relating to authorizing the possession, use, cultivation, distribution, delivery, sale, and research of medical cannabis for medical use by patients with certain medical conditions and the licensing of medical cannabis organizations; authorizing fees.	would, among other things: (1) authorize the possession, use, cultivation, distribution, delivery, sale, and research of medical cannabis for medical use by patients with certain medical conditions; (2) provide for the issuance of a medical cannabis research license; (3) provide for the issuance of a medical cannabis dispensing organization license; (4) authorize fees for licenses under (2) and (3), above; (5) provide regulations regarding physicians recommending the use of medical cannabis; (6) provide certain legal protections for patients using cannabis for medical use pursuant to (1), above; and (7) preempt a municipality, county, or other political subdivision from enacting, adopting, or enforcing a rule, ordinance, order, resolution, or other regulation that prohibits the cultivation, production, dispensing, researching, testing, or possession of medical cannabis.
SB178	Support	Sales Tax	Relating to the permissible uses of revenue attributable to the municipal sales and use tax for street maintenance.	would provide that revenue derived from the street maintenance sales tax may be used to reconstruct city streets and sidewalks in addition to being used for maintenance and repair.

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SB210	Watch	Land Use	Relating to municipal permitting requirements for certain development projects supported with low income housing tax credit allocations.	would provide that in cities with a population over 100,000: (1) an application for a building permit for certain affordable housing projects submitted to the city for review must be granted or denied in no more than 50 percent of the time allotted by the city to grant or deny any residential building permit application; and (2) if the city has adopted an accelerated residential building permit review process, an applicant for building permit for certain affordable housing projects shall be allowed to submit the application for review under the accelerated process.
SB212	Oppose	Utilities and Environment	Relating to certain public meetings and public hearings concerning permits issued by the Texas Commission on Environmental Quality.	would provide that: (1) if the Texas Commission on Environmental Quality (TCEQ), the executive director, or the applicant for certain permits, permit amendments, or permit renewals, under authority authorizing or requiring a public meeting or public hearing to be held in the county in which the facility or proposed facility that is the subject of the meeting or hearing is located or proposed to be located, holds a public meeting or public hearing concerning the issuance, amendment, or renewal of a permit for a facility or proposed facility, the meeting or hearing must be held: (a) in person; and (b) at a public location: (i) not more than one mile from the location or proposed location of the facility or proposed facility; or (ii) if a public location at which the meeting or hearing may be held does not exist within one mile of the location or proposed location, at a public location as near as practicable to and not more than five miles from the location or proposed location of the facility or proposed facility; and (2) the applicant for the permit, permit amendment, or permit renewal shall pay the cost of a public meeting or public hearing concerning a permit in (1), above.
SB214	Watch	Sales Tax	Relating to a temporary exemption from sales and use taxes for certain residential heating, ventilation, and air conditioning systems and installation services.	would provide a sales tax exemption for the sale and installation of heating, ventilation, and air conditioning systems for sales that take place on or after March 1, 2026, and before September 1, 2027, if the system: (1) is used for the purchaser's primary single-family residence; (2) has a minimum Seasonal Energy Efficiency Rating of 14 SEER; (3) is designated as an Energy Star qualified product under the Energy Star program; and (4) is installed by a person licensed to engage in air conditioning and refrigeration contracting.
SB220	Watch	Personnel	Relating to an employer's civil liability under the Texas Workers' Compensation Act for injuries sustained by certain victims of sexual assault or abuse.	would provide that an employee who is a victim of sexual assault or abuse may bring a cause of action, outside the workers' compensation program, against the employee's employer if: (1) the employee is an individual with an intellectual or developmental disability; and (2) the employee's injuries arose from the employer's negligence.
SB239	Watch	Other Finance and Administration	Relating to the use by a political subdivision of public funds for lobbying and certain other activities.	
SB240	Oppose	Community and Economic Development	Relating to regulations and policies for entering or using certain private spaces; authorizing a civil penalty.	
SB241	Watch	Public Safety and Emergency Management	Relating to prohibitions on camping in a public place.	would: (1) prohibit a local entity, including a city, from adopting or enforcing a policy under which the entity prohibits or discourages the enforcement of any public camping ban, including prohibiting or discouraging the investigation or enforcement of a violation of a public camping ban; (2) provide that a local entity may not permit camping by homeless individuals on a property designated for that purpose until the Texas Department of Housing and Community Affairs has approved a plan for the property; (3) require each local entity to develop and implement a process that allows a person to file a complaint with the local entity regarding a violation of a public camping ban; (4) require a local entity to report to the attorney
SB244	Oppose	Property Tax	Relating to the limitation on increases in the appraised value of a residence homestead for ad valorem tax purposes.	would amend the Texas Constitution to authorize the legislature to reduce the property tax appraisal cap on residence homesteads from ten to five percent. (See
SB247	Watch	Property Tax	Relating to the applicability of the law governing the provision of state aid to certain local governments disproportionately affected by the granting of ad valorem tax relief to disabled veterans.	

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SB250	Support	Land Use	Relating to municipal annexation of an area adjacent to contiguous or connecting railroad rights-of-way.	would, among other things, provide that a city that is annexing an area may also annex an additional area if: (1) the area is adjacent to a right-of-way of a railway line, spur, or other railroad property that is: (a) contiguous and runs parallel to the city's boundaries; and (b) contiguous to the area being annexed; and (2) each owner of the area agrees to the annexation by the municipality.
SB258	Watch	Elections	Relating to electronic voter registration.	
SB265	Oppose	Sales Tax	Relating to the applicability of sales and use taxes to certain services provided by a marketplace provider.	would exclude services provided by a marketplace provider in relation to the processing of a sale or payment for a marketplace seller from the definition of "taxable services" for the purpose of the sales tax.
SB277	Support	Land Use	Relating to the consideration of certain local government actions before the renewal of air permits for certain concrete plants.	would provide that, for the renewal of an authorization to use a standard permit issued for the operation of a permanent concrete plant that performs wet batching, dry batching, or central mixing, in determining whether and under which conditions to renew an authorization, the Texas Commission on Environmental Quality shall, while classifying the applicant's compliance history, consider any civil suit instituted and any other enforcement actions taken by a local government against the applicant.
SB284	Support	Transportation	Relating to the civil penalty for certain signs placed on the right-of-way of a public road.	would provide for a civil penalty of up to \$5,000 to be collected from a person: (1) who places or commissions the placement of an unauthorized sign on the right-of-way of a public road; or (2) whose commercial advertisement is placed on a sign described in (1), above.
SB291	Oppose	Community and Economic Development	Relating to the failure to disclose certain appraisal reports by an entity with eminent domain authority in connection with an offer to acquire real property.	would provide that an entity that fails to disclose certain appraisal reports in connection with an offer to acquire real property through eminent domain is liable to the property owner for reasonable attorney's fees incurred by the owner in connection with the entity's acquisition of the owner's property.
SB292	Watch	Community and Economic Development	Relating to certain requirements in connection with the acquisition of real property for public use by an entity with eminent domain authority.	would: (1) amend the "Landowner's Bill of Rights," to include additional information on the condemnation process, the condemning entity's obligations to the property owner, the property owner's options during condemnation, and the entity's right to sue for permission to survey the property; (2) require an entity seeking to condemn property to provide a survey permission form to include information on the property owner's rights to refuse permission, negotiate terms, and hold the entity responsible for damages; and (3) require an entity with eminent domain authority, which seeks to acquire property without using that authority, to separately identify and make a separate offer for the real property it seeks to acquire outside the condemnation process.
SB296	Watch	Public Safety and Emergency Management	Relating to driving safety or motorcycle operator training course dismissal.	would: (1) allow a defendant to request to complete an approved driver's safety course or motorcycle operator training and safety program course to dismiss an applicable traffic citation through a court-authorized email address or internet portal, on or before the answer date on notice to appear; and (2) provide that a defendant is eligible for dismissal of all offenses arising out of the same criminal transaction following completion of such course, if each offense is eligible for dismissal following completion of such course, and the defendant satisfies all other applicable requirements.
SB303	Support	Municipal Court	Relating to the appointment of spoken language interpreters for certain court proceedings.	would, among other things, allow a municipal court or municipal court of record to appoint a spoken language interpreter under certain circumstances.
SB304	Support	Municipal Court	Relating to the jurisdiction of municipal courts over health and safety and nuisance abatement ordinances.	would allow a city, by ordinance, to provide its municipal court with: (1) civil jurisdiction for the purpose of enforcing certain code enforcement-related ordinances; (2) concurrent jurisdiction with a district court or county court of law within the city's territorial limits and property owned by the city in the city's extraterritorial jurisdiction, for the purposes of enforcing health and safety and safety or nuisance abatement ordinance violation, and
SB305	Support	Public Safety and Emergency Management	Relating to the criminal offense of passing certain vehicles on a highway.	would create a criminal offense for unlawfully passing a vehicle operated by: (1) an animal control officer or other individual for the purpose of removing an animal or animal carcass from a roadway and using certain prescribed visual signals; or (2) an employee of a local authority for the purpose of issuing a parking citation and using certain prescribed visual signals.
SB309	Watch	Elections	Relating to a person submitting proof of citizenship to verify eligibility to vote in Texas.	
SB310	Watch	Elections	Relating to the determination of a majority vote in certain elections.	

Bill Number	CODS Position	Category	Bill Description	TML Summary
SB317	Watch	Land Use	Relating to the removal, relocation, alteration, or construction of certain monuments or memorials located on public property; authorizing a civil penalty.	would, among other things, provide that: (1) a monument which has been located on city property for at least 25 years may be removed, relocated, or altered only following approval of a majority of city voters at an election held for that purpose; (2) a monument which has been located on city property for less than 25 years may be removed, relocated, or altered by the city's governing body; (3) additional monuments may be added to the property on which a monument is located to complement or contrast with the existing monument; and (4) a city resident may file a complaint with the attorney general asserting violations of (1) or (2), above, and the attorney general may seek injunctive relief, equitable relief, mandamus and civil penalties against the city.
SB320	Oppose	Property Tax	Relating to the limitation on increases in the appraised value of a residence homestead for ad valorem taxation.	
SB321	Oppose	Property Tax	Relating to the limitation on increases in the appraised value of a residence homestead for ad valorem taxation.	would amend the Texas Constitution to authorize the legislature to exempt all tangible personal property from property taxation. (See
SB322	Watch	Property Tax	Relating to the limitation on increases in the appraised value of certain real property for ad valorem tax purposes.	would: (1) exempt a mineral interest from the temporary property tax appraisal cap applicable to real property other than a residence homestead; (2) reduce the temporary property tax appraisal cap applicable to real property other than a residence homestead from 20 percent to ten percent; and (3) extend the expiration date of the temporary property tax appraisal cap to 2031. (See S.J.R. 23, below.)
SB324	Watch	Personnel	Relating to requiring state contractors, political subdivisions of this state, and private employers to participate in the federal electronic verification of employment authorization program, or E-verify.	would, among other things, provide that: (1) a political subdivision, including a city, shall register and participate in the E-verify program to verify the information of all new employees; and (2) an employee of a political subdivision who
SB335	Watch	Land Use	Relating to regulating the cultivation, manufacture, processing, distribution, sale, testing, transportation, delivery, transfer, possession, and use of cannabis and cannabis products; authorizing the imposition of fees; requiring occupational licenses; creating a criminal offense.	would, among other things: (1) authorize the cultivation, manufacture, processing, distribution, sale, testing, transportation, delivery, transfer, possession, use, and taxation of cannabis and cannabis products; (2) provide that a person may prohibit or restrict the possession, consumption, cultivation, distribution, processing, sale, or display of cannabis or cannabis products on property the person owns, occupies, or manages, except under certain circumstances; (3) provide that a commissioners court of a county may order an election to approve the operation of cannabis growers, cannabis establishments, or cannabis testing facilities in the county; (4) provide that a county that authorizes the operation of cannabis growers, cannabis establishments or cannabis testing facilities in the county may adopt regulations consistent with the bill governing the hours of operation, location, manner of conducting business, and number of cannabis growers, cannabis establishments, or cannabis testing facilities; (5) require a license to operate as a cannabis grower, cannabis establishment, cannabis secure transporter, or cannabis testing facility; (6) establish the cannabis regulation account and limit appropriation of money in the account for implementing and administering this bill; and (7) creating the offense of selling, giving, or causing marijuana to be sold to a person under twenty-one years of age, or another person who intends to provide the marijuana to a person under twenty-one years of age.
SB339	Watch	Other Finance and Administration	Relating to authorization for a county or municipality to establish a local minimum wage.	would, among other things, allow: (1) a city to adopt a minimum wage that exceeds the federal minimum wage to be paid by an employer to each of its employees for services performed in the city; and (2) a county to adopt a minimum wage that exceeds the federal minimum wage to be paid by an employer to each of its employees for services performed in the unincorporated areas of the county, including areas located within the extraterritorial jurisdiction of a city.



Bill Number	CODS Position	Category	Bill Description	TML Summary
SB341	Watch	Elections	Relating to the use of preferential voting in certain elections.	would, among other things, provide that: (1) a special election held to fill a vacancy in an office requiring a majority vote must use preferential voting, which allows a voter to rank each candidate for office through a numerical designation from the candidate the voter favors most to the candidate the voter favors least; (2) if no candidate receives a majority of the votes cast designating the highest favorable ranking for an office, the votes of the candidate receiving the fewest number of votes are reassigned to the candidate ranking next highest in the preference of a voter; (3) if after reassigning votes under (2), above, no candidate receives a majority of the votes cast designating the modified highest favorable ranking, the reassignment of a vote to a voter's next most preferred candidate as described in (2), above, continues until one candidate receives a majority; and (4) a runoff election is not held when preferential voting under (1), above, applies.
SB342	Watch	Elections	Relating to the use of preferential voting in certain elections.	
SB361	Watch	Personnel	Relating to a prohibition of employment discrimination on the basis of reproductive decisions and certain employment agreements limiting reproductive decisions.	would, among other things: (1) provide that an employer, including a city, commits an unlawful employment practice if the employer discriminates against an individual because of or on the basis of the individual's reproductive decision, including: (a) the individual's marital status at the time of pregnancy; (b) the use of assisted reproduction to become pregnant; (c) the use of contraception or a specific form of contraception; or (d) the obtainment or use of any other health care drug, device, or service relating to reproductive health; (2) require an employer that provides an employee handbook to include in the handbook information regarding the prohibition of discrimination because of or on the basis of a reproductive decision; and (3) provide that a mandatory arbitration agreement between an employer and an employee is void and unenforceable to the extent the agreement limits the reproductive decisions of an employee or an employee's immediate family member. (Companion bill is
SB363	Oppose	Land Use	Relating to the assessment of damages resulting from the condemnation of property that is subject to a conservation easement.	would provide that when valuing property subject to a conservation easement for the purposes of condemnation, the value of the property being condemned as well as any damages to the owner's remaining property shall be valued based on the property's highest and best use as though the property was not burdened by a conservation easement.
SB370	Watch	Personnel	Relating to the availability of certain personal information of a child, spouse, or surviving spouse of a current or former employee of the office of the attorney general.	would, among other things: (1) expand the definition of "family member" for purposes of the personal information of employees or officials of certain governmental entities that may be withheld under the Public Information Act (PIA) to include a minor child, adult child, spouse or surviving spouse of the employee or official; (2) provide that information is excepted from public disclosure under the PIA if it is information that relates to the home address, home telephone number, emergency contact information, or social security number of a family member of a current or former employee of the office of the attorney general or that reveals whether the person has family members; and (3) provide that a form notifying a governmental body of a public employee's or officer's choice to restrict public access to their personal information is confidential and not subject to disclosure under the PIA.
SB372	Watch	Personnel	Relating to the persons authorized or appointed to exercise the power of sale under the terms of a contract lien on real property.	would expand the definitions of "trustee" and "substitute trustee" to include a city as an authorized entity under the terms of certain security instruments to exercise the power of sale. (Companion bill is H.B. 576)
SB385	Oppose	Land Use	Relating to construction standards for certain recreational vehicle parks and campgrounds.	would: (1) adopt certain construction safety standards applicable to certain privately owned and operated recreation vehicle parks or campgrounds on which sites for recreational vehicles, recreational park trailers, or other camping units are offered primarily for use by the public for overnight stays; and (2) prohibit a city from adopting a policy, rule, ordinance, or order that regulates environmental health and sanitation, electrical distribution system safety, liquefied petroleum gas storage and dispensing safety, or fire protection, if the policy, rule, ordinance, or order imposes more stringent standards than those adopted in (1), above.
SB393	Oppose	Land Use	Relating to the authority of a political subdivision to issue debt to purchase or lease tangible personal property.	would prohibit a political subdivision, including a city, from issuing a public security to purchase or lease tangible personal property if the expected useful life of the property for the purpose of calculating depreciation deductions ends before the maturity date of the public security.

Bill Number	CODS Position	Category	Bill Description	TML Summary
SB403	Watch	Other Finance and Administration	Relating to the dedication of certain state money for ad valorem tax relief.	would: (1) require the comptroller to deposit the amount of money received from the federal government during the preceding fiscal year as reimbursement for border security costs incurred by the state into an account in the general revenue fund; and (2) provide that money in the account described in (1), above, may only be appropriated by the legislature to provide ad valorem tax relief.
SB404	Watch	Other Finance and Administration	Relating to the investment of public funds by a local government in investment pools.	would: (1) provide that a city may invest funds in an investment pool only if the pool is managed by the comptroller or the Texas Treasury Safekeeping Trust Company (TTSTC); (2) require a city to divest all of its funds from any investment pool not managed by the comptroller or TTSTC according to a schedule provided in the bill; (3) provide that a city may delay the schedule for divestment only to the extent that the city determines that divestment will likely result in: (a) a loss in the hypothetical value of all funds managed by the city; or (b) an individual portfolio that uses a benchmark-aware strategy being subject to an aggregate expected deviation from its benchmark; and (4) require that a city that delays the schedule for divestment or otherwise ceases to divest must submit a report to the presiding officer of each house of the legislature, the attorney general, and the comptroller stating the reasons and justification, supported by clear and convincing evidence, for the city's delay.
SB411	Watch	Personnel	Relating to training requirements for certain public officials and candidates for public office.	would, among other things, provide that: (1) an elected local government official, including a member of city council, is not required to attend or complete any continuing education training required for the office; (2) the Texas Division of
SB415	Watch	Open Government	Relating to the authority of a governmental body to require certain persons to sign a confidentiality agreement in response to a request for public information for legislative purposes under the public information law.	would provide that: (1) a governmental body shall provide written notification to a member, committee, or agency of the legislature that requests public information if the governmental body requires such person to sign a confidentiality agreement regarding the requested information; (2) the governmental body must provide the notice to the requesting member, committee, or agency not later than the fifth business day following the date the governmental body receives the request for the information that is the subject of the notice; and (3) a governmental body may not require a person to sign a confidentiality agreement if: (a) the governmental body fails to provide the notice required by (1), above in the time and manner prescribed by (2), above; and (b) an agreement regarding the information is not signed by each party to the agreement before the 10th business day following the date the notice required by (1), above, is received by the requesting member, committee, or agency.
SB419	Watch	Property Tax	Relating to the determination of the market value of solar energy property for ad valorem tax purposes.	would require the chief appraiser to calculate the depreciated value of solar energy property by using a useful life of not less than 35 years when appraising the property using the cost method.
SB423	Support	Personnel	Relating to conducting certain contested case hearings under the Texas workers' compensation system by remote communication.	would, among other things, provide that, on mutual agreement of the parties, the Division of Workers' Compensation shall conduct a contested case hearing telephonically or by videoconference.
SB427	Watch	Other Finance and Administration	Relating to the eligibility of certain political subdivisions to receive a state loan or grant following the political subdivision's failure to comply with certain annual financial reporting requirements.	would, among other things, provide that: (1) a city that fails to file its required annual financial audit is not eligible to receive a state loan or grant under a state program for the city's fiscal year in which the city was required to file the report; and
SB460	Watch	Public Safety and Emergency Man	Relating to the jurisdiction and enforcement of certain international organization policies.	would prohibit: (1) the state or a political subdivision of the state from enforcing or implementing a policy or rule of the United Nations; and (2) the state, state agency, political subdivision of the state, public school district, private school, open-enrollment charter school, or an institution of higher education, from enforcing or implementing a World Health Organization public health policy or guideline, unless expressly authorized by state law or executive order.

Bill Number	CODS Position	Category	Bill Description	TML Summary
SB461	Watch	Personnel	Relating to disclosure of certain relationships with local government officers and vendors.	would, for the purposes of disclosure of a relationship between a local government officer and vendor: (1) broaden the term “agent” to also include a subcontractor; (2) eliminate the following exceptions from the term “business relationship”: (a) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity; (b) a transaction conducted at a price and subject to terms available to the public; or (c) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency; (3) expand the term “family member” to include a person related to another person within the third degree of consanguinity or the second degree by affinity; and (4) include dividends, capital gains, or interest generated from a trust in the definition of “investment income.”
SB464	Support	Land Use	Relating to county and municipal authority to prohibit the operation of e-cigarette retailers near primary or secondary schools.	would, among other things, provide that: (1) a city council may adopt an ordinance applicable within the city prohibiting an e-cigarette retailer from operating within 300 feet of a public or private primary or secondary school campus; and (2) a municipal ordinance adopted under the bill does not apply to an e-cigarette retailer whose gross receipts from the sale of e-cigarettes are less than 50 percent of the retailer’s total gross receipts at the retailer’s premises within an area described by (1), above.
SB467	Watch	Property Tax	Relating to the reappraisal for ad valorem taxation purposes of real property on which a building completely destroyed by a casualty is located.	would: (1) require the chief appraiser to, at the request of the owner, reappraise a residence homestead that is completely destroyed by a casualty; and (2) require taxing units to recalculate the amount of taxes due to account for the changed value and, if the tax on the property has been paid, refund the amount by which the payment exceeded the tax due as recalculated.
SB470	Oppose	Utilities and Environment	Relating to the issuance of certificates of obligation by local governments.	would, among other things: prohibit an issuer of a certificate of obligation (CO), including a city, from issuing a CO for the following types of public improvements: (a) a public safety facility, including a police station, fire station, emergency shelter, jail, or juvenile detention facility; (b) a judicial facility; (c) an administrative office building housing the governmental functions of the city or county; (d) an animal shelter; (e) a library; (f) the rehabilitation, expansion, reconstruction, or maintenance of an existing stadium, arena, civic center, convention center, or coliseum that is owned and operated by the city or county or by an entity created to act on behalf of the city or county; (g) constructing or equipping a jail; and (h) constructing a bridge that is part of or connected to a county road or an approach to such a bridge;
				authorize the issuance of a CO for: (a) a telecommunications, wireless communications, or information technology system and any computer application hardware or software; and (b) a cybersecurity system;
				allow the governing body of an issuer to authorize a CO only as necessary to pay a contractual obligation, or professional services associated with an obligation, to be incurred for the construction, creation, renovation, repair, or improvement of a public work that is necessary to: (a) comply with a state or federal law or rule, but only if the issuer has been officially notified of noncompliance with the law or rule; (b) to mitigate the impact of the following, as determined by the governing body: (i) a public health emergency in the jurisdiction of the issuer that poses an imminent danger to the physical health or safety of the residents of the issuer, so long as the governing body adopts a resolution describing the conditions and circumstances of the public health emergency; or (ii) a natural disaster in the jurisdiction of the issuer subject to a state of disaster declared or renewed by the governor or the presiding officer of the governing body of an issuer; or (c) to respond to a court decision that requires the issuer to construct, create, renovate, repair, or improve a public work;
SB470	Oppose	Utilities and Environment	Relating to the issuance of certificates of obligation by local governments.	provide that, if necessary because of a change order for a contractual obligation incurred for the construction, renovation, repair, or improvement of a public work, the governing body of an issuer may authorize the issuance of COs in an amount not to exceed 15 percent of the contractual obligation;

Bill Number	CODS Position	Category	Bill Description	TML Summary
SB480	Support	Utilities and Environment	Relating to the authority of a local government to enter into an interlocal contract with certain governmental entities to participate in water research or planning activities.	would provide that a local government may contract with another local government, the state, or the federal government to jointly participate in research or planning activities related to water resources.
SB488	Watch	Property Tax	Relating to the authority of a taxing unit other than a school district to establish a limitation on the amount of ad valorem taxes that the taxing unit may impose on the residence homesteads of individuals who are disabled or elderly and their surviving spouses.	would expand the law authorizing cities to adopt a property tax freeze on the residence homestead of individuals who are elderly or disabled and their surviving spouses to all taxing units other than school districts. (See S.J.R. 26, below.) (Companion bill is would: (1) create the Task Force on Concrete Plants; (2) require the task force to consult with experts on and study the effects of air and noise pollution caused by concrete batch and crushing plants in Texas; (3) require the task force to: (a) develop recommendations for legislation to: (i) reduce air and noise pollution caused by concrete batch and crushing plants; (ii) improve the processes for issuing permits for and inspecting concrete batch and crushing plants; and (iii) improve enforcement of statutes and rules that apply to concrete batch and crushing plants; and (b) identify best practices to reduce air and noise pollution caused by concrete batch and crushing plants; and (4) require the task force to submit a report of its findings to the governor, the lieutenant governor, and the speaker of the house of representatives not later than December 1, 2026.
SB492	Watch	Land Use	Relating to the establishment of the Task Force on Concrete Plants.	
SB501	Watch	Utilities and Environment	Relating to underground facility safety.	
SB504	Watch	Open Government	Relating to the disclosure of certain financial information by certain nonprofit organizations that enter into sizeable contracts with political subdivisions.	
SB505	Watch	Elections	Relating to processes to address election irregularities; providing a civil penalty.	
SB506	Watch	Elections	Relating to requirements for certain petitions requesting an election and ballot propositions and to related procedures and provisions.	
SB507	Watch	Elections	Relating to election supplies and the conduct of elections; creating criminal offenses; increasing criminal penalties.	
SB508	Watch	Elections	Relating to preparing and delivering precinct election returns; increasing a criminal penalty.	
SB510	Watch	Elections	Relating to the failure of a voter registrar to comply with voter registration laws.	
SB511	Watch	Elections	Relating to prohibiting an officer or employee of this state or of a political subdivision of this state from distributing certain voter registration application forms.	



Bill Number	CODS Position	Category	Bill Description	TML Summary
SJR15	Watch	Property Tax	Proposing a constitutional amendment authorizing the legislature to provide that the appraised value of a residence homestead for ad valorem tax purposes for the first tax year that the owner of the property qualifies the property for a residence homestead exemption is the market value of the property and that, if the owner purchased the property, the purchase price of the property is considered to be the market value of the property for that tax year and to limit increases in the appraised value of the homestead for subsequent tax years based on the market value of all new improvements to the property.	
SJR16	Watch	Community and Economic Development	Proposing a constitutional amendment to foster economic development and job growth, provide tax relief and funding for education and public safety programs, and reform and support the horse racing industry by authorizing casino gaming at destination resorts, authorizing sports wagering, and creating the Texas Gaming Commission to regulate casino gaming and sports wagering; requiring a license to conduct casino gaming; requiring the imposition of a casino gaming tax, sports wagering tax, and license application fees.	
SJR21	Oppose	Property Tax	Proposing a constitutional amendment to authorize the legislature to set a lower limit on the maximum appraised value of a residence homestead for ad valorem taxation.	
SJR22	Oppose	Property Tax	Proposing a constitutional amendment to authorize the legislature to set a lower limit on the maximum appraised value of a residence homestead for ad valorem taxation.	
SJR23	Oppose	Property Tax	Proposing a constitutional amendment to authorize the legislature to set a lower limit on the maximum appraised value of real property other than a residence homestead for ad valorem tax purposes and to postpone the expiration of the limit.	
SJR24	Watch	Other Finance and Administration	Proposing a constitutional amendment establishing the right to be free from governmental intrusion or interference into an individual's private life.	
SJR25	Oppose	Property Tax	Proposing a constitutional amendment exempting tangible personal property from ad valorem taxation.	
HB1622	Oppose	Property Tax		would make permanent the temporary 20 percent appraisal cap on real property other than a residence homestead. (See H.J.R. 104, below.)
HJR104	Oppose	Property Tax		would amend the Texas Constitution to authorize the legislature to make permanent the temporary 20 percent appraisal cap on real property other than a residence homestead. (See H.B. 1622, above.)

Bill Number	CODS Position	Category	Bill Description	TML Summary
SB621	Watch	Other Finance and Administration		would provide that a political subdivision may not establish, operate, or own an organization or entity that is organized for the purpose of engaging in banking.
HB1524	Watch			would, for purposes of the Texas Fair Housing Act, provide that a: (1) “dwelling” is any structure that is occupied, designed, or intended for use as a residence and which has received a certificate of occupancy; and (2) “bona fide offer” for purchase of a dwelling is an offer made in good faith without deceitful motives that is legally binding on the parties.



**To: Mayor Bill Foulds Jr. & City Council**  
**From: Shane Pevehouse, Building Official**  
**Tory Carpenter, Planning Director**  
**Date: January 7, 2025**  
**RE: Code Enforcement Update**

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## **I. Overview**

This memorandum provides updates on code enforcement activities related to the following projects: Citgo, Paloma, and Whim Corporate Headquarters.

## **II. Citgo Update**

1. Pole Sign Demolition:
  - Payment for the demolition project was received on December 23, 2024.
  - Permit issuance is pending proof of insurance from the applicant.
  - The sign contractor, Sign Crafters, confirmed having a contract with Mr. Momin but has not yet received a deposit.
2. Exterior Lighting Plan:
  - Payment for the project was received on December 11, 2024.
  - At the time of this report, the lighting plan was under review.
  - Improvements to the lighting includes the installation of shielding and low kelvin fixtures.
3. Wall Sign Compliance:
  - All unpermitted wall signs have been removed.

## **III. Paloma Update**

1. Variance Request Outcome:
  - On November 5, 2024, the Board of Adjustments denied the variance request to allow two structures within the building setback.
  - The applicant was directed to relocate both structures within six months of the Board's decision, with a deadline of May 5, 2025, to avoid further enforcement action.
2. Current Status:
  - The property owner informed staff that the business operator recently closed the business and vacated the property.
  - During the vacating process, the business operator removed one of the two unpermitted structures.

- Staff is actively working with the property owner to ensure the remaining structure is removed by the established deadline.

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#### **IV. Whim Corporate Headquarters Update**

##### **1. Temporary Warehouse Tent:**

- On July 16, 2024, City Council approved an extension of an existing Conditional Use Permit (CUP) to allow a tent to be used as a temporary warehouse.
- The approval included a condition requiring the applicant to submit complete building permit applications by March 1, 2025.
- This condition was satisfied in October 2024.

##### **2. Tent Removal Deadline:**

- Per the CUP approval, the temporary tent must be removed by March 14, 2026.

ADMINISTRATIVE APPROVAL PROJECTS				
Site Development Project Name	City Limits / ETJ	Location	Description	Status
SD2021-0005 Dripping Springs WWTP Expansion	CL	23127 FM 150 W	Expansion of the Wastewater treatment plant	HOLD
SD2021-0021 RR 12 Commercial Kitchen	CL	28707 RR 12	Commercial kitchen that will support a catering business, no on-site dining is proposed	Approved w/ Conditions
SD2021-0013 Dreamland	ETJ			Waiting on Resubmittal
SD2021-0033 Bell Springs Business Park, Sec 1&2 Rev	ETJ	4955 Bell Springs	A revision for minor adjustments on site layouts, rainwater, and overall drainage & water quality	Approved w/ Conditions
SD2022-0001 Julep Commercial Park	ETJ	Northeast corner of W US 290 and Trautwein Rd	11.27 acre site of mixed-use commercial buildings with supporting driveways, water quality and detention pond, rainwater harvesting, and other utilities	Waiting on Resubmittal
SD2022-0010 Wenty's Wine Bar	ETJ	5307 Bell Springs Rd	Wine bar and associated improvements	Waiting on Resubmittal
SD2022-0013 DS Flex Business Park	CL	28513 RR 12	Construction of two shell buildings with accompanying site improvements	Waiting on Resubmittal
SD2022-0011 Skybridge Academy	CL	519 Old Fitzhugh Road	Remodel/repurpose of existing historic structures, add new construction to tie together the house and garage with additional parking and revised driveway	Approved w/ Conditions
SD2022-0014 Bell Springs Site Plan (Travis Flake)	ETJ	5307 Bell Springs Rd	Office and Warehouse with drives, parking, waterline connection, and pond	Approved w/ Conditions
SD2022-0018 Office 49	ETJ	241 Frog Pond Lane	The construction of eleven office buildings of varying sizes along with the related paving, grading, drainage, and utility improvements.	Waiting on Resubmittal
SD2022-0019 Double L Ranch, Phase 1	ETJ	RR 12	Construction of water, wastewater, drainage and paving improvements for 244 single family lots.	Approved w/ Conditions
SD2022-0020 Merigian Studios	ETJ	105 Daisy Lane	Art studio with driveway, parking, and external structures	Approved w/ Conditions
SD2022-0024 4400 US 290 SP	ETJ	4400 US 290	7 Commercial Buildings in the ETJ	Approved w/ Conditions
SD2022-0025 Hardy Drive	ETJ	2901 US 290	Construction of a road for the Hardy and Bunker Ranch development to meet fire code	Approved w/ Conditions
SD2023-0004 Austin Ridge Bible Church Revision	ETJ	31330 Ranch Road 12	Removal of the existing old house, the addition of 3 portable buildings and pavilion; additional parking.	Waiting on Resubmittal
SD2023-0007 Phase 4A Drip Irrigation System Improvements	ETJ	2581 E Hwy 290	The project is Phase 4A of the drip disposal fields and consists of 14.76 acres of drip irrigation fields only.	Approved w/ Conditions
SD2023-0008 102 Rose Drive	CL	102 Rose Dr	Construction of tow additional duplexes w/ accompanying site improvements	Waiting on Resubmittal
SD2023-0009 Paloma	CL	235 Sports Park Rd	Adding improvements to the site	Waiting on Resubmittal
SD2023-0010 Creek Road Horse Farms	CL/ETJ	1225 Creek Rd	Horse training facility with covered riding arena, barn, storage building and open-air riding.	Waiting on Resubmittal
SD2023-0011 Amazing Explorers Academy	ETJ	Ledgestone	Daycare facility, including driveways, parking areas; and water, wastewater, and stormwater facilities.	Waiting on Resubmittal
SD2023-0014 BR Dripping Springs	CL	27010 RR 12	3 commercial buildings with parking, stormwater and water quality.	Waiting on Resubmittal
SD2023-0017 OroBianco Mobile Food Unit - Driveways	CL	27713 RR 12	Driveway for gelato food truck.	Waiting on Resubmittal
SD2023-0018 Sunset Canyon Storage Facility	ETJ	950 S. Sunset Canyon Drive	Proposed storage facility with associated parking and drive.	Waiting on Resubmittal
SD2023-0019 3980 US 290 Warehouse	ETJ	3980 US 290	Construction of 4 - 5k sq ft Warehouse/office buildings	Waiting on Resubmittal
SD2023-0020 Graveyard Cellars	ETJ	24101 RR 12	2800 sq ft building and parking	Approved w/ Conditions
SD2024-001 Roxie's at Dripping Springs	CL	299 W. Mercer Street	Renovating and expanding site	Under Review
SD2024-002 QuickTrip #4133	CL	HWY 290 and Sawyer Ranch Rd	Convenience store with fuel sales	Waiting on Resubmittal
SD2024-004 Glass Business Park, Phase 2	ETJ	2560 W Hwy 290	Construction of 6 additional warehouse buildings with associated site improvements	Waiting on Resubmittal
SD2024-007 New Growth at Roger Hanks	CL	US 290 at Roger Hanks Pkwy	Mix land use and 240 residential units with parkland and roadway connections.	Waiting on Resubmittal
SD2024-008 AutoZone 5807 Dripping Springs	CL	US Hwy 290	Retail parts store.	Waiting on Resubmittal
SD2024-010 Austin Ridge Bible Church	ETJ	3100 E Hwy 290	Church campus, with worship center, driveways, parking, detention, and park area.	Waiting on Resubmittal
SD2024-011 Patriot Erectors CZP	ETJ	3023 West Hwy 290	Detention pond.	Under Review
SD2024-012 5285 Bell Springs Rd	ETJ	5285 Bell Springs Rd	Private religious educational facility and associated improvements.	Waiting on Resubmittal
SD2024-013 Cowboy Church of the Hill Country	ETJ	207 Darden Hill Road	Construction of a church building and accompanying site improvements.	Waiting on Resubmittal
SD2024-014 Pear Tree Commercial	ETJ	27322 RR 12	Existing commercial space. Pave the parking area and provide water quality treatment of that area.	Waiting on Resubmittal
SD2024-016 UG Boat and RV Storage	ETJ	31301 RR 12	Open air rv and boat storage.	Waiting on Resubmittal
SD2024-018 Short Mama's	CL	101 College Street	Existing project addition to include dining area, parking, lawn area, stage, and streetscaping.	Waiting on Resubmittal
SD2024-019 VB Dripping Springs	CL	27320 RR 12	100' wireless telecommunication tower.	Waiting on Resubmittal
SD2024-020 Lost Lizard	ETJ	10730 FM 967	Four residential accessory structures and gravel	Waiting on Resubmittal
SD2024-021 Genesis City - Glamping Hotel	ETJ	113 Concorde Circle	One main building with 9 cabins, and parking.	Under Review
SD2024-022 Stephenson Building Addition and Parking Improvements	CL	311 Old Fitzhugh Rd	Phase 1:Stephenson building addition. Phase 2: parking lot improvements.	Under Review

<i>Ongoing Projects</i>	
Comprehensive Plan	Comprehensive plan subcommittee TBD
Cannon Mixed-Use	Awaiting Resubmittal
PDD2023-0001 Madelynn Estates	Dormant
PDD2023-0002 Southern Land	Awaiting Resubmittal
PDD2023-0003 ATX RR12 Apartments	Awaiting Resubmittal. Applicant may update submittal to expand the area to include commercial.

Subdivision Project Name	City Limits / ETJ	Location	Description	Status
SUB2022-0009 Driftwood Subdivision Phase 3 Preliminary Plat	ETJ	17901 FM 1826	Preliminary Plat for 14 lots: 12 Residential, 1 Commercial, 1 Industrial	Approved w/ Conditions
SUB2021-0011 Double L Phase 1 Prelim Plat	ETJ	1.5 miles N of US 290 & RR 12	PP for 243 residential units and 1 amenity center	Approved w/ Conditions
SUB2022-0033 The Ranch at Caliterra	ETJ	Premier Park Loop	Preliminary plat of the Carter tract with 243 lots	Approved w/ Conditions
SUB2022-0036 Driftwood Creek FM 150 12 Treated Effluent and 10 Raw Wastewater Forcemains Ph I and II	ETJ	FM 150	12 inch treated effluent line and 10 inch wastewater forcemains to connect with Dripping Springs WWTP	Approved w/ Conditions
SUB2022-0043 Howard Ranch Sec 4 Lots 62 & 63 AP	ETJ	590 Cypress Creek Dr	An amending plat to remove a site parking area from the single family lot. This request is by the property owner.	Waiting on Resubmittal
SUB2022-0048 Wild Ridge Phase 1 CP	CL	E US 290	Construction plans for phase 1 of Wild Ridge	Waiting on Resubmittal
SUB2022-0049 Serenity Hills	ETJ	1111 Hays Country Acres Rd	50 Lot subdivision in Dripping Springs ETJ	Approved w/ Conditions
SUB2023-0001 Village Grove Phase 2B CP	CL	Sports Park Rd	Residential townhome infrastructure improvements. Construction of 16 Townhome lots and roadways.	Approved w/ Conditions
SUB2023-0003 The Ranch at Caliterra CP	ETJ	Soaring Hill Rd at HC Carter Way	Construction Plans for the Carter tract.	Waiting on Resubmittal
SUB2023-0006 Wild Ridge Phase 1 FP	CL	E US 290	Approximately 62.1 acres to include 136 residential lots, roadways, and a commercial lot	Approved w/ Conditions
SUB2023-0008 Silver Creek Subdivision Construction Plans	ETJ	Silver Creek Rd	29 Single family residential lots with access, paving, OSSF, water supply well, and open space	Approved w/ Conditions
SUB2023-0018 Cannon Ranch Phase 2 Final Plat	CL	Rushmore Drive at Lone Peak Way	Subdivide into 100 lots.	Approved w/ Conditions
SUB2023-0021 Driftwood Golf and Ranch Club Phase Four Subdivision CP	ETJ	Driftwood Ranch Drive	Paving, drainage, water, wastewater subdivision constructions plans.	Approved w/ Conditions
SUB2023-0028 Arrowhead Commercial Final Plat	CL	US Hwy 290 W	Subdividing 6.6 acres as 1 lot.	Waiting on Resubmittal
SUB2023-0034 Lunaroya Subdivision Final Plat	ETJ	Silver Creek Rd	28 single family large residential lots with on site sewage for each lot	Waiting on Resubmittal
SUB2023-0035 Parten Ranch Phase 6 & 7 Final Plat	ETJ	600 Two Creeks Lane	122 single family lots and 4 drainage/open space lots	Approved w/ Conditions
SUB2023-0037 Amending Plat of Final Subdivision Plat of Roger Hanks Park	CL	US 290 at Roger Hanks Pkwy	Redesign to include north bound turn lane on Roger Hanks Pkwy, Improvements to Hamilton Crossing and Lake Lucy Loop	Waiting on Resubmittal
SUB2023-0038 The Ranch at Caliterra Final Plat	ETJ	HC Carter Way	234 single family lots on 200.024 acres	Approved w/ Conditions
SUB2023-0039 Wild Ridge Phase 2 Construction Plans	CL	Shadow Ridge Parkway	142 single family lots, minor arterial and local roadways, 2 water quality ponds, utilities, lift station, parkland and open space	Waiting on Resubmittal
SUB2023-0042 Hardy Construction Plans	CL	2901 West US 290	78.021 acres subdivided into 73 single family lots	Approved w/ Conditions
SUB2023-0048 Driftwood Falls Estates Subdivision	ETJ	609 S Creekwood Dr	Replat two lots in one.	Approved w/ Conditions
SUB2023-0049 Amended Plat of the Breed Hill Replat Subdivision	ETJ	3100 W US 290	Combining three lots into one.	Approved w/ Conditions
SUB2023-0051 Gateway Village Phase 1 CP	CL	HWY 290	144 Single family lots.	Approved
SUB2024-005 Roger Hanks Construction Plans	CL	US 290 at Roger Hanks Pkwy	Public improvements from southern boundary to intersection with 290.	Waiting on Resubmittal
SUB2024-008 Skylight Hills Final Plat	ETJ	13001 and 13111 High Sierra	Subdivide into 5 lots.	Approved w/ Conditions
SUB2024-009 Blue Creek Subdivision, Lots 16 & 17 Am	ETJ	500 Blue Creek Drive	Adjusting lot lines to transfer 3.65 acres	Approved
SUB2024-011 Driftwood Golf and Ranch Club, Phase One, Block A, Lots 14, 15, and 16 Amending Plat	ETJ	Club Ranch Court	Combine three lots into two.	Approved
SUB2024-012 St. Martin's Subdivision, Lots 1 & 2 Amending Plat	CL/ETJ	230 Post Oak Drive	Combine two existing lots into one.	Waiting on Resubmittal
SUB2024-013 Richford Subdivision, Lot 2 Replat	ETJ	14331 Canonade	Divide existing lot into two.	Waiting on Resubmittal
SUB2024-015 Gateway Village Phase 1	CL	US 290	Final plat for 144 single family subdivision.	Waiting on Resubmittal
SUB2024-016 Replat of Dripping Springs Retail Center Subdivision	CL	598 E Hwy 290	Combine one platted lot and one unplatted lot to create 35.7 acres.	Approved
SUB2024-017 Wild Ridge Phase 2 Final Plat	CL	Shadow Ridge Parkway	152 single family residential lots.	Approved w/ Conditions
SUB2024-019 Driftwood Subdivision, Phase 5, Preliminary Plat	ETJ	Thurman Roberts Way	13 lots, 10 residential, 2 open space, and 1 private.	Waiting on Resubmittal
SUB2024-020 JWLP Parking Addition Amending Plat	CL	249 Sportplex Drive	Combining two lots to allow additional parking lot for existing site plan.	Approved
SUB2024-021 Village Grove Phase 2A Subdivision	CL	Village Grove Parkway	Infrastructure for 64 single family residential lots on 18.206 acres	Waiting on Resubmittal
SUB2024-022 Driftwood Falls Estates, Lots 5A & 6A Amending Plat	ETJ	700 South Creekwood Dr	Adjusting lot line between two properties.	Approved
SUB2024-023 WT Chapman, Lots 1A and 2 Amending Plat	CL	216 South Bluff St	Combine two lots into one.	Approved
SUB2024-024 Heritage Phase 4 Subdivision	CL	Sportsplex Drive	115 single family lots on 31.80 acres	Waiting on Resubmittal
SUB2024-025 Village Grove Phase 3 Subdivision	CL	Village Grove Parkway	115 single family lots on 30.04 acres	Waiting on Resubmittal
SUB2024-027 Caliterra Phase 3 Section 10	ETJ	Point du Hoc Loop	22 Single family lots, 32.591 acre tract	Approved
SUB2024-028 Off Site Waterline Plans for Luna Roy Subdivision	ETJ	Silver Creek Rd	Waterline infrastructure construction plans.	Waiting on Resubmittal
SUB2024-029 Minor Plat of Stephenson Civic District	CL	101 Old Fitzhugh Rd	Establishing 1.4289-acre plat	Under Review
SUB2024-030 Heritage Phase 3 Final Plat	CL	Sportsplex Drive	164 lot subdivision plat	Waiting on Resubmittal
SUB2024-031 Morganville Subdivision	ETJ	403 KC Memory Lane	Plat 1 residential lot	Approved
SUB2024-032 Settlers Point, Phase 1, Lots 7 & 8 Amending Plat	ETJ	7000 Settlers Trail	Combining two lots into one 10.02-acre lot.	Approved
SUB2024-033 Village Grove Phase 1 Final Plat	CL	Village Grove Parkway	Plat of 1 roadway, 2 water quality ponds, and 1 drainage easement.	Waiting on Resubmittal
SUB2024-034 Village Grove Phase 2A Final Plat	CL	Village Grove Parkway	Final plat for 165 single family lots.	Waiting on Resubmittal
SUB2024-035 Lunaroya Amended Preliminary Plat	ETJ	Silver Creek Rd	28 single family residential lots.	Under Review
SUB2024-036 Mitchel Property Preliminary Plat	ETJ	Silver Creek Rd	33 residential lots.	Under Review
SUB2024-037 Driftwood Golf Club Development Effluent and WW Forcemains	ETJ	Thielepape Cove	12,185 linear feet of 12", 6", or 2" forcemain	Under Review

In Administrative Completeness	Filing Date
SUB2023-0028 Arrowhead Commercial Minor Plat	8-Jan