



DRIPPING SPRINGS
Texas

CITY COUNCIL REGULAR MEETING
City of Dripping Springs
Council Chambers, 511 Mercer St, Dripping Springs, TX
Tuesday, March 15, 2022 at 6:00 PM

AGENDA

CALL TO ORDER AND 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 April Harris Allison
Council Member Place 5 Sherrie Parks

Staff, Consultants & Appointed/Elected Officials

Deputy City Administrator Ginger Faught
City Attorney Laura Mueller
City Treasurer Shawn Cox
City Secretary Andrea Cunningham
Communications & Marketing Director Lisa Sullivan
DSRP Manager Emily Nelson
Community Events Coordinator Emily Nelson
Emergency Management Coordinator Roman Baligad
Planning Director Howard Koontz
Senior Planner Tory Carpenter
Planning Assistant Warlan Rivera
Building Official Sarah Cole

PLEDGE OF ALLEGIANCE

PRESENTATION OF CITIZENS

A member of the public who desires to address the City Council regarding any item on an agenda for an open meeting may do so at presentation of citizens before an item or at a public hearing for an item during the City Council's consideration of that item. Citizens wishing to discuss matters not contained within the current agenda may do so, but only during the time allotted for presentation of citizens. Speakers are allowed two (2) minutes to speak during presentation of citizens or during each public hearing. Speakers may not cede or pool time. Members of the public requiring the assistance of a translator will be given twice the amount of time as a member of the public who does not require the assistance of a translator to address the City Council. It is the request of the City Council that members of the public wishing to speak on item(s) on the agenda with a noticed Public Hearing hold their comments until the item(s) are presented for consideration. Speakers are encouraged to sign in. Anyone may

request a copy of the City's policy on presentation of citizens from the city secretary. By law no action may be taken during Presentations of Citizens.

PROCLAMATIONS & PRESENTATIONS

- 1. Proclamation of the City of Dripping Springs Proclaiming the week of April 22-30, 2022, as "International Dark Sky Week" in the City of Dripping Springs. Sponsors: Mayor Pro Tem Manassian and Council Member Harris Allison.**

CONSENT AGENDA

The following items are anticipated to require little or no individualized discussion due to their nature being clerical, ministerial, mundane or routine. In an effort to enhance the efficiency of City Council meetings, it is intended that these items will be acted upon by the City Council with a single motion because no public hearing or determination is necessary. However, a City Council Member or citizen may request separate deliberation for a specific item, in which event those items will be removed from the consent agenda prior to the City Council voting on the consent agenda as a collective, singular item. Prior to voting on the consent agenda, the City Council may add additional items that are listed elsewhere on the same agenda.

- 2. Approval of the March 1, 2022, City Council & Board of Adjustment regular meeting minutes.**
- 3. Approval of the March 8, 2022, City Council regular meeting minutes.**
- 4. Approval of the February 2022 City Treasurer's Report.**
- 5. Approval of a Memorandum of Understanding (MOU) between the Hays Office of Emergency Services and the City of Dripping Springs related to Emergency Animal Sheltering at the Dripping Springs Ranch Park Event Center. Sponsor: Council Member Harris-Allison**
- 6. Approval of the 2022 Rate Adjustment related to professional services provided by Bojorquez Law Firm. Sponsor: Mayor Foulds, Jr.**
- 7. Approval of a Resolution Adopting a Water Conservation Plan for the City of Dripping Springs. Sponsor: Mayor Foulds, Jr.**
- 8. Approval of an amendment to the 2019 HDR Engineering Services Master Agreement and task order for additional easement acquisition services. Sponsor: Mayor Foulds, Jr.**
- 9. Approval of an Agreement between the City of Dripping Springs and the Dripping Springs Future Farmers of America related to use of the Dripping Springs Ranch Park Event Center.**
- 10. Approval of a Donation Agreement between the City of Dripping Springs and Weston Kirk related to a Native Propagation Nursery to be installed at Charro Ranch Park. Sponsor: Council Member Sherrie Parks.**
- 11. Approval of donation of funds for Farmers Market Sponsorship Bags by Melissa A. Roberts.**

BUSINESS AGENDA

- 12.** Presentation and consideration of approval of the City of Dripping Springs Fiscal Year 2020-2021 Audit. *Don Allman, CPA, PC*
- 13.** Public hearing, discussion, and consideration of approval of a Sign Variance Request for Mighty Fine to exceed the maximum number of projecting signs allowed by the Master Sign Plan for Belterra Village at 166 Hargraves Dr., Suite T100, Austin, Texas, 78737. *Applicant: Ann Lewis, Lewis Sign Builders, Inc.*
 - a. Applicant Presentation
 - b. Staff Report
 - c. Public Hearing
 - d. Sign Variance Request
- 14.** Discuss and consider approval of a Waiver Application from the temporary development moratorium for the Over Yonder Natures School. *Applicant: Ron Thrower*
 - a. Applicant Presentation
 - b. Staff Report
 - c. Waiver Application
- 15.** Discuss and consider approval of the Appointment of members to the Comprehensive Plan and Development Code Rewrite Committee. *Sponsor: Mayor Foulds, Jr.*
- 16.** Update and discussion regarding Coronavirus Local Fiscal Recovery Funds (CLFRF). *Sponsor: Mayor Foulds, Jr.*
- 17.** Discuss and consider approval of a Resolution authorizing the publication of Notice of Intention to issue Combination Tax and Surplus Revenue Certificates of Obligation, Series 2022 and other matters related thereto. *Sponsor: Mayor Foulds, Jr.*

REPORTS

Reports of Staff, Boards, Commissions, Committees, Boards and Agencies are on file and available for review upon request. The City Council may provide staff direction; however, no action may be taken.

- 18.** Maintenance & Facilities Monthly Report
Craig Rice, Maintenance Director

EXECUTIVE SESSION AGENDA

The City Council for the City of Dripping Springs has the right to adjourn into executive session at any time during the course of this meeting to discuss any matter as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development). The City Council for the City of Dripping Springs may act on any item listed in Executive Session in Open Session or move any item from Executive Session to Open Session for action.

- 19. Consultation with City Attorney and Deliberation of Real Property regarding property acquisition related to the South Regional Water Reclamation Project.** *Consultation with City Attorney, 551.071, · Deliberation of Real Property, 551.072*
- 20. Consultation with City Attorney regarding legal issues related to planning matters, wastewater capacity, comprehensive plan, and processes related to approvals.** *Consultation with City Attorney, 551.071*
- 21. Consultation with City Attorney related to the South Regional Water Reclamation Project and the litigation on the Wastewater Permit.** *Consultation with City Attorney, 551.071*

UPCOMING MEETINGS

City Council & Board of Adjustment Meetings

March 22, 2022, at 5:00 p.m. (Moratorium Waivers)
April 5, 2022, at 6:00 p.m. (CC & BOA)
April 12, 2022, at 5:00 p.m. (Moratorium Waivers)
April 19, 2022, at 6:00 p.m. (CC)
April 26, 2022, at 5:00 p.m. (Moratorium Waivers)

Board, Commission and Committee Meetings

March 17, 2022, Farmers Market Committee at 10:00 a.m.
March 22, 2022, Planning & Zoning Commission at 6:00 p.m.
March 23, 2022, Economic Development Committee at 4:00 p.m.
March 24, 2022, Emergency Management Commission at 12:00 p.m.
March 24, 2022, TIRZ No. 1 & No. 2 Board at 4:00 p.m.
March 28, 2022, Transportation Committee at 3:30 p.m.
March 28, 2022, Founders Day Commission at 6:30 p.m.
April 4, 2022, Parks & Recreation Commission at 6:00 p.m.

ADJOURN

TEXAS OPEN MEETINGS ACT PUBLIC NOTIFICATION & POSTING OF MEETING

All agenda items listed above are eligible for discussion and action unless otherwise specifically noted. This notice of meeting is posted in accordance with Chapter 551, Government Code, Vernon's Texas Codes. Annotated. In addition, the City Council may consider a vote to excuse the absence of any City Council Member for absence from this meeting.

*I certify that this notice of meeting was posted at the City of Dripping Springs City Hall and website, www.cityofdrippingsprings.com, on **March 11, 2022, at 5:00 p.m.***

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.



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

Submitted By: Caylie Houchin, Community Events Coordinator

Council Meeting Date: March 15, 2022

Agenda Item Wording: **Proclamation of the City of Dripping Springs Proclaiming the week of April 22-30, 2022, as "International Dark Sky Week" in the City of Dripping Springs.**

Agenda Item Requestor: Michelle Fischer, City Administrator

Summary/Background: International Dark Sky Week events will be celebrated across the globe to help raise awareness of the benefits of community friendly lighting and our heritage of dark skies. To help spread the word about Dark Sky Week, the Parks Department is hosting a Star Party on April 1st at Dripping Springs Ranch Park. Members of the University of Texas Astronomy Club will be speaking on how light pollution affects animals' migrations patters and what our community can do to help mitigate the effects of light pollution during peak migration times.

Recommended Council Actions: Staff recommends approval of the proclamation.

Attachments: International Dark Sky Week Proclamation

Next Steps/Schedule: Work with Communications and Marketing Director Lisa Sullivan on promotion of proclamation in conjunction with Star Party on April 1st.



**PROCLAMATION
OF THE CITY OF DRIPPING SPRINGS
PROCLAIMING THE WEEK OF APRIL 22-30, 2022, AS**

“INTERNATIONAL DARK SKY WEEK”

- WHEREAS,** the City of Dripping Springs was named the first International Dark Sky Community in Texas in 2014; and
- WHEREAS,** the aesthetic beauty and wonder of a natural night sky is a shared heritage of all humankind; and
- WHEREAS,** light Pollution has scientifically-established economic and environmental consequences, which result in significant impacts to the ecology and human health of all communities; and
- WHEREAS,** The City of Dripping Springs has shown exceptional dedication to the preservation of the night sky through the implementation and enforcement of a quality outdoor lighting ordinance, dark sky education, and citizen support of the dark skies; and
- WHEREAS,** the experience of standing beneath a starry night sky inspires feelings of wonder and awe, and encourages a growing interest in science and nature, especially among young people and out-of-area visitors within the local communities; and
- WHEREAS,** The International Dark-Sky Association recognizes April 22 – 30, 2022 as International Dark Sky Week; and
- WHEREAS,** the International Dark-Sky Association is the globally-recognized authority on light pollution, and has created International Dark Sky Week to raise awareness of light pollution, and provide free education, resources, and solutions to the public to encourage the protection and enjoyment of dark skies and responsible outdoor lighting.

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

1. That the City of Dripping Springs honors and recognizes April 22 – 30, 2022 as International Dark Sky Week.
2. The City Council calls upon the citizens of Dripping Springs to observe this important week and raise awareness and support for protecting our precious dark sky resources, and invites all residents to enjoy the Star Party to be held at Dripping Springs Ranch Park on April 1, 2022.

Bill Foulds, Jr., Mayor



DRIPPING SPRINGS
Texas

CITY COUNCIL & BOARD OF ADJUSTMENT WORKSHOP & REGULAR MEETING

City of Dripping Springs

Council Chambers, 511 Mercer St, Dripping Springs, TX

Tuesday, March 01, 2022 at 6:00 PM

MINUTES

CALL TO ORDER AND ROLL CALL

With a quorum of the City Council present, Mayor Foulds, Jr. called the meeting to order at 6:00 p.m.

City Council Members present were:

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 April Harris Allison
Council Member Place 5 Sherrie Parks

Staff, Consultants & Appointed/Elected Officials present were:

City Administrator Michelle Fischer
Deputy City Administrator Ginger Faught
City Attorney Laura Mueller
City Treasurer Shawn Cox
City Secretary Andrea Cunningham
Communications & Marketing Director Lisa Sullivan
Parks & Community Services Director Kelly Schmidt
Aquatics & Programs Manager Mack Rusick
Farmers Market Manager Charlie Reed
Planning Director Howard Koontz
Senior Planner Tory Carpenter
Planning Assistant Warlan Rivera
Maintenance Director Craig Rice
Planning & Zoning Commission Chair Mim James

CITY COUNCIL & BOARD OF ADJUSTMENT REGULAR MEETING

PLEDGE OF ALLEGIANCE

Council Member Harris-Allison led the Pledge of Allegiance to the Flag.

PRESENTATION OF CITIZENS

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within the current agenda may do so, but only during the time allotted for presentation of citizens. Speakers are allowed two (2) minutes to speak during presentation of citizens or during each public hearing. Speakers may not cede or pool time. Members of the public requiring the assistance of a translator will be given twice the amount of time as a member of the public who does not require the assistance of a translator to address the City Council. It is the request of the City Council that members of the public wishing to speak on item(s) on the agenda with a noticed Public Hearing hold their comments until the item(s) are presented for consideration. Speakers are encouraged to sign in. Anyone may request a copy of the City's policy on presentation of citizens from the city secretary. By law no action may be taken during Presentations of Citizens.

Mayor Foulds, Jr. and Council Member Tahuahua presented outgoing Parks & Community Services Director Kelly Schmidt with a Service Award and Texas Flag.

Charlie Busbey spoke regarding identity politics, requesting the City Council not consider proclamations regarding race, gender, and gender identity.

BOARD OF ADJUSTMENT

CALL TO ORDER AND ROLL CALL

With a quorum of the Board of Adjustment present, Chair Foulds, Jr. called the meeting to order.

Board of Adjustment Members present were:

Bill Foulds, Jr., Chair
 Taline Manassian
 Wade King
 Geoffrey Tahuahua
 April Harris Allison
 Sherrie Parks
 Charlie Busbey (Alternate)

BOARD OF ADJUSTMENT AGENDA

1. **Public hearing and consideration of VAR2022-0001: an application for a variance to allow an encroachment into the side building setback for a property located at 767 Bunker Ranch Blvd, being block 1, lot 1 out of the Bunker Ranch Phase 2 subdivision.**
Applicant: Trent Marino
 - a. **Applicant Presentation** – Trent Marino gave a presentation on the item.
 - b. **Staff Report** – Tory Carpenter presented the staff report which is on file.
 - c. **Planning & Zoning Commission Report** – Chair James presented the report. The Commission recommended Board of Adjustment approval unanimously 6 to 0.
 - d. **Public Hearing** – No one spoke during the Public Hearing.
 - e. **VAR2022-0001** – A motion was made by Board Member Manassian to approve VAR2022-0001: an application for a variance to allow an encroachment into the side

building setback for a property located at 767 Bunker Ranch Blvd, being block 1, lot 1 out of the Bunker Ranch Phase 2 subdivision. Board Member Harris-Allison seconded the motion which carried unanimously 6 to 0.

CITY COUNCIL

CONSENT AGENDA

The following items are anticipated to require little or no individualized discussion due to their nature being clerical, ministerial, mundane or routine. In an effort to enhance the efficiency of City Council meetings, it is intended that these items will be acted upon by the City Council with a single motion because no public hearing or determination is necessary. However, a City Council Member or citizen may request separate deliberation for a specific item, in which event those items will be removed from the consent agenda prior to the City Council voting on the consent agenda as a collective, singular item. Prior to voting on the consent agenda, the City Council may add additional items that are listed elsewhere on the same agenda.

2. **Approval of a Resolution accepting a donation for the Sports and Recreation Park Adult Softball Fields from the Dripping Springs Adult Softball Association.** *Sponsor: Council Member Parks*

Filed as Resolution No. 2022-R08

3. **Approval of the February 15, 2022, City Council regular meeting minutes.**
4. **Approval of an Ordinance cancelling the May 7, 2022, general election and declaring each unopposed candidate elected to office; providing that this ordinance shall be cumulative of all ordinances; providing a severability clause and providing an effective date.**

Filed as Ordinance No. 2022-06

5. **Approval of a Resolution authorizing the use of Coronavirus Local Fiscal Recovery funds for eligible costs not to exceed \$2,500.00 and approval of a Donation Agreement between the City of Dripping Springs and Dripping Springs Veterans of Foreign Wars Post 2933 and American Legion Post 290.** *Sponsor: Mayor Foulds.*

Filed as Resolution No. 2022-R09

A motion was made by Mayor Pro Tem Manassian to approve Consent Agenda Items 2 – 5, with revisions to minutes as presented. Council Member Parks seconded the motion which carried unanimously 5 to 0.

BUSINESS AGENDA

6. **Discuss and consider approval of a Maintenance and Use Agreement between DSYSA and City of Dripping Springs for the adult softball fields at Sports and Recreation Park.** *Sponsor: Council Member Parks*

Kelly Schmidt presented the staff report which is on file. Staff and the Parks & Recreation Commission recommend approval of the agreement.

A motion was made by Council Member Parks to approve a Maintenance and Use Agreement between DSYSA and City of Dripping Springs for the adult softball fields at Sports and Recreation Park. Council Member King seconded the motion which carried unanimously 5 to 0.

7. Discuss and consider approval of an Ordinance amending the Fee Schedule for fees related to Farmers Market operations. Sponsor: Council Member Parks.

Charlie Reed presented the staff report which is on file Staff and the Farmers Market Committee recommend approval of the fee schedule amendment.

A motion was made by Council Member Parks to approve an Ordinance amending the Fee Schedule for fees related to Farmers Market operations. Council Member Harris-Allison seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2022-07

8. Public hearing and possible action related to an Ordinance amending the requirements for accessory dwelling units under Chapter 30, Exhibit A Zoning Ordinance, Section 1: General Provisions, Section 3: Zoning Districts, Section 5: Development Standards and Use Regulations, and Appendix E: Zoning Use Regulations. Sponsor: Mayor Foulds, Jr.

a. Staff Report – Tory Carpenter presented the staff report which is on file.

b. Planning & Zoning Commission Report – Chair James presented the report. The Commission recommended City Council approval with changes as presented by staff, which carried 5 to 1, with Commissioner Williamson opposed.

c. Public Hearing – No one spoke during the Public Hearing.

d. ADU Zoning Amendment – A motion was made by Mayor Pro Tem Manassian to refer the item back to the Planning & Zoning Commission for further discussion at the March 22, 2022, regular meeting. Council Member Parks seconded the motion which carried unanimously 5 to 0.

9. Discuss and consider approval of the Appointment of members to the Comprehensive Plan and Development Code Rewrite Committee.

Howard Koontz presented the staff report which is on file.

No action was taken on this item.

10. Discuss and consider approval of an Interlocal Agreement between the Dripping Springs Independent School District and the City of Dripping Springs regarding the proposed City of Dripping Springs Sanitary Sewer Easement of 0.227 acres at the Site of the

Administration Buildings Abstract No. 415, R17997 & R97630. *Sponsor: Mayor Foulds, Jr.*

Laura Mueller presented the staff report which is on file. Staff recommends approval of the agreement.

A motion was made by Mayor Pro Tem Manassian to approve an Interlocal Agreement between the Dripping Springs Independent School District and the City of Dripping Springs regarding the proposed City of Dripping Springs Sanitary Sewer Easement of 0.227 acres at the Site of the Administration Buildings Abstract No. 415, R17997 & R97630. Council Member Tahuahua seconded the motion which carried unanimously 5 to 0.

11. Discuss and consider approval of the Appointment of one at-large and one DSYSA representative to the Parks & Recreation Commission for unexpired terms ending June 30, 2022.

Andrea Cunningham presented the staff report which is on file. The Parks & Recreation Commission recommended the appointment of Hope Boatright and Dustin Coultier.

A motion was made by Council Member Parks to approve of the Appointment of Hope Boatright and DSYSA representative Dustin Coultier to the Parks & Recreation Commission for unexpired terms ending June 30, 2022. Council Member King seconded the motion which carried unanimously 5 to 0.

12. Discuss and consider approval of the Appointment of an individual as interim Chair of the Utility Commission.

A motion was made by Council Member Harris-Allison to approve of the Appointment of Roger Kew as the Interim Chair of the Utility Commission. Council Member Parks seconded the motion which carried unanimously 5 to 0.

A motion was made by Mayor Pro Tem Manassian to adjourn into Executive Session under Texas Government Code Sections 551.071, Consultation with City Attorney and 551.072, Deliberation of Real Property. Council Member Harris-Allison seconded the motion which carried unanimously 5 to 0.

EXECUTIVE SESSION AGENDA

The City Council for the City of Dripping Springs has the right to adjourn into executive session at any time during the course of this meeting to discuss any matter as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development). The City Council for the City of Dripping Springs may act on any item listed in Executive Session in Open Session or move any item from Executive Session to Open Session for action.

13. Consultation with City Attorney and Deliberation on Real Property related to easements for road improvements at Roger Hanks Parkway and South Regional Water Reclamation Project. *Consultation with City Attorney, 551.071; Deliberation on Real Property, 551.072*

- 14. Deliberation of Real Property regarding the sale or purchase of real property related to an area in downtown Dripping Springs.** *551.072, Deliberation regarding Real Property.*
- 15. Consultation with City Attorney related to legal issues related to an agreement for comprehensive plan services.** *551.071, Consultation with Attorney.*

The City Council met in Executive Session from 7:13 p.m. – 8:34 p.m.

No action was taken during Executive Session. Mayor Foulds, Jr. returned the meeting to Open Session at 8:34 p.m.

UPCOMING MEETINGS

City Council & Board of Adjustment Meetings

March 8, 2022, at 5:00 p.m. (Moratorium Waivers)

March 15, 2022, at 6:00 p.m. (CC)

March 22, 2022, at 5:00 p.m. (Moratorium Waivers)

Board, Commission & Committee Meetings

March 2, 2022, DSRP Board at 11:00 a.m.

March 3, 2022, Historic Preservation Commission at 4:00 p.m.

March 7, 2022, Parks & Recreation Commission at 6:00 p.m.

March 8, 2022, Planning & Zoning Commission at 6:00 p.m.

March 9, 2022, Utility Commission at 4:00 p.m.

March 14, 2022, TIRZ No. 1 & No. 2 Board at 4:00 p.m.

March 14, 2022, Founders Day Commission at 6:30 p.m.

ADJOURN

A motion was made by Council Member Parks to adjourn the meeting. Council Member Harris-Allison seconded the motion which carried unanimously 5 to 0.

This regular meeting adjourned at 8:34 p.m.

APPROVED ON: March 15, 2022

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary



DRIPPING SPRINGS
Texas

CITY COUNCIL REGULAR MEETING - MORATORIUM WAIVERS

City of Dripping Springs

Council Chambers, 511 Mercer St, Dripping Springs, TX

Tuesday, March 08, 2022 at 5:00 PM

MINUTES

CALL TO ORDER AND ROLL CALL

With a quorum of the City Council present, Mayor Foulds, Jr. called the meeting to order at 6:00 p.m.

City Council Members present were:

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 April Harris Allison
Council Member Place 5 Sherrie Parks

Staff, Consultants & Appointed/Elected Officials present were:

Deputy City Administrator Ginger Faught
City Attorney Laura Mueller
City Secretary Andrea Cunningham
Planning Director Howard Koontz
Senior Planner Tory Carpenter
Planning Assistant Warlan Rivera

PLEDGE OF ALLEGIANCE

Council Member Harris-Allison led the Pledge of Allegiance to the Flag.

PRESENTATION OF CITIZENS

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No one spoke during Presentation of Citizens.

BUSINESS AGENDA

1. **Discuss and consider approval of a Waiver Application from the temporary development moratorium for the Wenty's Wine Bar development.** *Applicant: Russ Hooper / Todd Hutchison*
 - a. **Applicant Presentation** – Stephen Oliver with OPA Design Studio gave a presentation on the item which is on file.
 - b. **Staff Report** – Tory Carpenter presented the staff report which is on file.
 - c. **Waiver Application** – A motion was made by Council Member Tahuahua to approve a Waiver Application from the temporary development moratorium for the Wenty's Wine Bar development. Council Member Parks seconded the motion which carried 3 to 2, with Mayor Pro Tem Manassian and Council Member King opposed.

2. **Discuss and consider approval of a Waiver Application from the temporary development moratorium for the Ariza multifamily development.** *Applicant: Katie Stewart*
 - a. **Applicant Presentation** – Applicant representative Andy Barrett presented the item.
 - b. **Staff Report** – Tory Carpenter presented the staff report which is on file.
 - c. **Waiver Application** – A motion was made by Council Member King to approve a Waiver Application from the temporary development moratorium for the Ariza multifamily development. Council Member Tahuahua seconded the motion which carried 4 to 1, with Mayor Pro Tem Manassian opposed.

EXECUTIVE SESSION AGENDA

The City Council for the City of Dripping Springs has the right to adjourn into executive session at any time during the course of this meeting to discuss any matter as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development). The City Council for the City of Dripping Springs may act on any item listed in Executive Session in Open Session or move any item from Executive Session to Open Session for action.

The City Council did not meet in Executive Session.

UPCOMING MEETINGS

City Council & Board of Adjustment Meetings

- March 15, 2022, at 6:00 p.m. (CC)
- March 22, 2022, at 5:00 p.m. (Moratorium Waivers)
- April 5, 2022, at 6:00 p.m. (CC & BOA)

April 12, 2022, at 5:00 p.m. (Moratorium Waivers)
April 19, 2022, at 6:00 p.m. (CC)
April 26, 2022, at 6:00 p.m. (Moratorium Waivers)

ADJOURN

A motion was made by Council Member Harris-Allison to adjourn the meeting. Council Member Parks seconded the motion which carried unanimously 5 to 0.

This regular meeting adjourned at 5:25 p.m.

APPROVED ON: March 15, 2022

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary



DRIPPING SPRINGS
Texas

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

From: Shawn Cox, Finance Director/City Treasurer 

Date: March 15, 2022

RE: February 2022 City Treasurer's Report

General Fund:

The General Fund received **\$1,385,046.98** in revenues for February. This total includes \$539,535.39 in Ad Valorem Tax. Additionally, \$397,135.70 was received in Sales Tax, of which \$294,277.39 is considered City Revenues and not allocated to either the Wastewater Fund or through agreements. This represents a 14.64% increase from February 2021. A total of \$35,582.21 was collected in Site Development Fees which has already collected \$10,617.08 more than was budgeted for the fiscal year. Building Code Fees collected in February totaled \$244,348.55. Though February, the General Fund has collected 57.38% of its total revenues for FY 2022.

General Fund expenditures are in line with the approved budget. Some line items of note include:

- 100-000-62009: Human Resources Consultant – Currently only 22.29% remains in this line item. The City is utilizing City Hall Essentials to conduct an employee survey. Funding for this work was budgeted in this line item. The survey started in October 2021. Additionally, the resolution of Personnel Issues is handled by our consultant. We are watching this line item closely and a future budget amendment may be proposed.
- 100-200-62005: Health Inspector – This line item is where our Sanitarian/Food Inspector expenses are budgeted. While only 51.82% remains in this line item, these expenses are directly offset by our Health Inspections revenues. This line item has currently collected 91.89% of what was budgeted for FY 2022.
- 100-304-71002: Street Improvements – Recently completed and paid for was the Butler Ranch Road and Pin Oak improvements. These costs were carried over from last year and included in FY 2022. These have been the only expenses in the line item.

Wastewater Utility Fund:

For February, **\$163,275.33** was received in revenues. This includes \$79,427.17 in Sales Tax allocations. Additionally, PEC paid \$37,778.12 and Charter Communications paid \$38,969.89 in franchise fees. Revenues for wastewater service were not received in February but are expected to be paid in March.

Wastewater expenditures are in line with the approved budget.

Dripping Springs Ranch Park (DSRP):

\$31,811.35 in revenues were collected for February. This includes \$11,022.50 in Facility Rental Fees and \$8,129.00 in Program & Event Fees.



DRIPPING SPRINGS
Texas

DSRP expenditures are in line with the approved budget. Some line items of note include:

- 200-401-63001; Equipment Maintenance – Currently, \$10,641.44 has been spent from this line item, leaving \$5,358.56 remaining. The arena drag required numerous repairs in February (approximately \$3,000.) This line item is continuing to be monitored.
- 200-401-63004: Dues, Fees & Subscriptions – Most of the expenditures from this line item are Active Net Fees. These are charged when customers utilize the online payment options for park services. The Parks & Community Services Department will be switching to CivicRec, which only charges an annual fee. A future budget amendment will be necessary. DSRP Staff and Finance are reviewing possible savings in other line items as to not negatively affect the budget.

Banking:

On February 28th, the City's cash balances were **\$25.827 Million**. This is an 13.1% increase from the previous month's cash balances. Contributing the increase in balances is the collection of \$1,963,220.00 in Impact Fees. Total Impact Fee Revenues to date total **\$2,994,100.00**, which is \$914,780.00 more than was budgeted for FY 2022. A total of **\$21,307.73** was collected in interest revenues for the Month of February.



Dripping Springs, TX

Item 4.
Budget Report
Account Summary

For Fiscal: 2021-2022 Period Ending: 02/28/2022

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 100 - General Fund							
Revenue							
Department: 000 - Undesignated							
100-000-40000	Ad Valorem Tax	1,983,491.97	1,983,491.97	539,535.39	1,724,751.02	-258,740.95	13.04 %
100-000-40001	Sales Tax Revenue	3,796,125.70	3,796,125.70	397,135.86	1,747,153.62	-2,048,972.08	53.98 %
100-000-40002	Mixed Beverage	60,000.00	60,000.00	6,729.34	38,546.39	-21,453.61	35.76 %
100-000-40006	Ad Valorem Tax Penalty/Interest	4,000.00	4,000.00	65.72	2,929.97	-1,070.03	26.75 %
100-000-41000	Solid Waste Franchise Fee	40,000.00	40,000.00	0.00	21,417.70	-18,582.30	46.46 %
100-000-42000	Alcohol Permit Fees	7,085.00	7,085.00	905.00	905.00	-6,180.00	87.23 %
100-000-46000	FEMA	0.00	0.00	5,292.38	5,292.38	5,292.38	0.00 %
100-000-46001	Other Revenues	40,000.00	40,000.00	99,720.06	164,031.79	124,031.79	410.08 %
100-000-46002	Interest	40,000.00	40,000.00	7,576.00	34,350.75	-5,649.25	14.12 %
100-000-46011	Coronavirus Local Fiscal Recovery F	707,181.10	707,181.10	0.00	0.00	-707,181.10	100.00 %
100-000-47000	Transfer from Capital Improvement	300,000.00	324,000.00	0.00	0.00	-324,000.00	100.00 %
100-000-47001	Transfer from DSRP	10,400.00	10,400.00	0.00	0.00	-10,400.00	100.00 %
100-000-47005	Transfer from HOT Fund	4,305.00	4,305.00	0.00	0.00	-4,305.00	100.00 %
100-000-47013	Transfer From TIRZ	0.00	0.00	0.00	127,102.00	127,102.00	0.00 %
Department: 000 - Undesignated Total:		6,992,588.77	7,016,588.77	1,056,959.75	3,866,480.62	-3,150,108.15	44.90%
Department: 103 - Courts							
100-103-43028	Muni Court Fines/Special Fees	250.00	250.00	0.00	0.00	-250.00	100.00 %
Department: 103 - Courts Total:		250.00	250.00	0.00	0.00	-250.00	100.00%
Department: 200 - Planning & Development							
100-200-42001	Health Permits/Inspections	60,000.00	60,000.00	9,985.00	55,085.00	-4,915.00	8.19 %
100-200-43000	Site Development Fees	239,108.41	239,108.41	35,582.21	249,725.49	10,617.08	104.44 %
100-200-43002	Zoning Fees	65,000.00	65,000.00	1,945.00	70,672.00	5,672.00	108.73 %
100-200-43030	Subdivision Fees	656,006.25	656,006.25	600.00	518,263.43	-137,742.82	21.00 %
Department: 200 - Planning & Development Total:		1,020,114.66	1,020,114.66	48,112.21	893,745.92	-126,368.74	12.39%
Department: 201 - Building							
100-201-42007	Sign Permits	0.00	0.00	1,520.00	8,475.00	8,475.00	0.00 %
100-201-43029	Fire Inspections	10,000.00	10,000.00	1,506.60	13,487.28	3,487.28	134.87 %
100-201-43031	Building Code Fees	1,500,000.00	1,500,000.00	244,348.55	929,684.01	-570,315.99	38.02 %
Department: 201 - Building Total:		1,510,000.00	1,510,000.00	247,375.15	951,646.29	-558,353.71	36.98%
Department: 400 - Parks & Recreation							
100-400-44000	Sponsorships & Donations	9,027.00	11,723.00	1,019.87	4,715.97	-7,007.03	59.77 %
100-400-44001	Community Service Fees	4,400.00	4,400.00	100.00	1,345.00	-3,055.00	69.43 %
100-400-44002	Program & Event Fees	5,000.00	18,800.00	2,100.00	2,100.00	-16,700.00	88.83 %
100-400-44004	Park Rental Income	5,350.00	5,350.00	700.00	1,090.00	-4,260.00	79.63 %
100-400-47002	Transfer from Parkland Dedication	113,462.80	113,462.80	0.00	0.00	-113,462.80	100.00 %
100-400-47003	Transfer from Landscaping Fund	4,000.00	4,000.00	0.00	0.00	-4,000.00	100.00 %
100-400-47005	Transfer from HOT Fund	2,000.00	2,000.00	0.00	0.00	-2,000.00	100.00 %
100-400-47014	Transfer from Parkland Developme	111,731.40	121,731.40	0.00	0.00	-121,731.40	100.00 %
Department: 400 - Parks & Recreation Total:		254,971.20	281,467.20	3,919.87	9,250.97	-272,216.23	96.71%
Department: 402 - Aquatics							
100-402-44003	Aquatic Fees	85,800.00	85,800.00	180.00	180.00	-85,620.00	99.79 %
100-402-44004	Park Rental Income	16,800.00	16,800.00	0.00	-385.00	-17,185.00	102.29 %
100-402-46012	Reimbursement of Utility Costs	8,000.00	8,000.00	0.00	2,014.95	-5,985.05	74.81 %
Department: 402 - Aquatics Total:		110,600.00	110,600.00	180.00	1,809.95	-108,790.05	98.36%
Department: 404 - Founders Day							
100-404-45000	FD Craft/Business Booths	6,500.00	6,500.00	0.00	0.00	-6,500.00	100.00 %
100-404-45001	FD Food Booths	1,100.00	1,100.00	0.00	0.00	-1,100.00	100.00 %

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
100-404-45002	FD BBQ Cooker Registration Fees	4,600.00	4,600.00	0.00	0.00	-4,600.00	100.00 %
100-404-45003	FD Carnival	9,500.00	9,500.00	0.00	0.00	-9,500.00	100.00 %
100-404-45004	FD Parade Registration Fees	3,750.00	3,750.00	0.00	0.00	-3,750.00	100.00 %
100-404-45005	FD Sponsorships	70,000.00	70,000.00	28,500.00	36,750.00	-33,250.00	47.50 %
100-404-45006	FD Parking Fees	1,700.00	1,700.00	0.00	0.00	-1,700.00	100.00 %
100-404-45007	FD Electric Fees	2,400.00	2,400.00	0.00	0.00	-2,400.00	100.00 %
Department: 404 - Founders Day Total:		99,550.00	99,550.00	28,500.00	36,750.00	-62,800.00	63.08%
Revenue Total:		9,988,074.63	10,038,570.63	1,385,046.98	5,759,683.75	-4,278,886.88	42.62%

Expense

Department: 000 - Undesignated

100-000-60000	Salaries	2,249,643.70	2,263,243.70	0.00	0.00	2,263,243.70	100.00 %
100-000-61000	Health Insurance	224,269.22	224,269.22	30,331.77	148,427.47	75,841.75	33.82 %
100-000-61001	Dental Insurance	14,498.88	14,498.88	0.00	0.00	14,498.88	100.00 %
100-000-61002	Medicare	0.00	0.00	0.00	16.01	-16.01	0.00 %
100-000-61003	Social Security	0.00	0.00	0.00	68.45	-68.45	0.00 %
100-000-61005	Federal Withholding	180,413.74	181,706.14	0.00	-3,400.57	185,106.71	101.87 %
100-000-61006	TMRS	133,118.97	133,118.97	0.00	66.24	133,052.73	99.95 %
100-000-62009	Human Resources Consultant	10,000.00	10,000.00	0.00	7,770.93	2,229.07	22.29 %
100-000-63004	Dues, Fees & Subscriptions	30,000.00	30,000.00	-7,211.71	-5,785.44	35,785.44	119.28 %
100-000-63005	Training/Continuing Education	83,623.90	83,623.90	2,876.75	9,615.28	74,008.62	88.50 %
100-000-64000	Office Supplies	25,000.00	25,000.00	1,743.71	7,588.82	17,411.18	69.64 %
100-000-64004	Office Furniture and Equipment	6,000.00	6,000.00	0.00	0.00	6,000.00	100.00 %
100-000-66002	Postage & Shipping	3,200.00	3,200.00	373.30	1,052.74	2,147.26	67.10 %
100-000-68004	Animal Control	3,400.00	3,400.00	3,400.00	3,400.00	0.00	0.00 %
100-000-69002	Economic Development	10,000.00	10,000.00	0.00	10,000.00	0.00	0.00 %
100-000-70001	Mileage	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %
100-000-70002	Contingencies/Emergency Fund	50,000.00	50,000.00	0.00	1,215.00	48,785.00	97.57 %
100-000-70003	Other Expenses	10,000.00	10,000.00	0.00	1,304.30	8,695.70	86.96 %
100-000-70009	Coronavirus Local Fiscal Recovery F	0.00	56,146.39	31,653.96	41,732.19	14,414.20	25.67 %
100-000-90000	Transfer to Reserve Fund	200,000.00	200,000.00	0.00	0.00	200,000.00	100.00 %
100-000-90002	Transfer to TIRZ	450,244.23	450,244.23	0.00	0.00	450,244.23	100.00 %
100-000-90005	Transfer to DSRP	75,000.00	75,000.00	0.00	0.00	75,000.00	100.00 %
100-000-90013	Transfer to Vehicle Replacement Fu	25,462.00	25,462.00	0.00	0.00	25,462.00	100.00 %
Department: 000 - Undesignated Total:		3,785,874.64	3,856,913.43	63,167.78	223,071.42	3,633,842.01	94.22%

Department: 100 - City Council/Boards & Commissions

100-100-62010	Miscellaneous Consultant	7,500.00	7,500.00	0.00	520.00	6,980.00	93.07 %
100-100-69000	Family Violence Center	7,000.00	7,000.00	0.00	0.00	7,000.00	100.00 %
100-100-69008	Land Acquisition	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
Department: 100 - City Council/Boards & Commissions Total:		24,500.00	24,500.00	0.00	520.00	23,980.00	97.88%

Department: 101 - City Administrators Office

100-101-60000	Regular Employees	0.00	0.00	34,632.17	192,329.21	-192,329.21	0.00 %
100-101-60002	Overtime	0.00	0.00	33.64	274.21	-274.21	0.00 %
100-101-61000	Health Insurance	0.00	0.00	1,689.54	9,291.64	-9,291.64	0.00 %
100-101-61001	Dental Insurance	0.00	0.00	138.96	764.28	-764.28	0.00 %
100-101-61002	Medicare	0.00	0.00	467.06	2,596.98	-2,596.98	0.00 %
100-101-61003	Social Security	0.00	0.00	1,997.04	8,744.52	-8,744.52	0.00 %
100-101-61004	Unemployment	0.00	0.00	110.97	506.69	-506.69	0.00 %
100-101-61006	TMRS	0.00	0.00	2,052.23	11,528.49	-11,528.49	0.00 %
Department: 101 - City Administrators Office Total:		0.00	0.00	41,121.61	226,036.02	-226,036.02	0.00%

Department: 102 - City Secretary

100-102-60000	Regular Employees	0.00	0.00	6,153.84	34,153.82	-34,153.82	0.00 %
100-102-60001	Part-time Employees	0.00	0.00	381.36	4,645.70	-4,645.70	0.00 %
100-102-61000	Health Insurance	0.00	0.00	559.80	3,078.36	-3,078.36	0.00 %
100-102-61001	Dental Insurance	0.00	0.00	34.74	191.07	-191.07	0.00 %
100-102-61002	Medicare	0.00	0.00	93.61	556.25	-556.25	0.00 %
100-102-61003	Social Security	0.00	0.00	400.28	2,378.63	-2,378.63	0.00 %
100-102-61004	Unemployment	0.00	0.00	51.64	197.17	-197.17	0.00 %

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
100-102-61006	TMRS	0.00	0.00	364.30	2,044.34	-2,044.34	0.00 %
100-102-62000	Municipal Election	8,000.00	8,000.00	0.00	0.00	8,000.00	100.00 %
100-102-62018	Code Publication	5,350.00	5,350.00	0.00	0.00	5,350.00	100.00 %
100-102-66003	Public Notices	6,000.00	6,000.00	283.18	1,100.84	4,899.16	81.65 %
100-102-69003	Records Management	1,220.00	1,220.00	60.00	180.00	1,040.00	85.25 %
100-102-70001	Mileage	0.00	0.00	0.00	305.66	-305.66	0.00 %
Department: 102 - City Secretary Total:		20,570.00	20,570.00	8,382.75	48,831.84	-28,261.84	-137.39%
Department: 103 - Courts							
100-103-62003	Muni Court Attorney/ Judge	15,500.00	15,500.00	600.00	1,500.00	14,000.00	90.32 %
100-103-62010	Miscellaneous Consultant	0.00	0.00	0.00	162.50	-162.50	0.00 %
Department: 103 - Courts Total:		15,500.00	15,500.00	600.00	1,662.50	13,837.50	89.27%
Department: 104 - City Attorney							
100-104-60000	Regular Employees	0.00	0.00	11,538.46	62,700.29	-62,700.29	0.00 %
100-104-61000	Health Insurance	0.00	0.00	564.12	3,102.66	-3,102.66	0.00 %
100-104-61001	Dental Insurance	0.00	0.00	34.74	191.07	-191.07	0.00 %
100-104-61002	Medicare	0.00	0.00	159.38	865.55	-865.55	0.00 %
100-104-61003	Social Security	0.00	0.00	681.48	3,700.95	-3,700.95	0.00 %
100-104-61004	Unemployment	0.00	0.00	0.00	144.00	-144.00	0.00 %
100-104-61006	TMRS	0.00	0.00	683.08	3,752.76	-3,752.76	0.00 %
100-104-62003	Special Counsel and Consultants	59,000.00	44,107.60	2,220.31	7,187.81	36,919.79	83.70 %
100-104-62009	Human Resources Consultant	0.00	0.00	0.00	1,120.96	-1,120.96	0.00 %
Department: 104 - City Attorney Total:		59,000.00	44,107.60	15,881.57	82,766.05	-38,658.45	-87.65%
Department: 105 - Communications							
100-105-60000	Regular Employees	0.00	0.00	5,661.54	31,299.70	-31,299.70	0.00 %
100-105-61000	Health Insurance	0.00	0.00	558.42	3,070.92	-3,070.92	0.00 %
100-105-61001	Dental Insurance	0.00	0.00	34.74	191.07	-191.07	0.00 %
100-105-61002	Medicare	0.00	0.00	81.36	453.14	-453.14	0.00 %
100-105-61003	Social Security	0.00	0.00	347.86	1,937.44	-1,937.44	0.00 %
100-105-61004	Unemployment	0.00	0.00	53.41	143.99	-143.99	0.00 %
100-105-61006	TMRS	0.00	0.00	335.16	1,873.48	-1,873.48	0.00 %
100-105-66000	Website	6,625.00	6,625.00	6,625.00	6,625.00	0.00	0.00 %
100-105-66005	Public Relations	7,488.00	7,488.00	49.00	484.45	7,003.55	93.53 %
Department: 105 - Communications Total:		14,113.00	14,113.00	13,746.49	46,079.19	-31,966.19	-226.50%
Department: 106 - IT							
100-106-60000	Regular Employees	0.00	0.00	0.00	10,452.02	-10,452.02	0.00 %
100-106-60002	Overtime	0.00	0.00	0.00	57.26	-57.26	0.00 %
100-106-61000	Health Insurance	0.00	0.00	0.00	1,380.80	-1,380.80	0.00 %
100-106-61001	Dental Insurance	0.00	0.00	0.00	86.85	-86.85	0.00 %
100-106-61002	Medicare	0.00	0.00	0.00	150.90	-150.90	0.00 %
100-106-61003	Social Security	0.00	0.00	0.00	645.30	-645.30	0.00 %
100-106-61006	TMRS	0.00	0.00	0.00	630.57	-630.57	0.00 %
100-106-64001	Office IT Equipment & Support	70,890.00	70,890.00	3,565.77	18,709.41	52,180.59	73.61 %
100-106-64002	Software	165,142.00	165,142.00	11,441.91	69,504.93	95,637.07	57.91 %
100-106-65000	Network/Phone	31,000.00	31,000.00	1,193.98	7,463.99	23,536.01	75.92 %
Department: 106 - IT Total:		267,032.00	267,032.00	16,201.66	109,082.03	157,949.97	59.15%
Department: 107 - Finance							
100-107-60000	Regular Employees	0.00	0.00	13,949.62	77,958.27	-77,958.27	0.00 %
100-107-60002	Overtime	0.00	0.00	14.59	42.89	-42.89	0.00 %
100-107-61000	Health Insurance	0.00	0.00	1,667.86	9,172.01	-9,172.01	0.00 %
100-107-61001	Dental Insurance	0.00	0.00	104.22	573.21	-573.21	0.00 %
100-107-61002	Medicare	0.00	0.00	192.65	1,076.99	-1,076.99	0.00 %
100-107-61003	Social Security	0.00	0.00	823.82	4,605.27	-4,605.27	0.00 %
100-107-61004	Unemployment	0.00	0.00	140.96	367.37	-367.37	0.00 %
100-107-61006	TMRS	0.00	0.00	826.69	4,668.91	-4,668.91	0.00 %
100-107-62001	Financial Services	115,000.00	115,000.00	8,000.00	8,000.00	107,000.00	93.04 %
100-107-67000	TML Liability Insurance	20,850.00	20,850.00	0.00	9,755.50	11,094.50	53.21 %
100-107-67001	TML Property Insurance	34,646.00	34,646.00	0.00	19,685.50	14,960.50	43.18 %

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
100-107-67002	TML Workmen's Comp Insurance	25,000.00	25,000.00	0.00	17,843.00	7,157.00	28.63 %
100-107-70000	Bad Debt Expense	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00 %
100-107-90003	Transfer to Wastewater Utility Fund	759,225.14	759,225.14	79,427.17	415,920.44	343,304.70	45.22 %
100-107-90004	SPA & ECO D Transfers	218,656.84	218,656.84	23,431.30	91,899.56	126,757.28	57.97 %
Department: 107 - Finance Total:		1,178,377.98	1,178,377.98	128,578.88	661,568.92	516,809.06	43.86%
Department: 200 - Planning & Development							
100-200-60000	Regular Employees	0.00	0.00	17,447.74	98,874.76	-98,874.76	0.00 %
100-200-61000	Health Insurance	0.00	0.00	1,675.90	9,726.35	-9,726.35	0.00 %
100-200-61001	Dental Insurance	0.00	0.00	104.22	604.77	-604.77	0.00 %
100-200-61002	Medicare	0.00	0.00	245.63	1,392.69	-1,392.69	0.00 %
100-200-61003	Social Security	0.00	0.00	1,050.31	5,954.98	-5,954.98	0.00 %
100-200-61004	Unemployment	0.00	0.00	124.09	542.31	-542.31	0.00 %
100-200-61006	TMRS	0.00	0.00	1,032.92	5,918.54	-5,918.54	0.00 %
100-200-62002	Engineering & Surveying	70,000.00	94,000.00	0.00	0.00	94,000.00	100.00 %
100-200-62003	Special Counsel and Consultant	0.00	0.00	0.00	1,695.40	-1,695.40	0.00 %
100-200-62005	Health Inspector	50,000.00	50,000.00	4,348.12	24,087.98	25,912.02	51.82 %
100-200-62006	Architectural & Landscape Consulta	5,000.00	5,000.00	0.00	312.50	4,687.50	93.75 %
100-200-62007	Historic District Consultant	3,500.00	3,500.00	0.00	1,361.41	2,138.59	61.10 %
100-200-62010	Miscellaneous Consultant	175,000.00	175,000.00	0.00	0.00	175,000.00	100.00 %
100-200-64003	Uniforms	0.00	0.00	0.00	481.76	-481.76	0.00 %
Department: 200 - Planning & Development Total:		303,500.00	327,500.00	26,028.93	150,953.45	176,546.55	53.91%
Department: 201 - Building							
100-201-60000	Regular Employees	0.00	0.00	11,560.36	60,481.83	-60,481.83	0.00 %
100-201-60002	Overtime	0.00	0.00	92.84	269.18	-269.18	0.00 %
100-201-61000	Health Insurance	0.00	0.00	1,659.53	8,625.39	-8,625.39	0.00 %
100-201-61001	Dental Insurance	0.00	0.00	104.22	541.65	-541.65	0.00 %
100-201-61002	Medicare	0.00	0.00	166.38	867.17	-867.17	0.00 %
100-201-61003	Social Security	0.00	0.00	711.41	3,707.88	-3,707.88	0.00 %
100-201-61004	Unemployment	0.00	0.00	177.83	428.57	-428.57	0.00 %
100-201-61006	TMRS	0.00	0.00	689.87	3,635.76	-3,635.76	0.00 %
100-201-62004	Bldg. Inspector	750,000.00	750,000.00	100.00	204,005.17	545,994.83	72.80 %
100-201-62008	Lighting Consultant	1,000.00	1,000.00	0.00	247.50	752.50	75.25 %
100-201-70001	Mileage	0.00	0.00	32.70	32.70	-32.70	0.00 %
Department: 201 - Building Total:		751,000.00	751,000.00	15,295.14	282,842.80	468,157.20	62.34%
Department: 300 - Utilities							
100-300-60000	Regular Employees	0.00	0.00	10,568.96	57,468.65	-57,468.65	0.00 %
100-300-60002	Overtime	0.00	0.00	118.73	1,033.13	-1,033.13	0.00 %
100-300-61000	Health Insurance	0.00	0.00	1,114.40	6,127.16	-6,127.16	0.00 %
100-300-61001	Dental Insurance	0.00	0.00	69.48	382.14	-382.14	0.00 %
100-300-61002	Medicare	0.00	0.00	144.15	788.76	-788.76	0.00 %
100-300-61003	Social Security	0.00	0.00	616.37	3,372.67	-3,372.67	0.00 %
100-300-61004	Unemployment	0.00	0.00	118.08	285.73	-285.73	0.00 %
100-300-61006	TMRS	0.00	0.00	632.71	3,501.59	-3,501.59	0.00 %
100-300-64003	Uniforms	0.00	0.00	0.00	1,497.20	-1,497.20	0.00 %
100-300-70001	Mileage	0.00	0.00	0.00	36.40	-36.40	0.00 %
100-300-71001	Transportation Improvement Proje	775,000.00	775,000.00	6,486.02	46,007.51	728,992.49	94.06 %
Department: 300 - Utilities Total:		775,000.00	775,000.00	19,868.90	120,500.94	654,499.06	84.45%
Department: 304 - Maintenance							
100-304-60000	Regular Employees	0.00	0.00	21,900.22	119,434.84	-119,434.84	0.00 %
100-304-60002	Overtime	0.00	0.00	292.39	2,779.69	-2,779.69	0.00 %
100-304-60003	On Call Pay	0.00	0.00	800.00	4,400.00	-4,400.00	0.00 %
100-304-61000	Health Insurance	0.00	0.00	3,333.14	17,915.60	-17,915.60	0.00 %
100-304-61001	Dental Insurance	0.00	0.00	208.44	1,120.66	-1,120.66	0.00 %
100-304-61002	Medicare	0.00	0.00	324.34	1,786.49	-1,786.49	0.00 %
100-304-61003	Social Security	0.00	0.00	1,386.93	7,638.91	-7,638.91	0.00 %
100-304-61004	Unemployment	0.00	0.00	333.26	739.94	-739.94	0.00 %
100-304-61006	TMRS	0.00	0.00	1,361.16	7,577.17	-7,577.17	0.00 %

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
100-400-70003	Other Expenses	11,500.00	11,500.00	180.00	6,705.00	4,795.00 41.70 %
100-400-70007	Sponsored Events	0.00	0.00	0.00	2,665.11	-2,665.11 0.00 %
100-400-71004	All Parks Improvements	0.00	32,942.50	2,260.22	17,790.22	15,152.28 46.00 %
100-400-71005	Founders Park/Pool Improvmts	67,731.40	67,731.40	0.00	9,526.05	58,205.35 85.94 %
100-400-71006	Sports & Rec Park Improvements	0.00	0.00	0.00	56.99	-56.99 0.00 %
100-400-71007	Charro Ranch Improvements	1,800.00	1,800.00	0.00	0.00	1,800.00 100.00 %
100-400-71009	Triangle Improvements	2,000.00	2,000.00	0.00	0.00	2,000.00 100.00 %
Department: 400 - Parks & Recreation Total:		240,963.90	302,045.40	17,346.52	117,953.69	184,091.71 60.95%
Department: 401 - DSRP						
100-401-60000	Regular Employees	376,654.59	376,654.59	25,300.01	134,132.77	242,521.82 64.39 %
100-401-60002	Overtime	0.00	0.00	317.54	1,835.99	-1,835.99 0.00 %
100-401-60003	On Call Pay	0.00	0.00	800.00	4,400.00	-4,400.00 0.00 %
100-401-61000	Health Insurance	50,274.49	50,274.49	3,341.18	18,494.39	31,780.10 63.21 %
100-401-61001	Dental Insurance	3,161.76	3,161.76	208.44	1,154.81	2,006.95 63.48 %
100-401-61002	Medicare	0.00	0.00	364.49	1,933.04	-1,933.04 0.00 %
100-401-61003	Social Security	0.00	0.00	1,558.52	8,265.17	-8,265.17 0.00 %
100-401-61004	Unemployment	0.00	0.00	420.44	1,072.81	-1,072.81 0.00 %
100-401-61005	Federal Withholding	30,032.28	30,032.28	0.00	0.00	30,032.28 100.00 %
100-401-61006	TMRS	19,323.28	19,323.28	1,439.57	7,908.23	11,415.05 59.07 %
100-401-65000	Network/Phone	500.00	500.00	0.00	0.00	500.00 100.00 %
100-401-65017	Electricity	500.00	500.00	0.00	0.00	500.00 100.00 %
Department: 401 - DSRP Total:		480,446.40	480,446.40	33,750.19	179,197.21	301,249.19 62.70%
Department: 402 - Aquatics						
100-402-60000	Regular Employees	0.00	0.00	4,000.00	21,940.00	-21,940.00 0.00 %
100-402-60007	Aquatic Staff	70,591.24	70,591.24	0.00	0.00	70,591.24 100.00 %
100-402-61000	Health Insurance	0.00	0.00	553.76	2,768.80	-2,768.80 0.00 %
100-402-61001	Dental Insurance	0.00	0.00	34.74	173.70	-173.70 0.00 %
100-402-61002	Medicare	0.00	0.00	58.00	318.13	-318.13 0.00 %
100-402-61003	Social Security	0.00	0.00	248.00	1,360.28	-1,360.28 0.00 %
100-402-61004	Unemployment	0.00	0.00	64.00	128.00	-128.00 0.00 %
100-402-61006	TMRS	0.00	0.00	236.80	1,202.80	-1,202.80 0.00 %
100-402-63015	Founders Park/Pool Maintenance	28,240.00	28,240.00	0.00	684.30	27,555.70 97.58 %
100-402-64022	Pool Chemicals	0.00	0.00	0.00	3,502.00	-3,502.00 0.00 %
100-402-65000	Network/Phone	1,500.00	1,500.00	135.47	677.35	822.65 54.84 %
100-402-65019	Propane/Natural Gas	20,000.00	20,000.00	0.00	0.00	20,000.00 100.00 %
Department: 402 - Aquatics Total:		120,331.24	120,331.24	5,330.77	32,755.36	87,575.88 72.78%
Department: 404 - Founders Day						
100-404-63019	FD Clean Up	5,060.00	5,060.00	0.00	0.00	5,060.00 100.00 %
100-404-64016	FD Event Supplies	7,000.00	7,000.00	0.00	0.00	7,000.00 100.00 %
100-404-64017	FD Event Tent, Table, & Chairs	4,500.00	4,500.00	0.00	0.00	4,500.00 100.00 %
100-404-64018	FD Barricades	19,874.00	19,874.00	0.00	0.00	19,874.00 100.00 %
100-404-65007	Portable Toilets	7,150.00	7,150.00	0.00	0.00	7,150.00 100.00 %
100-404-65016	FD Electricity	6,400.00	6,400.00	0.00	0.00	6,400.00 100.00 %
100-404-66008	FD Parade	650.00	650.00	0.00	0.00	650.00 100.00 %
100-404-66009	FD Publicity	8,500.00	8,500.00	138.02	138.02	8,361.98 98.38 %
100-404-66010	Events, Entertainment & Activities	15,000.00	15,000.00	0.00	0.00	15,000.00 100.00 %
100-404-66012	FD Sponsorship	5,000.00	5,000.00	0.00	0.00	5,000.00 100.00 %
100-404-68005	FD Security	20,000.00	20,000.00	6,000.00	6,887.98	13,112.02 65.56 %
100-404-70002	FD Contingencies	416.00	416.00	1,989.00	1,989.00	-1,573.00 -378.13 %
Department: 404 - Founders Day Total:		99,550.00	99,550.00	8,127.02	9,015.00	90,535.00 90.94%
Department: 500 - Emergency Management						
100-500-60000	Regular Employees	0.00	0.00	5,218.75	27,926.75	-27,926.75 0.00 %
100-500-60002	Overtime	0.00	0.00	0.00	281.25	-281.25 0.00 %
100-500-61000	Health Insurance	0.00	0.00	14.04	76.68	-76.68 0.00 %
100-500-61001	Dental Insurance	0.00	0.00	34.74	191.07	-191.07 0.00 %
100-500-61002	Medicare	0.00	0.00	75.67	409.02	-409.02 0.00 %
100-500-61003	Social Security	0.00	0.00	323.56	1,748.90	-1,748.90 0.00 %

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
100-500-61004	Unemployment	0.00	0.00	64.00	144.00	-144.00	0.00 %
100-500-61006	TMRS	0.00	0.00	308.95	1,688.31	-1,688.31	0.00 %
100-500-64003	Uniforms	0.00	0.00	0.00	254.00	-254.00	0.00 %
100-500-68000	Emergency Management Equip	50,970.00	50,970.00	508.58	7,862.43	43,107.57	84.57 %
100-500-68001	Emergency Fire& Safety	2,118.00	2,118.00	83.00	415.00	1,703.00	80.41 %
100-500-68002	Emergency Management PR	2,000.00	2,000.00	0.00	505.00	1,495.00	74.75 %
100-500-68003	Emergency Equipment Maint	5,860.00	5,860.00	0.00	694.78	5,165.22	88.14 %
Department: 500 - Emergency Management Total:		60,948.00	60,948.00	6,631.29	42,197.19	18,750.81	30.77%
Expense Total:		9,422,192.41	9,563,420.30	760,862.91	2,888,095.36	6,675,324.94	69.80%
Fund: 100 - General Fund Surplus (Deficit):		565,882.22	475,150.33	624,184.07	2,871,588.39	2,396,438.06	-504.35%

Fund: 200 - Dripping Springs Ranch Park

Revenue

Department: 401 - DSRP

200-401-42008	Riding Permit Fees	10,000.00	10,000.00	1,310.00	6,935.00	-3,065.00	30.65 %
200-401-43010	Stall Rental Fees	39,200.00	39,200.00	1,425.00	14,499.75	-24,700.25	63.01 %
200-401-43011	RV Site Rental Fees	19,000.00	19,000.00	2,605.00	15,750.00	-3,250.00	17.11 %
200-401-43012	Facility Rental Fees	135,500.00	135,500.00	11,022.50	62,928.75	-72,571.25	53.56 %
200-401-43013	Equipment Rental Fees	5,000.00	5,000.00	122.00	1,254.38	-3,745.62	74.91 %
200-401-43014	Staff & Miscellaneous Fees	4,000.00	4,000.00	175.00	1,780.00	-2,220.00	55.50 %
200-401-43015	Cleaning Fees	25,000.00	25,000.00	2,625.00	10,925.00	-14,075.00	56.30 %
200-401-44000	Sponsorships & Donations	136,275.00	136,275.00	2,900.50	5,345.50	-130,929.50	96.08 %
200-401-44002	Program & Event Fees	84,275.00	84,275.00	8,129.00	58,681.45	-25,593.55	30.37 %
200-401-46001	Other Revenues	4,000.00	4,000.00	60.00	180.00	-3,820.00	95.50 %
200-401-46002	Interest	600.00	600.00	87.35	422.30	-177.70	29.62 %
200-401-46003	Sponsorships/Donations	0.00	0.00	0.00	3.00	3.00	0.00 %
200-401-46006	Merchandise Sales	21,300.00	21,300.00	1,350.00	8,109.00	-13,191.00	61.93 %
200-401-47004	Transfer from Ag Facility Fund	37,065.00	37,065.00	0.00	0.00	-37,065.00	100.00 %
200-401-47005	Transfer from HOT Fund	253,501.87	268,501.87	0.00	0.00	-268,501.87	100.00 %
200-401-47007	Transfer from General Fund	75,000.00	75,000.00	0.00	0.00	-75,000.00	100.00 %
200-401-47008	Transfer from TWDB	151,500.00	0.00	0.00	0.00	0.00	0.00 %
Department: 401 - DSRP Total:		1,001,216.87	864,716.87	31,811.35	186,814.13	-677,902.74	78.40%
Revenue Total:		1,001,216.87	864,716.87	31,811.35	186,814.13	-677,902.74	78.40%

Expense

Department: 400 - Parks & Recreation

200-400-63035	Ranch House Maintenance	1,000.00	1,000.00	392.34	2,617.66	-1,617.66	-161.77 %
200-400-64024	Ranch House Supplies	1,000.00	1,000.00	0.00	0.00	1,000.00	100.00 %
Department: 400 - Parks & Recreation Total:		2,000.00	2,000.00	392.34	2,617.66	-617.66	-30.88%

Department: 401 - DSRP

200-401-60003	On Call Pay	10,400.00	10,400.00	0.00	0.00	10,400.00	100.00 %
200-401-60005	Camp Staff	64,054.20	64,054.20	0.00	0.00	64,054.20	100.00 %
200-401-62003	Special Counsel and Consultants	0.00	0.00	0.00	1,141.80	-1,141.80	0.00 %
200-401-63000	Building/Office Maintenance	0.00	0.00	3,049.49	15,643.71	-15,643.71	0.00 %
200-401-63001	Equipment Maintenance	16,000.00	16,000.00	5,190.72	10,641.44	5,358.56	33.49 %
200-401-63002	Fleet Maintenance	2,500.00	2,500.00	0.00	0.00	2,500.00	100.00 %
200-401-63003	Lawn Maintenance	0.00	0.00	0.00	2,560.00	-2,560.00	0.00 %
200-401-63004	Dues, Fees & Subscriptions	9,561.94	9,561.94	648.49	10,856.47	-1,294.53	-13.54 %
200-401-63005	Training/Continuing Education	400.00	400.00	0.00	164.95	235.05	58.76 %
200-401-63023	General Maintenance	118,518.92	133,518.92	217.28	7,042.90	126,476.02	94.73 %
200-401-63024	Stall Cleaning & Repair	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %
200-401-63033	Program Fees	0.00	0.00	0.00	1,944.54	-1,944.54	0.00 %
200-401-64000	Office Supplies	10,000.00	10,000.00	395.17	1,863.89	8,136.11	81.36 %
200-401-64001	IT Equipment	0.00	0.00	19.10	19.10	-19.10	0.00 %
200-401-64002	Software	0.00	0.00	0.00	31.92	-31.92	0.00 %
200-401-64003	Uniforms	0.00	0.00	0.00	-0.01	0.01	0.00 %
200-401-64004	Office Furniture and Equipment	0.00	0.00	0.00	169.99	-169.99	0.00 %
200-401-64005	Equipment Rental	2,000.00	2,000.00	0.00	319.95	1,680.05	84.00 %

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
200-401-64006	Fleet Acquisition	15,000.00	15,000.00	0.00	0.00	15,000.00	100.00 %
200-401-64008	Fuel	0.00	0.00	0.00	1,245.61	-1,245.61	0.00 %
200-401-64009	Maintenance Equipment	0.00	0.00	0.00	2,467.00	-2,467.00	0.00 %
200-401-64010	Maintenance Supplies	0.00	0.00	107.72	538.78	-538.78	0.00 %
200-401-64011	Park Supplies	21,000.00	21,000.00	0.00	0.00	21,000.00	100.00 %
200-401-64015	Park Program & Event Supplies	13,950.00	13,950.00	5,417.50	26,784.46	-12,834.46	-92.00 %
200-401-64021	Merchandise	11,402.63	11,402.63	0.00	5,283.00	6,119.63	53.67 %
200-401-64023	Equipment	26,922.00	26,922.00	0.00	267.38	26,654.62	99.01 %
200-401-65000	Network/Phone	56,304.00	56,304.00	609.01	3,045.05	53,258.95	94.59 %
200-401-65004	Office Water	0.00	7,000.00	1,102.99	3,601.53	3,398.47	48.55 %
200-401-65005	Stephenson Bldg Electric	7,000.00	0.00	0.00	0.00	0.00	0.00 %
200-401-65007	Portable Toilets	5,953.40	5,953.40	65.00	325.00	5,628.40	94.54 %
200-401-65008	Alarm	1,112.40	1,112.40	1,400.00	1,400.00	-287.60	-25.85 %
200-401-65017	Electricity	60,000.00	60,000.00	6,913.67	34,096.70	25,903.30	43.17 %
200-401-65018	Septic	750.00	750.00	0.00	0.00	750.00	100.00 %
200-401-65019	Propane/Natural Gas	2,500.00	2,500.00	2,411.68	4,483.57	-1,983.57	-79.34 %
200-401-65020	On Call Phone	2,060.00	2,060.00	0.00	0.00	2,060.00	100.00 %
200-401-66002	Postage & Shipping	100.00	100.00	0.00	3.10	96.90	96.90 %
200-401-66010	Events, Entertainment & Activities	0.00	0.00	0.00	2,100.00	-2,100.00	0.00 %
200-401-70001	Mileage	500.00	500.00	0.00	0.00	500.00	100.00 %
200-401-70002	Contingencies/Emergency Fund	50,000.00	50,000.00	0.00	0.00	50,000.00	100.00 %
200-401-70003	Other Expenses	20,000.00	20,000.00	0.00	692.38	19,307.62	96.54 %
200-401-70004	Hays County Livestock Board Agree	13,200.00	13,200.00	0.00	0.00	13,200.00	100.00 %
200-401-70007	Sponsored Events	34,800.00	34,800.00	2,150.50	4,558.91	30,241.09	86.90 %
200-401-70013	DSRP Sales Tax	0.00	0.00	0.00	728.89	-728.89	0.00 %
200-401-71008	DSRP Improvements	0.00	151,500.00	3,491.60	3,491.60	148,008.40	97.70 %
200-401-90013	Transfer to Vehicle Replacement Fu	5,731.00	5,731.00	0.00	0.00	5,731.00	100.00 %
	Department: 401 - DSRP Total:	583,720.49	750,220.49	33,189.92	147,513.61	602,706.88	80.34%
	Expense Total:	585,720.49	752,220.49	33,582.26	150,131.27	602,089.22	80.04%
	Fund: 200 - Dripping Springs Ranch Park Surplus (Deficit):	415,496.38	112,496.38	-1,770.91	36,682.86	-75,813.52	67.39%
Fund: 400 - Wastewater Utility							
Revenue							
Department: 000 - Undesignated							
400-000-43024	Over Use Fees	134,550.60	134,550.60	0.00	0.00	-134,550.60	100.00 %
400-000-46001	Other Revenues	0.00	0.00	0.00	-69,718.82	-69,718.82	0.00 %
	Department: 000 - Undesignated Total:	134,550.60	134,550.60	0.00	-69,718.82	-204,269.42	151.82%
Department: 300 - Utilities							
400-300-41001	PEC Franchise Fee	130,000.00	130,000.00	37,778.12	82,170.16	-47,829.84	36.79 %
400-300-41002	ROW Fees	6,000.00	6,000.00	1,385.43	2,866.06	-3,133.94	52.23 %
400-300-41003	Cable Franchise Fees	130,000.00	130,000.00	38,969.89	77,794.85	-52,205.15	40.16 %
400-300-41004	Texas Gas Franchise Fees	3,000.00	3,000.00	0.00	3,609.11	609.11	120.30 %
400-300-43018	Wastewater Service Fees	0.00	945,095.04	0.00	387,325.42	-557,769.62	59.02 %
400-300-43019	Water Service Fees	945,095.04	0.00	0.00	0.00	0.00	0.00 %
400-300-43020	Late Fees	9,480.00	9,480.00	0.00	5,594.72	-3,885.28	40.98 %
400-300-43021	Delayed Connection Fees	157,850.00	157,850.00	0.00	2,500.00	-155,350.00	98.42 %
400-300-43023	Transfer Fees	9,600.00	9,600.00	0.00	2,550.00	-7,050.00	73.44 %
400-300-43024	Over Use Fees	0.00	0.00	0.00	37,221.50	37,221.50	0.00 %
400-300-46001	Other Revenues	95,000.00	95,000.00	0.00	0.00	-95,000.00	100.00 %
400-300-46002	Interest	50,000.00	50,000.00	5,714.72	30,742.59	-19,257.41	38.51 %
400-300-47008	Transfer from TWDB	6,520,000.00	6,520,000.00	0.00	0.00	-6,520,000.00	100.00 %
400-300-47009	Transfer 1/4% Sales Tax	759,225.14	759,225.14	79,427.17	415,920.44	-343,304.70	45.22 %
	Department: 300 - Utilities Total:	8,815,250.18	8,815,250.18	163,275.33	1,048,294.85	-7,766,955.33	88.11%
	Revenue Total:	8,949,800.78	8,949,800.78	163,275.33	978,576.03	-7,971,224.75	89.07%
Expense							
Department: 300 - Utilities							
400-300-60000	Regular Employees	246,000.00	246,000.00	16,492.17	75,612.82	170,387.18	69.26 %

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining	
400-300-60002	Overtime	0.00	0.00	872.10	2,074.20	-2,074.20	0.00 %
400-300-60003	On Call Pay	10,400.00	10,400.00	1,200.00	3,400.00	7,000.00	67.31 %
400-300-61000	Health Insurance	28,931.49	28,931.49	1,671.62	7,277.13	21,654.36	74.85 %
400-300-61001	Dental Insurance	1,806.72	1,806.72	104.22	451.62	1,355.10	75.00 %
400-300-61002	Medicare	0.00	0.00	268.77	1,173.97	-1,173.97	0.00 %
400-300-61003	Social Security	0.00	0.00	1,149.20	5,019.64	-5,019.64	0.00 %
400-300-61004	Unemployment	0.00	0.00	137.24	771.73	-771.73	0.00 %
400-300-61005	Federal Withholding	20,622.60	20,622.60	0.00	0.00	20,622.60	100.00 %
400-300-61006	TMRS	15,384.00	15,384.00	1,099.00	4,850.34	10,533.66	68.47 %
400-300-62001	Financial	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
400-300-62002	Engineering and Surveying	217,500.00	217,500.00	0.00	10,577.79	206,922.21	95.14 %
400-300-62003	Special Counsel & Consultants	35,000.00	35,000.00	0.00	22,141.17	12,858.83	36.74 %
400-300-62019	Planning and Permitting	50,000.00	50,000.00	0.00	5,065.26	44,934.74	89.87 %
400-300-62020	Lab Testing	25,000.00	25,000.00	0.00	0.00	25,000.00	100.00 %
400-300-63001	Equipment Maintenance	0.00	0.00	0.00	10.99	-10.99	0.00 %
400-300-63002	Fleet Maintenance	1,200.00	1,200.00	0.00	0.00	1,200.00	100.00 %
400-300-63005	Training/Continuing Education	8,000.00	8,000.00	111.00	606.00	7,394.00	92.43 %
400-300-63009	Street/ROW Maintenance	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
400-300-63025	Wastewater Treatment Plant Maint	63,100.00	63,100.00	0.00	6,647.58	56,452.42	89.47 %
400-300-63026	Routine Operations	70,000.00	70,000.00	5,319.22	16,031.76	53,968.24	77.10 %
400-300-63027	Operations Non Routine	65,000.00	90,000.00	6,417.75	14,322.76	75,677.24	84.09 %
400-300-63028	Lift Station Maintenance	40,600.00	40,600.00	286.13	10,417.16	30,182.84	74.34 %
400-300-63029	Sanitary Sewer Line Maintenance	39,000.00	39,000.00	0.00	15,203.52	23,796.48	61.02 %
400-300-63030	Drip Field Maintenance	25,000.00	25,000.00	45.13	5,734.85	19,265.15	77.06 %
400-300-63031	Sludge Hauling	80,000.00	80,000.00	4,994.22	42,789.79	37,210.21	46.51 %
400-300-63033	Wastewater Flow Measurement	9,000.00	9,000.00	0.00	3,752.91	5,247.09	58.30 %
400-300-63034	Utility Operations	53,500.00	53,500.00	99.68	15,733.24	37,766.76	70.59 %
400-300-64001	IT Equipment & Support	0.00	0.00	0.00	44.26	-44.26	0.00 %
400-300-64003	Uniforms	2,800.00	2,800.00	518.98	1,995.84	804.16	28.72 %
400-300-64006	Fleet Acquisition	46,400.00	46,400.00	0.00	34,843.00	11,557.00	24.91 %
400-300-64008	Fuel	5,000.00	5,000.00	106.89	352.72	4,647.28	92.95 %
400-300-64010	Supplies	10,000.00	45,000.00	627.04	15,788.28	29,211.72	64.91 %
400-300-64022	Chemicals	9,600.00	9,600.00	901.71	3,397.73	6,202.27	64.61 %
400-300-64023	Equipment	123,240.00	123,240.00	528.31	10,646.09	112,593.91	91.36 %
400-300-65000	Network/Phone	8,904.00	8,904.00	171.79	1,061.21	7,842.79	88.08 %
400-300-65017	Electric	73,500.00	73,500.00	6,427.60	32,121.16	41,378.84	56.30 %
400-300-70001	Mileage	0.00	0.00	40.13	115.95	-115.95	0.00 %
400-300-70003	Other Expenses	52,000.00	52,000.00	0.00	10.00	51,990.00	99.98 %
400-300-71000	Capital Projects	2,225,000.00	2,225,000.00	0.00	0.00	2,225,000.00	100.00 %
400-300-72001	TWDB - Capital Projects	5,050,000.00	5,050,000.00	0.00	0.00	5,050,000.00	100.00 %
400-300-72002	TWDB - Engineering and Design	747,500.00	747,500.00	0.00	79,925.61	667,574.39	89.31 %
400-300-72003	TWDB - Special Counsel and Consul	0.00	0.00	0.00	29,357.58	-29,357.58	0.00 %
400-300-72004	TWDB - Misc.	760,000.00	760,000.00	0.00	15,500.00	744,500.00	97.96 %
400-300-72005	TWDB - Land Acquisition	0.00	0.00	0.00	244,855.92	-244,855.92	0.00 %
400-300-90010	Transfer to Water Fund	12,000.00	12,000.00	0.00	0.00	12,000.00	100.00 %
Department: 300 - Utilities Total:		10,250,988.81	10,310,988.81	49,589.90	739,681.58	9,571,307.23	92.83%
Expense Total:		10,250,988.81	10,310,988.81	49,589.90	739,681.58	9,571,307.23	92.83%
Fund: 400 - Wastewater Utility Surplus (Deficit):		-1,301,188.03	-1,361,188.03	113,685.43	238,894.45	1,600,082.48	117.55%
Report Surplus (Deficit):		-319,809.43	-773,541.32	736,098.59	3,147,165.70	3,920,707.02	506.85%

Group Summary

Department	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 100 - General Fund						
Revenue						
000 - Undesignated	6,992,588.77	7,016,588.77	1,056,959.75	3,866,480.62	-3,150,108.15	44.90%
103 - Courts	250.00	250.00	0.00	0.00	-250.00	100.00%
200 - Planning & Development	1,020,114.66	1,020,114.66	48,112.21	893,745.92	-126,368.74	12.39%
201 - Building	1,510,000.00	1,510,000.00	247,375.15	951,646.29	-558,353.71	36.98%
400 - Parks & Recreation	254,971.20	281,467.20	3,919.87	9,250.97	-272,216.23	96.71%
402 - Aquatics	110,600.00	110,600.00	180.00	1,809.95	-108,790.05	98.36%
404 - Founders Day	99,550.00	99,550.00	28,500.00	36,750.00	-62,800.00	63.08%
Revenue Total:	9,988,074.63	10,038,570.63	1,385,046.98	5,759,683.75	-4,278,886.88	42.62%
Expense						
000 - Undesignated	3,785,874.64	3,856,913.43	63,167.78	223,071.42	3,633,842.01	94.22%
100 - City Council/Boards & Commissions	24,500.00	24,500.00	0.00	520.00	23,980.00	97.88%
101 - City Administrators Office	0.00	0.00	41,121.61	226,036.02	-226,036.02	0.00%
102 - City Secretary	20,570.00	20,570.00	8,382.75	48,831.84	-28,261.84	-137.39%
103 - Courts	15,500.00	15,500.00	600.00	1,662.50	13,837.50	89.27%
104 - City Attorney	59,000.00	44,107.60	15,881.57	82,766.05	-38,658.45	-87.65%
105 - Communications	14,113.00	14,113.00	13,746.49	46,079.19	-31,966.19	-226.50%
106 - IT	267,032.00	267,032.00	16,201.66	109,082.03	157,949.97	59.15%
107 - Finance	1,178,377.98	1,178,377.98	128,578.88	661,568.92	516,809.06	43.86%
200 - Planning & Development	303,500.00	327,500.00	26,028.93	150,953.45	176,546.55	53.91%
201 - Building	751,000.00	751,000.00	15,295.14	282,842.80	468,157.20	62.34%
300 - Utilities	775,000.00	775,000.00	19,868.90	120,500.94	654,499.06	84.45%
304 - Maintenance	1,225,485.25	1,225,485.25	340,803.41	553,061.75	672,423.50	54.87%
400 - Parks & Recreation	240,963.90	302,045.40	17,346.52	117,953.69	184,091.71	60.95%
401 - DSRP	480,446.40	480,446.40	33,750.19	179,197.21	301,249.19	62.70%
402 - Aquatics	120,331.24	120,331.24	5,330.77	32,755.36	87,575.88	72.78%
404 - Founders Day	99,550.00	99,550.00	8,127.02	9,015.00	90,535.00	90.94%
500 - Emergency Management	60,948.00	60,948.00	6,631.29	42,197.19	18,750.81	30.77%
Expense Total:	9,422,192.41	9,563,420.30	760,862.91	2,888,095.36	6,675,324.94	69.80%
Fund: 100 - General Fund Surplus (Deficit):	565,882.22	475,150.33	624,184.07	2,871,588.39	2,396,438.06	-504.35%
Fund: 200 - Dripping Springs Ranch Park						
Revenue						
401 - DSRP	1,001,216.87	864,716.87	31,811.35	186,814.13	-677,902.74	78.40%
Revenue Total:	1,001,216.87	864,716.87	31,811.35	186,814.13	-677,902.74	78.40%
Expense						
400 - Parks & Recreation	2,000.00	2,000.00	392.34	2,617.66	-617.66	-30.88%
401 - DSRP	583,720.49	750,220.49	33,189.92	147,513.61	602,706.88	80.34%
Expense Total:	585,720.49	752,220.49	33,582.26	150,131.27	602,089.22	80.04%
Fund: 200 - Dripping Springs Ranch Park Surplus (Deficit):	415,496.38	112,496.38	-1,770.91	36,682.86	-75,813.52	67.39%
Fund: 400 - Wastewater Utility						
Revenue						
000 - Undesignated	134,550.60	134,550.60	0.00	-69,718.82	-204,269.42	151.82%
300 - Utilities	8,815,250.18	8,815,250.18	163,275.33	1,048,294.85	-7,766,955.33	88.11%
Revenue Total:	8,949,800.78	8,949,800.78	163,275.33	978,576.03	-7,971,224.75	89.07%
Expense						
300 - Utilities	10,250,988.81	10,310,988.81	49,589.90	739,681.58	9,571,307.23	92.83%
Expense Total:	10,250,988.81	10,310,988.81	49,589.90	739,681.58	9,571,307.23	92.83%
Fund: 400 - Wastewater Utility Surplus (Deficit):	-1,301,188.03	-1,361,188.03	113,685.43	238,894.45	1,600,082.48	117.55%
Report Surplus (Deficit):	-319,809.43	-773,541.32	736,098.59	3,147,165.70	3,920,707.02	506.85%

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
100 - General Fund	565,882.22	475,150.33	624,184.07	2,871,588.39	2,396,438.06
200 - Dripping Springs Ranch Park	415,496.38	112,496.38	-1,770.91	36,682.86	-75,813.52
400 - Wastewater Utility	-1,301,188.03	-1,361,188.03	113,685.43	238,894.45	1,600,082.48
Report Surplus (Deficit):	-319,809.43	-773,541.32	736,098.59	3,147,165.70	3,920,707.02



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

Submitted By: Roman Baligad, Emergency Management Coordinator

Council Meeting Date: March 08, 2022

Agenda Item Wording: Approval of a Memorandum of Understanding (MOU) between the Hays Office of Emergency Services and the City of Dripping Springs related to Emergency Animal Sheltering at the Dripping Springs Ranch Park Event Center.

Agenda Item Requestor: EM Coordinator

Summary/Background: This MOU covers emergency sheltering at Ranch Park for livestock and horses following a local disaster impacting those animals. Sheltering will only be provided for displaced animals who are healthy and need minimal veterinary care. Providing emergency shelter for equine and livestock species is left up to the county. Hays County feels confident that providing shelter for local horses and livestock animals will alleviate the stress of evacuation for some of its residents. Hays County will be responsible for providing all personnel required for the sheltering operations.

Commission Recommendations: DSRP Board- Approval of the agreement.
EM Commission- Approval of the agreement

Recommended Council Actions: City staff recommends approval of the agreement.

Attachments:

Next Steps/Schedule:

MEMORANDUM OF UNDERSTANDING

Between

Hays County Office of Emergency Services

And

~~Dripping Springs Ranch Park~~ City of Dripping Springs (CODS)

This Memorandum of Understanding (MOU) between the Hays County Office of Emergency Services (HCOES) and the City of Dripping Springs for the use of Dripping Springs Ranch Park (DSRP) witnesses that:

Whereas, the Hays County Office of Emergency Services is authorized to enter into agreements with other government entities, the private sector, and private, non-profit entities to ensure an expedient, effective, and coordinated response to any natural or man-made disaster;

Whereas in the event of an emergency event in the State of Texas, local and regional infrastructure and associated resources will be quickly committed to providing the necessary treatment and supporting strategies to effectively respond to a potential evolving event or to support the response to an actual event;

Whereas the existing local and regional infrastructure will also be compromised due to lack of adequate staff, equipment, and support available due to the impacts and demands of the event;

Whereas resources from the state, federal, and private sector will be quickly mobilized to augment local and regional resources and support the effective response to the immediate emergency event;

Whereas immediate evacuation of animals in danger from evolving natural or manmade events.

Whereas trained volunteers responding or assisting in recovery efforts;

Now therefore, the parties agree as follows:

A. Definitions:

- o Community Emergency Response Team (CERT)- Volunteers who have been formally trained, background checked and credentialed by the HCOES for response in disasters, recovery and assist local emergency services.
- o Disaster Assessment Teams (DAT)- Teams of CERT volunteers who have been formally trained in damage assessments related to natural or manmade events.

B. Use of Facility assets and staff:

- o In the event of an emergency requiring an immediate evacuation due to emergent conditions ~~DSRP~~ CODS agrees to provide the Dripping Springs Ranch Park Facilities to HCOES for use.
- o ~~DSRP~~ CODS agrees to the use of its Dripping Springs Ranch Park facilities, for HCOES staff and CERT volunteers responding to the emergency event.
- o Use of DSRP Facilities will be limited to housing large and small animals during response and recovery efforts.
- o DSRP agrees to support the use of the facilities but is not required to staff the facilities during an emergency response

C. Hays County Office of Emergency Services (HCOES) :

- HCOES agrees to notify the CODS Emergency Management Coordinator ~~DSRP~~ and request the use of the facility prior to use and, when possible, for staging of impending events.
- HCOES agrees to repair or replace any damage which occurred as a result of using DSRP Facilities.
- HCOES agrees to provide any necessary security for the duration of use.
- HCOES agrees only CERT or HCOES trained staff will be allowed to manage the DSRP facilities in coordination with DSRP staff.

D. Contact Information:

- DSRP agrees to provide Hays County Office of Emergency Services with the appropriate manager's 24-hour per day 7-day per week contact information, and update this information as necessary.
- Hays County Office of Emergency Services agrees to provide DSRP with the contact information of those who are authorized to notify DSRP in the event of an emergency requiring the use of DSRP Facilities.

E. Confidentiality: To the extent allowed by the law, the Parties agree that they will not disclose this agreement and that the subject matter of this agreement is sensitive and confidential. ~~If this~~This document is maintained by or for a governmental entity for the purpose of responding to an act of terrorism and relates to a tactical plan of governmental providers and ~~this should~~it will be confidential under Government Code §_418.176(a)(2).

F. Duration of Agreement: The term of this MOU is five (5) years from the date of the initial agreement. Renewal for additional one-~~year~~ terms shall be automatic unless one party terminates as provided in section I.

G. Program Review: A review will be conducted following a disaster event or within a six-month period after the effective date of this agreement. Any mutually agreed upon adjustments to this agreement will be made at that time. At the end of the five years, and if it is mutually desired, this agreement may be negotiated for a longer term. Any changes at the facility that may impact the execution of this agreement will be conveyed to the primary contacts to this agreement, identified below, or their designees, as soon as possible.

H. Amendments: This agreement may be amended at any time by signature approval of the parties signatory hereto, or their respective designee.

I. Termination of Agreement: Any Party may unilaterally withdraw at any time from this MOU, except as stipulated above, by transmitting a signed statement to that effect to the other Parties. This MOU ~~and the public/private partnership created thereby~~ shall be considered terminated thirty (30) days from the date the non-withdrawing Party actually receives the notice of withdrawal from the withdrawing Party.

J. Primary Contacts: The Parties intend that the work under this MOU shall be carried out in the most efficient manner possible. To that end, the Parties intend to designate individuals that will serve as primary contacts between the Parties. The Parties intend that, to the maximum extent possible and unless otherwise approved by the other Party, all significant communications between the Parties shall be made through the primary contacts or their designees. The designated primary contacts for each Party are:

Hays County Office of
Emergency Services

City of Dripping Springs

~~Mike Jones~~ Michelle Villegas
Emergency Preparedness Coordinator
~~2171 Yarrington Road Ste 300~~ 810 S Stage Coach Trail Ste 1200
San Marcos, TX 78666
512-393-5538

~~Bill Foulds, Jr.~~ Roman Baligad
~~Mayor~~ Emergency Management Coordinator
511 Mercer Street
Dripping Springs, Texas 78620
(512) 858-4725

K. Capacity to Enter into Agreement: The persons executing this Memorandum of Understanding on behalf of their respective entities hereby represent and warrant that they have the right, power, legal capacity, and appropriate authority to enter into this Memorandum of Understanding on behalf of the entity for which they sign.

Hays County Office of Emergency Services

City of Dripping Springs]

~~Mike Jones~~ Scott Raven
~~Interim~~ Director of Emergency Services
~~810 S Stage Coach Trail Ste 1200~~ 2171 Yarrington Road Ste 300
San Marcos, TX 78666
512-393-7300

Bill Foulds, Jr.
Mayor
Dripping Springs, Texas 78620
(512) 858-4725

511 Mer

Date

Date

Livestock Emergency Animal Shelter SOG

Hays County, Texas
July, 2019



The text provided in this document has been developed during planning collaboration between Hays County, Texas Office of Emergency Management, Texas A&M AgriLife Extension Service, and the Texas A&M Veterinary Emergency Team. The Mass Care Annex of the State of Texas Emergency Plan was used as a formatting guide. Text added to fully address the mass care needs of animals is identified in bolded & italicized maroon text. Planning efforts during this collaboration were focused on providing mass care for animals. ***This annex will need to be reviewed and edited to fully address providing mass care for humans and animals.***

This document is intended to provide guidance and is not prescriptive or comprehensive. Judgment and discretion will be used to determine the most appropriate actions at the time of an incident.

This document does not prohibit this jurisdiction from implementing additional requirements or operating procedures within the jurisdiction.

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Planning Standards

Animal Mass Care & Shelter

Planning Standard	Location
Indicate where NIMS compliance is addressed.	
Include a list of assumptions used in planning for shelter & mass care during emergency situations.	
Describe the situation surrounding providing emergency shelter of animals. Include risk or hazard analyses and anticipated population(s) of animals that may require emergency mass care & shelter.	
Describe the facility(ies) to be used for animal sheltering	Dripping Springs Ranch Park, San Marcos Expo Center
Describe stakeholder roles and responsibilities	
Describe mechanism for coordinating shelter operations	
Describe the mechanism for determining the ability of Hays County, Texas to provide mass care & shelter of animals and the number of animals that can be supported.	
Describe the mechanism for ensuring that animal ownership is maintained	
Describe the mechanisms used to address biosecurity issues	
Describe the mechanism for addressing safety concerns	
Describe the mechanism for providing for mortuary management/carcass disposal	
Describe the mechanism for ensuring	

efficient and safe utilization of volunteers	
--	--

Appendix 1: Providing Emergency Shelter for Local Livestock

Intended Audience, Purpose, Scope, Situation, Assumptions, & Limitations	
Intended Audience	
	Personnel providing emergency shelter for livestock and equine animals and the Hays County Texas Office of Emergency Management are the intended audience of this document.
Purpose	
	The purpose of this document is to provide tactical guidance for performing <i>Livestock and Equine Emergency Animal Sheltering</i> in Hays County, TX.
Scope	
	The scope of this document covers emergency sheltering for livestock and horses following a local disaster impacting those animals. Sheltering will only be provided for displaced animals who are healthy and need minimal veterinary care. Provision of any additional veterinary medical care will be determined by Hays County officials in conjunction with local veterinarians and/or request of regional or state resources.
Situation	
<u>Justification</u>	
	<p>Providing emergency shelter for equine and livestock species is left up to the county. Hays County feels confident that providing shelter for local horses and livestock animals will alleviate the stress of evacuation for some of its constituents.</p> <p><i>Providing emergency shelter for livestock and horses is justified as steps taken to protect public safety by preventing loose livestock and horses from creating hazards for first responders, citizens of Hays separate Appendix.</i></p>

Expected Conditions or Hazards

1. **Flooding**
2. **Hurricanes/point-to-point sheltering**
3. **Industrial accidents**
4. **Fire**
5. **Tornadoes**
6. **Terrorism**

Estimated Animal Population

[AVMA Pet Calculator](#)

The current estimates for the total number of livestock in Hays County, Texas were estimated using the Hays County 2012 Agriculture Census and AVMA Pet Calculator. The results were as follows:

- Horses: 2,500
- Cattle: 15,000
- Goats: 9,000
- Sheep: 1,700
- Chickens: 4,500

The current estimates were adjusted down to 1-2% to account for expected numbers from the total number of livestock in Hays County, Texas that may be sheltered in a countywide event. These were estimated using the Hays County 2012 Agriculture Census and AVMA Pet Calculator and were as follows:

- Horses: 25-50
- Cattle: 20-25
- Goats: 15-20
- Sheep: 10-15
- Chickens: 10-15

It is not anticipated that the entire population of livestock will require emergency shelter due to owners leaving their livestock during evacuation and the potential for death loss in the livestock population as a result of emergency and disaster incidents. In a disaster that is significant, you may see 5-10% impacted. Of those impacted, 10% may be in need of shelter. It is estimated that facilities for at least 55 equine and livestock animals and at most 125 equine and livestock animals may be required.

Facilities

The facility to be used for providing emergency shelter for horses and livestock:

- Dripping Springs Ranch Park
 - Houses a 166,000 square feet covered, multi-use barn

- Stock Pens Area
 - Approximately 130 horse stalls with mats
- Event Center Arena
 - Dirt floor
- Warm Up Area
 - Dirt floor
- Vendor Hall (18,768 sq. feet)
 - Concrete floor
- Special Event Room (12,000 sq. feet)
 - Climate-controlled
 - Concrete floor
- Lobby
 - Climate-controlled
- Vet Clinic/Washroom

Personnel

Personnel responsible for providing emergency shelter of horses and livestock will be provided via the following mechanisms.

1. Hays County trained shelter volunteers and civilian volunteers with related animal experience.
 - a. These volunteers can be recruited from the shelters in the county and agriculture booster groups, and FFA groups.
2. Community volunteers with just-in-time training.

Resources

32 tall enclosed stalls and 98 short and open stalls are already built and available for use. Along with associated fencing and boundary materials, tarps, food and water buckets, shovels, towels, several wheelbarrows etc. may be required in a disaster event.

Some of these resources can be obtained through donations from shelters and other animal groups, of which PAWs and the San Marcos Animal Shelter are good initial contacts.

Fences, shovels and wheelbarrows can be acquired from Tractor Supply, Home Depot, Lowes, McCoy's, etc. It is recommended to get an MOU with one or multiple of these companies, so that when disaster strikes the necessary equipment will be available.

These resources need to be acquired or allocated before the disaster occurs to ensure that they are available for your purposes.

Assumptions

1. All Texas county-level jurisdictions will have equine and livestock ownership characteristics comparable to national averages.
2. All horses and livestock will not be evacuated from Hays County, Texas.
3. The Hays County Dripping Springs Ranch Park location will be available for use as a horse and livestock shelter
4. Staffing and supplies for the operation of the Hays County Texas Emergency Horse and Livestock Shelter will be available.
5. It may be necessary for Hays County Emergency Animal Shelter to receive horses and livestock from other regional locations in the event of a regional disaster.

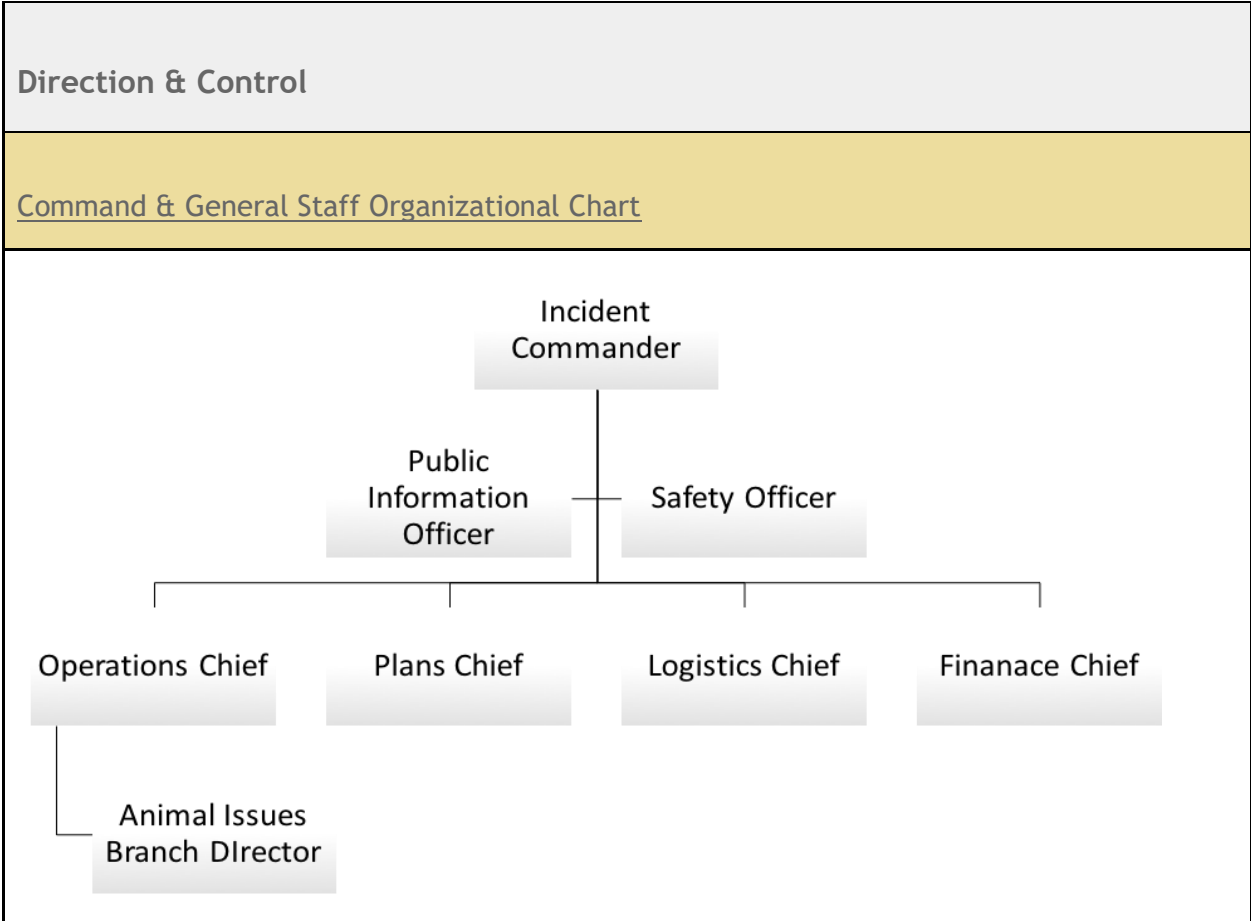
Limitations

1. The Dripping Springs Ranch Park may be unavailable or damaged.
2. Dripping Springs Ranch Park may be too far from human sheltering facilities or have limited access in a disaster situation.
3. Dripping Springs is not a central location for Hays County and may be too far north for access of much of the county's population.
4. Personnel and resources may be unavailable as a result of local disaster conditions.

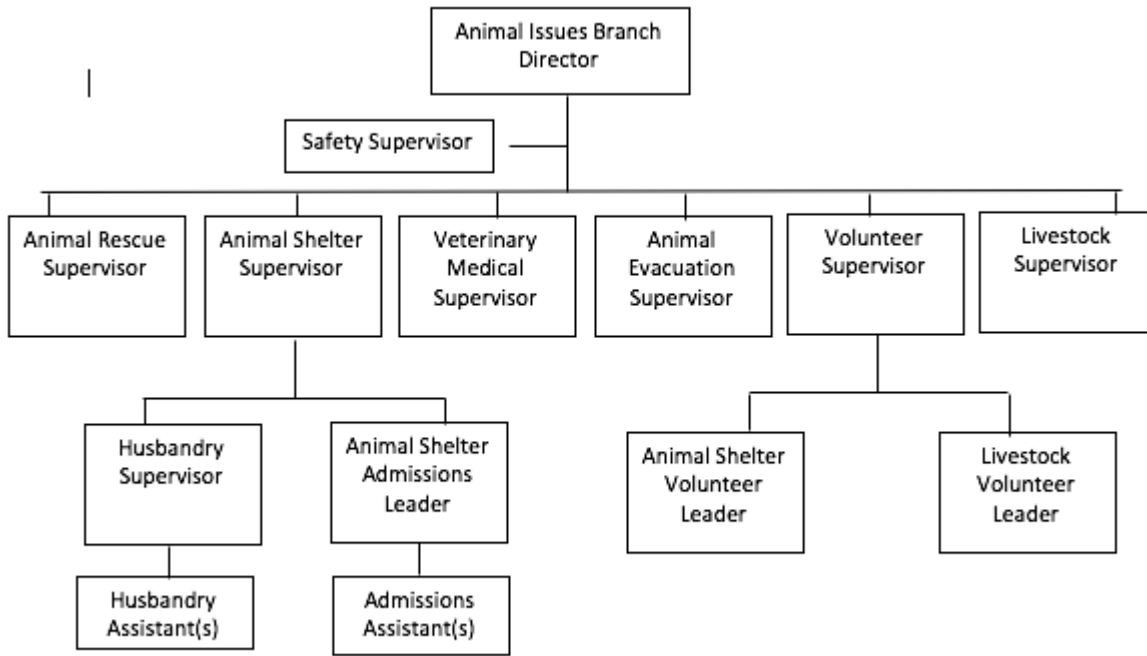
Concept of Operations

General

1. The Incident Commander with input from the Animal Issues Branch Director and the Director of Emergency Management may determine the need for initiating and concluding emergency horse and livestock shelter operations.
2. The Hays County Judge has authorization responsibility for initiating and concluding animal sheltering operations.
3. Emergency operations will be NIMS Guidelines compliant



Animal Issue Branch Organizational Chart



This is a typical structure for an animal branch in a county. These are positions that you may choose to fill to fit the individual needs of your county. For instance, the head animal control officer could serve as the animal issues branch director. The animal shelter supervisor could be the main contact from PAWs or one of the other shelters. PAWs and the other shelters in the county, along with local agriculture and FFA programs, would be good resources to reach out to and recruit volunteers with animal experience.

Position Descriptions

Animal Issues Branch position descriptions are below.

Animal Issues Branch Director	The Animal Issues Branch Director is responsible for overseeing all emergency response efforts on behalf of animals and will be stationed in the Hays County Emergency Operations Center.
Safety Supervisor	The Safety Supervisor is responsible for ensuring the health and well-being of responders involved in emergency animal sheltering operations.
Animal Rescue Supervisor	The Animal Rescue Supervisor is responsible for directing all animal rescue operations including retrieval

	of animals from impacted areas during or after the impact and transportation of animals to either Hays County's emergency animal shelter or the Hays County emergency veterinary medical operations area.
Animal Evacuation Supervisor	The Animal Evacuation Supervisor is responsible for directing families with animals that are evacuating the impacted area to the Hays County emergency animal shelter if emergency sheltering of animals is needed.
Animal Shelter Supervisor	The Animal Shelter Supervisor will be responsible for supervision of the companion animal emergency animal shelters as applicable.
Veterinary Medical Supervisor	The Veterinary Medical Supervisor will supervise veterinary medical operations.
Livestock Supervisor	The Livestock Supervisor will be responsible for supervision of the equine and livestock emergency animal shelters as applicable.
Volunteer Supervisor	The Volunteer Supervisor will recruit volunteers, document and verify volunteers, assign volunteers to necessary just-in-time training, assign volunteer badges, assign volunteers appropriate job functions, and track volunteer time and activity. They would be responsible for checking volunteers in at the beginning of the day and checking them out at the end of the day, documenting time in and time out. They would escort them outside of the perimeter where animals are housed and would repossess the volunteer badges when their time is completed for the day.
Husbandry Supervisor	The Animal Shelter Husbandry Supervisor will be responsible for supervision of the companion animal husbandry staff at companion animal shelters as applicable. They will oversee the husbandry assistants.
Animal Shelter Admissions Leader	The Animal Shelter Admissions Leader will be responsible for supervision of the companion animal admission staff at companion animal shelters as applicable.
Animal Shelter Volunteer Leader	The Animal Shelter Volunteer Leader will be responsible for management of volunteers assigned by the Volunteer Supervisor to companion animal shelter tasks.

<p>Livestock Volunteer Leader</p>	<p>The Livestock Volunteer Leader will be responsible for management of volunteers assigned by the Volunteer Supervisor to equine and livestock animal tasks.</p>
<p>Husbandry Assistant</p>	<p>The Husbandry Assistants will perform husbandry operations for admitted animals. One Husbandry Assistant will be required for each pod of 15 dogs or 15 cats if feeding and cleaning is to be performed by emergency companion animal shelter staff. Pod assignments will remain consistent through the duration of volunteer capability to participate in emergency companion animal sheltering operations. It is of increased importance that those assistants assigned to care for isolation animals remain only caring for and contacting isolation animals to decrease the spread of disease to healthy animals as much as is possible.</p>
<p>Admission Assistant</p>	<p>The Admissions Assistants will perform admissions operations, maintain complete records on admitted animals, and document staff and volunteer activity. The number of Admissions Assistants required is dependent on the rate of animal influx to the emergency companion animal shelter.</p>

Readiness Levels

Readiness Level 4 - Normal Conditions

1. Maintain Emergency Equine and Livestock Shelter Standard Operating Guideline in a current state.
2. Perform annual emergency equine and livestock shelter exercise.
3. Draft messaging informing the equine and livestock owning public of the resources that will be available to them if emergency equine and livestock shelter is ordered and provide recommendations for sheltering horses and livestock animals in the safest and most humane way possible. Information will be disseminated at the beginning of each hurricane season.

Readiness Level 3 - Increased Readiness - H-96

A decision about when evacuation will be initiated will need to be made.

1. Convene a meeting of the emergency animal shelter sub-committee.
2. Review the personnel contact list for accuracy.
3. Confirm availability of personnel, volunteers, facilities and equipment.
4. The designated volunteer trainer needs to schedule training for the animal caretaker leaders.
5. Review Emergency Equine and Livestock Standard Operating Guidelines.
6. Perform pre-event facility and equipment inspection (example form provided as Attachment 2).
7. Perform any required remedial measures on equine and livestock shelter resources.
8. Determine equine and livestock shelter capacity with capacity determined by staffing levels, supplies, and facility and report to the Animal Issues Branch Director.
9. Send STAR request for necessary supplies.
10. Request local feed store nutritional support.
11. Begin set-up of emergency equine and livestock shelter.

Readiness Level 2 - High Readiness - H-72

1. Receive briefing on emergency situation.
2. Brief emergency animal sheltering operations staff.
3. Complete set-up of emergency equine and livestock shelter.

Readiness Level 1 - Maximum Readiness H-48

1. Determine equine and livestock shelter capacity with the capacity determined by staffing levels, supplies, and facility and report to the Animal Issues Branch Director.
2. Initiate emergency equine and livestock sheltering operations upon order from Hays County, Texas County Judge or their designee.

Escalation of Response

1. The Emergency Equine and Livestock Shelter Supervisor shall report when actual animal sheltering reaches [40%] of planned capacity (local, regional, & state resource capacity assigned to the jurisdiction) to the Animal Issues Branch Director.
2. The Incident Commander with input from the Operations Chief and Animal Issues Branch Director will determine if and when emergency equine and livestock shelter operations exceeds the capabilities of local and assigned shelter resources and request additional resources as per incident command protocol.

Emergency Livestock and Equine Shelter Emergency Messaging

Information messaging points to include in **pre-disaster** messaging include but are not limited to the following.

- Inform owners of emergency resources in the form of emergency livestock shelter (Dripping Springs Ranch Park).
- Owners should have photo identification of the animal, preferably a photo of them with the animal, and create an emergency kit including medications (at least a 7-day supply), a halter and lead rope, hay/feed bags, and veterinary records.
- Encourage pet owners to store photos and records of their animal in a form accessible online such as Google Drive, Apple Cloud, Dropbox, etc.
- Provide the public with a list of regional pet-friendly hotels/motels.
- Recommend that owners have some form of identification on each animal so that the animal(s) and owner can be quickly reunited if separation occurs and the animal is/are presented at an emergency animal shelter.
- Notify pet owners of the pet evacuation stickers.
 - These stickers serve as notification to evacuation personnel that the house has pets, and also tells them how many pets so that none are left behind.
 - These are available online from ASPCA at <https://secure.aspc.org/take-action/order-your-pet-safety-pack>

Information messaging points to consider in **post-disaster** messaging include but are not limited to the following.

- Locations of emergency equine and livestock shelters:
 - Dripping Springs Ranch Park
- Provide the public with a list of regional pet-friendly hotels/motels.
- Photo documentation and signalment (breed, age, sex, color) of every animal that comes into the shelter should be readily available for review by citizens searching for lost pets.
 - Found animals that have been placed within the shelter may be found in the **Texas A&M VET Evacuation and Shelter database**, Petfinder, and Facebook
 - Owners may visit the shelter and review the rescued animals in order to find a lost pet.
 - For those unable to physically return to the shelter, they can call and provide a description of their pet, which can then be searched for by shelter staff.
- Upon admission of an owned animal, residents will be asked to provide:
 - Contact information, including an address and 2 operating phone numbers.
 - Vaccination status and Coggins status of animal (if applicable).
 - Daily care for their animal if they are staying nearby.
- Warn owners of the risks of leaving their animal at an emergency shelter.
 - Many animals from different environments with different vaccination statuses will be mingling.
 - Increased risk of disease outbreak among sheltered animals.
- Upon retrieval of an owned animal from the shelter, citizens must provide:
 - Proof of ownership.- veterinary record, photos of owner and animal together, microchip number, Coggins, etc.
 - In the cases where no proof of ownership can be provided, a form of photographic identification such as government issued identification will need

to be provided, and a copy will be retained (in case of a discrepancy in ownership).

Distribution of public messaging

- Set up an automated phone message that plays before live answer which provides the location of the animal shelter and direction to the Hays County Emergency Management Facebook page.
- Use multiple types of communication fronts to reach people of different social classes such as social media, televised newscasts, and radio broadcasting.
- Announcements should be made at the human shelters to notify occupants that there is an animal shelter and that rescued pets are being housed.
- Messaging should be repeated in English and Spanish (and any other languages significant to the local community) multiple times daily. Special consideration should be made to reach more isolated groups in the community.

Establishing the Livestock and Equine Emergency Shelter

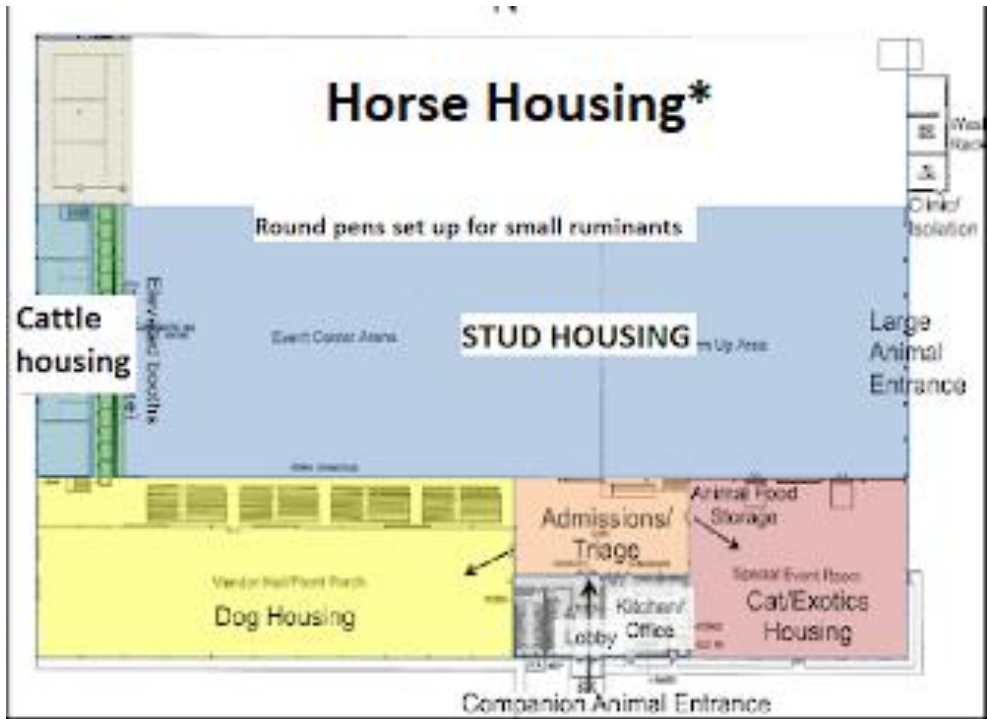
1. Hays County will acquire water and food buckets, shovels, and horse and livestock feed through local procurement or acquisition from Tractor Supply or local feed stores when the Emergency Animal Shelter is activated.
2. Hays County, Texas will submit a STAR for any additional crates and associated support supplies.
3. Hays County will activate the Animal Issues Committee and volunteer groups when the Emergency Animal Shelter is activated.
4. Stalls will be assigned as depicted below.

Overview of the Dripping Springs Ranch Park

Traffic Flow

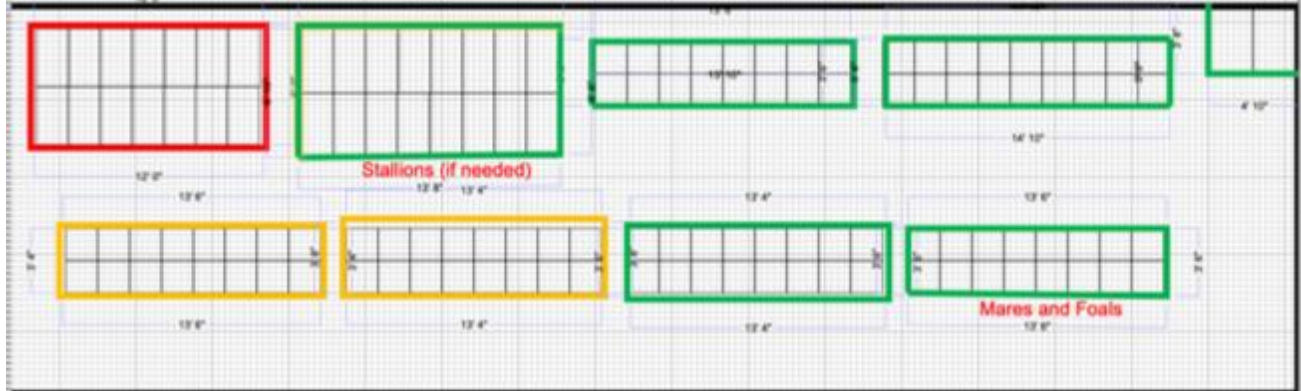


Layout of Animal Sheltering Zones



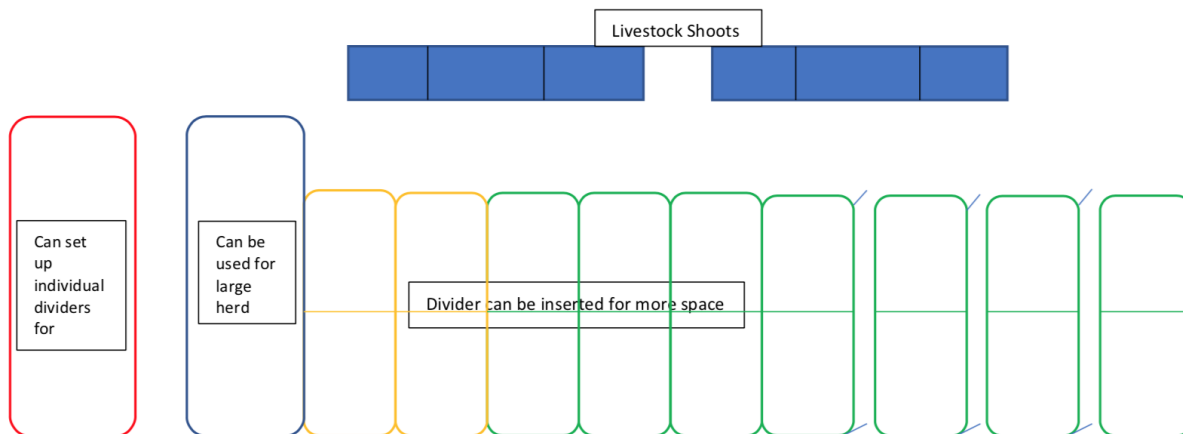
*See example of stall setup below

Example of Equine stall setup:



Green= Low Risk
 Yellow= Mild Risk
 Red= High Risk/Isolation

Example of Livestock pen setup:



Green= Low Risk
Yellow= Mild Risk
Red= High Risk/Isolation

<u>Area requirements</u>	
Functional Area	Requirements
Administrative	<ul style="list-style-type: none"> ● Computers: 2-3 ● Tables: 2 ● Chairs: 4 ● Printer: 1 (one in place at Ranch Road) ● Radios or landline phones for communication in the absence of cell phone function
Admissions	<ul style="list-style-type: none"> ● Computers: 2 ● Animal ID mechanism--neck bands: 1 per animal ● Tables: 2 ● Chairs or benches - for 10-15 people ● Waiting area (extra chairs) or use benches ● Sharpies/writing utensils/white board ● Electricity (generator power as backup) ● Wi-fi capable or ethernet connection if possible ● Lead Ropes: 25-50 ● Rope Halters: 25-50 ● Camera (or phone): for animal identification/documentation (owner and animal together)
Veterinary Medical Examination (Labeled as Triage). This would be discussed with local veterinarians willing to provide this service - in most cases they would need to bring the medical supplies, and <u>Hays County would provide items listed to the right.</u>	<ul style="list-style-type: none"> ● Paperwork or computer table: 2 ● Microchip scanner ● Computer: 2 ● Trash can: 2 large ● Sharps container ● Cleaning supplies (bleach and water solution): 50 gallons bleach to mix with water per 50 animals ● Hand sanitizer: 10 large bottles + 1 large bottle/pod ● Towels: At least 1 per animal for decon/cleaning ● Access to running water ● Electricity
Supply Area	<ul style="list-style-type: none"> ● Stall Bedding ● Equine Food and Hay ● Livestock Food and Hay ● Water and grain buckets ● Lead Ropes ● Rope Halters ● Cleaning supplies ● Waste bags ● Gloves ● Towels, blankets, sheets, or other ● Scissors ● Dawn soap for washing/decontamination

	<ul style="list-style-type: none"> ● First aid supplies for people ● Hoses ● Extension cords ● Large fans ● White board for keeping track of feeding/walking or notes for area (does not need to be large) ● Wheelbarrows ● Shovels
<p>Equine housing</p>	<ul style="list-style-type: none"> ● The Equine shelter area will be located in the Equine Stalls. ● For Emergency Animal Sheltering: <ul style="list-style-type: none"> ○ Given the available space in the sheltering facility, up to 130 stalls will be established with the following designations: <ul style="list-style-type: none"> ■ Stallions ■ Mare and Foal ■ Isolation ■ High Risk ■ Low Risk ● High-risk and isolation stalls will be established in a down-prevailing wind location. If fans are utilized to aid in air-flow, they will always be set up so as to push air in the same direction as prevailing winds. ● In colder months or when temps are below 50°F, the use of heaters is encouraged if possible. If heaters are not available, then cardboard should be used to block the wind and additional blankets may be needed. ● Place 1 trash can and 1 biological waste receptacle per 16 stalls.
<p>Livestock housing</p>	<ul style="list-style-type: none"> ● The large livestock shelter area will be located in the livestock pens on the west side of the facility. ● The small ruminants and small livestock shelter area will be located in round pens set up in the arena area in the center of the facility. ● Place round pens along the outskirts of the arena distributed evenly between low-risk and high-risk with high risk pens placed with consideration of airflow. ● Med/large stalls are ideal for same species animals from the same herd so they can be housed together to limit potential lost animals. ● Place cardboard between stalls to prevent nose-to nose contact. ● Place 1 trash can and 1 biological waste receptacle per every 8 stalls.

Animal Shelter Operations Personnel Requirements	
Position (number per Operational period)	Responsibilities
Livestock Shelter Supervisor (1)	Oversee large and small livestock shelter operations
Equine Shelter Supervisor (1)	Oversee equine shelter operations
Admissions Supervisor (1)	Oversee the admissions process
Admissions Assistant (2)	Perform admission of animals
Husbandry Leader (1)	Oversee husbandry operations
Husbandry Assistants (based on 1 caretaker per 25 animals if experienced; 1 caretaker per 15 animals if not experienced)	Maintain animal sheltering area in a clean state. Oversee care of animals which includes feeding and watering.
Veterinarian (1-2)	Triage incoming animals
Veterinary Technicians (2-4)	Triage incoming animals

Capacity Determination - Livestock Shelter	
Item	Estimated Capacity
<p>Facility (total availability with unlimited stall space setup as depicted above)</p>	<p>150 (total stalls)</p> <p>Equine Housing: 130 Large livestock Housing: 20-25 Small livestock Housing: 25-35</p>
<p>Personnel</p> <p>Admissions/Triage</p> <ul style="list-style-type: none"> ● 1 Veterinarian per 12 hour shift ● 1-2 Veterinary Technicians or Assistants per 12 hour shift ● 1 Admissions Supervisor ● 2 Admissions Assistants ● 1-2 Communications Personnel ● 1 Records Assistant (database vs. paper records) <p>Equine area</p> <ul style="list-style-type: none"> ● 1 shelter supervisor per 12 hour shift ● 1 trained animal husbandry person per 20-25 animals per 12 hour shift <p>Large livestock area</p> <ul style="list-style-type: none"> ● 1 shelter supervisor per 12 hour shift ● 1 trained animal husbandry person per 15-20 animals per 12 hour shift <p>Small livestock area</p> <ul style="list-style-type: none"> ● 1 shelter supervisor per 12 hour shift (shared with Large Livestock Area) ● 1 trained animal husbandry person per 15-20 animals per 12 hour shift (shared with Large Livestock Area) 	<p style="text-align: center;"><i>Enter number of trained personnel and volunteers here. In a prolonged disaster, several shifts will need to be organized with a rotating roster.</i></p>
<p>Supplies</p> <ol style="list-style-type: none"> 1. Stalls and associated supplies (water buckets, food buckets, halters, and lead ropes) - ideally there should be 2-3 buckets per stall to allow for food, water, and rotating for sanitation. 2. Food (to be provided by owner or donation): 	<p style="text-align: center;"><i>Enter number of stalls units here</i> *150 stalls*</p>

<ul style="list-style-type: none">a. Equine feed: (these are just suggestions if owners are not present or aware of how much to feed their pet)<ul style="list-style-type: none">i. One bag of feed for one horse for one week.ii. High energy/working horses (e.g. performance horses, lactating mares) should be fed approximately 1-1.5% of their total body weight twice daily if this quantity of food is available.iii. Low energy horses should be fed approximately 0.5% of their total body weight twice daily if this quantity of food is available.iv. Forage in the form of coastal hay should be provided at the rate of 2 flakes per medium sized horse three times a day. Ponies should receive 1 flake three times a day.b. Livestock feed:<ul style="list-style-type: none">i. One bag of feed for one large livestock animal for one week.ii. One bag of feed for 3 small livestock animals for one week.iii. Livestock animals should be fed approximately 0.5-1% of their total body weight twice daily.iv. Forage in the form of coastal hay should be available at all times. <p>3. Water should be available to all animals at all times.</p>	
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<p>Biosecurity</p>
<ul style="list-style-type: none">1. Shelter personnel will need to be trained in the biosecurity protocols used by Hays County DEAR and shelter standards. Specific items to be covered include but are not limited to the following.<ul style="list-style-type: none">a. Preparation of Clorox based disinfection solutions

- b. Steps for cleaning soiled stalls
 - c. Steps for feeding animals in a manner that will prevent cross-contamination
 - d. Signs of illness that personnel should be monitoring for and report to Animal Control Officers.
2. Hays County Livestock Supervisor will confirm that volunteers are following the described biosecurity protocols.
3. It is **recommended** that disposable gloves, if available, be worn while handling animals. Disposable gloves will be removed and discarded after handling the animal and a new pair of gloves donned before handling the next animal. If gloves are limited, they should be rationed so that no high risk or isolation animal is handled without gloves. This is to reduce the risk of infectious spread from animal to animal or from animals to humans.
4. Hand sanitizer will be readily available distributed amongst the stalls and used by all volunteers on a regular basis. Signs are to be posted in each area with this information:
 - a. Hand Sanitizer to be used:
 - i. Before and after handling each animal.
 - ii. After coming into contact with animal saliva, urine, feces or blood.
 - iii. After cleaning stalls or pens.
 - iv. Before eating meals, taking breaks or leaving the shelter.
 - v. Before and after using the restroom.
5. Shelter personnel will maintain pens, stalls, veterinary examination areas, and stall areas in a clean state by cleaning once daily at a minimum, or more frequently, if needed.
6. The pens and stalls should be lined with a layer of bedding or shavings.
7. Soiled bedding from pens and stalls will be disposed of into a wheelbarrow and taken to the dumpster pile.
8. Each area will have its own garbage can, and they should be emptied frequently into the facility's larger dumpster.
9. Staff/volunteers will do all animal feeding in such a way as to maintain order and prevent cross contamination between food resources. For example, feed the lower risk animals prior to feeding higher risk animals (as set up in the below diagram).
10. Lower risk animals should be handled by staff/volunteers prior to handling higher risk animals.
11. Shelter personnel involved in cleaning of stalls, pens, food buckets, and water buckets will wear disposable examination gloves and change gloves between stalls if available. If no examination gloves are available, hand sanitizer will be used between stalls.
12. Protocols for body fluids, or spills of other potentially infectious fluids/substances are as follows:
 - a. Contain with absorbent material, e.g. paper towels, cat litter, absorbent clay
 - b. Don appropriate PPE such as gloves, masks, gowns if available.
 - c. Place containment materials and used PPE in sealed leak-proof bags for proper disposal, disinfect the contaminated spill area with a dilute bleach solution (1:9 dilution ratio).
 - d. Restrict staff/personnel from the contaminated spill area until the disinfection

procedure has been completed to standard

- e. If no PPE is available, have a separate change of clothes for work with the infectious patients.
 - f. Construct a written record of the occurrence identifying the animal, cage/stall location, and brief summary of what was observed and submit the report to the Veterinary Medical Operations Supervisor/veterinarian.
13. Personnel will only eat food in designated break areas in main facility. Personnel will wash their hands prior to eating.
14. Food will only be stored in designated break areas with as limited contact to animals as possible.

General disease prevention

1. High risk animals should be placed down-wind, relative to low risk animals based on prevailing wind or facility airflow
2. Large fans (ideally a minimum of 4) will be placed at the low-risk end of the facility to ensure adequate air circulation.
3. Staff will walk through their assigned areas to check on the health status of animals under their supervision. If an animal has any of the following ailments, as indicated on the animal's cage card, they will be examined by a veterinarian (if available).
 - a. Gastrointestinal upset: diarrhea, colic signs, or not eating.
 - b. Respiratory signs: cough, sneezing, nasal/ocular discharge.
 - c. Wounds.
 - d. Skin disease: excessive itching, head shaking, visible lesions.
 - e. Neurologic disease: behavior change, head tilt, circling, etc.
 - f. Urinary signs: blood in urine or yellow/green discharge, straining to urinate.
4. If available, a veterinarian will examine all animals identified above. If the veterinarian determines this ailment to be minor but potentially contagious (ex. diarrhea or cough), the animal will be moved to the designated isolation area. If the animal is considered too sick to remain in the shelter, the animal will be taken to one of the predetermined veterinary clinics or hospitals or sent to the veterinary medical operations base of operations. If a veterinarian suspects any reportable diseases, the State Veterinarian will be notified immediately.
5. In the event of an animal bite or an animal showing clinical signs consistent with rabies, the rabies quarantine protocol as outlined by the Texas Department of State Health Services or the local Rabies Control Authority will be strictly adhered to. Animals under rabies observation will be transferred to and housed in isolation at a predetermined city animal shelter or the local animal control office with an area for rabies quarantine as space permits and will be handled by staff members only.
6. Isolation areas will be created for suspected infectious animals.
 - a. The isolation area is intended as a temporary holding facility and animals requiring isolation will be discharged from the emergency shelter and sent to a local veterinary medical facility or to the veterinary medical operations base of

- operations.
- b. Access to the isolation area will be limited to shelter staff and participating veterinarians. No owners or potential owners will be allowed in this area.
 - c. If shelter staff must care for animals in the general population area and the isolation area, they will care for animals in the general population prior to entering the isolation area. After caring for isolation animals, staff will not have any interaction with the general population animals without changing clothing and showering or removing any provided PPE.
 - d. Personal protective equipment is recommended to be available at the entryway into the isolation area. Personal protective equipment includes the following:
 - i. Examination gloves.
 - ii. Rubber boots or shoe covers.
 - iii. Coveralls or lab coats
 - iv. Face mask and goggles
7. Personnel will remove and dispose of personal protective equipment when leaving the isolation area.
- a. If rubber boots are used, boots will be disinfected with a dilute bleach solution (9 parts water and 1 part bleach soaked for 2 minutes).
 - b. Footbaths should be available at critical points to allow for easy disinfection of footwear. These points should include the entrance/exit of isolation, between the high risk and medium risk groups, and other points that are recognized as potential areas of disease spread. Footbaths should be changed frequently (twice a week at a minimum).

Safety Considerations

1. Hays County will provide personnel with training on appropriate animal handling techniques and will observe inexperienced volunteer's animal handling capabilities prior to allowing them to perform in this area.
2. Caution must be taken when handling large animals to prevent injury to the person or animal.
3. Animals **must not** be able to interact with each other while on a lead to prevent fighting unless animals are from the same species and same household.
4. Animals are intended to stay in stalls and **must not be removed from the stall** unless absolutely needed. If the health of the animal is in danger and it must be removed from

the stall, the animal should remain haltered and tied in the case of horses and halter-broken livestock or moved to another stall temporarily in the case of non-halter-broken livestock to prevent escape.

- a. Any stallions removed from stalls must be handled using leather halters and stud chains and are only to be handled by an experienced veterinary technician or volunteer.
- 5. When possible, securing water buckets within stalls in a way to facilitate filling without entering the stall will be performed to reduce the need for husbandry personnel to enter the stall. This reduces bite risks, escape risks, and will decrease idle time during stops.
- 6. All animals will be kept on rope leads and halters at all times when not in their stall. This reduces the risk of animals escaping.



Information Management

Situational Awareness

1. The Hays County Office of Emergency Management will notify the Animal Issues Committees, Hays County Animal Control, PAWS Shelter, and San Marcos Regional Animal Shelter supervisors when shelters are ordered to be established by the County Judge or their designee. The following information will be provided.
 - a. Which shelters have been ordered to start operations
 - b. Estimated numbers of animals to expect
2. Animal Shelter Supervisor(s) will report estimated pre-operations capacity of local animal sheltering response resources to the Animal Issues Branch Director
3. Animal Shelter Supervisor(s) will provide situational reports on a schedule determined

- by the Incident Management Team. This report will include the following.
- a. Number of animals being provided emergency shelter
 - b. Number of additional animals that can be provided emergency shelter given current local resource availability
 - c. Number of volunteers participating in emergency animal sheltering operations
 - d. Number of people requiring nutritional support
 - e. Current resource needs
 - f. Summary of key actions taken
4. The Hays County, Texas Office of Emergency Management will notify volunteer veterinarians when their assistance is needed to triage incoming animals and attend to animals needing medical assistance.

Coordination Tools

- Situation Report
 - Emailed to the Animal Issues Branch Director on a schedule determined by the IMT.
- Web Conferences or Conference Calls
- Radio communications

Animal Shelter Data Management

1. *Hays County, Texas Emergency Horse and Livestock Shelter will use the Texas A&M VET Evacuation and Shelter database (modified to link with the ETN system) for management of animal information.*

Financial Data Management

1. Financial data will be managed as per existing Hays County, Texas policies and procedures.

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Animal Admissions

Information Entry

Owner and animal information will be entered in the *Texas A&M VET Evacuation and Shelter database*.

Animal Identification

There will be one area for admission processing for livestock and horses. All wildlife inquiries should be directed to the Texas Parks and Wildlife Agency.

Admissions will take place on the east side of the facility. It will be overseen by the Admissions Supervisor and facilitated by at least two Admissions Assistants. Animal owners will enter the east side of Dripping Springs Ranch Park via Event Center Drive. Seating accommodations should be provided to facilitate admission of large numbers of animals.

Animal identification-horses and livestock

1. Upon admission, if not already placed, a band collar with identifying number is placed snugly on the horse or cattle. For other livestock, the band is tied or taped on to the cage/enclosure.
2. If multiple livestock animals (sheep, goats) are obtained from the same residence and will be housed together, each sheep or goat should have a collar with identifying number placed snugly around the neck. The collar should identify that these animals are from the same herd.
3. The following information is filled out as completely as possible, except stall number, which will be added later after physical placement. This information is added as needed to the electronic database by Admissions Assistants:
 - Identification number
 - How brought to shelter (owner/found)
 - Where animal lives or where animal was found
 - Breed/species
 - Color
 - Gender/altered
 - Collar/tags
 - Microchip/tattoos/identifying marks
 - Behavior (aggressive, submissive, friendly)
 - Risk (see chart below)
 - Stall number
3. Before placement into stall:
 - a. A photo is taken of the animal with a whiteboard identifying shelter

location (e.g. Hays County) and the animal's given ID number, along with owner picture and information (government issued ID). Photos should be taken of all sides of the animal, including the face, both sides of the body, and the topline (if possible). Any particularly identifying features should be documented. These photos are entered into the electronic database attached to the rest of the animal/owner data by Admissions Assistants. If more information (i.e. owner identified) becomes available after admission, it will be added to the animal's account.

- b. Every horse is scanned for a microchip along with recording the above parameters
- c. A preliminary health and attitude assessment is obtained and noted, the animals are divided into risk categories as described below
- d. The animals then go through triage (see following protocol) based on preliminary health assessment.

4. After all of the above is completed, animals will be assigned to the appropriate area of stalls by risk, and will be fed and watered by the animal owner if present or a volunteer if not.

- a. The assigned animal number will also be written on stall cards with card to be affixed to the assigned stall. If an animal is moved to another stall, its stall card will also be moved.
- b. Stall cards will include admission date and time, signalment, microchip if present, and any specific behavior and care notes such as "aggressive, needs meds" etc. stall card should include space for marking if an animal has been fed, medicated, etc.

Triage and Risk Classification

Triage

Risk Categories		
Category	Color	Description
High risk/Isolation	Red	Animals showing clinical signs of contagious illness and represent a threat for development of infectious disease in other shelter inhabitants or shelter personnel Animals that are waiting to be moved to separate facility Animals with severe, life threatening and/or contagious disease

		Animals that are apparently aggressive, either towards humans or towards other animals.
At-risk	Yellow	Animals <1 year or >15 years of age Animals with a previous, non-contagious medical condition(s) Animals showing clinical signs of non-contagious illness or minor injury but deemed fit for sheltering
Low risk	Green	Apparently healthy adult animals ≥1 year of age

1. Triage will be overseen by a veterinarian or veterinary technician.
2. Triage will be performed by a veterinarian or veterinary technician.
3. Triage of an animal will occur with owners present and undergoing registration. Ideally, veterinarians will supervise triage with the assistance of veterinary technicians or experienced animal health professionals.
4. When the animal is checked in, any past or current medical conditions should be obtained by Admissions Leader and Assistants. This may affect the method in which the animal is evacuated.
5. Examples of medical conditions which put an animal at-risk include metabolic disease, heart disease, severe trauma, and respiratory disease.
6. Animals deemed Not Fit for Shelter (NFS) will be determined by the veterinarian/vet assistant during triage. These animals will be transferred to the Veterinary Medical Support (if operating) or a local veterinary medical practice as an in-patient.
7. Categories under NFS are the following:
 - a. Severe illness requiring additional stabilization
 - b. Suspected life-threatening contagious diseases (EIA, Strangles, BVD, etc.)
 - c. Any major trauma prior to evacuation (hit by car, open bone fractures, major blood loss, etc.)
 - d. Highly aggressive animals unable to be handled by assistants (to rabies observation or aggressive animal isolation)
 - e. Any animals showing clinical neurologic signs or unusual/unsafe behavior.
8. Isolation
 - a. Highly trained volunteers or veterinary technicians will be in charge of isolation patients in order to eliminate inappropriate handling or cross-contamination
 - b. Volunteers must wear appropriate personal protective equipment (PPE) including gloves and/or gown.

Disposition of animals that cannot be sheltered

1. Animals that require additional medical assistance outside the scope that can be treated on-site (also including those with contagious diseases who cannot be housed in shelter isolation or who have suffered major trauma) will be rerouted, at the discretion of the on-site emergency veterinarian, to local operational veterinary clinics or local veterinary medical operators that have agreed to take in animals post-disaster.
 - a. If an owner is present or can be contacted, all care should be provided under the veterinarian-client-patient relationship.
 - b. If an owner is not present, the level of care given should be determined by the Hays County emergency manager, in conjunction with the shelter supervisor and attending veterinarian.
2. Agreements with the local veterinary clinics and the veterinary medical supervisor should be made pre-disaster, and that list should be used as a guideline for where to reroute animals in need of veterinary assistance, after confirming that these clinics are operational post-disaster. Information of each clinic's capacity for intake of animals from the shelter should also be documented, and a systematic approach to rerouting animals should be taken. Identification of each animal (as outlined above) should follow each animal at all times, especially for animals for whom an owner is not present.
3. Aggressive animals are defined by multiple different potentially dangerous behaviors, including aggression toward horses or livestock, humans, and/or food. If possible, and behavior personnel are available at admissions or triage locations, these animals should be identified and placed separately as early as possible to avoid stress and assessed for the need for relocation of these animals to a separate, tall-sided, closed off stall.
4. For animals who are Rabies suspect (displaying neurological signs at the shelter) and require housing to undergo Rabies quarantine/observation, they will be sent to an approved veterinary clinic for observation. The location will be determined by Hays County Animal Control.
5. For animals that are deemed unfit for transport, beyond the help of veterinary assistance, or are obviously suffering, humane euthanasia may be the only option to conserve shelter space or capacity spaces at local operating veterinary clinics for the most severe, yet saveable, cases, all as to be determined by the on-shelter-site emergency veterinarian.
6. Euthanasia Protocol:
 - a. If an animal requires euthanasia on site, the following guidelines will be followed.
 - b. Authorization for euthanasia must be obtained by the owner if they are present or can be contacted.
 - c. If the owner is not present, euthanasia will be based on the on-site emergency veterinarian's discretion. If possible, two veterinarians should first agree that

euthanasia is required to prevent compromised animal welfare and excessive suffering.

- d. Euthanasia will be performed in the veterinary clinic.
 - i. Animal will be euthanized in accordance with the AVMA Guidelines for the Euthanasia of Animals and at the veterinarian's discretion.
 - ii. Animal's records will be properly identified and documented
 1. Name of drug used
 2. Amount of drug used (mg)
 - a. Drug concentration (mg/mL)
 - b. Dose (mg/kg)
 3. Location of injection
 4. Time of injection
 5. Confirmation of death
 - iii. Euthanasia process
 1. Use of anesthetic agent first is preferred (i.e. ketamine)
 2. Euthanasia solution (i.e. pentobarbital)
 - iv. Bodies of euthanized or deceased animals will be disposed of appropriately according to the Hays County Animal Control authorities.

Livestock and Equine Care

Livestock and Equine with owners present

- Owners will be required to feed their animals at least twice a day. Owners should provide their own cattle/small ruminant/horse food if possible.
- Owners who bring their own food should understand that it may be lost, destroyed, or potentially used by others. They will be responsible for properly labeling the food to prevent misuse and keep the food bags/containers closed to the best of their ability. Owners will be required to keep all food and treats in the same storage area with other pet/animal food to prevent rodent/parasite infestations. Ideally, food will be stored in its original bags and will be taped closed.
- Owners will be responsible to deep clean (e.g. take all bedding and buckets out and clean all surfaces with a 1:10 diluted bleach solution) their animals' stalls a minimum of once daily to maintain clean facilities. Owners will be responsible to clean up spilled food/water before they feed and any feces and urine as it is observed.
- Owners will be responsible to make sure their animals have access to clean water 24 hours a day, 7 days a week. Water buckets/troughs must be cleaned a minimum of once daily, more often if the water is obviously dirty.
- Owners may bring and use their animals' personal items with the understanding that these items may be lost and/or destroyed. They will be responsible for keeping these items clean or properly disposing of them.
- If any animals require medication, owners will be required to provide and administer the medication themselves, in the correct manner and at properly scheduled times, as long as it is feasible. Owners will be required to keep medications in proper containers with detailed labels. They may keep non-perishable medications with their personal belongings but must notify the shelter staff of medication type, dosage, administration route, and dosing schedule during admission.
- If an owner is unable to perform any of these tasks for any reason whatsoever, they must immediately notify the volunteers and/or other shelter staff.

Livestock and Equine sheltered without owners

- Volunteers will be required to feed animals twice daily according to their size classification.
- Animals are to be left in their enclosures.
- Volunteers will be responsible to clean stalls once daily. Volunteers will need to clean up spilled food/water before they feed and any feces and urine as it is observed. Stall bedding should be completely changed once every 48 hours.
- Volunteers will be responsible to make sure all pets without owners have access to clean water 24 hours/day, 7 days/week. Water buckets/troughs must be cleaned a minimum of once daily, more often if the water is obviously dirty.
- If any animals require medication:
 - If owner is known but unable to perform medication administration, owners will

be required to provide the medication and volunteers will be responsible to administer the medication, in the correct manner and at properly scheduled times, as long as it is feasible.

- If medication is prescribed by veterinary personnel without known owner, volunteers will be responsible to administer the medication, in the correct manner and at properly scheduled times, as long as it is feasible.

Nutritional Support

- All animals, with and without owners present, will be provided nutritional support twice daily in the form of cattle, sheep, goat, or horse food respectively. As per the guidelines stated above in the supplies section.
- Donated animal foods should be mixed in large secure containers in order to provide moderate nutritional quality food and avoid fluctuations in diet throughout the course of the pet's stay at the shelter.
- Food (to be provided by owner or donation):
 - Equine feed: (these are just suggestions if owners are not present or aware of how much to feed their pet)
 - One bag of feed for one horse for one week.
 - High energy/working horses (e.g. performance horses, lactating mares) should be fed approximately 1-1.5% of their total body weight twice daily if this quantity of food is available.
 - Low energy horses should be fed approximately 0.5% of their total body weight twice daily if this quantity of food is available.
 - Forage in the form of coastal hay should be provided at the rate of 2 flakes per medium sized horse three times a day. Ponies should receive 1 flake three times a day.
 - Livestock feed:
 - One bag of feed for one large livestock animal for one week.
 - One bag of feed for 3 small livestock animals for one week.
 - Livestock animals should be fed approximately 0.5-1% of their total body weight twice daily.
 - Forage in the form of coastal hay should be available at all times.
- Water should be available to all animals at all times.

Veterinary Medical Support

At the current time, there is not currently veterinary medical support identified in Hays County which is not recommended. A STAR should be submitted for regional, state, or federal resources to assist in this area if local veterinary medical assistance cannot be obtained.

1. Dripping Springs
 - a. Sunset Canyon Animal Hospital
 - b. Firehouse Veterinary Clinic
 - c. Dripping Springs Animal Hospital
 - d. Springs Veterinary Clinic

- e. West Side Veterinary Clinic
- f. Austin Equine
- g. Lone Star Animal Hospital
- 2. Buda
 - a. Rosebrock Veterinary Clinic
 - b. Cornerstone Animal Hospital
 - c. Firehouse Vet
- 3. Kyle
 - a. Kyle Animal Hospital
 - b. ZippiVet
- 4. San Marcos
 - a. Williams-Sebby Veterinarian Clinic
 - b. Tickle-Blagg Animal Hospital
 - c. Springtown Veterinary Hospital
 - d. San Marcos Veterinary Clinic
 - e. Animal Care Center of Hays County
 - f. Kings Highway Animal Clinic
 - g. Banfield Pet Hospital
 - h. Four Paws Veterinary Clinic
- 5. Wimberley
 - a. Wimberley Veterinary Clinic
 - b. Cypress Creek Animal Hospital

These are some of the veterinary resources we have identified in your community. We recommend meeting with these veterinarians to inform them of how they can participate in a disaster response as part of the county or state efforts. There are opportunities for them to donate their time and expertise to your county shelter efforts or volunteer with the VET if we are mobilized. The Veterinary Emergency Team would be happy to facilitate a meeting between your county officials and your local veterinarians. A continuing education opportunity with a provided meal may improve attendance at such a meeting.

Mortuary Management

- Deceased animals will be placed in the custody of the appropriate Animal Control authority or Hays County Animal Control. The county will provide carcass removal service for large animals. Detailed records of deceased animals need to be kept and provided to both Animal Control authorities.
- Volunteers must immediately notify head supervisors of any casualties or fatalities they become aware of that have not been identified or placed within the proper location prior to moving the animal. Volunteers must also document the area where the animal was found and any pertinent situational information that may have contributed to the death of the animal.

Discharge

1. Livestock and horses will be discharged to owners by Shelter Admissions personnel located adjacent to the Admissions area.
2. Animals will only be discharged with the items they arrived with. No state owned crates or equipment shall be sent with owners.
3. Personnel without volunteer or owner identification should not be allowed entry to the animal shelter area. Photographs and information of all found animals will be available on www.petfinder.com and the **Hays County Emergency Management Facebook page**.

Discharge of Claimed Livestock and Equine Animals

1. Claimed animals that have been placed in the emergency shelter by their owners shall be discharged according to the following:
 - a. The animal owner should produce a copy of the intake form, the animal ID card (for operations where multicopy impound forms or copy machines are not available), or other personal ID that satisfies shelter staff that the person is the animal owner.
 - b. A copy of the animal owner's driver's license or other government ID, vehicle information (license plate, make and model), home address and phone number should be maintained with the record for the animal being discharged.
 - c. Staff members should retrieve the animal and any belongings such as medications, toys, leashes/collars, etc. for the animal owner. The animal owner should sign the original impound form indicating the date and time the animal was removed from the temporary shelter.
2. Previously unclaimed (owner not present) animals shall be discharged to owners according to the following:
 - a. Proof of microchip information if present
 - b. Photo documentation of owner with animal, if possible.
 - c. Accurate description of animal and original location of the animal
 - d. A copy of the animal owner's driver's license or other government ID, vehicle information (license plate, make and model), address and phone number

should be maintained with the record for the animal being discharged.

Discharge of Unclaimed Livestock and Equine Animals

After Tier 3 return has occurred, a 60-day holding period will begin. After the holding period, animals healthy enough to be transported will be relocated to rescue organizations including local rescues and fosters according to Hays county protocol.

Demobilization

Facility

- 1. The emergency animal shelter will remain in operation until the Hays County Judge determines it is no longer essential and/or when evacuation orders have been lifted and people are leaving temporary shelters to return to their homes, at which time the discharge process will be completed and the facility will be demobilized as quickly as possible.
- 2. Owners will be notified every day after the emergency sheltering demobilization operation has begun and request that their animals be claimed from the facility immediately.
- 3. All unclaimed animals will be relocated to rescue organizations, including XXXXXX and other local rescues or fosters, depending on facility availability and Hays county protocol.
- 4. All facilities and pens used to shelter animals will be washed and decontaminated
- 5. All facility materials utilized will be cleaned, disinfected, and returned to their designated storage locations

Equipment & Supplies

- 1. Supplies will be inventoried before being placed in storage to ensure all state and county owned supplies are accounted for before items are distributed or donated
- 2. Clean and disinfect all feed buckets, water troughs, water buckets, pitchforks, wheelbarrows, etc. retained by the county and return to designated storage facility
- 3. Clean, disinfect, dismantle and distribute any donated supplies such as lead ropes, halters, wheelbarrows, etc. at the discretion of the AIC
- 4. All perishable feed items will first be distributed to residents in need and any remaining feed will be donated by the county to the animal shelters.

After Actions

1. Participating personnel will be asked to provide “hotwash” comments as they demobilize.
2. The Animal Issues Branch Director, Livestock Shelter Supervisor and Equine Shelter Supervisor will develop an After Action Report and provide to the Hays County, Texas Office of Emergency Management.

Acronyms

Acronyms

AIC: Animal Issues Committee

NFS: Not Fit for Shelter

DEAR: Disease and Environmental Alert Report

NIMS: National Information Management System

Attachment 1: Facility Inspection

This form will be jointly completed by representatives of the Emergency Animal Shelter and the entity providing the facility. All damage should be documented through notation on this form and digital photographs. This procedure should be performed just prior to and immediately after emergency animal sheltering operations.

Inspection Date:	
Emergency Shelter Supervisor:	
Facility Owner or Agent:	
Building Exterior (Document damaged areas below)	
Building Interior (Document damaged areas below)	

Building Contents: <i>List all equipment and furniture that will remain in the facility during emergency animal sheltering operations. This should include desks, chairs, stalls, etc.</i>

Building Infrastructure: <i>Describe condition of emergency generator(s), air conditioning systems, and water supply.</i>

BOJORQUEZ
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February 25, 2022

The Honorable Bill Foulds, Jr., Mayor
City of Dripping Springs
P.O Box 384
Dripping Springs, Tx 78620
Via Email: BFoulds@cityofdrippingsprings.com

RE: 2022 Rate Adjustment Notification

Mayor Foulds:

We chose not to increase our rates last year due to the challenges of the pandemic. We were sensitive to the economic struggles many of our clients were experiencing due to COVID-19.

In light of the increased costs we have encountered across the board, this year we will be increasing our attorney rates by 5%, Muni Court Prosecutor and legal assistant/paralegal rates by 3%. The new billing rates will go into effect for the next billing cycle (which commences February 27, 2022).

The litigation rate that is listed in the terms of engagement that was approved by the city council on 02/18/2020 is \$275 per hour, however we chose to only charge \$250 per hour. We will be implementing an 8% increase to \$270 for all litigation hours billed going forward.

Your continued confidence in our firm means a great deal to us. Thank you for making us a part of your team. We value you as a client and look forward to our continued representation. Should you have any questions, please feel free to give me a call.

Sincerely,



Alan Bojorquez
Managing Partner

TM

BOJORQUEZ

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March 4, 2022

The Honorable Bill Foulds, Jr., Mayor
 City of Dripping Springs
 P.O. Box 384
 Dripping Springs, Tx 78620

Here is a list of the current rates and the new rates.

Service	Current Billing Rate	New Billing Rate	Percentage of Change
Managing Attorney	\$250	\$263	5%
Of Counsel	\$200	\$210	5%
Senior Associate	\$184	\$193	5%
Associate	\$173	\$182	5%
Junior Associate	\$163	\$171	5%
Water/Sewer Matters	\$245	\$257	5%
Utilities/Environmental	\$245	\$257	5%
Municipal Court Prosecution	\$155	\$163	5%
Land Planner	\$135	\$142	5%
Paralegal/Law Clerk	\$100	\$103	3%
Legal Assistant	\$100	\$103	3%
Litigation – Actual rate used currently	\$250	\$270	8%
Litigation Negotiated-per Standard Terms	\$275 - \$300		

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STANDARD TERMS OF ENGAGEMENT

This document establishes the standard terms of our engagement as your attorneys. Unless modified in writing by mutual consent, these terms will be an integral part of our agreement. Therefore, we ask that you carefully review this statement and contact us promptly if you have any questions. We suggest that you retain this document in your file.

I. Our Relationship

1. Identity of Client

The *Bojorquez Law Firm, PC* ("Firm") will be representing the interests of the *City of Dripping Springs* ("City") as an organization.

2. Nature of Representation

While in the future we may be directed to represent the City on other matters, our present relationship can be described as follows:

As directed by the Mayor, City Council, City Administrator, or City Attorney, and in coordination with the City Attorney, the Firm will serve as Special Counsel providing legal services on matters regarding Municipal Law, Local Government Law, Utility Law, and related areas.

3. Scope of Work

As the client, it is imperative that you have a clear understanding of the services the Firm will provide. Any questions that you have should be dealt with promptly. We will provide services related only to matters as to which we have been specifically engaged. Such services may include, by agreement, law-related services such as city planning. Law-related services would be provided in whole or in part by individuals who are not attorneys. Accordingly, these services are not legal services. As such, communications between the City and the Firm regarding such work may not be subject to the *Texas Rules of Disciplinary Conduct* governing the attorney-client relationship. The Firm will at all times act on your behalf to the best of our ability. Any expressions on our part concerning the outcome of the City's municipal matters are expressions of our best professional judgment but are not guarantees. Such opinions are necessarily limited by our knowledge of the facts and are based on the state of the law at the time they are expressed. We cannot guarantee the success of any given matter, but we will strive to represent your interests professionally and efficiently.

4. Client Responsibilities

You agree to cooperate fully with the Firm and to provide us promptly with all information known or available to you relevant to our representation. The City agrees to pay our invoices in accordance with these STANDARD TERMS OF ENGAGEMENT and the corresponding letter of Engagement.

5. Responsibilities of the Bojorquez Law Firm

The Firm is committed to meeting the City's legal needs. In doing so, the Firm will: act competently and in a timely manner; protect the City's privileged information and ensure appropriate confidentiality; promote the City's interests; discuss the City's objectives and how they should best be achieved; and provide information about the work to be done, who will do it, when the work is expected to be completed and the way the services will be provided. The Firm will comply with Section 2252.908 of the Texas Government Code and file the Disclosure of Interested Parties. The Firm verifies that the Firm does not boycott Israel and will not boycott Israel during the term of this agreement.

6. Ethical Conflict of Interest Disclosure

The representation of more than one (1) municipal entity may present special ethical considerations under the *Texas Rules of Disciplinary Conduct*. The Firm may undertake representation of multiple municipal entities if the City agrees in writing after consultation about the risks of joint representation. The City may also consult with legal counsel other than the Firm regarding this representation.

A potential conflict could arise with respect to the subject matter of this representation. Based on the information now available at this time, the Firm is not aware of any actual conflicts among City and any other municipal entity. If the City becomes aware of anything that may suggest an actual conflict of interest, please bring it to the Firm's attention immediately.

If circumstances arise during the course of this matter that require or make it desirable that any of the clients obtain separate representation in this matter, the Firm would be free to continue to represent the remaining members of the client group in this matter. By signing these STANDARD TERMS OF ENGAGEMENT and accepting our joint representation, the City agrees that, if it becomes necessary or desirable for the City to retain other counsel, the City will not seek to disqualify the Firm from continuing to represent the remaining members of the client group.

II. Fees, Billing and Administrative

1. Fees for Legal Services

The charges for professional services provided by the Firm will typically be based upon the following: (1) the time devoted to the matter; (2) the novelty and difficulty of the questions presented; (3) the requisite experience, reputation and skill requested to deal with those questions; (4) time limitations imposed by the circumstances; (5) and the quality of the results obtained. Fees and costs for particular matters are unpredictable and we have made no commitment concerning maximum fees or costs. Unless otherwise indicated in writing, our fees for legal services are determined on the basis of the hourly rates of the respective attorney that will perform the services. These rates may vary depending on the expertise and experience of the individual. We adjust these rates from time to time, increasing them

as the individuals gain experience and expertise and to reflect current economic conditions. We will notify you in writing if this fee structure is modified.

Hourly Rates: All billings shall be as follows, and are invoiced in increments of one-tenth (.10) hours (i.e., in six-minute increments):

- Managing Attorney: \$250.00 per hour
- Of Counsel Attorney: \$200.00 per hour
- Senior Associate Attorney: \$184.00 per hour
- Associate Attorney: \$173.00 per hour
- Junior Associate Attorney: \$163.00 per hour
- Municipal Court Prosecution: \$155.00 per hour
- Land Planner: \$135.00 per hour
- Municipal Court Consulting: \$125.00 per hour
- Legal Secretary/Office Assistant: \$100.00 per hour
- Specialized Sub-Contractor: Negotiated
- Litigation: \$275.00 - \$300.00 per hour

2. Rate Adjustment

Billing rates are subject to increase a maximum of ten percent (10%) annually. No rate increase will exceed ten percent (10%) without first obtaining consent from the designated primary client representative. The City will be notified in writing when a rate adjustment will occur.

3. Other Charges and Handling Fees

All out-of-pocket expenses (such as long-distance telephone charges, copying charges, travel expenses, courier expenses, etc.) incurred by the Firm in connection with representing you will be billed to you as a separate item on your monthly statement.

A five percent (5%) handling fee will be assessed on all out-of-pocket expenses incurred on behalf of the City for consulting and engineering fees, appraisal costs, and other professional requirements of a matter.

4. Billing Procedures & Terms of Payment

Our billing period begins on the 27th of the month and ends on the 26th day of the following month. We will render monthly statements to you for legal services and expenses. We usually mail these statements toward the beginning of the month, following the latest date covered in the statement. Each statement is payable within thirty (30) days of its stated date and must be paid in U.S. Dollars. If any statement is not paid within thirty (30) days after its stated date, interest at the rate of six percent (6%) per month and eighteen percent (18%) per annum will accrue on the balance due. However, if at any time eighteen percent (18%) per annum exceeds the highest interest rate permitted by applicable law, then the interest rate that will be applied to any overdue amounts will be reduced to the maximum rate permitted under applicable law. If you have any questions or concerns about any statement that we submit to you for payment, please contact us at your earliest convenience so that we can resolve any problems without delay. If unresolved, overdue invoices may result in discontinuation of representation of the City. Typically, such issues can be resolved to the satisfaction of both sides with little inconvenience or formality.

5. Fee Estimates

We are often requested to estimate the amount of fees and costs likely to be incurred in connection with a particular matter. Your primary attorney will do their best to estimate fees and expenses for particular matters when asked to do so. However, an estimate is just that, and the fees and expenses required are ultimately a function of many conditions over which we have little or no control. Unless otherwise agreed in writing with respect to a specific matter, all estimates made by us shall be subject to your agreement and understanding that such estimates do not constitute maximum or fixed fee quotations and that the ultimate cost is frequently more or less than the amount estimated.

6. Retainers

Generally, there is no retainer for municipal clients. However, with substantial new matters for existing or new clients, the Firm may require a retainer. The retainer amount is not meant to be an estimate or limit of the fees and expenses required to complete the work on this matter but is intended as your good faith deposit against a portion of such fees and expenses. The retainer will be placed in our Trust Account and we will bill our fees and disbursements against the retainer. We will advise you if additional amounts are necessary to be placed in trust against which to bill future work. If our work is completed and your account is paid-in-full, yet a balance remains in on your retainer, we will refund the retainer to you upon request.

7. Retention of Documents

Although we will attempt to retain for a reasonable time copies of most documents generated by this Firm, we cannot be held responsible in any way for failure to do so, and we hereby expressly disclaim any such responsibility or liability. You must ultimately retain all originals and copies you desire among your own files for future reference.

8. Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, United States of America. Venue of any case or controversy arising under or pursuant to this Agreement shall be in *Williamson County*, Texas, United States of America.

III. Termination of Services

You have the right to terminate our services at any time upon providing written notice to us. Upon receipt of written notice from you, we will immediately cease to render additional services to the extent we can do so without jeopardizing your legal interests or our ethical obligations.

We reserve the right to discontinue work on pending matters or terminate our attorney-client relationship with you at any time that payment of your account becomes delinquent. We also reserve the right to withdraw when obligated by the *Texas Rules of Disciplinary Conduct*.

Additionally, if you fail to follow our advice and counsel, or otherwise fail to cooperate reasonably with us, we reserve the right to withdraw from representing you upon short notice, regardless of the then status of your matter. No termination shall relieve you of the obligation to pay fees and expenses incurred prior to such termination. Unless otherwise agreed in writing, representation will cease upon your payment in full of all fees due, and my Firm's conveyance

of your files to the destination you designate. The Firm's files (work product), will be retained at the Firm.

IV. Internal Revenue Service (IRS) and Texas Workforce Commission (TWC) Status

1. Independent Contractor (IC)

For purposes of federal income tax or social security withholdings, the Firm is an IC responsible for payment of its own taxes and not an employee of the City. The Firm, and not the City, is obligated to arrange for the required federal withholdings of the Firm's employees. Below is a summary of the IC versus employee requirements and a good general overview of how our services will be provided.

2. The Internal Revenue Service

The IRS assesses three (3) factors of the employer/individual relationship: behavioral control, financial control, and relationship of the worker and firm to determine who is an employee and who is an Independent Contractor. (*See* IRS Form SS-8). Again, depending on the type of business and the services performed, not all sections of the form may apply, and the weight assigned to a specific factor may vary depending on the facts.

3. The Texas Workforce Commission

The TWC has adapted the old IRS twenty-factor test, known as the "direction or control" test to determine who is an employee and who is an IC (*see* TWC Form C-8). Depending on the type of business and the services performed, not all of the twenty common law factors may apply, and the weight assigned to a specific factor may vary depending upon the facts.

Below are considerations for the TWC's twenty-factor test, which also generally address issues of behavioral control, financial control, and relationship of the worker and firm.

(a) Financial Control

In general, an employee is usually paid for their time, whereas an independent contractor is usually paid by the job. An employee usually does not negotiate their pay, whereas an independent contractor usually negotiates their pay to ensure a profit. An employee is not expected to invest in the business they work for so the employer takes care of tax matters and expenses, whereas an independent contract is investing in their independent business so the IC takes care of all expenses and taxes.

(b) Relationship of Worker & Business Entity

In general, an employee does not usually advertise their services, whereas an IC does. An employee carries business cards that reflect the employer's name, whereas an IC carries business cards that reflect the IC's business name. An employee is primarily reached at the employer's phone number, whereas an IC is primarily reached at their business phone number.

(c) Behavioral Control

In general, an employer contracting for IC services is normally interested in the end result, not in the details of how the work is done. The employer should have no

interest in how the IC allocates his or her time, or who the IC hires to assist (other than requiring proper licensure).

V. Questions

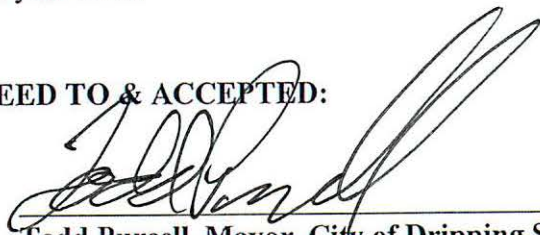
If during the course of our representation you have any questions about any aspect of our arrangements, please feel entirely free to raise those questions. The Firm wants all of our clients to have a clear and satisfactory understanding about every aspect of our billing and payment policies. Accordingly, we encourage an open and frank discussion of any or all of the matters mentioned in this document.

VI. Acceptance of and Consent to the Standard Terms and Engagement

If this arrangement is acceptable to you and the City, please sign these Terms and return to the Firm at your earliest convenience. We are truly honored that you are willing to make our Firm part of your team.

AGREED TO & ACCEPTED:

by:



Todd Purcell, Mayor, City of Dripping Springs

date: 2/18/2020

by:



Alan Bojorquez, Managing Attorney, Bojorquez Law Firm, PC

date: January 20, 2020

*Please return a signed original of the **STANDARD TERMS OF ENGAGEMENT** to the Bojorquez Law Firm via mail, fax, or email.*



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

Submitted By: Aaron Reed, Public Works Director

Council Meeting Date: 03/15/2022

Agenda Item Wording: **Approval of a Resolution adopting a Water Conservation Plan for the City of Dripping Springs.** Sponsor: Mayor Foulds, Jr.

Agenda Item Requestor: David Tuckfield, Utility Counsel

Summary/Background: In order for the City to submit for an LCRA raw water contract, the City is required to adopt a Water Conservation Plan. David Tuckfield, our Utility Counsel, drafted the attached. The draft plan is based on a template plan provided to David Tuckfield from LCRA.

Commission Recommendations: N/A

Recommended Council Actions: Staff recommends approval.

Attachments: Resolution and Water Conservation Plan

Next Steps/Schedule: Transmit to LCRA for approval.

CITY OF DRIPPING SPRINGS

RESOLUTION NO. 2022-R_____

A RESOLUTION OF THE CITY OF DRIPPING SPRINGS, TEXAS,
ADOPTING A WATER CONSERVATION PLAN; MAKING FINDINGS OF
FACT; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City Council of the City of Dripping Springs ("City Council") seeks to promote reasonable water restrictions for its users; and

WHEREAS, the City Council recognizes that it is the best interest of its residents, visitors, and business to adopt and implement the Water Conservation Plan; and

WHEREAS, pursuant to Texas Administrative 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 Chapter 552 of the Texas Local Government Code, the City has the authority to regulate water usage as it relates to its water customers; and

WHEREAS, the City of Dripping Springs desires to establish a drought contingency plan.

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

- 1. Findings of Fact:** The above and foregoing recitals are hereby found to be true and correct and are incorporated as finding of fact.
- 2. Water Conservation Plan:** The Water Conservation Plan, as presented herein as Attachment "A", is hereby adopted and approved.
- 3. Effective Date:** This resolution shall be effective from and after its approval and passage.
- 4. Meeting:** 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 15th day of March 2022.

CITY OF DRIPPING SPRINGS:

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary

The City of Dripping Springs Water Conservation Plan

Prepared by
The AL Law Group, PLLC
12400 West Hwy. 71
Suite 350-150
Bee Cave, TX 78738

March 2022

1. Introduction

The City of Dripping Springs’ (“City”) water conservation plan has been developed to meet the LCRA Water conservation rules in accordance with the LCRA Firm Water contract administrative rules. This Plan recognizes that conservation is a valuable tool in managing water utility systems. Benefits of water conservation include: extending available water supplies; reducing the risk of shortage during periods of extreme drought; reducing water utility operating cost; improving the reliability and quality of water utility service; reducing customer cost for water service; and enhancing water quality and the environment.

This Plan applies to all of City’s retail water customers located with its water service area, as defined in its Water Supply Contract with LCRA.

2. Utility Profile Information

As of March 2022, there were no permanent connections in the City’s water service area. The projected population at full build out is estimated to be approximately 16,933 persons, or 4838 additional connections.

The City has not yet begun providing retail water service as of March 2022. Therefore, it does not yet have 5 years of water use data. In 2027, this WCP will be revised to evaluate the 5 year average daily water use, the five year average water loss, the five year peak to average day water use, and per capita water use.

3. Water Conservation Goals

Water conservation five and ten year goals are required for overall water use, residential water use and water loss. The goals proposed by the City are as follows:

	5-year goals	10-year goals
Gallons per person per day (GPCD)	150	125
Residential gallons per person per day (rGPCD)	150	125
Water loss	5%	5%

4. Water Conservation Strategies

4.1 Water Loss

4.1.1 Universal Metering and Meter Replacement and Repair

The City requires all water meters to be accurate within plus or minus 5 percent of the indicated flow over the possible flow range. All utility customers will be metered. Water will be metered at all wholesale connections. A regularly scheduled maintenance program of meter repair, replacement and calibration will be performed in accordance

with recommended meter manufacturer guidelines following the minimum schedule by meter size:

- Production (master) meters: Test once a year
- Meters larger than 1": Test per manufacturer's recommendations
- Meters 1" or smaller: Test per manufacturer's recommendations

Zero consumption accounts will be checked to see if water is actually being used or not recorded. In addition, the meters will be checked for proper sizing.

4.1.2 Distribution System Leak Detection and Repair

The City will conduct leak detection and water audits, making appropriate repairs, in order to meet the utility water loss goal. Water loss audits will be performed in accordance with Texas Water Development Board rules.

Measures to proactively reduce water loss will be considered as feasible, including strategies to reduce line flushing and identify/repair water line leaks quickly.

4.1.3 Additional Water Loss Best Management Practices (all that apply are checked):

Automated meter reading (AMR) or Automated meter infrastructure (AMI). All meters will be compatible with automatic reading capabilities AMR or AMI technology will be considered for new meters as meters are replaced and it becomes feasible to implement this technology.

Customer portal which allows end users to check their water use online
 Dedicated irrigation meters will be required for all new commercial and industrial customers.

Strategies to minimize water loss on long dead-end main lines will be considered. Examples include adding meters along various line routes to collect more accurate data on water flowing through those routes and creating loops in the water distribution lines.

As feasible, chlorine injection stations will be placed strategically throughout the development to avoid the need for excessive flushing to keep chlorine residuals in compliance.

As feasible, a protective leak detection program will be developed to decrease water loss in the water distribution system.

As feasible, recycle backwash water used to keep sedimentation out of water treatment plant filters.

4.2 Water Rates and Records Management - required

Increasing Block Rates

The City's retail rate is currently tied to the West Travis County's wholesale rate. The West Travis County Regional Water System has a multi-tiered, increasing block water

rate that reflects the cost drivers for the water systems and sends a water conservation price signal to customers. The City's rate, therefore, will reflect that same multi-tiered, increasing block water rate that reflects the cost drivers for the water systems and sends a water conservation price signal to customers.

Water Monitoring and Records Management

The City's staff maintain records of water distribution and sales through a common monitoring and billing system to provide a central location for water billing information and a way to compile, present, and view water-use and billing information.

4.3 Water Reuse

The City operates a wastewater treatment plant.

Wastewater can be reused to supplement water supply needs for rights-of-ways and medians. The City has contracts and plans to expand its reuse capabilities for the water supply needs of Sports Rec Park (13.63 acres), Founders Park (2.64 acres), Driftwood Golf Course (130 acres), and Howard Ranch (100 acres).

4.4 Education and Outreach

4.4.1 Required measures

Throughout the year, water conservation literature will be made available to users regarding water conservation, native landscaping, and other related topics to garden clubs, homeowner associations, and various others interested groups. The City staff may attend such events or request a presentation from LCRA staff to promote water conservation.

4.4.2 Additional Best Management Practices (all that apply are checked).

Irrigation system evaluations will be offered to customers with large landscape irrigation needs (20,000 gal/month or over) in the utility service area. Irrigation evaluations consist of evaluating the irrigation system, checking for leaks and other performance problems, and customizing an irrigation schedule.

Financial rebates. Customers will be offered irrigation technology and other rebates from the LCRA. The City will assist LCRA with promoting water conservation programs to its customers.

Hotels will be strongly encouraged to adopt a hotel linen reuse option policy where linens are only changed out upon request during multi-night short stays.

4.5 Other Best Management Practices (all that apply are checked).

_____ Permanent landscape watering schedule for spray irrigation. This schedule limits outdoor spray irrigation for landscapes to the following days and times:

Residential addresses ending in odd numbers: Wednesdays and Saturdays

Residential addresses ending with even numbers: Thursdays and Sundays

Commercial customers: Tuesdays and Fridays

Watering times: Midnight to 10 a.m. and 7 p.m. to midnight

_____ Temporary landscape watering schedule variance for new landscapes. New landscapes can be watered according to the following schedule for the first 30 days after installation.

Days 1 through 10: spray irrigation allowed every day.

Days 11 through 20: spray irrigation allowed every other day.

Days 21 through 30: spray irrigation allowed every three days.

Watering times: Midnight to 10 a.m. and 7 p.m. to midnight.

5. Wholesale Water Conservation Plans - required

Wholesale treated water customers will be required to develop a drought contingency and a water conservation plan in accordance with LCRA Water Contract Rules. The plans must include a governing board resolution, ordinance, or other official document noting that the plan has been formally adopted by the utility. Wholesale treated water customers must include in their wholesale water supply contracts the requirement that each successive wholesale customer develop and implement a water conservation and drought contingency plan.

6. Coordination with Regional Water Planning Group - required

The service area of The City is located within the Lower Colorado River Water Planning Area (Region K) of the State of Texas and the District has provided or will provide a copy of this water conservation plan to the regional water planning group. The plan can be sent to the LCRA, c/o Water Contracts and Conservation, P.O. Box 220, Austin, Texas 78703.

7. Authorization and Implementation

The Deputy City Administrator, or his/her designee, of the City is hereby authorized and directed to implement the applicable provisions of the Plan. The Deputy City Administrator, or his/her designee, will act as Administrator of the Water Conservation Program. He/she will oversee the execution and implementation of the program and will be responsible for keeping adequate records for program verification. A signed and

dated copy of this plan by the Deputy City Administrator or his/her designee will be sufficient to meet this requirement.

7.1 Plan Implementation

The Deputy City Administrator has designated a water conservation coordinator, who will be responsible for the implementation of this water conservation plan. The current water conservation coordinator is Aaron Reed. The Deputy City Administrator, or his/her designee may re-appoint this position. At that time, the City will inform LCRA about this personnel change.

Approved by: Ginger Faught, Deputy City Administrator

Signature: _____ Date: _____
(Customer representative with enforcement authority)

TASK ORDER 3

This Task Order dated _____, pertains to an Agreement by and between the City of Dripping Springs, (“Owner”), and HDR Engineering, Inc. (“ENGINEER”), dated May 21, 2019 (“the Agreement”). Engineer shall perform services on the project described below as provided herein and in the Agreement. This Task Order shall not be binding until it has been properly signed by both parties. Upon execution, this Task Order shall supplement the Agreement as it pertains to the project described below.

TASK ORDER NUMBER: 3

PROJECT NAME: City of Dripping Springs Wastewater Effluent Line (“Project”)

PART 1.0 PROJECT DESCRIPTION: HDR will assist the City of Dripping Springs with the acquisition of up to 3 parcels. Services include project management, right of entries, appraisals and appraisal reviews, negotiations, title services, closings, and document control.

PART 2.0 SCOPE OF BASIC SERVICES TO BE PERFORMED BY
SUBCONSULTANT ON THE PROJECT:

As attached in “Exhibit A”

PART 3.0 OWNER’S RESPONSIBILITIES:

- Provide Legal Descriptions of the Easements.
- Provide instruments of conveyance, and any other documents required or requested by the City.
- Provide approval of Just Compensation

PART 4.0 EXCLUSIONS:

- N/A

PART 5.0 HDR’s FEE:

HDR will perform the attached scope of work for Task Order 3 for an hourly rate not to exceed a fee total of \$77,045.00.

This Task Order is executed this _____ day of _____, 2022.

CITY OF DRIPPING SPRINGS
"OWNER"

HDR ENGINEERING. INC.
"HDR"

BY: _____

BY: _____

NAME: Bill Foulds

NAME: Todd Warrix, P.E.

TITLE: Mayor

TITLE Associate Vice President

ADDRESS: 511 Mercer Street
Dripping Springs, TX
78620
512-453-7407

4401 Westgate Blvd.
ADDRESS: Suite 400
Austin, Texas 78745

EXHIBIT "A"

City of Dripping Springs

Scope of Work

General Information

SCOPE: The City of Dripping Springs (City) is requesting HDR Engineering (HDR) provide Right of Way Services for City of Dripping Springs Wastewater Effluent Line. The general scope of work will include:

- 1.1 Project Administration Services (24 Months)
- 1.2 Right of Entry Services (37 Parcels)
- 1.3 Title and Closing Services (37 Parcels)
- 1.4 Initial Appraisal Services (37 Parcels)
- 1.5 Appraisal Review Services for Appraisals (37 Parcels)
- 1.6 Negotiations Services for Initial and Final Offers (37 Parcels)
- 1.7 Document Control Services and File Management Services (37 Parcels)

Statement of Work

SERVICE REQUIREMENTS OF HDR: Services shall include, but are not limited to the following activities:

1.1 Project Administration Services

- 1.1.1 Communication; HDR will:
 - 1.1.1.1 Attend weekly status call meetings and one monthly face to face progress meeting with City Staff.
 - 1.1.1.2 Maintain current status reports of all parcel and project activities and provide weekly status reports to City Staff.
 - 1.1.1.3 Provide schedule of all areas of work indicating anticipated start and end dates.
 - 1.1.1.4 Prepare initial property owner list with property owner contact information.
 - 1.1.1.5 Attend and assist with Public Meetings.

1.2 Right of Entry Services

- 1.2.1 Prepare Right of Entries.
- 1.2.2 Request Right of Entries from property owners for property surveys, environmental surveys, Environmental Site Assessments (ESA), cultural resource surveys, and geotechnical investigations, as applicable.

1.3 Title and Closing Services

- 1.3.1 Secure preliminary title reports for each parcel from a City approved Title Company and secure title report updates when requested by City. Request title insurance from the Title Company if requested by City for parcels closing by Easement and Commissioner Awards.
 - 1.3.1.1 The charges from the Title Company for the preliminary title reports, title insurance and closing costs will be paid by HDR and HDR reimbursed by City.
- 1.3.2 Analyze preliminary title report to determine potential title problems, propose and inform City Staff of methods to cure title deficiencies.
- 1.3.3 The curative services necessary to provide clear title to City is the responsibility of HDR.
- 1.3.4 HDR will contact the Title Company to obtain an updated title commitment along with other forms required to close parcels with clear title.
- 1.3.5 HDR will provide closing services in conjunction with the Title Company and will be required to attend closings.
- 1.3.6 Any fee related to obtaining certified court documents and fees for recording same which are not collected at the closing of the parcel shall be paid by HDR and HDR reimbursed by City.
- 1.3.7 HDR shall cause the recordation of all original instruments immediately after closing at the respective County Clerk's Office. The cost of the recording fees and filing fees are paid by HDR and HDR will be reimbursed by City.

1.4 Initial Appraisal Services

- 1.4.1 Subcontract for appraisal services and manage the appraisers assigned to the project. Appraisers must be approved by City staff.
- 1.4.2 HDR will be responsible for hiring and managing the Appraisers during the Appraisal process.
- 1.4.3 Appraisers shall provide advance notice of the date and time of their appraisal inspections of the subject property to the HDR's Project Manager in order to coordinate the appraiser's inspection with (if applicable and practical) the initial interview with the property owner by the Negotiation Agent and if applicable the Displacee by the Relocation Agent.
- 1.4.4 Prepare and conduct personal pre-appraisal contact with interest owner(s) for each parcel.
- 1.4.5 Contact property owners or their designated representative to offer opportunity to accompany the appraiser on the appraiser's inspection of subject property. Maintain record of contact in file.
- 1.4.6 For the appraisal assignment, prepare appraisal report for each parcel to be acquired utilizing City approved form. These reports shall conform to the Uniform Standards of Professional Appraisal Practices as promulgated by the Appraisal Foundation as promulgated by the Appraisal Foundation.
- 1.4.7 For an updated appraisal, prepare appraisal update for the parcel to be acquired utilizing approved City form. These reports shall conform to the Uniform Standards of Professional Appraisal Practices.

- 1.4.8 All completed appraisals and updated appraisals will be approved by City staff.
- 1.4.9 City Staff coordinates with HDR's review appraiser (if applicable) regarding revisions, comments, or additional information that may be required. HDR's review appraiser will then coordinate with the appraiser.
- 1.4.10 As necessary, the appraiser will coordinate with the review appraiser regarding revisions, comments, or additional information that may be required.
- 1.4.11 The fees for initial and updated appraisal assignments are based on separate appraisal assignments with the fee for each assignment based on separate assignments performed.
- 1.4.12 Beyond delivery of Appraisal and updated appraisal assignments, the appraiser can be called to provide preparation and testimony for a Special Commissioners Hearing. For this appraisal assignment, the fee for the preparation time and testimony must be based on the hourly rate agreed to by City and HDR.

1.5 Appraisal Review Services

- 1.5.1 Review Appraiser must be approved by City.
- 1.5.6 Review all appraisal reports acquired utilizing City approved form for each parcel to determine consistency of values, supporting documentation related to the conclusion reached, compliance with the Uniform Standards of Professional Appraisal Practices as promulgated by the Appraisal Foundation.
- 1.5.7 Prepare and submit to City the appraisal review for each Appraisal to be approved by City.
- 1.5.8 The fees for the review of an Appraisal and updated appraisal are based on separate appraisal review assignments with the fee for each review assignment based on separate assignments performed.

1.6 Negotiation Services for Initial and Final Offers

- 1.6.1 Analyze appraisal and appraisal review reports and confirm City's approved value prior to making the Initial Offer for each parcel.
- 1.6.2 Prepare and send the letter transmitting the Landowners' Bill of Rights by CMRRR to the Property Owner.
- 1.6.3 Prepare the initial offer letter, purchase contract, appraisal, and instruments of conveyance approved by City.
- 1.6.4 The written initial offer must be sent to each property owner or the property owner's designated representative through Certified Mail-Return Receipt Requested (CMRRR). Maintain follow-up contacts and secure the necessary instruments upon acceptance of the offer for the closing. Retain copies of signed and unsigned CMRRR receipts.
- 1.6.5 Respond to property owner inquiries verbally and in writing within five (5) business days.
- 1.6.6 Prepare a negotiator contact report for each parcel, per contact, on City approved form.
- 1.6.7 All original documents generated or received by HDR must be delivered to City. Copies or working file documents may be kept by HDR. Maintain parcel files related to the purchase of the real property or property interests.

- 1.6.8 Advise property owner of the counteroffer process. Transmit City Staff any written counteroffer from property owners including supporting documentation, and HDR's recommendation with regard to the counteroffer.
- 1.6.9 Prepare the Final Offer letter, purchase contract, appraisal and instruments of conveyance approved by City.
- 1.6.10 The written Final Offer and appraisal report must be sent to each property owner or the property owner's designated representative through CMRRR. Maintain follow-up contacts and secure the necessary instruments upon acceptance of the offer for the closing. Retain copies of signed and unsigned CMRRR receipts.

1.7 Document Control and File Management Services

- 1.7.1 Files will be kept in HDR's office. HDR will maintain electronic files for each parcel. Required original documents will be kept by HDR until ROW activities are complete for all parcels.
- 1.7.2 Prepare invoices utilizing City standard payment submissions forms.
- 1.7.3 Maintain records of all payments for property, closing costs and relocation.
- 1.7.4 Maintain copies of all correspondence and contacts with property owners.
- 1.7.5 HDR will deliver all ROW file documents electronically to City.
- 1.7.6 HDR will also deliver hard copies of original deeds, and title policies and all original documents signed by the property owner to City.
- 1.7.7 The ROW files will be delivered to City after all parcels have been closed by deed or court judgment

AMENDMENT TO AGREEMENT
FOR
PROFESSIONAL SERVICES

WHEREAS:

HDR ENGINEERING, INC. ("HDR") entered into an Agreement on May 21, 2019 to perform professional services for Right of Way Services for City of Dripping Springs Wastewater System Improvements Project;

The City of Dripping Springs desires to amend this Agreement in order for HDR to perform services beyond those previously contemplated.

HDR is willing to amend the agreement and perform the additional professional services.

NOW, THEREFORE, HDR and the City of Dripping Springs do hereby agree:

The Agreement and the terms and conditions therein shall remain unchanged other than those sections and exhibits listed below.

Section 4. Payment for Services shall be replaced with the following:

The City will compensate Contractor in accordance with the fee structure contained in Contractor's proposal attached as Attachment "B". Contractor shall invoice City in accordance with Contractor's attached proposal. Invoices will be submitted monthly and payment is due within 30 days of City's receipt and approval of the invoice. If payment is not received by the 45th day after the invoice is received by the City, then Contractor may suspend services under the Agreement until all invoice amounts due are paid in full. The work schedule shall be extended the total amount of time after Contractor suspends services to the time payments are received. The total amount of this contract including all Task Orders will not exceed eight hundred thirty-four thousand three hundred sixteen dollars (\$834,316.00). Additional services and payment for additional services as relates to Attachment "A" must be approved in writing by the City prior to provision of such services.

Section 5. Duration shall be replaced with the following:

This Agreement shall be in effect for a period of five years, May 21, 2024, unless terminated as provided below or if all work associated with Agreement is completed. Contractor shall start work immediately after the execution of this Agreement.

Exhibit A shall be amended for an additional three (3) parcels for a total of 37 parcels with the following: (see attached)

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the day and year written below:

HDR ENGINEERING, INC. ("HDR")

CITY OF DRIPPING SPRINGS ("CODS")

BY: _____

BY: _____

NAME: Todd Warrix, P.E.

NAME: Ginger Faught

TITLE: Associate Vice President

TITLE Deputy City Administrator

DATE: _____

DATE: _____

EXHIBIT "A"

Scope of Work General Information

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- 1.4.8 All completed appraisals and updated appraisals will be approved by City staff.
- 1.4.9 City Staff coordinates with HDR's review appraiser (if applicable) regarding revisions, comments, or additional information that may be required. HDR's review appraiser will then coordinate with the appraiser.

- 1.4.10 As necessary, the appraiser will coordinate with the review appraiser regarding revisions, comments, or additional information that may be required.
- 1.4.11 The fees for initial and updated appraisal assignments are based on separate appraisal assignments with the fee for each assignment based on separate assignments performed.
- 1.4.12 Beyond delivery of Appraisal and updated appraisal assignments, the appraiser can be called to provide preparation and testimony for a Special Commissioners Hearing. For this appraisal assignment, the fee for the preparation time and testimony must be based on the hourly rate agreed to by City and HDR.

1.5 Appraisal Review Services

- 1.5.1 Review Appraiser must be approved by City.
- 1.5.6 Review all appraisal reports acquired utilizing City approved form for each parcel to determine consistency of values, supporting documentation related to the conclusion reached, compliance with the Uniform Standards of Professional Appraisal Practices as promulgated by the Appraisal Foundation.
- 1.5.7 Prepare and submit to City the appraisal review for each Appraisal to be approved by City.
- 1.5.8 The fees for the review of an Appraisal and updated appraisal are based on separate appraisal review assignments with the fee for each review assignment based on separate assignments performed.

1.6 Negotiation Services for Initial and Final Offers

- 1.6.1 Analyze appraisal and appraisal review reports and confirm City's approved value prior to making the Initial Offer for each parcel.
- 1.6.2 Prepare and send the letter transmitting the Landowners' Bill of Rights by CMRRR to the Property Owner.
- 1.6.3 Prepare the initial offer letter, purchase contract, appraisal, and instruments of conveyance approved by City.
- 1.6.4 The written initial offer must be sent to each property owner or the property owner's designated representative through Certified Mail-Return Receipt Requested (CMRRR). Maintain follow-up contacts and secure the necessary instruments upon acceptance of the offer for the closing. Retain copies of signed and unsigned CMRRR receipts.
- 1.6.5 Respond to property owner inquiries verbally and in writing within five (5) business days.
- 1.6.6 Prepare a negotiator contact report for each parcel, per contact, on City approved form.
- 1.6.7 All original documents generated or received by HDR must be delivered to City. Copies or working file documents may be kept by HDR. Maintain parcel files related to the purchase of the real property or property interests.
- 1.6.8 Advise property owner of the counter offer process. Transmit City Staff any written counter offer from property owners including supporting documentation, and HDR's recommendation with regard to the counter offer.
- 1.6.9 Prepare the Final Offer letter, purchase contract, appraisal and instruments of

conveyance approved by City.

- 1.6.10 The written Final Offer and appraisal report must be sent to each property owner or the property owner's designated representative through CMRRR. Maintain follow-up contacts and secure the necessary instruments upon acceptance of the offer for the closing. Retain copies of signed and unsigned CMRRR receipts.

1.7 Document Control and File Management Services

- 1.7.1 Files will be kept in HDR's office. HDR will maintain electronic files for each parcel. Required original documents will be kept by HDR until ROW activities are complete for all parcels.
- 1.7.2 Prepare invoices utilizing City standard payment submissions forms.
- 1.7.3 Maintain records of all payments for property, closing costs and relocation.
- 1.7.4 Maintain copies of all correspondence and contacts with property owners.
- 1.7.5 HDR will deliver all ROW file documents electronically to City.
- 1.7.6 HDR will also deliver hard copies of original deeds, and title policies and all original documents signed by the property owner to City.
- 1.7.7 The ROW files will be delivered to City after all parcels have been closed by deed or court judgment.

ATTACHMENT "B"
FEE STRUCTURE
 March 22, 2019

Staff Title	Per Hour Rate
Real Estate Project Manager	\$175.00
Real Estate Principal	\$295.00
Appraiser (review)	\$160.00
Negotiation Agent I	\$128.00
Negotiation Agent II	\$135.00
Negotiation Agent III	\$165.00
Relocation Agent I	\$100.00
Relocation Agent II	\$144.00
Relocation Agent III	\$186.00
ED Coordinator	\$202.00
Technical Assistant I	\$71.00
Technical Assistant II	\$85.00
Technical Assistant III	\$103.00
Senior Admin	\$80.00

3% Escalation per Year on all Hourly Rates

Subconsultant Fees			
Service	Price	Quantity	Task Total
Initial Appraisal	\$2,000.00	34	\$68,000.00
Updated Appraisal	\$2,000.00	12	\$24,000.00
Direct Expenses			
Expense Type	Unit Cost	Quantity	Total
Mileage Actual Cost	0.58 ¢/mi	5,000	\$2,900.00
Printing and Copying Actual Cost	\$0.25	10,000	\$2,500.00
Postage Certified Mail Actual Cost	\$10.00	500	\$5,000.00
UPS Overnight Actual Cost	\$20.00	25	\$500.00



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

Submitted By: Ginger Faught, Deputy City Administrator

Council Meeting Date: March 15, 2022

Agenda Item Wording: **Approval of an amendment to the 2019 HDR Engineering Services Master Agreement and task order for additional easement acquisition services.** *Sponsor: Mayor Foulds, Jr.*

Agenda Item Requestor: Ginger Faught, Deputy City Administrator

Summary/Background: This Master Services Agreement with HDR is for Easement Acquisition related to the South Regional Water Reclamation System Expansion Project. The Amendment being proposed will extend the term of the Agreement from May 2022 to May 2024 and will add an additional 3 parcels to the overall project bringing the total number of easements being acquired to 37. The 3 added easements are needed by the Heritage PID and are necessary for the treated effluent line that Heritage is obligated to build. Heritage is responsible for the cost of acquiring these easements. Task Order No. 3 has a not to exceed price of \$77,045.00 related to the 3 additional easements.

Commission Recommendations: N/A

Recommended Council Actions: Recommend approval of the Amendment to the Master Services Agreement and Task Order No.

Attachments: Amendment to the Master Services Agreement
Task Order No. 3

Next Steps/Schedule: Notify contractor of Council action.



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

Submitted By: Emily Nelson, Dripping Springs Ranch Park Manager

City Council Meeting Date: March 15, 2022

Agenda Item Wording: Approval of an Agreement between the City of Dripping Springs and the Dripping Springs Future Farmers of America related to use of the Dripping Springs Ranch Park Event Center.

Agenda Item Requestor: Emily Nelson

Summary/Background: Dripping Springs High School’s chapter of Future Farmers of America had requested renewal of Use Agreement for the 2021-2022 year. This agreement has been in place for many years and expired this year.

They are requesting use of the DSRP Event Center facility for their upcoming May banquet. They have requested such use without paying for the rental. This would not be possible without renewal of this agreement.

Staff has already defined their service project for the use of the special event room. We have requested they assist staff with the setup of pig pens and facility prep before HCLE and then assisting staff in breaking down and cleaning the livestock arena post HCLE. Edward accepted that as their service project. This will really help staff turn our facility faster.

Staff Recommendation: After visiting with the adult sponsor of the organization, staff recommends approval of this updated agreement.

Board Recommendation: DSRP unanimously approved the agreement with FFA

Attachments: 2022 Edited FFA Use Agreement

Next Steps/Schedule: City Council Contract Execution

**DRIPPING SPRINGS USE AGREEMENT
BETWEEN THE CITY OF DRIPPING SPRINGS &
THE DRIPPING SPRINGS FUTURE FARMERS OF
AMERICA**

This Agreement by and between the City of Dripping Springs, Texas, a Type A, general-law municipality incorporated pursuant to the laws of the State of Texas and located in Hays County, Texas, ("City") and the Dripping Springs Future Farmers of America, Inc., a domestic nonprofit corporation, ("FFA") providing for the terms of use of the Dripping Springs Ranch Park Events Center and other park amenities ("DSRP").

WHEREAS, the City is a Type A, general-law municipality incorporated pursuant to the statutes of the State of Texas, and as such is authorized to accept donations for the benefit of the City; and

WHEREAS, the City has express authority to contract with other persons pursuant to section 51.014 of the Texas Local Government Code; and

WHEREAS, the City enacted a Policy for Use of DSRP ("Policy") which sets out standards and guidelines for allowing entities to use the DSRP at no charge or at a reduced rate; and

WHEREAS, the Dripping Springs City Council ("City Council") determines that FFA meets the standards set forth in the Policy; and

WHEREAS, the City finds that the use of DSRP by the FFA will serve the local community and benefit the residents of the City; and

WHEREAS, the City Council finds that the following provisions are reasonable and necessary for the use of DSRP by the FFA.

NOW THEREFORE, for and in consideration of the mutual covenants and obligations hereinafter set forth, and for other good and valuable consideration the City and FFA herein bargain, covenant, and agree with one another as follows:

A. Purpose

This Agreement serves as a statement or exchange of promises between the City and FFA. It is enacted to provide clear responsibilities and duties for the use of DSRP by FFA to ensure that the use of the DSRP by FFA benefits the public, and specifically, the residents of Dripping Springs.

B. Obligations of the City

(1) The City agrees to allow FFA to host its annual banquet at DSRP in the Special Event Room. FFA understands and agrees that the date for use of DSRP for the annual banquet

will depend on availability in accordance with Subsection (C)(3) herein.

- (2) ~~The City agrees to allow the FFA to use DSRP Indoor Arena for summer camps. FFA understands and agrees that the date for use of DSRP for the summer camps (June, July, and August) will depend on availability in accordance with Subsection (C)(3) herein. The use of DSRP for summer camps will be limited to one (1) camp per month and use of DSRP for each camp is limited to seven (7) consecutive days each. One set up day, five days of camp, and one breakdown/cleanup day. Strike~~
- (3) The City reserves the right to reschedule or find alternative space. The City will not reschedule a prescheduled event within sixty (60) days of the event unless an emergency exists necessitating rescheduling.

C. Obligations of FFA

- (1) FFA agree that the use of DSRP as a meeting place will be in furtherance of its service to the community of the City of Dripping Springs.
- (2) FFA agrees to assist with the maintenance and repair of DSRP as needed.
- (3) FFA agrees and understands that in the event that FFA is scheduled to utilize DSRP during a time when another person or entity who is willing and required to pay for use of DSRP wishes to schedule an event, the City reserves the right to require FFA to reschedule the FFA event so long as the rescheduling is not within sixty (60) days of the start of the event. The City reserves the right to find alternative space for any event within forty-eight (48) hours of the event so long as the space is at DSRP and can accommodate the pre-scheduled event.
- (4) FFA agree that each time the DSRP is used by FFA, FFA will ensure that DSRP is left in as clean and orderly state as before each meeting. FFA agrees not to injure, mar, or in any manner deface the Special Event Room or any part of the DSRP premises and/or property and agrees not to cause or permit anything to be injured, marred, or defaced. Without the written consent of the City, nothing shall be affixed to the building, furnishings, or fixtures and no flammable materials may be brought on DSRP premises unless the City is notified in advance that such material will be brought on DSRP premises.
- (5) FFA must schedule at least fourteen (14) days in advance but no greater than ninety (90) days before. Depending on availability, reservations can be made for Monday through Thursday.
- (6) FFA agrees to pay for staff, cleaning and/ or custodial charges.
- (7) The use of chairs, tables, or other non-motorized equipment shall be at no charge so long as such equipment is set up and put away by the FFA.

- (8) In return for the use of space for the banquet and summer camps, FFA is required to have a service project and times agreed upon by the Event Center Manager, two (2) times a year, with at least ten (10) volunteers and each event lasting eight (8) hours.

D. Contact Information

- (1) FFA will at all times maintain the following points of contact:

Dripping Springs Future Farmers of America:

~~Jordan Blount~~,^[EN1] Edward Alvarado, & Cody Jones

Phone: (512) 858-3133

Facsimile: (512) 858-3198

Alternate Phone: (512) 858-3224

E-Mail: ~~Jordan.blount@dsisd.txed.net~~ or edward.alvarado@dsisdtx.us & cody.jones@dsisdtx.us

Mailing Address: 940 Highway 290 West, Dripping Springs, TX 78620

- (2) The primary point of contact under this Agreement for the City shall be:

Dripping Springs ~~Parks & Community Services Director~~ Ranch Park Manager

~~Kelly Schmidt~~ Emily Nelson

Phone: (512) 894-~~2400~~ 2390

Facsimile: (512) 858-5646

Email: ~~k Schmidt@cityofdrippingsprings.com~~ enelson@cityofdrippingsprings.com

Mailing Address: PO Box 984, Dripping Springs, Texas 78620-0384

E. Term

The term of this Agreement shall be for one (1) year. The term may be extended by written agreement of both parties.

F. Effective date

This agreement takes effect ~~2021~~ 3/01/2022.

G. Indemnification

FFA, ITS AGENTS AND/OR EMPLOYEES SHALL INDEMNIFY AND HOLD THE CITY, THE CITY'S AGENTS, EMPLOYEES, AND/OR VOLUNTEERS HARMLESS FROM THE FFA'S PARTICIPATION AT DSRP, INCLUDING BUT NOT LIMITED TO PERSONAL INJURY AND LOST OR DAMAGE TO PROPERTY.

H. Transferability

Except as may otherwise be expressly provided herein, the rights and obligations created by this Agreement may not be transferred or assigned to another party without the express written consent of the City and FFA.

I. Governing Law

The laws of the State of Texas shall govern any disputes or conflicts that arise under the terms of this Agreement. The venue for all legal actions involving this Agreement shall be Hays County.

J. Entire Agreement

This document represents the entirety of the agreement between the City and FFA. No oral or other written contracts outside of this Agreement shall have any affect unless they are approved in writing by both parties and made a part of this Agreement.

K. Other Documents

The City and FFA agree to execute such further documents, and to take such further acts, as may be necessary or required to carry out the terms of this Agreement.

L. Amendments

This Agreement may be amended only by an instrument in writing signed by the City and the FFA.

M. Severability

The provisions of this Agreement are severable, and if any provision or part of this Agreement or the application thereof to any person or circumstance shall ever be held by any agency or court of competent jurisdiction to be unenforceable, invalid, or unlawful for any reason, the remainder of this Agreement shall not be affected thereby.

Executed this, the _____ day of _____ 2021.

**City of
Dripping Springs:**

**Dripping Springs
Future Farmers of America:**

by: _____
Bill Foulds, Jr, Mayor

by: _____
~~Jordan Blount~~

Edward Alvarado

ATTEST:

~~Cody Jones~~

by: _____
Andrea Cunningham, City Secretary

Charro Ranch Park Propagation Area Proposal

This document will summarize the objectives of the propagation area intended to be built within Charro Ranch Park. It will go over the overview and goals of the project, as well as specifics such as location, funding, construction, watering, design, construction/ installation, how volunteers will be involved, and a potential removal plan if the propagation area is no longer being used.

Overview and Goals:

The objective of this project is to create a high-fenced area to propagate seeds of plants gathered from local ecotypes in order to bolster native populations and increase species diversity within Charro Ranch Park. The reason that the propagation area needs to be high-fenced is due to the relentless browsing of deer in this area. In order to propagate plants and grow them to a reasonable size for transplanting within the park, this must be done in a protected area. Once plants reach a reasonable size or stage of growth, we can plant them in certain protected areas such as underneath an Ashe Juniper or within Agarita bushes, so they have the best chance of reaching maturity despite browsing. Having a designated area near the front of the park also lends itself to easier water access, increased volunteer accessibility, and allows the area to serve as another key feature to Charro Ranch Park. For more detailed information on the larger goals and objectives of the propagation area, as well as the rationale the benefits of the propagation method this area allows for, see the “Restoration within the Dripping Springs Park System” Student Leadership Grant PDF.

Location:

The location of the propagation area will be near the front entrance of the park, in close proximity to the parking lot gate, behind the pavilion and rainwater collection system. There are two potential locations where the 10x12 propagation area may be placed, outlined in red on the reference map below. Either location would work, with the one closer to the birdwatching area providing more shade.



Funding:

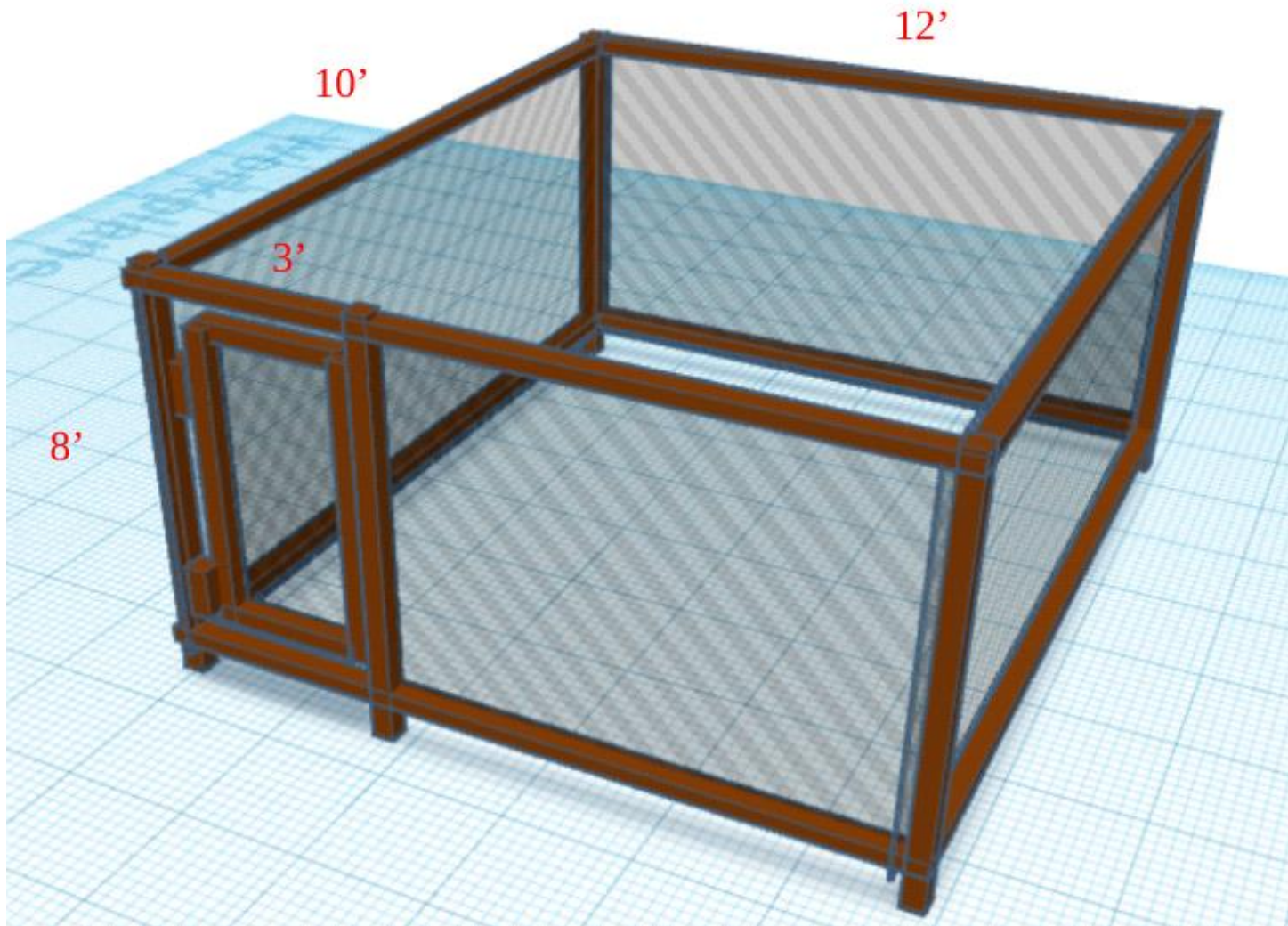
The funding for this project will be donated by the Dripping Springs Education Foundation, through a Student Leadership Grant for \$1000. Here is a link to a vendor list and budget, which tells where and how the funds will be used:

https://docs.google.com/spreadsheets/d/1Nj3Y6a3JgxWxL-yXauN2rCUkdBRkHtEerk9T_jDyqUw/edit#gid=0. As of now, \$965 has been allocated to the

initial construction of the propagation area, and the purchasing of necessary equipment. Price estimates took into account tax, supply chain issues, and other unexpected scenarios, such as needing an extra unit of some material, so there is a good chance that more than \$35 will be left. Leftover funds will be set aside to use for future maintenance directly related to the propagation area, future purchases, or projects to add onto the propagation area, such as a misting system.

Design:

The propagation area will be constructed out of a frame square tubing, using cattle panels as a barrier to fill the edges of the frame. There will also be a small gate for entrance into the propagation area, and, if there are leftover or scrap materials, a small table will be built out of square tubing and cattle panel in a corner of the frame that will serve as a potting area. The basic frame of the propagation area is shown in the rendering below:



Construction/Installation:

The construction of this project will be done off site, with the help of Cory Kirk (my father) who welds metal and has experience creating metal frames similar to the one being constructed. After the frame is constructed off site, it will be moved by trailer, (that he will provide), to Charro Ranch Park. The frame will simply be set onto the ground at its designated location, without using concrete to set in any posts. Instead, soil and rocks may be arranged at the site to ensure that the propagation area is level.

Watering/Water Source:

The water for the propagation area will come from the rainwater collection tank on site, and be transported via hose and/or watering cans.

Volunteers/Maintenance:

The propagation area will be operated and maintained by volunteers. Currently, Charro Ranch Park has a surplus of volunteers, some of whom may be interested in helping with the

propagation area. I will create and share a google document or sheet with the scheduling shifts for watering, along with specific instructions for watering and care of the plants. At first, I will be heavily involved and do all of the watering, which is not a problem as I live closeby. In the future, I hope to bring in volunteers from the high school who are interested in Texas Native Plants or are in classes such as Environmental Science. I want this propagation area to serve as a tool for learners and naturalists in the community as well.

Removal Plan (if necessary):

If the propagation area is not being used for a long period of time, (i.e. not due to seasonal seed collecting), it can be removed from the site to another park or alternate location, used for another purpose, or it can be disassembled to create another project. Ideally, it stays in its location, and is used as storage in this case, as someone may revive it in the future. One key component is that it will not be set into the ground with concrete, so it will be easy to remove.

Restoration within Dripping Springs Parks System

Student Leadership Grant 2021

Dripping Springs High School

Mr. Weston Kirk
940 US-290
Dripping Springs, TX 78620

O: 512-858-3100
M: 512-657-2297

Mr. Weston Kirk

940 US-290
Dripping Springs, TX 78620

ds008699wk@dsisdconnect.com
M: 512-657-2297

Application Form

Contact Information

Project Name*

Name of Project.

Restoration within Dripping Springs Parks System

Grant Amount Requested:

Please list the amount you are requesting from the DS Education Foundation.

\$1,000.00

Project Description

Describe what you hope to accomplish with this project:*

This project hopes to create protected propagation areas in Charro Ranch Park and Dripping Springs Ranch Park to grow local ecotypes of native trees, shrubs, grasses, forbs, etc., to be reintroduced into the parks in a sustainable, low-cost way. In addition, funds are necessary to develop the Demonstration Garden at Charro Ranch Park, potentially create educational resources for hikers, among other projects. I am a member of the Junior Advisory Committee for Charro Ranch Park. Next week, there is a meeting where we will discuss topics surrounding improvement projects, such as the propagation area and the specific allocation of funds. As for the propagation areas, the idea is to create small areas surrounded by a high fence where deer and other wildlife cannot eat or otherwise disturb the seedlings. Seedlings will most likely be grown in reusable plastic containers, often offered free by local plant nurseries. There are numerous advantages to this method of restoration. First of all, we can collect many seeds from local ecotypes of native plants within the park. This style of seed collection protects diversity within a population by keeping the numbers of different species high, encouraging the regeneration of local populations. I think of it in this way: Regeneration within a population of plants may have occurred naturally hundreds of years ago, with an arbitrary number of 10 out of every 100 acorns germinating any given year. Today, due to climate change, land fragmentation, and relentless browsing from deer, maybe only 2 out of every 100 acorns germinate. A propagation area allows us to re-balance a natural cycle amidst direct and indirect human impacts. This method also avoids hybridization from trees grown and planted from other regions and populations, such as coming from a plant nursery, which would disrupt local population genetics and lead to many other problems. Also, note that smaller trees and plants transplant at higher rates as opposed to larger ones.

How many students do you expect to be involved in this project:*

10

How will the above students be impacted by the project:

Currently, I am the only student that is working on this project. But I am actively recruiting other people to help me build the propagation area, collect seeds, and begin growing and caring for plants. I believe that students directly involved with the project will learn about Native Texas plants and ecology and problem-

solving skills related to restoration. While similar operations have been successful before, this will be our first experience with using a propagation area, and there will be a fair amount of problem-solving involved. I envision taking a group out to collect seeds within the park a couple of times per year and having a schedule for the plants to be cared for, in which students take turns visiting the park and checking on the plants.

How will this project benefit your campus, community, or the world?*

This project will assist in the continued restoration and enhancement of the DS Parks System, used by students, faculty, and the community. Although I estimate about ten students to be directly involved in the propagation area, I expect the benefits and learning process to extend beyond those ten. Parks represent fragments of open, sometimes undisturbed land, that allow people to get back in touch with the natural world. It is essential to maintain a healthy ecosystem in these areas, to enhance the experience for those seeking that connection. During the pandemic, being extremely isolated from peers and friends, I spent many hours wandering and hiking the trails of Charro and DS Ranch Park. These excursions helped me develop a passion for native plants, aquifers, and geology/soil science. I believe that creating and/or experiencing pristine ecosystems can spark passions in others similar to me. Also, the parks in question are utilized by school sports such as Mountain Biking and Cross Country, and I think this project could encourage other school clubs and activities to use the parks.

Mission Alignment*

How does the project align the mission of DSISD to "inspire and equip student to be lifelong learners and positive contributors to the world?"

The way that I learned about Texas Native plants was driven by curiosity. If I saw a unique plant on a hike, found a seed, or saw something else that was interesting, I sought out literature or online resources to learn more about it. My observations led me to read multiple books, studies, blogs and browse the Lady Bird Johnson Native Plant Database. This experience embodied practical learning, born out of curiosity about and a desire to help the environment. I believe that other students, both now and in the future, can also have this experience. Having a baseline understanding of ecology and restoration is also an increasingly important skill in a world defined by the effects of human development. Encouraging students to see the value and tangible rewards in this form of restoration will promote this knowledge to become more mainstream and encourage careers within these fields.

Leadership*

How will you, as a student leader, grow in your leadership ability through this project?

I developed the idea of creating mini propagation areas based on past setups and fundamental knowledge of seed collection and germination and principles from biogeography. Turning this idea into a tangible setup will help me develop project management skills and continue my studies of native plants. I also want to be more vocal and let more people know about restoration efforts, as I think this would encourage more people to participate.

Why is this project important to you?*

I have grown up around a dichotomy of rampant, sprawling development and increasing awareness and action toward conservation. Preserving and restoring the few remaining uninhabited areas is very important to me, specifically, ensuring the continuation of endemic and relict species such as the Texas Madrone, Scarlet Clematis, and American Smoke Tree. As available habitat for these rare, native species is bulldozed due to development, suitable habitat in protected areas becomes more critical. Pointing out unique species to hikers and visitors may also encourage them to plant those species in their own yards.

Financial

How will the grant money be used?*

Please be as specific as possible, and include a list of items, materials, and/or services to be purchased, with estimated prices/costs.

The primary use of the grant money is to purchase cedar posts, mesh wire, and other building materials to create high-fenced propagation areas at city parks. Other uses for the funds are not precisely decided but will be determined soon. Potential other uses include: Purchasing or constructing a small rainwater collection system at DS Ranch Park, as there is already access to a much larger system at Charro Ranch Park. Purchasing landscaping materials for the Demonstration Garden at Charro Park. The potential creation of educational resources in the form of small signage along the trail and other, more specific jobs or items as they arise.

Is this a one-time project or will it continue in the future?*

Will Continue in the Future

Can this project continue without future funding from the Education Foundation?*

Yes

If you answered yes to the above question, how will your project be funded in the future?*

After constructing the propagation areas, they are self-sustaining and will only require minor maintenance as it pertains to the structure itself.

DSISD Funding*

Will your project require DSISD to spend additional money or time maintaining the product or program?

No

If yes, please describe the funding required from DSISD and approval you've received.

N/A

FACULTY SPONSOR ONLY

How will you be involved in helping this student or group of students execute their project?*

To be completed by DSISD faculty only.

I will serve as a faculty mentor and advocate, and I will assist Wesley in navigating the steps involved in executing his plan. I will also facilitate any communication necessary between involved parties.

What do you expect the students involved to gain from this experience?*

To be completed by DSISD faculty only.

I would expect that as a result of this project, Wesley will gain a deeper understanding of the importance of sustaining native plants and educating the community concerning the preservation of the Dripping Springs natural environment. Ultimately, Weston will lead this effort, gaining valuable into the custodial care of this long-term goal insight and honing his leadership skills.

Why are you interested in sponsoring this student or group?*

To be completed by DSISD faculty only.

I believe in this project because of the impact it can have on the sustainability of native plants in our area. I believe Weston Kirk to be focused and conscientious, and I have faith in his desire to give back to the community that has raised him. Establishing this area can inform generations to come and is a great service to this community.

How will the Education Foundation's partnership be recognized?

In addition to any sort of announcement or social media posts from DSEF, some kind of small signage near the entrance of the propagation area pointing out that the funds to build it came from DSEF would be a way to recognize the partnership. I would also be happy to speak about how the funds contribute towards the propagation area and goals of the park. I am also open to suggestions from DSEF.

Attachments

Budget

Not Required

Supporting Documents

Not Required.

Examples: Photos, Project Flyers, Etc.

Refined Ideas for Parks System.pdf

File Attachment Summary

Applicant File Uploads

- Refined Ideas for Parks System.pdf

Over the last 4 months, I have refined and shifted my ideas and areas of focus within the parks system. When examining and thinking about ideas, I thought about realistic goals in terms of time and capital, as well as starting points for projects that can potentially be scaled in the future.

Propagation Areas:

Both Charro Park and DS Ranch Park should have a propagation area to aid in restoration efforts. Each propagation area is simply 4 tall posts and wire, with some sort of gate or entrance, plus whatever materials are needed for actual plant growth, (i.e. containers, potting soil, etc.); this area can then be reused with minimal upkeep. Water accessibility is crucial to the success of the propagation area. At Charro Ranch Park, the propagation area could be constructed by the rainwater collection tank, due to water access and proximity to the demonstration garden/parking lot. As for DSR, there are more possibilities. An area could be constructed near the RV Sites or playground, for water access, or a smaller area could be next to the creek.

Charro Ranch Park:

Initially, my ideas for Charro Park were very ambitious, (i.e. the four climax habitats), but I think that they need to be scaled back a bit. This is partially due to the realization that DS Ranch Park is a better location in terms of ecosystems and soils for much of my initial restoration efforts. That said, Charro Park remains a unique area, especially in terms of species and its demonstration garden. Specifically, I can think of the unique stand of Post Oaks/Blackjack Oaks, areas dominated by seep muhly (with a differing, almost larger form, could this be Canyon Muhly), as well as the area that met some of the criteria for an upland, alkaline wetland. I think that many of these areas do not need the restoration intervention that I initially suggested, but rather to be appreciated for what they are. Special signs denoting the uniqueness of these areas, along with small restoration efforts focused within the park, (i.e. growing seep muhly from seeds of the same stand), would be more beneficial and more in line with the character of Charro Ranch Park. As for the demonstration garden, I think that continued efforts to increase species diversity, as well as creating different gardens, using the wildflower center as inspiration, would be the best course of action. Deer-proofing the demonstration garden could also be a future goal.

Dripping Springs Ranch Park:

Dripping Springs Ranch Park is interesting in the fact that many small tributary streams come together to form Little Barton Creek, allowing for the existence of many different ecosystems within the park (upland grassland, riparian, slope forest), which reflects a, relatively, undisturbed Texas Hill Country habitat. Specifically, I think that many areas within the park are excellent sites for active restoration of threatened or uncommon species. We have previously talked about a potential Sycamore-leaf Snowbell restoration within the park, and I have since located 3-4 locations/possible habitats where this could feasibly occur. I also thought that other threatened plants such as Canyon Mock Orange, or Scarlet Clematis, could be reintroduced here as well. Planting these species in one area would allow for increased care and protection, as well as

accentuating to the public how these plants may occur in nature, as well as their simultaneous beauty and scarcity. For a project like this to work, seeds would likely need to be collected within the same, or possibly adjacent, watersheds. Building on the idea of grouping, the Ashe Juniper demonstration garden may be better suited for DSR as well. Along the trail that parallels above one of the main tributaries to Little Barton Creek, there is a dense Ashe Junipers that seems to delineate the Red Oak dominated slope forest and narrow riparian area from the Upland Juniper forest area above. This “room” of Ashe Junipers is shaded, on a slope, and has significant juniper mulch built up, as many of the trees are old, and there is no oak leaf litter to contend with. The soil shifts from Caliche above the area, to a seemingly shallow stony clay overlaying some of the area, that shifts to almost pure limestone as the percent grade of the hill increases as it gets closer to the stream. Because of these factors, I think this area would make an excellent site for the Ashe Juniper Demonstration garden, with plants such as the Texas Madrone, American Smoke Tree, Cedar Sage, White Limestone Honeysuckle, etc. There was even a Texas Redbud, albeit very small, naturally growing here. Next to this area is a very unique ledge of caliche and limestone, that stands above the limestone creek. Maybe this area could combine both of the above projects into one enhanced area of local ecotype plants, (mainly understory trees), on one area adjacent to a trail? There is one other area with a Texas Mountain Laurel that may be native, to somehow label, as well as areas of Lindheimer's Muhly, whose numbers could ideally be increased through efforts of the propagation area. I also notice that there is some algae in the creek, and I have some longer term solutions that I would like to discuss with you in addition to the projects mentioned above. Also, the caliche hillside leading down to the small stream that backs up to the neighborhood is another place to explore creating a small, more informal Ashe Juniper demonstration garden. I think that this area would be ideal for Madrones and Ladies Tresses Orchids.

**DONATION AGREEMENT
BETWEEN THE CITY OF DRIPPING SPRINGS &
WESTON KIRK**

This Agreement by and between the **City of Dripping Springs**, Texas, a Type A, general-law municipality incorporated pursuant to the laws of the State of Texas and located in Hays County, Texas, (the “City”) and **Weston Kirk** providing for the requirements for and process of conveying and accepting donations to the City.

WHEREAS, the City is a general-law Type A municipality incorporated pursuant to the statutes of the State of Texas, and as such is authorized to accept donations for the benefit of the City; and

WHEREAS, the City is eligible under United States Internal Revenue Code Section 170(c)(1) to receive tax-deductible charitable contributions; and

WHEREAS, the City has express authority to contract with other persons pursuant to section 51.014 of the Texas Local Government Code; and

WHEREAS, the City of Dripping Springs encourages the donation of charitable contributions to the City for the benefit of the City and its residents; and

WHEREAS, the City Council finds that this Agreement will ensure complete implementation of a Donation; and

WHEREAS, the City Council finds that the following provisions are reasonable and necessary for the acceptance of donations.

NOW THEREFORE, for and in consideration of the mutual covenants and obligations hereinafter set forth, and for other good and valuable consideration the City and Donor herein bargain, covenant, and agree with one another as follows:

A. Purpose

This Agreement serves as a statement or exchange of promises between the City and Donor. It is enacted to provide clear responsibilities and duties for the conveyance of a Donation by Donor and acceptance of a Donation by the City. The Agreement will ensure that each Donation accepted by the City is in the best interest of the City and its citizens.

B. Definitions

- (1) **Agreement:** a statement or exchange of promises between the City and any Donor.
- (2) **City:** the City of Dripping Springs, an incorporated Type A, general-law municipality located in Hays County, Texas.
- (3) **City Administrator:** the chief administrative officer of the City, or the officer’s designee.

- (4) **Donation:** any monetary or nonmonetary gift, grant, devise or bequest to the City. A monetary donation includes cash or a check, money order or other negotiable instrument. A nonmonetary donation includes real or personal property.
- (5) **Donation Form:** a document in a form approved by the City Administrator representing a donation conveyed to the City, including the value of the donation.
- (6) **Donor:** a person who gives a gift through a trust or charitable contribution.
- (7) **In-Kind:** payment or Donation made in the form of goods or services, rather than cash.
- (8) **Labor:** physical or mental exertion or productive activity that satisfies a City need.
- (9) **Land:** real property (i.e., real estate), including any fixtures or improvements upon and all water / mineral rights (unless expressly excluded).
- (10) **Materials:** Goods or products that satisfy a City need.
- (11) **Person:** a human individual, sole proprietorship, partnership, corporation, nonprofit corporation, foundation or unincorporated association, agency.
- (12) **Project:** an endeavor or undertaking for which a Donation is proposed, which is reasonably anticipated to benefit: (a) the City as an organization; (b) the citizenry, including residents, voters, and guests; or (c) the community at-large.
- (13) **Tax Deduction:** An expense, such as a charitable contribution, that can be deducted from one's taxable income.

C. Donation Form

The Donation Form is Attached. (*Attachment "A"*).

D. Accounting for Donation

The City will account for this Donation through a mechanism determined by the City.

E. Tax-Deductible Contributions

- (1) Only upon completion and submission of a Donation Form to the City will Donor be eligible to receive a Tax Deduction for the Donation of a charitable contribution.
- (2) If the Donor does not complete and submit a Donation Form to the City, sign this Agreement, and complete the Donation, the City will not release any documents certifying the Donations.
- (3) Nothing in this Agreement shall be interpreted of imposing responsibility or accountability upon the City for the accuracy of the estimated value of the Donation received, unless the City expressly agrees in writing to participate in the approximation of value through: (1) a public auction, (2) competitive bidding, (3) receipts provided (retail or wholesale) documenting the Donor's actual costs, or (4) a commonly utilized and clearly established methodology of determining fair market value.
- (4) The City is relieved from any and all responsibility and liability for estimating or calculating the value of the Donation received.

F. Donation Amount

By signing this Agreement Donor is acknowledging that:

- (1) The amount of the Donation is valued at \$1,000.00 in the form of materials and labor related to the construction and installation of a propagation nursery at Charro Ranch Park;
- (2) The anticipated cost for the entire project proposed as the subject of the Donation is not estimated to exceed \$1,000.00 and/or

- (3) The project proposed as the subject of the Donation is anticipated to take 90 days to reach substantial completion; and
- (4) The Donation does not unnecessarily burden the City or unreasonably encumber the funds contributed.

G. Donation Completion

- (1) By signing this Agreement Donor agrees to:
 - a. Fully complete the Donation.
 - b. Complete the Donation within the timeframe specified under the Term of this Agreement.
 - c. Fund the cost of completing the Donation and refund the City any amount of funds it has lost or expended in expectation of timely compliance of the Donation if a project is not timely completed.
 - d. Provide documentation specifically listing all gifts that the Donation will include.
 - e. Relieve the City from any and all responsibility for estimating or calculating the value of the Donation received.
- (2) If the City has received the Donation Form and a signed copy of this Agreement, the City agrees to release any and all documents certifying the Donation upon completion of the Donation.

H. Contact Information

- (1) Donor will at all times maintain the following points of contact:

Donor: Weston Kirk
 Phone: 512-657-2297
 Facsimile: n/a
 Alternate Phone: 512-858-3100
 E-Mail: ds008699wk@dsisdconnect.com
 Mailing Address: 940 US-290, Dripping Springs, TX 78620

- (2) The primary point of contact under this Agreement for the City shall be:

City Administrator: Michelle Fischer
 Phone: (512) 858-4725
 Facsimile: (512) 858-5646
 Alternate Phone:
 Email: mfischer@cityofdrippingsprings.com
 Mailing Address: PO Box 984
 Dripping Springs, Texas 78620-0384

I. Term

The term of this Agreement shall be for the duration for the life of the repair and replacement of the quality of the arches unless otherwise agreed to in writing by both parties through an amendment to this Agreement.

J. Effective date

This agreement takes effect upon execution and upon receipt of donation acquisition funds.

K. Indemnification

DONOR AGREES TO INDEMNIFY AND HOLD THE CITY HARMLESS FROM ANY DAMAGES OCCURRING FROM THE ALLEGED NEGLIGENCE OF DONOR, HIS AGENTS, VOLUNTEERS, SERVANTS AND EMPLOYEES.

L. Transferability

Except as may otherwise be expressly provided herein, the rights and obligations created by this Agreement may not be transferred or assigned to another party without the express written consent of the City and Donor.

M. Governing Law

The laws of the State of Texas shall govern any disputes or conflicts that arise under the terms of this Agreement. The venue for all legal actions involving this Agreement shall be Hays County.

N. Entire Agreement

This document represents the entirety of the agreement between the City and Donor. No oral or other written contracts outside of this Agreement shall have any affect unless they are approved in writing by both parties and made a part of this Agreement.

O. Other Documents

The City and Donor agree to execute such further documents, and to take such further acts, as may be necessary or required to carry out the terms of this Agreement.

P. Amendments

This Agreement may be amended only by an instrument in writing signed by the City and Donor.

Q. Severability

The provisions of this Agreement are severable, and if any provision or part of this Agreement or the application thereof to any person or circumstance shall ever be held by any agency or court of competent jurisdiction to be unenforceable, invalid or unlawful for any reason, the remainder of this Agreement shall not be affected thereby.

R. Third Party

Except as herein specifically and expressly provided, the terms and provisions of this Agreement are for the sole benefit of the City and Donor, and no third party whatsoever is intended to benefit here from.

S. Authorization

The City represents and warrants to, and covenants with Donor that:

(1) The execution, delivery and performance of this Agreement by the executing officer have been duly authorized. This Agreement has been duly and validly executed and delivered

by the executing officer on behalf of the City, and constitutes a valid and binding obligation, enforceable against the City in accordance with its terms.

(2) No consent or approval of any third party, including, without limitation, any governmental authority, is required in connection with the execution, delivery or performance of this Agreement. The execution and delivery of this Agreement, and the performance of the obligations and consummation of the transactions contemplated herein do not and will not conflict with or result in a breach of any of the terms, conditions or provisions of, or constitute a default under any contract, indenture, mortgage, loan agreement, lease, joint venture or other agreement or instrument to which the City is a party or by which the City or any of its respective properties are bound, or result in any violation by it of any law, order, rule or regulation of any court or governmental agency or body. The City is not in material violation of any law, ordinance, governmental rule or regulation or court decree to which it may be subject, nor has it failed to obtain and maintain in full force and effect any license, permit, certificate, franchise or other governmental authorization necessary to the ownership of its respective property or to the conduct of its operations under this Agreement.

Executed this, the ____ day of _____ 2021.

City of Dripping Springs:

Donor:

by _____
Bill Foulds, Jr., Mayor

by _____
Weston Kirk



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

Submitted By: Shawn Cox, Finance Director/City Treasurer

Council Meeting Date: Tuesday, March 15, 2022

Agenda Item Wording: **Approval of a Donation Agreement between the City of Dripping Springs and Weston Kirk related to a Native Propagation Nursery to be installed at Charro Ranch Park. Sponsor: Council Member Sherrie Parks.**

Agenda Item Requestor:

Summary/Background:

Westen Kirk applied for and was approved for proup to \$1,000.00 from Dripping Springs Education Foundation to be used for the creation and installation of a propagation station in Charro Ranch Park.

The objective of this project is to create a high-fenced area to propagate seeds of plants gathered from local ecotypes in order to bolster native populations and increase species diversity within Charro Ranch Park.

Mr. Kirk presented his request to the Parks and Recreation Commission on March 7, 2022. The Commission recommended approval of his request.

Commission Recommendations: The Parks and Recreation Commission Recommended approval.

Recommended Council Actions: City Staff Recommends approval of this item.

Attachments:

- Kirk Donation Agreement
- Propagation Area Specifics

Next Steps/Schedule:

**DONATION AGREEMENT
BETWEEN THE CITY OF DRIPPING SPRINGS &
MELISSA A. ROBERTS**

This Agreement by and between the **City of Dripping Springs**, Texas, a Type A, general-law municipality incorporated pursuant to the laws of the State of Texas and located in Hays County, Texas, (the “City”) and **Melissa A Roberts** providing for the requirements for and process of conveying and accepting donations to the City.

WHEREAS, the City is a general-law Type A municipality incorporated pursuant to the statutes of the State of Texas, and as such is authorized to accept donations for the benefit of the City; and

WHEREAS, the City is eligible under United States Internal Revenue Code Section 170(c)(1) to receive tax-deductible charitable contributions; and

WHEREAS, the City has express authority to contract with other persons pursuant to section 51.014 of the Texas Local Government Code; and

WHEREAS, the City of Dripping Springs encourages the donation of charitable contributions to the City for the benefit of the City and its residents; and

WHEREAS, the City Council finds that this Agreement will ensure complete implementation of a Donation; and

WHEREAS, the City Council finds that the following provisions are reasonable and necessary for the acceptance of donations.

NOW THEREFORE, for and in consideration of the mutual covenants and obligations hereinafter set forth, and for other good and valuable consideration the City and Donor herein bargain, covenant, and agree with one another as follows:

A. Purpose

This Agreement serves as a statement or exchange of promises between the City and Donor. It is enacted to provide clear responsibilities and duties for the conveyance of a Donation by Donor and acceptance of a Donation by the City. The Agreement will ensure that each Donation accepted by the City is in the best interest of the City and its citizens.

B. Definitions

- (1) **Agreement:** a statement or exchange of promises between the City and any Donor.
- (2) **City:** the City of Dripping Springs, an incorporated Type A, general-law municipality located in Hays County, Texas.
- (3) **City Administrator:** the chief administrative officer of the City, or the officer’s designee.

- (4) **Donation:** any monetary or nonmonetary gift, grant, devise or bequest to the City. A monetary donation includes cash or a check, money order or other negotiable instrument. A nonmonetary donation includes real or personal property.
- (5) **Donation Form:** a document in a form approved by the City Administrator representing a donation conveyed to the City, including the value of the donation.
- (6) **Donor:** a person who gives a gift through a trust or charitable contribution.
- (7) **In-Kind:** payment or Donation made in the form of goods or services, rather than cash.
- (8) **Labor:** physical or mental exertion or productive activity that satisfies a City need.
- (9) **Land:** real property (i.e., real estate), including any fixtures or improvements upon and all water / mineral rights (unless expressly excluded).
- (10) **Materials:** Goods or products that satisfy a City need.
- (11) **Person:** a human individual, sole proprietorship, partnership, corporation, nonprofit corporation, foundation or unincorporated association, agency.
- (12) **Project:** an endeavor or undertaking for which a Donation is proposed, which is reasonably anticipated to benefit: (a) the City as an organization; (b) the citizenry, including residents, voters, and guests; or (c) the community at-large.
- (13) **Tax Deduction:** An expense, such as a charitable contribution, that can be deducted from one's taxable income.

C. Accounting for Donation

The City will account for this Donation through a mechanism determined by the City.

D. Tax-Deductible Contributions

- (1) Only upon completion and submission of a Donation Form to the City will Donor be eligible to receive a Tax Deduction for the Donation of a charitable contribution.
- (2) If the Donor does not complete and submit a Donation Form to the City, sign this Agreement, and complete the Donation, the City will not release any documents certifying the Donations.
- (3) Nothing in this Agreement shall be interpreted of imposing responsibility or accountability upon the City for the accuracy of the estimated value of the Donation received, unless the City expressly agrees in writing to participate in the approximation of value through: (1) a public auction, (2) competitive bidding, (3) receipts provided (retail or wholesale) documenting the Donor's actual costs, or (4) a commonly utilized and clearly established methodology of determining fair market value.
- (4) The City is relieved from any and all responsibility and liability for estimating or calculating the value of the Donation received.

E. Donation Amount

By signing this Agreement Donor is acknowledging that:

- (1) The amount of the Donation is \$1,722.50 for the purchase of Farmers Market Sponsorship Bags; and
- (2) The Donation does not unnecessarily burden the City or unreasonably encumber the funds contributed.

F. Donation Completion

- (1) By signing this Agreement Donor agrees to:
 - a. Fully complete the Donation.

- b. Complete the Donation within the timeframe specified under the Term of this Agreement.
 - c. Fund the cost of completing the Donation and refund the City any amount of funds it has lost or expended in expectation of timely compliance of the Donation if a project is not timely completed.
 - d. Provide documentation specifically listing all gifts that the Donation will include.
 - e. Relieve the City from any and all responsibility for estimating or calculating the value of the Donation received.
- (2) If the City has received the Donation Form and a signed copy of this Agreement, the City agrees to release any and all documents certifying the Donation upon completion of the Donation.

G. Contact Information

- (1) Donor will at all times maintain the following points of contact:

Donor: Melissa A Roberts
 Phone: n/a
 Facsimile: n/a
 Alternate Phone: n/a
 E-Mail: n/a
 Mailing Address: 1804 Spring Valley Dr, Dripping Springs, TX 78620

- (2) The primary point of contact under this Agreement for the City shall be:

City Administrator: Michelle Fischer
 Phone: (512) 858-4725
 Alternate Phone:
 Email: mfischer@cityofdrippingsprings.com
 Mailing Address: PO Box 984
 Dripping Springs, Texas 78620-0384

H. Term

The term of this Agreement shall be for the duration for the life of the repair and replacement of the quality of the arches unless otherwise agreed to in writing by both parties through an amendment to this Agreement.

I. Effective date

This agreement takes effect upon execution and upon receipt of donation acquisition funds.

J. Indemnification

DONOR AGREES TO INDEMNIFY AND HOLD THE CITY HARMLESS FROM ANY DAMAGES OCCURRING FROM THE ALLEGED NEGLIGENCE OF DONOR, HIS AGENTS, VOLUNTEERS, SERVANTS AND EMPLOYEES.

K. Transferability

Except as may otherwise be expressly provided herein, the rights and obligations created by this Agreement may not be transferred or assigned to another party without the express written consent of the City and Donor.

L. Governing Law

The laws of the State of Texas shall govern any disputes or conflicts that arise under the terms of this Agreement. The venue for all legal actions involving this Agreement shall be Hays County.

M. Entire Agreement

This document represents the entirety of the agreement between the City and Donor. No oral or other written contracts outside of this Agreement shall have any affect unless they are approved in writing by both parties and made a part of this Agreement.

N. Other Documents

The City and Donor agree to execute such further documents, and to take such further acts, as may be necessary or required to carry out the terms of this Agreement.

O. Amendments

This Agreement may be amended only by an instrument in writing signed by the City and Donor.

P. Severability

The provisions of this Agreement are severable, and if any provision or part of this Agreement or the application thereof to any person or circumstance shall ever be held by any agency or court of competent jurisdiction to be unenforceable, invalid or unlawful for any reason, the remainder of this Agreement shall not be affected thereby.

Q. Third Party

Except as herein specifically and expressly provided, the terms and provisions of this Agreement are for the sole benefit of the City and Donor, and no third party whatsoever is intended to benefit here from.

R. Authorization

The City represents and warrants to, and covenants with Donor that:

- (1) The execution, delivery and performance of this Agreement by the executing officer have been duly authorized. This Agreement has been duly and validly executed and delivered by the executing officer on behalf of the City, and constitutes a valid and binding obligation, enforceable against the City in accordance with its terms.
- (2) No consent or approval of any third party, including, without limitation, any governmental authority, is required in connection with the execution, delivery or performance of this Agreement. The execution and delivery of this Agreement, and the performance of the obligations and consummation of the transactions contemplated herein do not and will not conflict with or result in a breach of any of the terms, conditions or provisions of, or constitute a default under any contract, indenture,

mortgage, loan agreement, lease, joint venture or other agreement or instrument to which the City is a party or by which the City or any of its respective properties are bound, or result in any violation by it of any law, order, rule or regulation of any court or governmental agency or body. The City is not in material violation of any law, ordinance, governmental rule or regulation or court decree to which it may be subject, nor has it failed to obtain and maintain in full force and effect any license, permit, certificate, franchise or other governmental authorization necessary to the ownership of its respective property or to the conduct of its operations under this Agreement.

Executed this, the ____ day of _____ 2022.

City of Dripping Springs:

Donor:

by _____
Bill Foulds, Jr., Mayor

by _____
Melissa A. Roberts



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

Submitted By: Shawn Cox, Finance Director/City Treasurer

Council Meeting Date: Tuesday, March 15, 2022

Agenda Item Wording: **Approval of donation of funds for Farmers Market Sponsorship Bags by Melissa A. Roberts.**

Agenda Item Requestor:

Summary/Background:

Melissa A Roberts has provided \$1,722.50 to be utilized for the purchase of the Farmers Market Sponsorship Bags.

Commission Recommendations:

The Farmers Market Committee did not consider the specific donation, but did recommend staff pursue donations for the purchase of sponsorship bags.

Recommended Council Actions:

City Staff Recommends approval of this item.

Attachments: - Roberts Donations Agreement

Next Steps/Schedule:

ANNUAL COMPREHENSIVE FINANCIAL REPORT
For Fiscal Year Ended September 30, 2021
CITY OF DRIPPING SPRINGS, TEXAS

CITY OF DRIPPING SPRINGS, TEXAS
 BASIC FINANCIAL STATEMENTS
 AND SUPPLEMENTAL SCHEDULES
 AND INDEPENDENT AUDITOR'S REPORT
 FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2021

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March 7, 2022

To the Honorable Mayor, Members of the City Council and Citizens of the City of Dripping Springs:

We are pleased to submit the Annual Comprehensive Financial Report (ACFR) of the City of Dripping Springs, Texas (the "City"), for the fiscal year ended September 30, 2021, which includes the Independent Auditor's Report. State law requires that all general-purpose local governments publish within six months of the close of each fiscal year a complete set of financial statements presented in conformity with the generally accepted accounting principles (GAAP) and audited in accordance with generally accepted audited standards by an independent firm of licensed public accountants. This report is published to fulfill those requirements for the fiscal year ended September 30, 2021 and to provide the Mayor and City Council, City staff, our Citizens, representatives of financial institutions, our bondholders and other interested parties with detailed information concerning the financial condition and activities of the City.

The City of Dripping Springs's financial statements have been audited by Donald L. Allman, CPA, PC a licensed Certified Public Accountant. The goal of the independent audit was to provide reasonable assurance that the financial statements of the City for the fiscal year ended September 30, 2021, are free of material misstatement. The independent audit involved examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; assessing the accounting principles used and significant estimates made by management; and evaluating the overall financial statement presentation. The independent auditor's report is presented as the first component of the financial section of this report. Management's discussion and analysis (MD&A) immediately follows the independent auditor's report and provides a narrative introduction, overview, and analysis to accompany the basic financial statements. This letter of transmittal is designed to complement MD&A and should be read in conjunction with it.

City Profile

Location

The City, founded in 1981, is in northern Hays County primarily located along U.S. Highway 290 at its intersection of Hays County Ranch Road 12. The City encompasses about 22.45 square kilometers and has a population of 4,650.

Form of Government

Since incorporation the City has operated as a Type A General Law City with an Aldermanic Form of Government. The City Council is comprised of a Mayor and five Council Members. The Mayor and Council Members are elected At-Large, where Council Members are elected to Place. Places 1, 3 and 5 have terms expiring in odd years and Places 2, 4 and the Mayor have terms expiring in even years. The City Council appoints a City Administrator who is charged with implementing the policies of the Council as well as overseeing the day-to-day operations of City government.

The City Council has established and appointed members to numerous boards and commissions, including the Planning and Zoning Commission, Economic Development Committee, and Tax Increment Reinvestment Zone (TIRZ) No. 1 and No. 2 Board.

Services Provided

The City of Dripping Springs provides a full range of services from multiple departments including Building, Planning & Development, Communications, Emergency Management, Parks & Community Services, and Public Works, which is responsible for the construction and maintenance of streets and other infrastructure as well as Wastewater Collection and Treatment operations.

Economic Condition

The City's proximity to the Austin area and its location along U.S. highway 290 has directly contributed to the City's healthy economic condition which has been marked by rapid population growth and development. The city's population has grown roughly 200% since the 2000 Census, and 160% since 2010 alone.

The City has seen a significant growth in residential development both within the corporate city limits and the extraterritorial jurisdiction (ETJ). Currently, over 1,400 acres are under construction or being platted for residential development. This represents nearly 1,300 new single-family residential developments. Additionally, the City has seen a number of new commercial developments permitted, included local business and chain retail.

Major Initiatives

A Temporary Development Moratorium was enacted on November 18, 2021, and was scheduled to run through November 27, 2021. Following public hearings where they received input from residents, builders and developers, the Council extended the Moratorium, stating it is an important step in maintaining responsible growth in the City. The Council recognized the impact of rapid growth on providing for responsible development, especially as it relates to density, transportation, and the provision of wastewater. Currently, the City has reached its wastewater capacity. It is also in the process of updating its Comprehensive Plan and Zoning Ordinance to accommodate land-use regulation issues.

In FY 2021, the City completed its Transportation Master Plan which has been developed to meet the future mobility needs of the City, identify deficiencies in the existing transportation network, and identify opportunities for improved connectivity throughout the City of Dripping Springs. Included in the FY 2022 budget is the development of a new Comprehensive Plan which will be used to guide the City through 2045.

The City has received the needed wastewater expansion permit from the Texas Commission on Environmental Quality (TCEQ). The permit continues to be challenged in Court and both the City and the State of Texas are aggressively defending the issuance of the permit. Despite this challenge, the Texas Water Development Board is comfortable with the City moving forward with engineering design and easement acquisition for the expansion project. The City was awarded funding from the Texas Water Development Board for the project in August 2019. The City is currently in the easement acquisition and design phase for the expansion. This permit represents the culmination of a long-term vision and goal of the City to lessen the reliance on ground water and treated surface water for irrigation. With the expansion to the City's Water Reclamation Plant, many new and existing developments in Dripping Springs will instead use the reclaimed water from the plant to irrigate open spaces, parkland and landscaping.

Financial Information

The City utilizes the modified accrual basis of accounting, which focuses on near-term inflow and outflow of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. By comparing information presented for government funds with similar information presented for governmental activities in the government-wide statements, readers may better understand the long-term effect of the government's near-term financial decisions. Both the governmental fund Balance Sheet and the governmental fund Statement of Revenues, Expenditures and Changes in Fund Balance provide a reconciliation to facilitate the comparison between the governmental fund and governmental activities.

City Administration is responsible for establishing and maintaining internal controls designed to ensure that the assets of the City are protected from loss, theft, or misuse and to ensure that adequate accounting data is completed to allow for the preparation of financial statements in conformity with accounting principles generally accepted in the United States of America. Responsibility for the accuracy of the data and the completeness and fairness of the presentation, including all disclosures, rests with the City. To the best of our knowledge and belief, the enclosed data is accurate in all material respects and is reported in a manner designed to present fairly the financial position and results of operations of the various funds of the City. Because the cost of internal controls should not outweigh their benefits, the City of Dripping Springs's comprehensive framework of internal controls has been designed to provide reasonable, rather than absolute assurance, that the financial statements will be free from material misstatement.

Other Information

Independent Audit

The Texas Local Government Code Sec. 103.001, requires the City to have its records and accounts audited annually by a certified public accountant who is licensed in this state or a public accountant who holds a permit to practice from the Texas State Board of Public Accountancy to conduct the audit and to prepare the annual financial statement. The independent auditors' report prepared by Donald L. Allman, CPA, PC is included in the financial section of this report.

Acknowledgements

The presentation of this report could not have been accomplished without the efficient and dedicated services of the entire staff of the finance department and all department head directors. We would like to express our appreciation to all members of the departments who assisted and contributed to the preparation of this report. We would also like to thank the Mayor and the City Council for their continued interest and support for maintaining the highest standards of professionalism in the management of the City of Dripping Springs financial operations. Furthermore, the work of the independent auditors from Donald L. Allman, CPA, PC, is greatly appreciated.

Requests for Information

This financial report is designed to provide a general overview of the City's finances for interested parties. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to the Finance Director/City Treasurer, City of Dripping Springs, PO Box 384, Dripping Springs TX, 78620.

Respectfully submitted,



Shawn Cox
Finance Director/City Treasurer

City of Dripping Springs
Annual Comprehensive Financial Report
For the Year Ended September 30, 2021

Item 12.

Mayor

Bill Foulds, Jr.

Mayor Pro Tem

Taline Manassian

Council Members

Wade King

Geoffrey Tahuahua

April Harris Allison

Sherrie Parks

City Administrator

Michelle Fischer

Deputy City Administrator

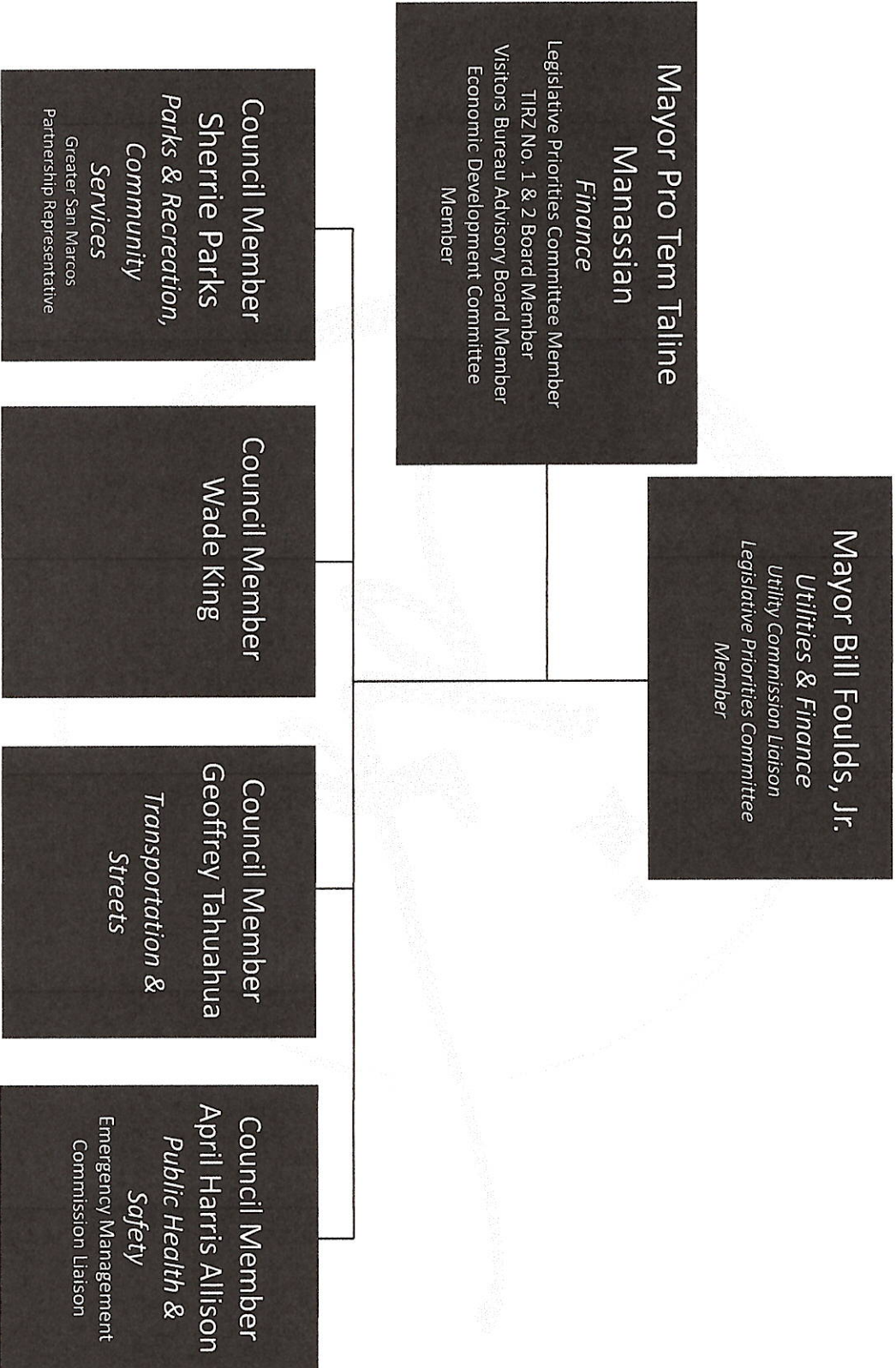
Ginger Faught

Prepared By:
Shawn Cox, Finance Director

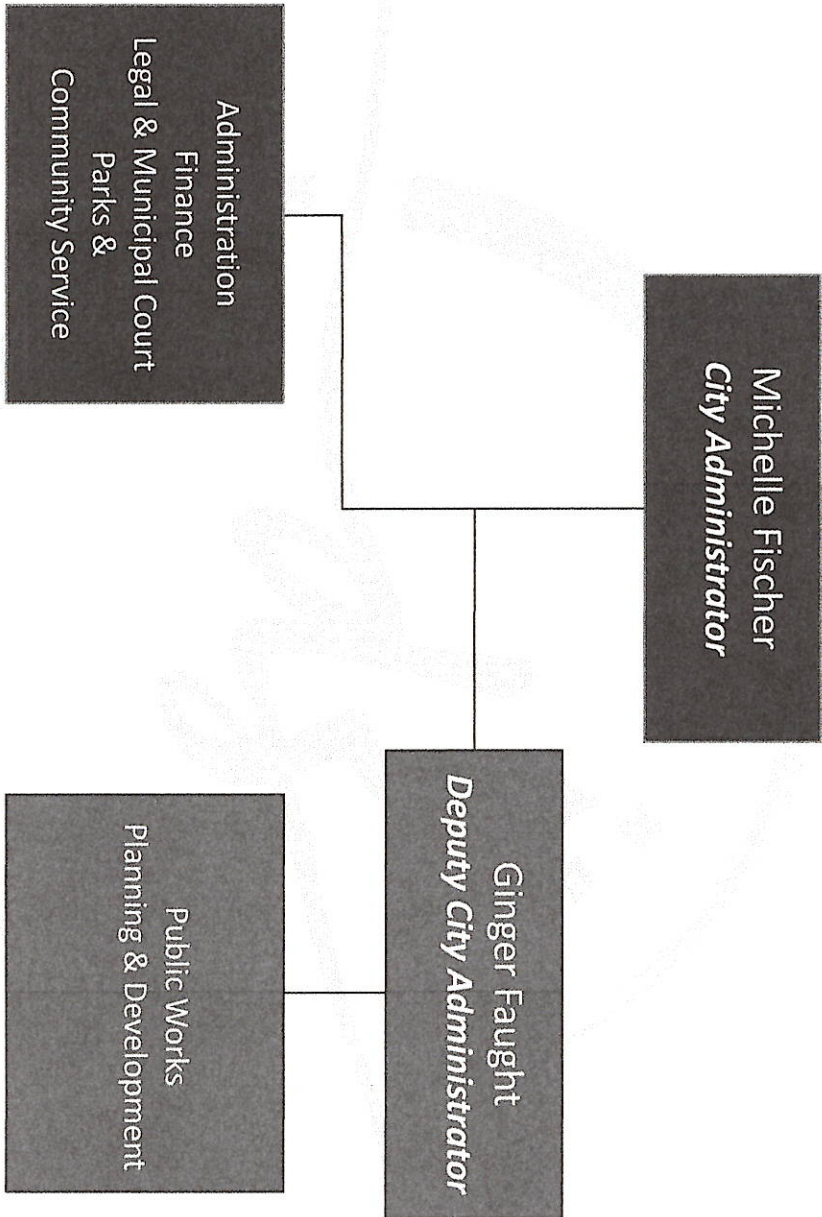


ORGANIZATIONAL
FLOWCHART

Areas of Oversight & Liaisons to Boards, Committees, & Commissions



Administration



Michelle Fischer
City Administrator

Finance

Finance Director-Shawn Cox (FT)
Accounting Clerk -
Penny Appleman (FT)
Accounts Receivable Clerk -
Alison Jamieson (FT)
Financial Advisor -
Chris Lane (1C), Andre Ayala (1C)
TIRZ Project Manager -
Keenan Smith (1C)
PID Administrator (1C)
TIRZ Administrator (1C)

Legal & Municipal
Court

Municipal Court Judge
Marilyn Miller (1C)
Special Counsels-Bojorquez Law
Firm, David Tuckfield, Andy Barret,
Jeff Chapman, Richard Donahue (1C)
Municipal Court Clerk -
Andrea Cunningham (FT)
Assistant City Attorney (Prosecutor) -
Ryan Turner (1C)

Parks & Community
Services

Director-Vacant (FT)
Community Events Coordinator -Caylie
Houchin (FT)
Farmers Market Manager-Charlie Reed (FT)
DSRP Manager - Enily Nelson (FT)
DSRP Assistant Manager-Lily Sellers (FT)
DSRP Event Center Coordinator-Johnna
Krantz (FT)
DSRP Lead Ranch Hand - Nick Spillar (FT)
DSRP Ranch Hands-Sheri Kapanka, Heather
Newman
Ranch Maintenance Worker Andrew
Thompson (FT)
DSRP Facility Specialist - Rune Jamieson
DSRP Customer Service Specialist-Thomas
Eubanks (PT)
Aquatics & Programs Coordinator-Mack
Rusick (FT)
Coyote Kids Camp Director -Vacant
(FT/seasonal)
FMP Lifeguards & Cashiers (FT and
PT/seasonal)
Park Planning Consultant -Brent Luck (1C)

Administration

Finance

Legal

Parks &

Community



Administration

City Secretary - Andrea Cunningham (F)
Records Management Clerk -
Sherry Canady (PT)

City Attorney - Laura Mueller (FT)
Executive Assistant - Kevin Campbell
(FT)

Communications & Marketing Director
Lisa Sullivan (FT)

Receptionist - Amy Kappler (FT)

Information Technology
Coordinator - Vacant (FT)

Emergency Management
Coordinator - Roman Baligad (FT)

Information Technology -
Percento Technologies (IC)

Public Works & Planning & Development



Michelle Fischer
City Administrator

Ginger Faught
Deputy City Administrator

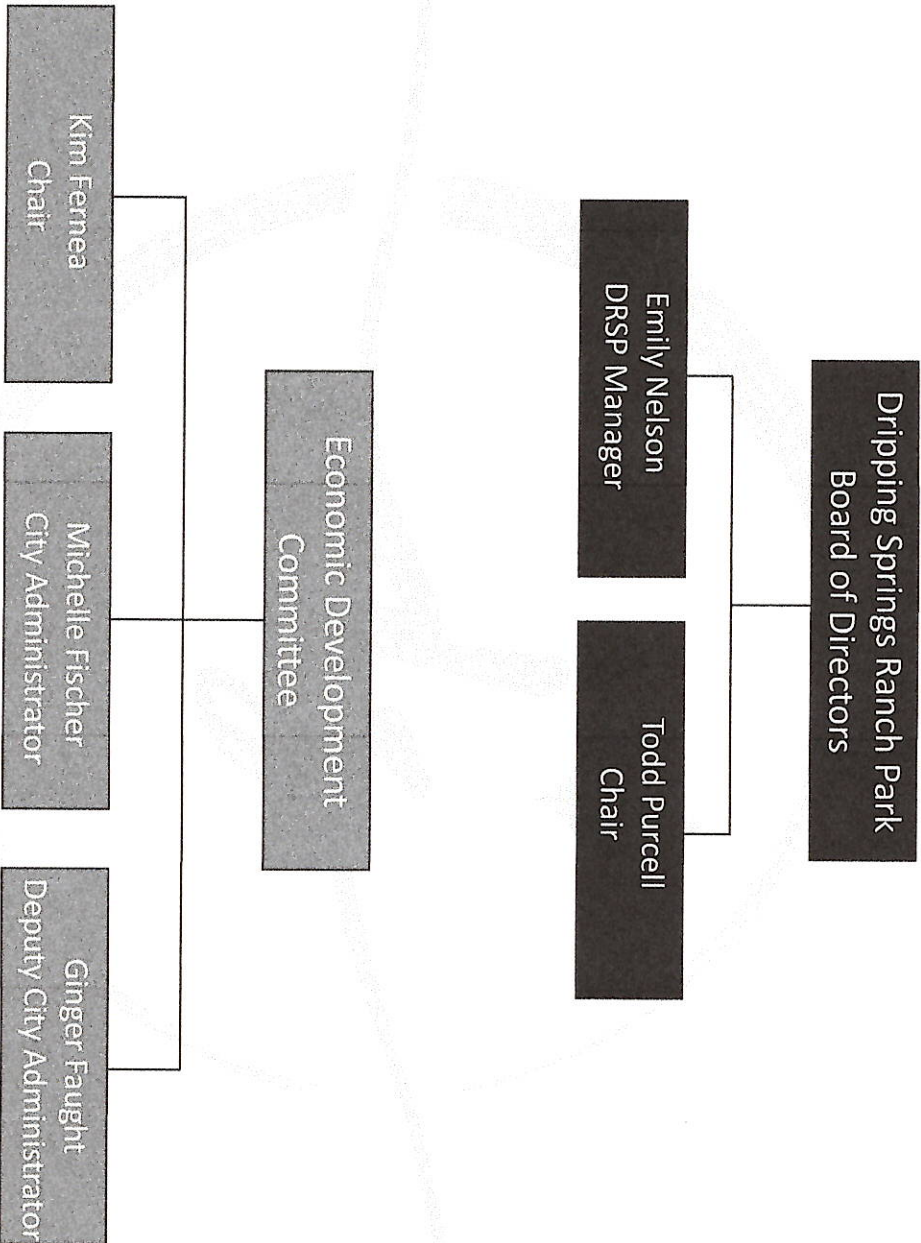
Public Works

- Executive Manager-**Ginger Faught (FT)**
- Public Works Director-**Aaron Reed (FT)**
- Utilities Superintendent--**Jesse Kennis (FT)**
- Utility Operator I-**Steve Rassette (FT)**
- Utility Operator II-**Marcus Vallejo (FT)**
- Public Works/Code Enforcement Inspector -
Shane Pevehouse (FT)
- Maintenance Director - **Craig Rice (FT)**
- Maintenance Workers-**Lead- Jim Bass, Sonny Garza (FT),**
- Maintenance Workers - **Bill Stevens, Riley Sublett (FT)**
- Facility & Landscape Maintenance Worker - **Jahnathon Hill (FT)**
- Utilities Coordinator- **Sarah Cole (FT)**
- City Engineer - **Chad Gilpin, PE (IC)**
- Wastewater Utility Engineer - **CMA (IC)**
- Solid Waste - Waste Connections (IC)
- Landscape Maintenance - (IC)
- Traffic Engineering - **HDR (IC)**
- PW Design - **As Needed (IC)**

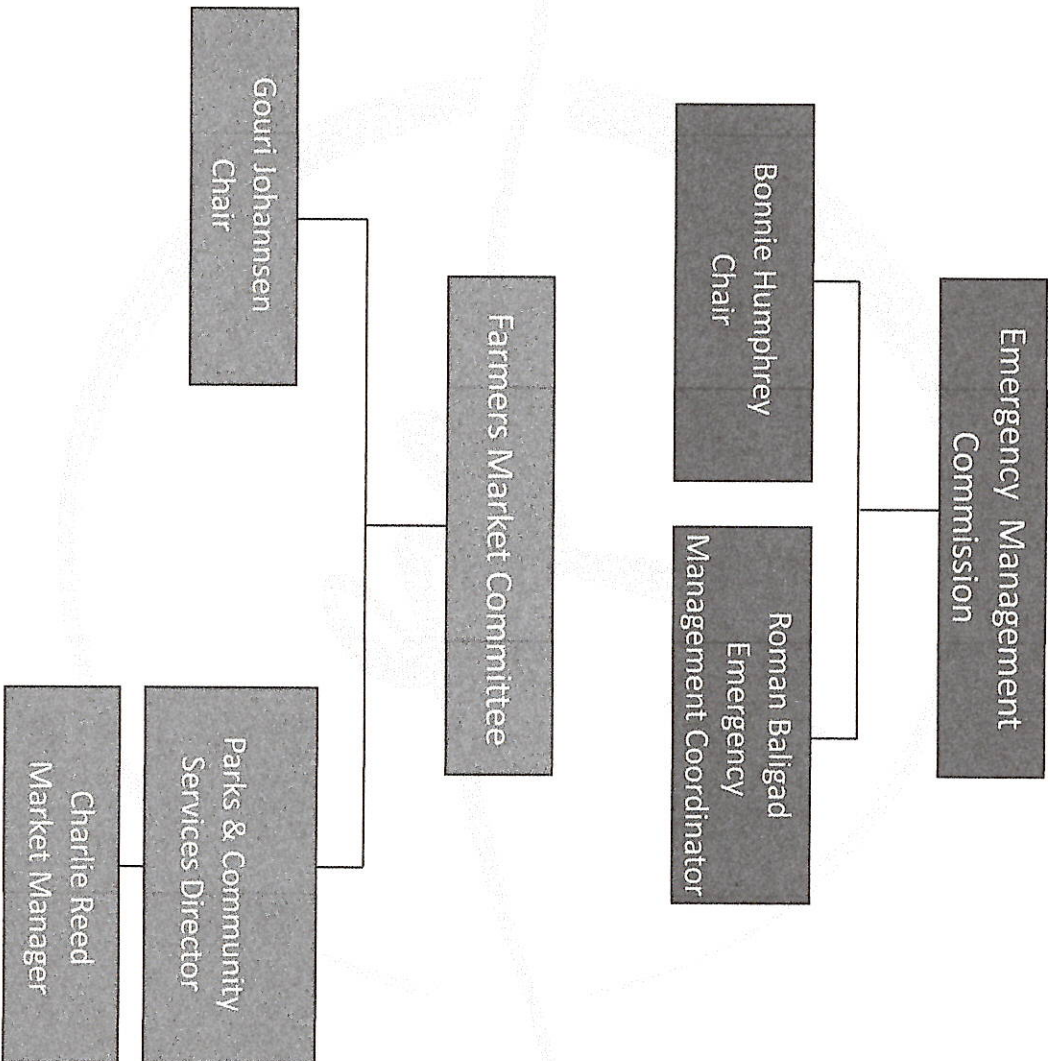
**Planning &
Development**

- Planning Director - **Howard Koontz (FT)**
- Senior Planner - **Tony Carpenter (FT)**
- Planning Assistant - **Wanlan Rivera (FT)**
- Development Permit Coordinator - **Vacant (FT)**
- Building Official - **Sarah Cole (FT)**
- Building Permit Technician - **Brandon Elliott (FT)**
- Building Permit Technician - **Selina Romero (FT)**
- Residential Plans Examiner & Inspector -
Vacant (FT)
- Building Inspector - **Bureau Vertas (IC)**
- Environ Health and OSSF Inspector - **Kyle Dehart (IC)**
- Historic Preservation Officer - **Michelle Fischer**
- Sign Administrator - **Michelle Fischer, Sarah Cole (designee)**
- Consultants: Engineering, Architect & Exterior Design, Landscape Architect, Lighting

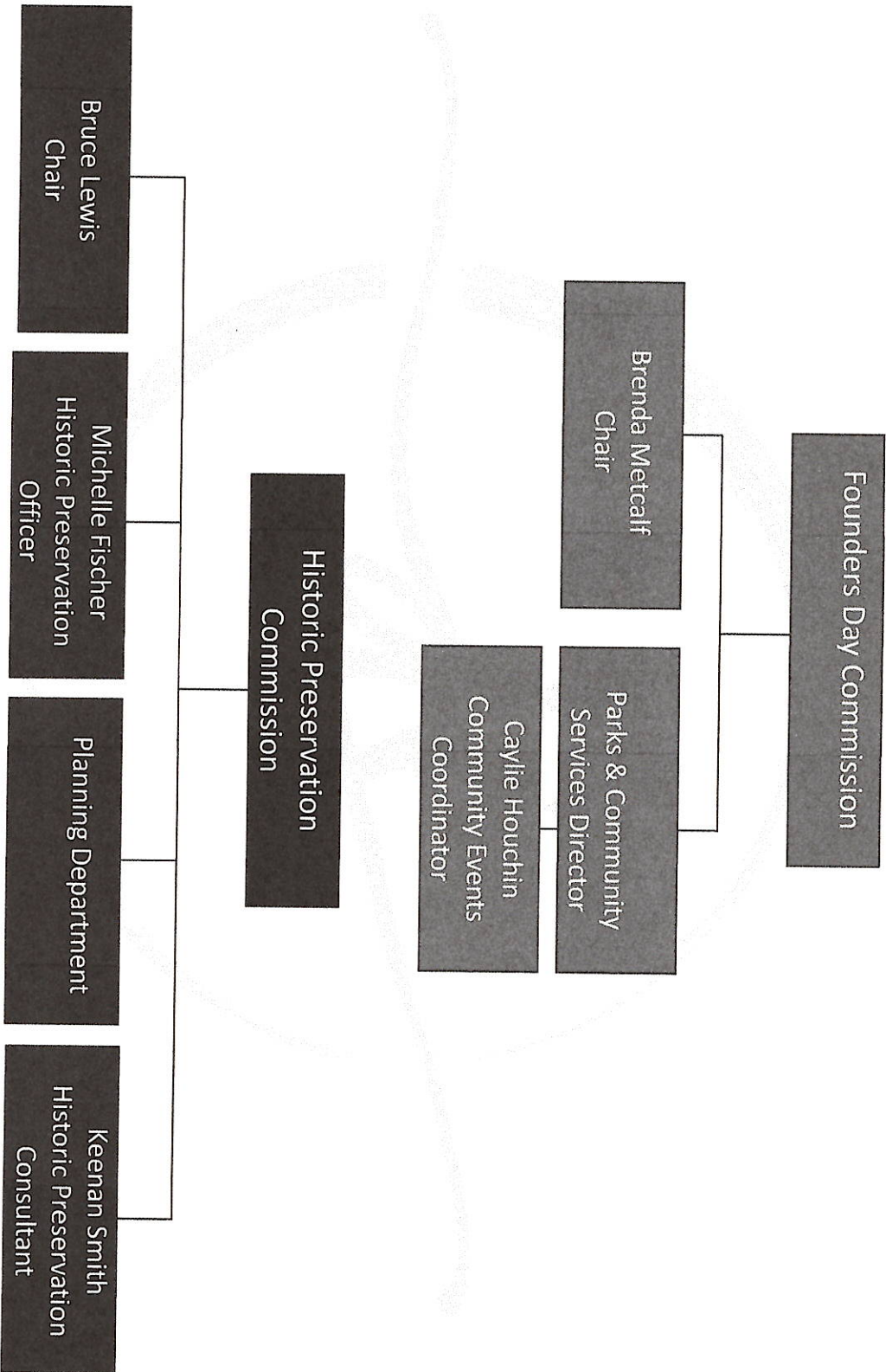
*Commissions,
Committees,
& Boards*



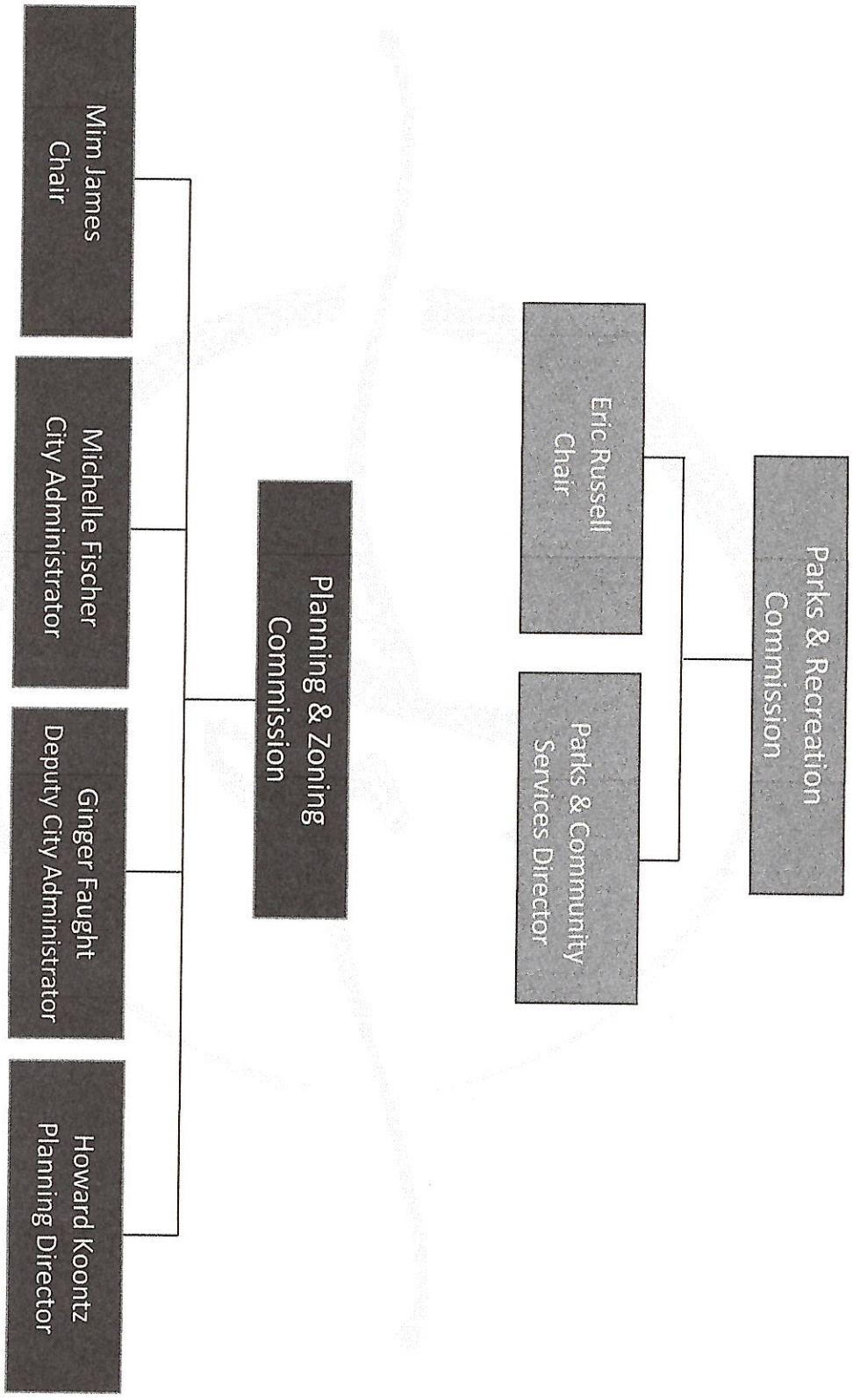
Commissions, Committees, & Boards



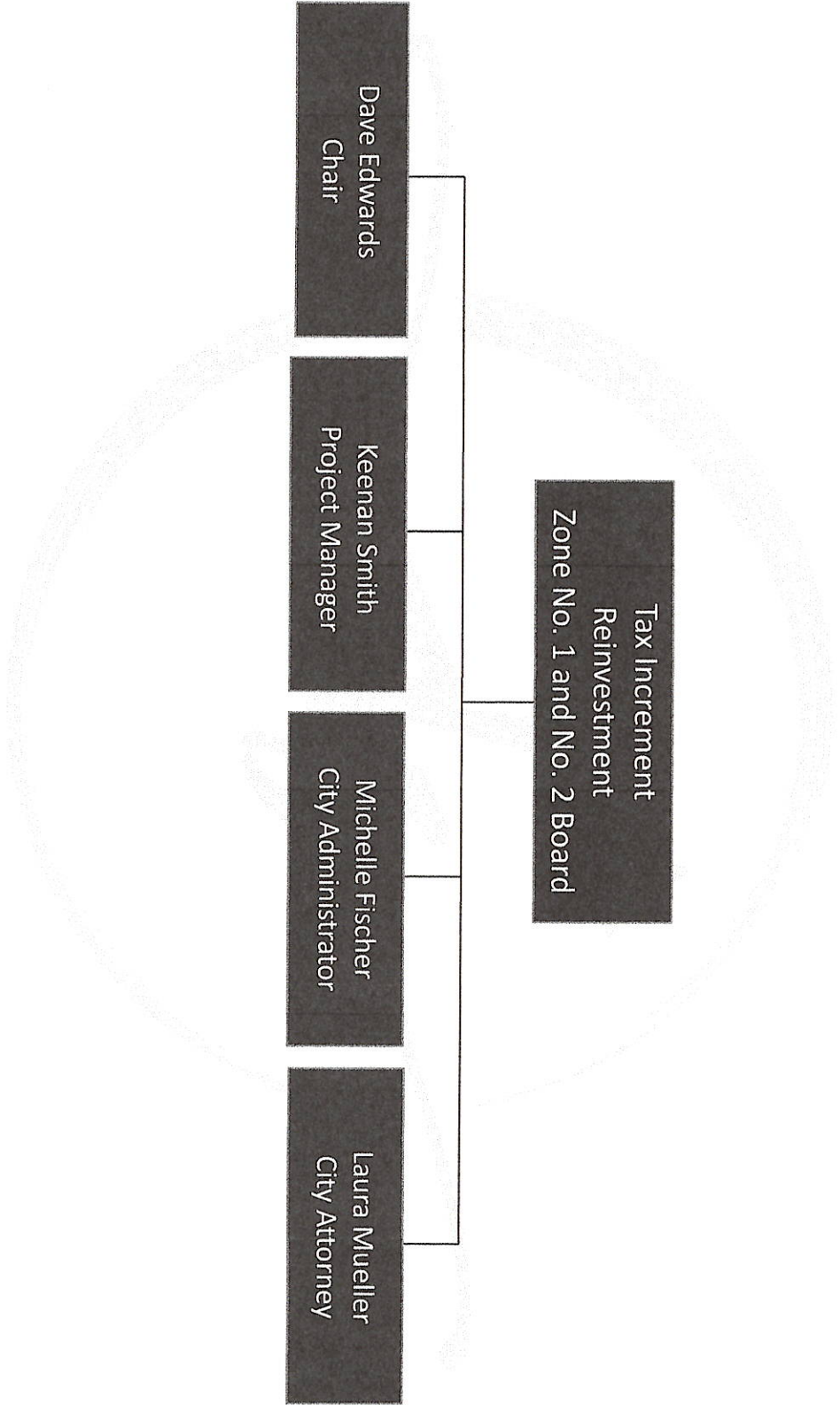
Commissions, Committees, & Boards



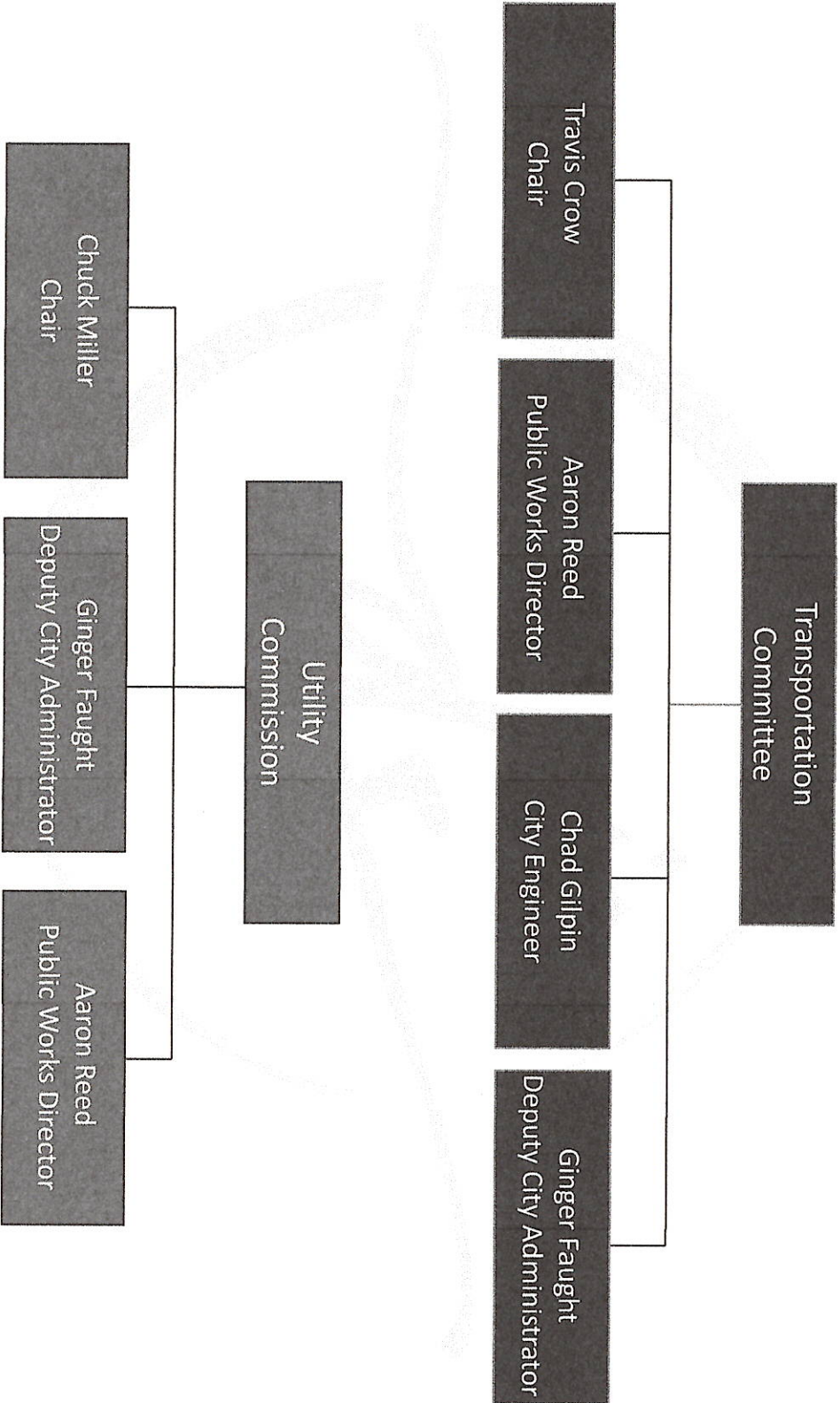
*Commissions,
Committees,
& Boards*



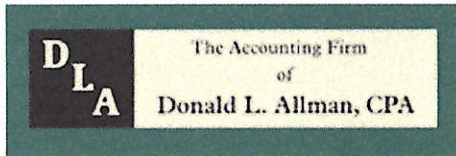
*Commissions,
Committees,
& Boards*



Commissions, Committees, & Boards



CITY OF DRIPPING SPRINGS, TEXAS
BASIC FINANCIAL STATEMENTS
AND SUPPLEMENTAL SCHEDULES
AND INDEPENDENT AUDITOR'S REPORT
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2021



Donald L. Allman, CPA, PC
4749 Williams Drive, Ste. 322
Georgetown, Texas 78633

CERTIFIED PUBLIC ACCOUNTANT

INDEPENDENT AUDITOR'S REPORT

To the Honorable Mayor
and Members of the City Council
City of Dripping Springs, Texas

We have audited the accompanying financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Dripping Springs, Texas as of and for the year ended September 30, 2021, and the related notes to the financial statements, which collectively comprise the City of Dripping Springs, Texas' basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements, referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Dripping Springs, Texas as of September 30, 2021, and the respective changes in financial position, and where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, budgetary comparison information, and Schedule of Changes in Net Pension Liability and Related Ratios and Schedule of Contributions on pages 3-8, and pages 34-42 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated March 7, 2022 on our consideration of the City of Dripping Springs, Texas' internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City of Dripping Springs, Texas' internal control over financial reporting and compliance.

Respectfully submitted,



Donald L. Allman, CPA, PC

Georgetown, Texas
March 7, 2022

**CITY OF DRIPPING SPRINGS, TEXAS
MANAGEMENT’S DISCUSSION AND ANALYSIS
SEPTEMBER, 30, 2021**

The discussion and analysis of the City’s financial performance provides an overview and analysis of the City’s financial activities for the fiscal year ended September 30, 2021. It should be read in conjunction with the accompanying financial statements. The discussion and analysis includes comparative data where applicable, for prior years.

FINANCIAL HIGHLIGHTS

- The City’s assets exceeded its liabilities at the close of the fiscal year by \$34.2 million (net position). Of this amount, \$16.6 million was invested in capital assets, \$1.8 million was restricted, and \$15.8 million was unrestricted.
- The City’s total net position increased by \$4.4 million for the year ended September 30, 2021.
- At September 30, 2021, the City’s governmental funds reported a combined ending fund balance of \$7.6 million, an increase of \$2.4 million over the prior year governmental funds combined ending fund balance. The increase in governmental funds is due to large increases in property tax, sales tax and development fees income.
- The City’s General Fund had excess revenues at the end of fiscal year 2021, due to mostly an increase in property taxes, sales taxes and development fees. The City of Dripping Springs continues to experience phenomenal growth in population and revenues.

OVERVIEW OF THE FINANCIAL STATEMENTS

The discussion and analysis serves as an introduction to the City’s basic financial statements. The City’s basic financial statements are comprised of three components, government-wide financial statements, fund financial statements, and notes to the financial statements. The report also contains other supplementary information in addition to the basic financial statements.

**CITY OF DRIPPING SPRINGS, TEXAS
MANAGEMENT’S DISCUSSION AND ANALYSIS
SEPTEMBER, 30, 2021**

Government-Wide financial statements

The government-wide financial statements are comprised of the Statement of Net Position and the Statement of Activities. These two statements are designed to provide readers with a broad overview of the City’s finances utilizing the full accrual method of accounting, in a manner similar to private-sector business. Under the full accrual method of accounting, transactions are reported as soon as the underlying event giving rise to the change occurs. Therefore, assets, liabilities, revenues and expenses are reported in these statements for some items that will result in cash flows in future periods.

The Statement of Net Position presents information on all of the City’s assets and liabilities, including capital assets, with the difference between the two reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the City as a whole is improving or deteriorating.

The Statement of Activities presents information showing how the city’s net position changed during the most recent fiscal year.

In the Statement of Net Position and the Statement of Activities, the City has two governmental activities.

Governmental Activities – The City’s basic services are reported in the general fund. These services include general administration and parks and recreation. Sales tax and developer fees finance most of these activities.

The debt service fund is used to accumulate resources for and payment of long-term debt principal, interest and related costs. These resources are transferred from the general fund.

Reporting on the City’s Most Significant Funds

Fund Financial Statements

The fund financial statements focus on current available resources and are organized and operated on the basis of funds, which are defined as a fiscal and accounting entity with a self-balancing set of accounts established for the purpose of carrying on specific activities. The City has two governmental funds.

Governmental Funds

The City maintains two governmental funds (the general fund and the debt service fund) which are used to account for the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, the governmental fund financial statements utilize the modified accrual basis of accounting, which focuses on near-term inflow and outflow of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. By comparing information presented for government funds with similar information presented for governmental activities in the government-wide statements, readers may better understand the long term effect of the government’s near term financial decisions. Both the governmental fund Balance Sheet and the governmental fund Statement of Revenues, Expenditures and Changes in Fund Balance provide a reconciliation to facilitate the comparison between the governmental fund and governmental activities.

The City adopts an annual appropriated budget for the governmental fund. Budgetary comparison statements for the General Fund are included in the Required Supplementary Information of this report.

**CITY OF DRIPPING SPRINGS, TEXAS
MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER, 30, 2021**

Notes to the Financial Statements

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements.

GOVERNMENT-WIDE FINANCIAL ANALYSIS

Our analysis focuses on the net position (Table 1) and changes in net position (Table 11) of the City's governmental and business-type activities.

City Table 1
City of Dripping Springs, Texas
Net Position
In thousands

	Governmental Activities		Business-type Activities		Total	
	2021	2020	2021	2020	2021	2020
Current and Other Assets	8,956	5,628	32,665	33,116	41,621	38,744
Capital Assets	13,705	13,466	7,955	7,185	21,660	20,651
Total Assets	22,661	19,094	40,620	40,301	63,281	59,395
Deferred Outflows of Resources	(5)	(24)			(5)	(24)
Current Liabilities	1,377	581	2,208	2,113	3,585	2,694
Long-term Liabilities	786	751	24,345	25,910	25,131	26,661
Total Liabilities	2,163	1,332	26,553	28,023	28,716	29,355
Deferred Inflows of Resources	318	198			318	198
Net Position:						
Net Investment in Capital Assets	13,165	12,861	3,501	2,009	16,666	14,870
Restricted	92	96	1,692	1,663	1,784	1,759
Unrestricted	6,918	4,583	8,874	8,606	15,792	13,189
Total Net Position	20,175	17,540	14,067	12,278	34,242	29,818

The largest portion of the City's net position (49 percent) is reflected in its capital assets. Since the City uses these capital assets to provide services to its citizens, they are not available for future spending. Net positions subject to external restriction on how they may be used comprise 5 percent of the City's net position. Unrestricted net position comprises 46 percent of net position. Unrestricted net position may be used to meet the City's ongoing obligations to its citizens and creditors.

**CITY OF DRIPPING SPRINGS, TEXAS
MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER, 30, 2021**

Item 12.

CHANGES IN NET POSITION

**Table 11
City of Dripping Springs, Texas
Changes in Net Position
In thousands**

	Governmental Activities		Business-type Activities		Total	
	2021	2020	2021	2020	2021	2020
Revenues						
Program Revenues						
Charges for Services	723	791	1,215	1,018	1,938	1,809
General Revenues:						
Property Tax & Hotel Tax	2,192	1,673	0	0	2,192	1,673
Sales Tax	3,819	3,122	0	0	3,819	3,122
Franchise Taxes	0	0	291	274	291	274
Development fees	3,376	2,441	0	0	3,376	2,441
Interest Income	81	68	130	121	211	189
Other & Impact fees	293	155	1,290	1,065	1,583	1,220
Grant income	814	0	0	0	814	1
Donations	18	0	0	0	18	0
Total Revenues	11,316	8,250	2,926	2,478	14,242	10,729
Expenses						
General government	7,052	5,614	1,739	1,821	8,791	7,435
Parks and Recreation	864	654		0	864	654
Grant expenses			0	0	0	0
Interest on Long-term Debt	25	28	138	130	163	158
Total Expenses	7,941	6,296	1,877	1,951	9,818	8,247
Transfers In (Out)	-740	-1660	740	614	0	-1046
Contributions	0	0	0	0	0	0
Increase(Decrease) in Net Position	2,635	294	1,789	1,141	4,424	1,436
Net Position Beginning of Year	17,540	17,246	12,278	11,137	29,818	28,383
Prior Period Adjustment to Beginning Net Position	0	0	0	0	0	0
Adjusted Beginning Net Position	17,540	17,246	12,278	11,137	29,818	28,383
Ending Net Position	20,175	17,540	14,067	12,278	34,242	29,819

Total governmental revenues increased approximately \$3.3 million from the previous year. This increase was caused primarily by substantial increases in property taxes, sales taxes and development fees. Total governmental expenses increased about \$1.35 million over the previous year. The increases were due mainly to increased general government expenses.

**CITY OF DRIPPING SPRINGS, TEXAS
MANAGEMENT’S DISCUSSION AND ANALYSIS
SEPTEMBER, 30, 2021**

Item 12.

FINANCIAL ANALYSIS OF THE CITY’S FUNDS

Governmental Fund: The City has three governmental funds – the general fund, special revenue funds and the debt service fund. For the year ended September 30, 2021, the governmental fund balances increased by \$2.4 million to \$7.6 million. The restricted portion of the fund balance totaled \$2.1 million and the unrestricted portion was \$5.4 million.

Proprietary Fund: The proprietary fund is used to account for construction of the wastewater system and operating activity of the wastewater system. The proprietary fund net position increased \$1.8 million to \$14 million total.

CAPITAL ASSETS AND DEBT ADMINISTRATION

CAPITAL ASSETS

At September 30, 2021, the government-wide financials fund had \$13,705,155 net of depreciation, invested in capital assets.

Capital Assets, net of depreciation, are as follows:

	2021	2020
Land	\$5,930,814	\$5,892,635
Buildings	323,727	609,869
Improvements other than Buildings	7,096,854	6,406,026
Equipment	219,715	125,920
Infrastructure	134,045	165,222
Total	\$13,705,155	\$13,199,672

The proprietary fund capital assets consisted of wastewater infrastructure totaling \$7,955,257.

	2021	2020
Wastewater Infrastructure	7,934,477	7,127,476
Wastewater Loan Origination	20,780	57,226
Total	7,955,257	7,184,702

DEBT

At September 30, 2021, The City had \$540,000 in Combination Tax and Limited Revenue Bonds of Obligation, Taxable Series 2013 outstanding as compared to \$605,000 at the end of the prior fiscal year. In 2013, the City issued \$1,000,000 Combination Tax and Limited Revenue Bonds of Obligation, Taxable Series 2013 to help fund the construction of the Convention Center at Drippings Springs Ranch Park. In 2015, the City refinanced \$7,410,000 of debt with General Obligation Refunding Bonds, Series 2015. The funds were used to construct the wastewater system. \$3,285,000 was outstanding at September 30, 2021.

At September 30, 2019, the City entered into \$23,500,000 in Combination Tax and Surplus Revenue Certificates of Obligation, Series 2019 to expand the wastewater system. The first principal payment of \$875,000 is due in fiscal year 2021. The balance at September 30, 2021 is \$22,625,000.

**CITY OF DRIPPING SPRINGS, TEXAS
MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER, 30, 2021**

Item 12.

GENERAL FUND BUDGETARY HIGHLIGHTS

The largest single revenue source is Sales Tax Revenue collected and is estimated at \$3,686,351 for 2021. Other taxes and City Fees are budgeted at \$7,675,933 for a total of \$11,362,284. General Fund expenditures are budgeted at \$9,248,708.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGET AND RATES

An excellent school system, new housing developments, city parks and recreation areas, and hill country living continue to draw an influx of residents to Dripping Springs. This rapid growth accounts for the substantial increase in sales tax, Ad Valorem tax and building related fees. This additional revenue enables the City to complete projects outlined in the City Comprehensive Plan and Transportation Plan which are designed to address the needs of a growing population and provide a unique living experience for the citizens of Dripping Springs

CONTACTING THE CITY'S FINANCIAL MANAGEMENT

This financial report is intended to provide our citizens, taxpayers, customers, and creditors with a general overview of the City's resources and to show the City's accountability for the money it receives and disburses.

If you have questions about the report or need additional financial information, contact the City Administrator at the City of Dripping Springs.

CITY OF DRIPPING SPRINGS, TEXAS
STATEMENT OF NET POSITION
SEPTEMBER, 30, 2021

Item 12.

	Primary Government Government Activities	Business - Type activity	Total	Component Unit-TIRZ
ASSETS				
Cash and Investments	\$8,241,111	\$10,485,532	\$18,726,643	1,236,459
Restricted Assets				
Cash and Cash Equivalents	100,190	21,455,457	21,555,647	
Property Taxes Receivable	36,369		36,369	
Sales Tax Receivable	324,604		324,604	
Accounts Receivable	254,319	723,755	978,074	
Land	5,930,814		5,930,814	
Buildings	1,153,982		1,153,982	
Improvements other than Buildings	9,188,300		9,188,300	
Machinery and Equipment	1,357,997		1,357,997	
Infrastructure	713,866	13,219,941	13,933,807	
Loan Origination Fees		171,686	171,686	
Accumulated Depreciation & Amortization	(4,639,804)	(5,436,370)	(10,076,174)	
Total Assets	<u>\$22,661,748</u>	<u>\$40,620,001</u>	<u>\$63,281,749</u>	<u>1,236,459</u>
Deferred Outflow of Resources Pension	(20,576)		(20,576)	
Deferred Outflow of Resources OPEB	15,299		15,299	
LIABILITIES				
Accounts Payable	\$772,422	\$268,480	\$1,040,902	5,175
Accrued Expenses, Taxes & Retirement Payable	266,144		266,144	
Developer Deposits & other liabilities	267,896		267,896	
Wastewater & Reservation Deposits		374,316	374,316	
Combination Tax and Ltd Rev CO Tax'13 current	70,000		70,000	
General Oblgtn Refund Bonds Series '15 current		665,000	665,000	
Combination Tax and Surplus Rev COB 19-currnt		900,000	900,000	
Total Current Liabilities	<u>\$1,376,462</u>	<u>\$2,207,796</u>	<u>\$2,684,258</u>	<u>5,175</u>
Unearned Revenue	80,786		80,786	
Compensated Absences Payable	97,872		97,872	
Net Pension Liability	99,058		99,058	
Net OPEB Liability	38,216		38,216	
General Obligation Refunding Bonds Series 2015		2,620,000	2,620,000	
Combination Tax and Surplus Revenue COB 2019		21,725,000	21,725,000	
Combination Tax and Limited Revenue CO Tax'13	470,000		470,000	
Total Long Term Liabilities	<u>785,932</u>	<u>24,345,000</u>	<u>25,130,932</u>	<u>500,000</u>
Total Liabilities	<u>2,162,394</u>	<u>26,552,796</u>	<u>27,815,190</u>	<u>505,175</u>
Deferred Inflows of Resources	318,083		318,083	
NET POSITION				
Net Investment in Capital Assets	13,165,155	3,500,714	16,665,869	
Restricted	100,190	1,691,841	1,792,031	
Unrestricted	6,910,649	8,874,650	15,785,299	731,284
Total Net Position	<u>\$20,175,994</u>	<u>\$14,067,205</u>	<u>\$34,243,199</u>	<u>731,284</u>

The accompanying notes are an integral part of the financial statements

CITY OF DRIPPING SPRINGS, TEXAS
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED SEPTEMBER, 30, 2021

Item 12.

	Net (Expenses) Revenues and Changes in Net Position					Component Unit TIRZ
	Expenses	Program Revenues	Primary Government		Business-type Activities	
		Charges for Services	Governmental Activities	Activities		
Primary Government Governmental Activities						
General Government	\$7,051,414	\$302,959	(\$6,748,455)		(\$6,748,455)	
Parks and Recreation	862,680	419,661	(\$443,019)		(\$443,019)	
TIRZ expenses	-		-		-	
Interest on Long-Term Debt	162,843		(\$25,108)	(137,735)	(\$162,843)	447,595
Total Primary Government	\$8,076,937	\$722,620	(\$7,216,582)	(\$137,735)	(\$7,354,317)	
Business-type Activities						
Wastewater Fund	1,739,938	1,154,346		(585,592)	(\$585,592)	
Total Government	\$9,816,875	\$1,876,966	(\$7,216,582)	(\$723,327)	(\$7,939,909)	447,595
Taxes						
Sales Tax & Mixed Bev. Tax			3,819,236	0	3,819,236	
Property Taxes & Hotel tax			2,192,485	0	2,192,485	759,920
Development Fees			3,375,669	0	3,375,669	
Connection Fees				61,650	61,650	
Grant income			814,240	0	814,240	
Franchise Fees			0	290,643	290,643	
Interest Income			80,587	130,222	210,809	8,181
Impact fees			0	1,173,608	1,173,608	
Other Revenue			292,741	116,104	408,845	28,977
Donations			17,693		17,693	
Total General Revenues			10,592,651	1,772,227	12,364,878	797,078
Service Charges			0	0	0	
Transfers In			0	740,260	740,260	-
Transfers Out			(740,260)	0	(740,260)	(28,000)
Total General Revenues, Transfer and Service Charges			9,852,391	2,512,487	12,364,878	769,078
Changes in Net Position			2,635,809	1,789,160	4,424,969	321,483
Beginning Net Position			17,540,185	12,278,045	29,818,230	409,801
Adjustment to Beginning Net Position			0		0	-
Adjusted Beginning Net Position			17,540,185	12,278,045	29,818,230	409,801
Ending Net Position			\$20,175,994	\$14,067,205	\$34,243,199	731,284

The accompanying notes are an integral part of the financial statements

CITY OF DRIPPING SPRINGS, TEXAS
BALANCE SHEET – GOVERNMENT FUNDS
SEPTEMBER, 30, 2021

Item 12.

	General Fund	Debt Service Fund	Special Revenue Funds	Total Governmental Funds
ASSETS				
Cash and Investments	\$6,189,714		2,051,397	\$8,241,111
Restricted Cash	-	100,190		100,190
Accounts Receivable	254,319			254,319
Property Taxes Receivable	36,369			36,369
Sales Tax Receivable	324,604			324,604
Total Assets	\$6,805,006	\$100,190	2,051,397	\$8,956,593
LIABILITIES				
Accounts Payable	\$758,868		13,554	\$772,422
Employment Taxes & Retirement Payable	266,144			266,144
Unearned Revenue	80,786			80,786
Developer Deposits	267,896		-	267,896
Total Liabilities	1,373,694		13,554	1,387,248
FUND BALANCES				
Nonspendable	0	0		0
Restricted - Debt Service	0	100,190		100,190
Restricted - Hotel Motel Tax	-		261,320	261,320
Restricted - PEG Fund	0		142,458	142,458
Committed - Reserve Funds	0		1,530,488	1,530,488
Assigned - DSRP, Farmers Market	0	0	103,577	103,577
Unassigned	5,431,312			5,431,312
Total Fund Balances	5,431,312	100,190	2,037,843	7,569,345
Total Liabilities and Fund Balances	\$6,805,006	\$100,190	2,051,397	\$8,956,593

The accompanying notes are an integral part of the financial statements

CITY OF DRIPPING SPRINGS, TEXAS
RECONCILIATION OF THE STATEMENT OF NET POSITION TO THE BALANCE SHEET
GOVERNMENTAL FUNDS
SEPTEMBER, 30, 2021

Item 12.

Total Fund Balance - Governmental Funds	\$7,569,345
Amounts reported for governmental activities in the Statement of Net Position are different because:	
Some revenues in the governmental funds are deferred because they are not collected within the prescribed time period after year end. On the accrual basis, however, those revenues would be recognized, regardless of when they are collected.	
Deferred property taxes not collected within 60 days	(59,286)
	36,369
Remove Deferred Outflows of Resources as they are not current assets	(20,576)
remove Deferred Inflows of Resources as they are not current liabilities	(318,083)
Capital assets used in the operation of governmental funds are not financial resources and, therefore, are not reported in the Governmental Fund Balance Sheet	
These assets consist of the following:	
Land	5,930,814
Building	1,153,982
Improvements other than Buildings	9,188,300
Machinery and Equipment	1,357,997
Infrastructure	713,866
Less: Accumulated Depreciation	(4,639,804)
Long-term liabilities are not due in the current period and therefore, are not reported in the Governmental Fund Balance Sheet	(540,000)
Net Pension Liability is not included in Governmental Funds	(99,058)
Compensated absences are not due and payable in the current period and therefore are not reported in the Governmental Fund Balance Sheet	(97,872)
Net Position of governmental activities	\$20,175,994

CITY OF DRIPPING SPRINGS, TEXAS
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE YEAR ENDED SEPTEMBER, 30, 2021

Item 12.

	General Fund	Debt Service Fund	Special Revenue Funds	Total Governmental Funds
REVENUES				
Sales Taxes	\$3,819,236			\$3,819,236
Ad Valorem Taxes & Hotel Taxes	1,617,238		571,247	2,188,485
Franchise Fees	-			-
Charges for Services	302,959		-	302,959
Development Fees	3,375,669			3,375,669
Interest Income	55,047	1,710	23,830	80,587
Fines and Forfeits				-
Other Revenues	264,441	0	28,300	292,741
Grant Revenue	814,240			814,240
Park Revenues	66,450		353,211	419,661
Donations	0		-	-
Total Revenues	10,315,280	1,710	976,588	11,293,578
EXPENDITURES				
Administrative				
Personnel Services	2,299,825			2,299,825
Supplies and Operations	556,410			556,410
Contract Services	2,061,106		-	2,061,106
Capital Outlay	711,951		30,213	742,164
Miscellaneous	528,464	0	382,665	911,129
Total Administrative	6,157,756	0	412,878	6,157,756
Parks and Recreation				
Personnel Services	491,992			491,992
Supplies and Operations	159,220			159,220
Contract Services	0		-	0
Founders Day expenses	98			98
DSRP Expenses			370,752	370,752
Farmers Market			25,895	25,895
Total	651,310		396,647	1,047,957
Debt Service				
Principal - Taxable Certificates of Obligation		65,000		65,000
Interest - Taxable Certificates of Obligation		25,108		25,108
Total Debt Service	0	90,108		90,108
Total Expenditures	6,809,066	90,108	809,525	7,708,699
Excess Revenues Over (Under) Expenditures	3,506,214	(88,398)	167,063	3,584,879
Other Financing Sources (Uses)				
Transfer from General Fund	(422,922)	92,410	330,512	0
Transfer to TIRZ	(400,185)	0	-	(400,185)
Transfer to Wastewater Fund	(740,260)	0		(740,260)
Total Other Financing Sources (Uses)	(1,563,367)	92,410	330,512	(1,140,445)
Net Changes in Fund Balance	1,942,847	4,012	497,575	2,444,434
Fund Balance Beginning of Year	3,488,465	96,178	1,540,268	5,124,911
	0	0		0
Adjusted Fund Balance Beginning of Year	3,488,465	96,178	1,540,268	5,124,911
Fund Balance End of Year	\$5,431,312	\$100,190	2,037,843	\$7,569,345

The accompanying notes are an integral part of the financial statements

CITY OF DRIPPING SPRINGS, TEXAS
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGE
IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES
SEPTEMBER, 30, 2021

Item 12.

Net Changes in Fund Balance -- Governmental Fund	\$2,444,434
Amounts reported for governmental activities in the Statement of Activities are different because:	
Revenues in the statement of activities that do not provide current financial resources are not reported as revenues in the funds.	
Property taxes not collected	\$36,369
Less prior year	\$(32,369)
Governmental funds report capital outlays as expenditures. However, in the Statement of Activities the cost of those assets is allocated over the estimated useful lives and is reported as depreciation expense. This is the amount of depreciation expense for the current year.	(503,467)
Repayment of long-term debt principal is an expenditure in the governmental funds, but the repayment reduces long-term liabilities in the Statement of Activities.	65,000
Total OPEB expense is not recognized in governmental funds	(8,469)
Total Pension Expense is not recognized in governmental funds	(111,727)
Expenses related to capital outlays and land purchased are not included in governmental expenditures.	742,164
Various differences in Government-wide financial statements and governmental funds	-
	-24561
The increase in compensated absences liability does not require the use of current financial resources but is recorded as an expense in the Statement of Activities	28,435
Changes in Net Position of Governmental Activities	\$2,635,809

The accompanying notes are an integral part of the financial statements

**CITY OF DRIPPING SPRINGS, TEXAS
STATEMENT OF NET POSITION PROPRIETARY FUND
SEPTEMBER, 30, 2021**

Item 12.

	Wastewater
Assets	
Current Assets	
Cash and Cash Equivalents	\$10,485,532
Restricted Assets	
Cash and Cash Equivalents	21,455,457
Accounts Receivable	723,755
Capital Assets	
Infrastructure - Wastewater, less depreciation	7,955,257
Total Assets	\$40,620,001
Liabilities	
Accounts Payable	\$268,480
General Obligation Refunding Bonds Series 2015	3,285,000
Combination Tax and Surplus Revenue COB 2019	22,625,000
Wastewater & Reservation deposits	374,316
Total Liabilities	26,552,796
Net Position	
Net Investment in Capital Assets	3,500,714
Restricted for Debt Service	1,691,841
Unrestricted (Deficit)	8,874,650
Net Position	\$14,067,205

Cash and Cash Equivalents includes Impact Funds and also cash restricted for construction purposes from the Bond issue.

The accompanying notes are an integral part of the financial statements

CITY OF DRIPPING SPRINGS, TEXAS
STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION PROPRIETARY FUND
SEPTEMBER, 30, 2021

Item 12.

	Wastewater
Operating Income	
Charges for Services	1,154,346
Operating Expenses	(1,739,938)
	(585,592)
Professional services	
Income (loss) from Operations	(585,592)
Nonoperating Revenues (Expenses)	
Sales Tax	740,260
Interest expense	(137,735)
Franchise Fees	290,643
Connection Fees	61,650
Other Income	116,104
Impact fees	1,173,608
Interest Income	130,222
	2,374,752
Total Nonoperating Revenues (Expenses)	2,374,752
Changes in Net Position	1,789,160
Net Position - Beginning of Year	12,278,045
Net Position - End of Year	\$14,067,205

The accompanying notes are an integral part of the financial statements

CITY OF DRIPPING SPRINGS, TEXAS
STATEMENT OF CASH FLOWS / PROPRIETARY FUND
SEPTEMBER, 30, 2021

Item 12.

	Wastewater
Cash Flows from Operating Activities	
Increase in Accounts Payable	250,226
Increase in Accounts Receivable	(219,644)
Increase in Wastewater Deposits	(211,115)
Operating Expenses	(1,739,938)
Operating Income	1,154,346
Other Income	116,104
Depreciation & Amortization	577,773
Net Cash Provided (Used by Operating Activities)	(72,248)
Cash Flows From Capital and Related Financing Activities	
Impact Fees	1,173,608
Franchise Fees	290,643
Connection Fees	61,650
Sales taxes	740,260
Capital outlay & Land Purchase	(1,348,328)
Decrease in Restricted cash	2,216,049
Net Cash Provided by Capital and Related Financing Activities	3,133,882
Cash Flows From Noncapital Financing Activities and Transfers	
Payment on General Obligation Refunding Bonds Series 2015	(650,000)
Payment on General Obligation Refunding Bonds Series 2019	(875,000)
Transfer from Other Funds	-
Net Cash from Noncapital Financing Activities	(1,525,000)
Cash Flows from Investing Activities	
Interest Expense	(137,735)
Interest Income	130,222
Net Cash from Investing Activities	(7,513)
Net Increase (Decrease) in Cash and Cash Equivalents	1,529,121
Cash and Cash Equivalents -- Beginning of Year	8,956,411
Cash and Cash Equivalents - End of Year	10,485,532

The accompanying notes are an integral part of the financial statements

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The accounting and reporting policies of the City of Dripping Springs, Texas relating to the funds included in the accompanying basic financial statements conform to accounting principles generally accepted in the United States of America applicable to state and local governments. The Governmental Accounting Standards Board (GASB) is the accepted standards-setting body for establishing governmental accounting and reporting principles. The more significant of the City's accounting and financial reporting policies and practices are described below.

In June, 1999 the Governmental Accounting Standards Board (GASB) approved Statement No.34, *Basic Financial Statements – Management's Discussion and Analysis – for State and Local Governments*. The basic financial statements now include a Management Discussion and Analysis (MD&A) section that provides an analysis of the City's overall financial position and results of operations; financial statements prepared using the full accrual basis of accounting for all City activities, including infrastructure, long-term debt, and fund financial statements focusing on major funds.

The City implemented the provisions of GASB Statement No. 34 beginning in the fiscal year ending September 30, 2004.

A. Reporting Entity

In defining the City for financial reporting purposes, management has considered all potential component units. The criteria for including organizations in the city's reporting entity as set forth in Section 2100 of GASB's *Codification of Governmental Accounting and Reporting Standards*, include whether the organization is legally separate; the City holds corporate powers of the organization; the City appoints a majority of the organization's board; the City is able to impose its will on the organization; the organization has the potential to impose a financial benefit or burden on the City; and there is fiscal dependency by the organization on the City. Based on these criteria, the City does not have any component units.

B. Basis of Presentation

Government-Wide Financial Statements

The government-wide financial statements (the statement of net position and the statement of activities) report financial information on all non-fiduciary activities of the City. Basically, the effect of any inter-fund activity has been removed from the financial statements. These statements distinguish between governmental and business-type activities.

The statement of activities demonstrates the degree to which the direct expenses of a given program are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific program. Program revenues include (1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given program and (2) operating or capital grants and contributions that are restricted to meeting the operational needs or capital requirements of a particular program. Taxes and other items not properly included among program revenues are reported instead as general revenues.

Fund Financial Statements

Fund based financial statements are provided for the governmental funds. These statements present each major fund in a separate column on the fund financial statements, and non-major funds, if any, are aggregated and presented in a single column.

Governmental funds are those funds through which most governmental functions are typically financed. The measurement focus on governmental funds is on the sources, uses and balances of current financial resources. The City has two major governmental funds, as follows:

CITY OF DRIPPING SPRINGS, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS
SEPTEMBER, 30, 2021

Item 12.

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Governmental Funds

The general fund is the main operating fund of the City. The fund is used to account for all financial resources not accounted for in other funds. All general tax revenues and other receipts that are not restricted by law of contractual agreement to some other fund are accounted for in the general fund. General operating expenditures and capital improvement costs that are not paid from other funds are paid from the general fund.

The debt service fund is used to account for the resources accumulated and payment made for principal and interest on long-term debt obligations.

Proprietary Fund

Proprietary fund operating revenues result from exchange transactions associated with the principal activity of the fund. In an exchange transaction each party receives and gives up equal value. Non-operating revenues result from non-exchange transactions.

Fiduciary Funds

The City accounts for fiduciary assets held by the City in a custodial capacity as an agent on behalf of others. These funds are used to account for escrowed monies. Fiduciary funds are not included in the government-wide financial statements.

C. Measurement Focus and Basis of Accounting

The government-wide and proprietary fund financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of the related cash flows. Grant revenues are recognized as soon as all eligibility requirements have been met.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized when they are both measurable and available. Revenues are considered to be available when they are collectible in the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the City considers revenues to be available if they are collected within sixty days after year end. Expenditures are recorded when the liability is incurred, except for principal and interest on general long-term debt and compensated absences which are recognized as expenditures when they become due.

Sales tax and interest income are considered to be susceptible to accrual and have been recognized as revenues in the current fiscal period. All other revenue items are considered to be measurable and available only when payment is received by the City.

D. Cash and Cash Equivalents

Cash and investments (including restricted investments) with a maturity date of three months or less when purchased are considered to be cash equivalents.

E. Property Taxes

Property taxes are levied on October 1 on assessed values as of January 1 for all real and personal property located in the City. Taxes are due on January 1 and become delinquent on February 1 of the following year. On January 1, a lien attaches to property to secure payment of taxes, penalty and interest. Property taxes are considered available when they become due or past due and receivable within the current period.

CITY OF DRIPPING SPRINGS, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS
SEPTEMBER, 30, 2021

Item 12.

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

F. Capital Assets

Capital assets, which include property, plant, and equipment, and infrastructure assets, are reported in the applicable governmental or business-type activities columns in the government-wide financial statements and in the fund financial statements for proprietary funds. All capital assets are valued at historical cost or estimated historical cost if actual historical cost is not available. Donated assets are valued at fair market value on the date donated repairs and maintenance are recorded as expenses.

Property, plant and equipment of the primary government are depreciated using the straight line method over the following estimated useful lives.

Buildings	40 years
Machinery and Equipment	3-7 years
Infrastructure	15-25 years

G. Budgetary Data

The City Council adopts an annual budget for its governmental type funds which are prepared on the modified accrual basis of accounting. The original budgets for the fiscal year ending September 30, 2021 were adopted by the City Council on August 22, 2020 and the final amendments to the budgets were made on September 7, 2021. Budgets are prepared in conformity with GAAP using the modified accrual basis of accounting. The City does not utilize an encumbrance system, and all appropriations lapse at year end. As required by GASB Statement No 34, budgetary information for the general fund is presented as Required Supplementary Information.

H. Pensions

For purposes of measuring the net pension liability, pension related deferred outflows and inflows of resources, and pension expense, City specific information about its Fiduciary Net Position in the Texas Municipal Retirement System (TMRS) and additions to/deductions from the City's Fiduciary Net Position have been determined on the same basis as they are reported by TMRS. For this purpose, plan contributions are recognized in the period that compensation is reported for the employee, which is when contributions are legally due. Benefit payments and refunds are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value. Information regarding the City's Total Pension Liability is obtained from TMRS through a report prepared for the City by TMRS consulting actuary, Gabriel Roeder Smith & Company, in compliance with Governmental Accounting Standards Board (GASB) Statement No. 68, Accounting and Financial Reporting for Pensions.

I. Deferred Outflows/Inflows of Resources

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. The City has the following items that qualify for reporting in this category.

CITY OF DRIPPING SPRINGS, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS
SEPTEMBER, 30, 2021

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

- Pension contributions after measurement date – these contributions are deferred and recognized in the following fiscal year.
- Difference in projected and actual earnings on pension assets – This difference is deferred and amortized over a closed five year period.
- Difference in expected and actual pension experience – This difference is deferred and recognized over the estimated average remaining lives of all members determined as of the measurement date.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statements element, deferred inflows or resources, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The City has only one type of item, which arises only under a modified accrual basis of accounting that qualifies for reporting in this category. Accordingly, this item is reported only in the governmental funds balance sheet. The governmental funds report unavailable revenues from two sources: property taxes and municipal court fines. These amounts are deferred and recognized as an inflow of resources in the period that the amounts become available.

J. Net Position

Net position represents the difference between assets, deferred inflows/outflows of resources and liabilities. Net position investment in capital assets consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any borrowing used for the acquisition, construction or improvements of those assets, and adding back unspent proceeds. Net position is reported as restricted when there are limitations imposed on their use either through the enabling legislations adopted by the City or through external restrictions imposed by creditors, grantors or laws or regulations of other governments.

K. Compensated Absences

Full time employees may accumulate vacation leave at the rate of six days per year for the first year, ten days for years 2, 3 and 4 and fifteen days per year for 5 years and thereafter. Vacation leave up to 120 hours can be carried over each year. Full time employees may accumulate sick leave at the rate of one-half day per month up to thirty days.

The liability for sick leave is accrued when incurred in the government-wide financial statements. A liability for these amounts is reported in the governmental fund financial statements only when they mature as a result of employee resignation or retirement.

L. Interfund Activity

Transfer In and Transfers Out are netted and presented in a single Transfer line on the Government-wide Statement of Activities. Interfund receivables and payables are also netted and presented in a single line on the Government-wide Statement of Assets.

2. STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY

In the fund financial statements, the governmental fund reports reservation of fund balances for amounts that are not available for appropriation or are legally restricted by outside parties for use for a specific purpose. Designations of fund balance represent tentative management plans that are subject to change.

3. DEPOSITS AND INVESTMENTS

Deposits – State statutes require that all deposits in financial institutions be fully collateralized by U.S. Government obligations or its agencies or direct obligations of the State of Texas or its agencies and instrumentalities that have a fair market value of not less than the principal amount of the deposits. At September 30, 2021, the City’s deposits were fully insured or collateralized as required by state statutes. At fiscal year-end, the carrying amount of the City’s deposits was \$40,282,290 and the respective bank balances totaled \$41,403,773. Of the total bank balances, \$250,000 was insured by the Federal Deposit Insurance Corporation. The remainder was covered by collateral with a fair value of \$43,494,124 consisting of U.S. Government agency obligations with a fair value of \$43,494,124 and State of Texas instrumentality obligations with a fair value of \$43,494,124 Collateral is held by the city’s agent in the City’s name.

Investments – State statutes and city resolutions authorize the City’s investments. The City may invest in U.S. Government obligations or its agencies or instrumentalities, direct obligations of the State of Texas or its agencies or instrumentalities, collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States with ten years or less stated final maturity, (cannot be an inverse floater; a principal only or interest only), obligations of states, agencies, counties, cities and other political subdivisions of any state rated as to investment quality by a nationally recognized investment firm not less than A or its equivalent rating, no-load SEC registered mutual funds with a weighted average stated maturity of less than two years that are invested in allowable securities, obligations of the State of Texas and its agencies, fully collateralized repurchase agreements and reverse repurchase agreements, prime domestic commercial paper, prime domestic bankers’ acceptances, insured or collateralized certificates of deposit, government pools and no-load SEC registered money market funds consisting of any of these securities listed.

The City did not have any investments during fiscal year ending September 30, 2021.

4. PROPERTY TAXES

Sec. 4. CITIES AND TOWNS WITH POPULATION OF 5,000 OR LESS: CHARTERED BY GENERAL LAW; TAXES; FINES, FORFEITURES, AND PENALTIES. Cities and towns having a population of five thousand or less may be chartered alone by general law. They may levy, assess and collect such taxes as may be authorized by law, but no tax for any purpose shall ever be lawful for any one year which shall exceed one and one-half per cent of the taxable property of such city; and all taxes shall be collectible only in current money, and all licenses and occupation taxes levied, and all fines, forfeitures and penalties accruing to said cities and towns shall be collectible only in current money.

The City is permitted, by Article XI, Section 5 of the State of Texas Constitution and the City Charter, to levy property taxes up to \$1.50 per \$100 of assessed valuation for general governmental services. Within the \$1.50 maximum levy, there is no legal limit upon the amount of property taxes which can be levied for debt service. The City’s Ad Valorem Tax Rate for 2020 was \$0.19 for maintenance & operations per \$100.00 assessed valuation. The adjusted original tax roll was \$1,614,916 on total taxable assessed value of \$849,955,789.

Property taxes as of September 30, 2021, are as follows:

	General Fund
Current Taxes Receivable	\$11,786
Delinquent & Rollback Taxes Receivable	24,583
	\$36,369

CITY OF DRIPPING SPRINGS, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS
SEPTEMBER, 30, 2021

Item 12.

5. CAPITAL ASSETS

Capital asset activity for the year ended September 30, 2021 was as follows:

	Balance Beginning of Year	Additions	Deletions	Balance End of Year
Governmental Activities				
Capital Assets not Being Depreciated:				
Land	\$5,892,635	\$38,179	\$0	\$5,930,814
Capital Assets Being Depreciated:				
Buildings	1,153,982	0	0	1,153,982
Improvements Other Than Buildings	8,661,159	527,141		9,188,300
Machinery and Equipment and Vehicles	1,181,153	176,844	0	1,357,997
Infrastructure	713,866	0		713,866
Total Assets Being Depreciated	11,710,160	703,985	0	12,414,145
Less Accumulated Depreciation for:				
Buildings	687,184	143,071	0	830,255
Improvements Other Than Buildings	1,872,344	219,102		2,091,446
Machinery & Equipment & Vehicles	1,010,836	127,446		1,138,282
Infrastructure	565,973	13,848		579,821
Total Accumulated Depreciation	4,136,337	503,467	0	4,639,804
Total Capital Assets Being Depreciated, Net	7,573,823	200,518	0	7,774,341
	\$13,466,458	\$238,697	\$0	13,705,155
Proprietary Activities				
Wastewater Infrastructure	11,871,613	1,348,328	0	13,219,941
Loan Origination Fees	171,686	-		171,686
Less Accumulated Depreciation & Amort for:				
Wastewater Infrastructure & Intangibles	4,858,597	577,773	0	5,436,370
Total Capital Assets Being Depreciated, Net	7,184,702	770,555	0	7,955,257

CITY OF DRIPPING SPRINGS, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS
SEPTEMBER, 30, 2021

Item 12.

5. CAPITAL ASSETS (CONTINUED)

Depreciation expense was charged as a direct expense to programs of the primary government as follows:

Governmental Activities	
General and Administrative	296,180
Parks	<u>207,287</u>
Total	<u>503,467</u>
Proprietary Activities	
Water/Wastewater	<u>577,773</u>

6. LONG-TERM DEBT

At September 30, 2021, the City government has outstanding combination tax and limited revenue bonds from direct placements related to governmental activities totaling \$670,000, and general obligation refunding bonds and combination tax and surplus revenue certificates of obligation from direct placements related to business-type activities totaling \$4,560,000 and \$23,500,000, respectively.

1. \$7,410,000 General Obligation Refunding Bonds, Series 2015, Payments between \$540,063 and \$733,288 with interest payable semi-annually on June 1 and December 1 and principal payable annually on June 1. Term of loan expires June 1, 2026. The interest rates on the certificates range from 0.437% to 2.352%. Proceeds were used to refinance an existing loan to construct a wastewater utility system.
2. \$1,000,000 Combination Tax and Limited Revenue Certificates of Obligation, Taxable Series 2013, with interest payable semi-annually on March 1 and September 1 and principal annually on September 1. The interest rate on the Taxable Bonds of Obligation is 4.15%. The term of the loan expires September 1, 2028. Proceeds were used for the completion of the DSRP Convention Center.
3. \$23,500,000 Combination Tax and Surplus Revenue Certificates of Obligation, Series 2019, payments between \$933,553 and \$1,539,682 with interest payable semi-annually on June 1 and December 1. The interest rate on the certificates range from 0.04% to 0.61%. The term of the loan expires June 1, 2040. Proceeds will be used for Wastewater construction and improvements.

The following is a summary of long-term debt transactions for the year ended September 30, 2021.

	Payable Beginning of Year	Adds	Reductions	Payable End of Year	Current portion
Combination Tax and Limited Revenue Bonds of Obligation Taxable Series 2013	605,000	-	65,000	540,000	70,000
Total Governmental - Type Activities	<u>605,000</u>	<u>-</u>	<u>65,000</u>	<u>540,000</u>	<u>70,000</u>
Business-Type Activities:					
General Obligation Refunding Bonds Series 2015	3,935,000	-	650,000	3,285,000	665,000
Combination Tax and Surplus Revenue Certificates of Obligation, Series 2019	23,500,000	-	875,000	22,625,000	900,000
Total Business-Type Activities	<u>27,435,000</u>	<u>-</u>	<u>1,525,000</u>	<u>25,910,000</u>	<u>1,565,000</u>
Total Government	<u>28,040,000</u>	<u>-</u>	<u>1,590,000</u>	<u>26,450,000</u>	<u>1,635,000</u>

**CITY OF DRIPPING SPRINGS, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS
SEPTEMBER, 30, 2021**

6. LONG-TERM DEBT (CONTINUED)

The bonds are payable from funds set aside before the end of the year to fund the next year's payment.

The principal and interest requirements on the above long-term debt at September 30, 2021 are as follows:

Bonds Outstanding	Fiscal Year	Principal	Interest	Total
\$1,000,000 Combination	2022	70,000	22,410	92,410
Tax and Limited Bonds	2023	70,000	19,505	89,505
Taxable Series 2013	2024	75,000	16,600	91,600
	2025	75,000	13,488	88,488
	2026	80,000	11,329	91,329
	2027-2028	170,000	9,629	179,629
Total		540,000	92,961	632,961
\$7,410,000 General Obligation				
Refunding Bonds Series 2015	2022	665,000	68,288	733,288
	2023	655,000	56,232	711,232
	2024	655,000	43,498	698,498
	2025	655,000	29,900	684,900
	2026	655,000	15,406	670,406
		3,285,000	213,324	3,498,324
\$23,500,000 Combination Tax &	2022	900,000	58,553	958,553
Surplus Revenue Certificates of	2023	925,000	58,553	983,553
Obligation Series 2019	2024	955,000	58,553	1,013,553
	2025	985,000	58,553	1,043,553
	2026	1,015,000	58,553	1,073,553
	2027-2029	3,230,000	175,659	3,405,659
	2030-2034	6,055,000	270,816	6,325,816
	2035-2039	7,025,000	158,243	7,183,243
	2040	1,535,000	9,364	1,544,364
		22,625,000	906,847	23,531,847

7. OPERATING LEASE

The City has an outstanding lease agreement for a copier. The lease payment is \$501 per month. Total payments for the reporting period were \$6,014. The lease is subject to annual appropriation.

8. RISK MANAGEMENT

The City is exposed to various risks relating to injuries to employees and others, errors and omissions, and theft, damage or destruction of property. Since fiscal year ending September 30,2005 the City had property and liability insurance with Texas Municipal League. Claims and settlements did not exceed insurance coverage.

9. PENSION PLAN

The City of Dripping Springs participates as one of 860 plans in the nontraditional, joint contributory, hybrid defined benefit pension plan administered by the Texas Municipal Retirement System (TMRS). TMRS is an agency created by the State of Texas and administered in accordance with the TMRS Act, Subtitle G, Title 8, Texas Government Code (the TMRS Act) as an agent multiple-employer retirement system for municipal employees in the State of Texas. The TMRS Act places the general administration and management of the System with a six member Board of Trustees. Although the Governor, with the advice and consent of the Senate, appoints the Board, TMRS is not fiscally dependent on the State of Texas. TMRS’s defined benefit pension plan is a tax-qualified plan under Section 401(a) of the Internal Revenue Code. TMRS issues a publicly available comprehensive annual report (CAFR) that can be obtained at www.tmrs.com.

All eligible employees of the city are required to participate in TMRS.

B. Benefits Provided

TMRS provides retirement, disability and death benefits. Benefit provisions are adopted by the governing body of the city, within the options available in the state statutes governing TMRS.

At retirement, the benefit is calculated as if the sum of the employee’s contributions, with interest, and the city financed monetary credits with interest were used to purchase an annuity. Members may choose to receive their retirement benefit in one of seven payment options. Members may also choose to receive a portion of their benefit as a Partial Lump Sum Distribution in an amount equal to 12, 24 or 36 monthly payments, which cannot exceed 75% of the member’s deposits and interest.

Employees covered by benefit terms.

At the December 31, 2020 valuation and measurement date, the following employees were covered by the benefit terms.

Inactive employees or beneficiaries currently receiving benefits	1
Inactive employees entitled to but not yet receiving benefits	28
Active employees	<u>35</u>
Total	64

NOTE 9 – PENSION PLANS (continued)

C. Contributions

The contribution rate for the employees in TMRS is 5%, 6% and 7% of employee gross earnings, and the City matching percentages are either 100%, 150% or 200%, both as adopted by the governing body of the City. Under the state law governing TMRS, the contribution rate for each city is annually determined by the actuary, using the Entry Age Normal (EAN) actuarial cost method. The actuarially determined rate is the estimated amount necessary to finance the cost of benefits earned by employees during the year, with an additional amount to finance any unfunded accrued liability.

Employees for the City of Dripping Springs were required to contribute 6% of their annual gross earnings during the fiscal year. The contribution rates for the City of Dripping Springs were 6% and 6% in calendar years 2020 and 2021 respectively. The city's contributions to TMRS for the year ended September 30, 2021 were \$229,584, and were equal to the required contributions.

D. Net Pension Liability

The city's Net Pension Liability (NPL) was measured as of December 31, 2020, and the Total Pension Liability (TPL) used to calculate the Net Pension Liability was determined by an actuarial valuation as of that date.

Actuarial assumptions:

The Total Pension Liability in the December 31, 2020 actuarial valuation was determined using the following actuarial assumptions:

Inflation 2.5% per year

Overall payroll growth 3.5 to 10.5% per year

Investment Rate of Return 6.75% net of pension plan investment expense, including inflation

Salary increases were based on a service-related table. Mortality rates for active members, retirees, and beneficiaries were based on the gender-distinct RP2000 Combined Healthy Mortality Table, with male rates multiplied by 109% and female rates multiplied by 103%. The rates are projected on a fully generational basis by scale BB of account for future mortality improvements. For disabled annuitants, the gender-distinct RP2000 Disabled Retiree Mortality Table is used, with slight adjustments.

Actuarial assumptions used in the December 31, 2020, valuation were based on the results of actuarial experience studies. The experience study in TMRS was for the period January 1, 2010 through December 31, 2015, first used in the December 31, 2018 valuation. Healthy post-retirement mortality rates and annuity purchase rates were updated based on a Mortality Experience Investigation Study covering 2009 through 2011, and dated December 31, 2018. These assumptions were first used in the December 31, 2015 valuation, along with a change to the Entry Age Normal (EAN) actuarial cost method. Assumptions are reviewed annually. No additional changes were made for the 2018 valuation.

The long-term expected rate of return on pension plan investments is 6.75%. The pension plan's policy in regard to the allocation of invested assets is established and may be amended by the TMRS Board of Trustees. Plan assets are managed on a total return basis with an emphasis on both capital appreciation as well as the production of income, in order to satisfy the short-term and long-term funding needs of TMRS.

NOTE 9 – PENSION PLANS (continued)

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best estimate ranges of expected future real rates of return (expected returns, net of pension plan expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target allocation and best estimates of arithmetic real rates of return for each major asset class are summarized in the following table:

Asset class	Target allocation	Long-Term Expected Real Rate of Return (Arithmetic)
Domestic Equity	17.5%	4.80%
International Equity	17.5%	6.05%
Core Fixed Income	30.0%	1.50%
Non-Core Fixed Income	10.0%	3.50%
Real Return	5.0%	1.75%
Real Estate	10.0%	5.25%
Absolute Return	5.0%	4.25%
Private Equity	5.0%	8.50%
Total	100.0%	

Discount Rate

The discount rate used to measure the Total Pension Liability was 6.75%. The projection of cash flows used to determine the discount rate assumed that employee and employer contributions will be made at the rates specified in statute. Based on that assumption, the pension plan’s Fiduciary Net Position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the Total Pension Liability.

City of Dripping Springs

Item 12.

Schedule of Changes in Net Pension Liability and Related Ratios Current Period

September 30, 2021

A.	Total pension liability	
	1. Service Cost	\$ 215,769
	2. Interest (on the Total Pension Liability)	74,816
	3. Changes of benefit terms	-
	4. Difference between expected and actual experience	12,809
	5. Changes of assumptions	-
	6. Benefit payments, including refunds of employee contributions	<u>(12,910)</u>
	7. Net change in total pension liability	\$ 290,484
	8. Total pension liability - beginning	<u>1,006,956</u>
	9. Total pension liability - ending	<u><u>\$ 1,297,440</u></u>
B.	Plan fiduciary net position	
	1. Contributions - employer	\$ 114,507
	2. Contributions - employee	115,077
	3. Net investment income	69,581
	4. Benefit payments, including refunds of employee contributions	(12,910)
	5. Administrative Expense	(448)
	6. Other	<u>(18)</u>
	7. Net change in plan fiduciary net position	\$ 285,789
	8. Plan fiduciary net position - beginning	<u>912,593</u>
	9. Plan fiduciary net position - ending	<u><u>\$ 1,198,382</u></u>
C.	Net pension liability [A.9-B.9]	<u><u>\$ 99,058</u></u>
D.	Plan fiduciary net position as a percentage of the total pension liability [B.9 / A.9]	92.37%
E.	Covered-employee payroll	\$ 1,917,948
F.	Net pension liability as a percentage of covered employee payroll [C / E]	5.16%

Sensitivity of the net pension liability to changes in the discount rate.

The following presents the net pension liability of the City, calculated using the discount rate of 6.75%, as well as what the City's net pension liability would be if it were calculated using a discount rate that is 1 percentage point lower (5.75%) or 1 percentage point higher (7.75%) than the current rate:

	1% Decrease in Discount Rate (5.75%)	Discount Rate (6.75%)	1% Increase in Discount Rate (7.75%)
City's net pension liability	\$304,799	\$99,058	\$(72,402)

Pension Plan Fiduciary Net Position

Detailed information about the pension plan's Fiduciary Net Position is available in a separately-issued TMRS financial report. That report may be obtained on the Internet at www.tmrs.com

CITY OF DRIPPING SPRINGS
SCHEDULE OF PENSION EXPENSE
SEPTEMBER 30, 2021

Item 12.

1. Total Service Cost	\$ 215,769
2. Interest on the Total Pension Liability	74,816
3. Current Period Benefit Changes	-
4. Employee Contributions (Reduction of Expense)	(115,077)
5. Projected Earnings on Plan Investments (Reduction of Expense)	(61,600)
6. Administrative Expense	448
7. Other Changes in Fiduciary Net Position	17
8. Recognition of Current Year Outflow (Inflow) of Resources - Liabilities	3,210
9. Recognition of Current Year Outflow (Inflow) of Resources - Assets	(1,596)
10. Amortization of Prior Year Outflows (Inflows) of Resources - Liabilities	2,348
11. Amortization of Prior Year Outflows (Inflows) of Resources - Assets	(6,608)
12. Total Pension Expense	<u>\$ 111,727</u>

Actuarial valuations involve estimates of the value of reported amounts and assumptions about the probability of events far into the future. Actuarially determined amounts are subject to continual revision as actual results are compared to past expectations and new estimates are made about the future.

Actuarial calculations are based on the benefits provided under the terms of the substantive plan in effect at the time of each valuation and reflect a long-term perspective. Consistent with that perspective, actuarial methods and assumptions used include techniques that are designed to reduce short-term volatility in actuarial accrued liabilities and the actuarial value of assets.

CITY OF DRIPPING SPRINGS
SCHEDULE OF OUTFLOWS AND INFLOWS - CURRENT AND FUTURE EXPENSE
SEPTEMBER 30, 2021

Item 12.

	Recognition Period (or amortization yrs)	Total (Inflow) or Outflow of Resources	2020 Recognized in current pension expense	Deferred (Inflow) Outflow in future expense
<u>Due to Liabilities:</u>				
Difference in expected and actual experience [actuarial (gains) or losses]	3.9900	\$ 12,809	\$ 3,210	\$ 9,599
Difference in assumption changes [actuarial (gains) or losses]	3.9900	\$ -	\$ -	\$ -
			\$ 3,210	\$ 9,599
<u>Due to Assets:</u>				
Difference in projected and actual earnings on pension plan investments [actuarial (gains) or losses]	5.0000	\$ (7,981)	\$ (1,596)	\$ (6,385)
			\$ (1,596)	\$ (6,385)
<u>Total:</u>				\$ 3,214

Deferred Outflows and Deferred Inflows of Resources, by year, to be recognized in future pension expense as follows:

	Net deferred outflows (inflows) of resources
2021	\$ (2,635)
2022	902
2023	(11,453)
2024	(1,796)
2025	-
Thereafter	-
Total	\$ (14,982)

NOTE 10 – SUPPLEMENTAL DEATH BENEFITS PLAN

The City also participates in the cost-sharing multiple-employer defined benefit group term life insurance plan operated by the Texas Municipal Retirement System (TMRS); known as the Supplemental Death Benefits Fund (SDBF). The City elected, by ordinance, to provide group-term life insurance coverage to both current and retired employees. The City may terminate coverage under and discontinue participation in the SDBF by adopting an ordinance before November 1 of any year to be effective the following January 1.

The death benefit for active employees provides a lump-sum payment approximately equal to the employee’s annual salary (calculated based on the employee’s actual earnings, for the 12-month period preceding the month of death); retired employees are insured for \$7,500; this coverage is on “other postemployment benefit,” or OPEB.

The City contributes to the SDBF at a contractually required rate as determined by an annual actuarial valuation. The rate is equal to the cost of providing one-year term life insurance. The funding policy for the SDBF program is to assure that adequate resources are available to meet all death benefit payments for the upcoming year; the intent is not to pre-fund retiree term life insurance during the employees’ entire careers.

The City’s contributions to the TMRS SDBF for the years ended 2020, 2019, and 2018 equaled the required contributions each year.

TMRS records indicate the following percentages contributed by the City (as employer contributions) for the following fiscal years ending:

Plan/ Calendar Year	Annual Required Contribution (Rate)	Actual Contribution Made (Rate)	Percentage of ARC Contributed
2016	0.00%	0.00%	100%
2017	0.00%	0.00%	100%
2018	0.00%	2.66%	100%
2019	0.00%	7.06%	100%
2020	0.00%	6.46%	100%

**Net Other Post Employment Benefits Liability.
Actuarial Assumptions**

Actuarial assumptions were developed from the actuarial investigation of the experience of TMRS over the four year period from December 31, 2010 to December 31, 2014. These assumptions were adopted in 2015 and first used in the December 31, 2015 valuation.

All administrative expenses are paid through the Pension Trust and accounted for under reporting requirements under GASB Statement No. 68.

The Mortality Experience Investigation Study covering 2009 through 2011 is used as the basis for the post-retirement mortality assumption for healthy annuitants and Annuity Purchase Rate (APRs). Mortality Rates for service employees uses the RP2000 Combined Mortality Table with Blue Collar Adjustment with male rates multiplied by 109% and female rates multiplied by 103%. The rates are projected on a fully generational basis with scale BB to account for future mortality improvements subject to the 3% floor.

**CITY OF DRIPPING SPRINGS, TEXAS
NOTES TO BASIC FINANCIAL STATEMENTS
SEPTEMBER, 30, 2021**

NOTE 10 – SUPPLEMENTAL DEATH BENEFITS PLAN

Inflation	2.50% per year
Overall payroll growth	3.50 to 10.5% per year including inflation
Discount rate	2.75%

Changes in the Net Other Post Employment Benefits Liability

	Increase (Decrease) Total OPEB Liability
Balance at 12/31/19	\$23,536
Changes for the year	
Service Cost	6,329
Interest on Total OPEB liability	732
Changes of benefit terms	0
Differences between expected and actual experience	1,190
Changes in assumption or other inputs	6,621
Benefit payments	(192)
Net changes	14,680
Total OPEB Liability – end of year	\$ 38,216

Total OPEB Liability as a Percentage of Covered Payroll 1.99%

Sensitivity of the Total OPEB Liability to Changes in the Discount Rate

The following presents the total OPEB liability of the City, calculated using the current discount rate of 3.31% as well as what the City’s total OPEB liability would be if it were calculated using a discount rate that is 1 percentage point lower (2.31%) or -1 percentage point higher (4.31%) than the current rate. Because the SDBF is considered an unfunded trust, the relevant discount rate to calculate the total OPEB liability is based on the Fidelity Index’s 20 year Municipal GO AA Index.

	1% Decrease in Discount Rate (2.31%)	Discount Rate (3.31%)	1% Increase in Discount Rate (4.31%)
Total OPEB liability	\$49,812	\$38,216	\$29,694

**CITY OF DRIPPING SPRINGS
SCHEDULE OF OPEB EXPENSE
SEPTEMBER 30, 2021**

1. Total Service Cost	\$ 6,329
2. Interest on the Total OPEB Liability	732
3. Current Period Benefit Changes	-
4. Employer administrative costs	-
5. Recognition of deferred outflows/inflows of resources	-
6. Differences between expected and actual experience	(315)
7. Changes in assumptions or other inputs	1,723
8. Total OPEB Expense	\$ 8,469

NOTE 10 – SUPPLEMENTAL DEATH BENEFITS PLAN

**CITY OF DRIPPING SPRINGS
 SCHEDULE OF OPEB OUTFLOWS AND INFLOWS - CURRENT AND FUTURE EXPENSE
 SEPTEMBER 30, 2021**

	<u>Recognition Period (or amortization yrs)</u>	<u>Total (Inflow) or Outflow of Resources</u>	<u>2020 Recognized in current OPEB expense</u>	<u>Deferred (Inflow) Outflow in future expense</u>
<u>Due to Liabilities:</u>				
Difference in expected and actual experience [actuarial (gains) or losses]	8.2000	\$ (114)	\$ (14)	\$ (100)
Change in assumptions [actuarial (gains) or losses]	8.2000	\$ 5,872	\$ 716	\$ 5,156
Contributions made subsequent to measurement date				
Total (excluding city provided Contributions made subsequent to measurement date)				\$ 5,056

Deferred Outflows and Deferred Inflows of Resources, by year, to be recognized in future OPEB expense as follows:

	<u>Net deferred outflows (inflows) of resources</u>
2020	\$ 279
2021	279
2022	279
2023	279
2024	120
Thereafter	1,285
Total	\$ 2,521

Other Information

Due to the SDBF being considered an unfunded OPEB plan, benefit payments are treated as being equal to the employer's yearly contributions for retirees. No assets are accumulated in a trust that meets the criteria in paragraph 4 of GASB Statement No. 75 to pay related benefits. In order to determine the retiree portion of the City's Supplemental Death Benefit Plan contributions (that which is considered OPEB), the City should perform the following calculation:

Total covered payroll * retiree Portion of SDB Contribution (Rate)

11. SUBSEQUENT EVENTS

Since 2020 the population within the City Limits of Dripping Springs has more than doubled to 4,650. The Extraterritorial Jurisdiction houses approximately 40,000 and there are nearly 75,000 in the retail trade area. Dripping Springs is home to one of the top school districts in the state which has a definite impact on the population explosion.

A Temporary Development Moratorium was enacted on November 18, 2021, and was scheduled to run through November 27, 2021. Following public hearings where they received input from residents, builders and developers, the Council extended the Moratorium, stating it is an important step in maintaining responsible growth in the City. The Council recognized the impact of rapid growth on providing for responsible development, especially as it relates to density, transportation, and the provision of wastewater. Currently, the City has reached its wastewater capacity. It is also in the process of updating its Comprehensive Plan and Zoning Ordinance to accommodate land-use regulation issues.

Planned development in the next couple of years includes a variety of single family, multi-family residential, senior living and commercial projects currently being platted or under construction. The City is also working on development agreements for 5 large scale subdivisions for platting in the next year. One development underway will host 228 acres of open space to include greenbelts, agricultural space, a golf course, residential home sites and commercial areas. Commercial projects continue to generate not only site development, subdivision and building permit fees but also sales tax and job creation. In Fiscal Year 2021 the City issued 1,034 residential building permits and 51 commercial building permits.

Many of these developments have wastewater capacity reserved through the City's South Regional Water Reclamation System. The City has secured a permit to expand the Water Reclamation System to accommodate the rapid residential and commercial growth in Dripping Springs as well secured funding for the expansion project from the Texas Water Development Board. The permit continues to be challenged in Court and both the City and the State of Texas are aggressively defending the issuance of the permit. Despite this challenge, the Texas Water Development Board is comfortable with the City moving forward with engineering design and easement acquisition for the expansion project.

Dripping Springs, also known as the Wedding Capital of Texas, continues to grow as a tourism destination. The City is home to many bed and breakfast establishments and three hotels with one currently under construction. It is home to five unique public parks. Dripping Springs Ranch Park is home to the County livestock show as well as many rodeos, horse shows, festivals, markets and other events throughout the year. The city was donated 300 acres of land that will become Rathgeber Natural Resource Park, and it will take a few years of planning and construction before it is open to the public. The City and its surrounding area is home to over 35 wineries and breweries and a host of restaurants and music venues.

A new Parkland Dedication Ordinance was adopted that includes a Parkland Development Fee to be paid by new residential development. A Sidewalk Cash in Lieu Fee and Mercer Street Historic District Parking in Lieu Fee were also established this year.

An increase in Property, Sales and Hotel Occupancy taxes and job opportunities in the area have been significantly impacted by the continued growth in Dripping Springs.

CITY OF DRIPPING SPRINGS, TEXAS
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
BUDGET & ACTUAL – GENERAL FUND
FOR THE YEAR ENDED SEPTEMBER, 30, 2021

	Budgeted Amounts		Actual Amounts	Variance with Final Budget Positive (Negative)
	Original	Final		
REVENUES				
General Government				
Taxes - Ad Valorem, penalties, interest	1,595,318	1,636,354	1,621,238	(15,116)
Sales & mixed beverage tax	3,236,075	3,686,351	3,819,236	132,885
Alcohol permits	5,000	5,000	4,806	(194)
Rental Income	-	-	2,100	2,100
Total Taxes	4,836,393	5,327,705	5,447,380	119,675
Balance forward		411,620		
Charges for Services				
Zoning, Sign and Other Fees	65,000	65,000	65,925	925
Building Code Fees	1,000,000	1,650,000	2,282,971	632,971
Health Permit Inspections	45,000	88,000	94,415	6,415
Municipal court revenues	250	250	-	(250)
Total Charges for Services	1,110,250	1,803,250	2,443,311	640,061
Cares Act funds		107,058	107,058	-
CLFR funds		707,181	707,182	-
Development Fees - Subdivision	622,200	500,000	537,562	37,562
Site Development	194,900	378,280	496,116	117,836
Total Development Fees	817,100	878,280	1,033,678	155,398
Other Revenues			-	
Transfer from capital improvements, GF	208,504	2,200	-	(2,200)
Hotel Occupancy tax	430,500	625,923	571,247	140,747
ESD Fire Inspections income	10,000	10,000	55,806	45,806
1% TWC fees	27,200	27,200	28,300	1,100
Ag Facility fees	25,760	19,950	-	(19,950)
Other income	40,000	60,000	86,773	26,773
Fema dam repair	75,000	205,967	205,967	-
solid waste	36,000	39,700	39,746	46
Total Other Revenues	852,964	990,940	987,839	192,322
Interest Income	48,200	63,000	79,859	16,859
Total General Government Revenues	7,664,907	9,581,853	10,806,307	1,124,315

CITY OF DRIPPING SPRINGS, TEXAS
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
BUDGET & ACTUAL – GENERAL FUND
FOR THE YEAR ENDED SEPTEMBER, 30, 2021

Item 12.

	<u>Budgeted Amounts</u>			Variance with
	Original	Final	Actual Amounts	Final Budget Positive (Negative)
Transfer from Parkland Dedication	172,200	97,000	56,335	(40,665)
Transfer from Landscaping Fund	106,877	125,061	-	(125,061)
Programs and Events	48,825	16,056	26,284	10,228
pool and pavilion	13,900	11,872	4,280	(7,592)
Aquatics Program	33,950	20,952	42,036	21,084
Total Farmers Market	63,449	80,116	46,697	(33,419)
Riding Permits	-	1,300	-	(1,300)
Cleaning fees/staff fees	-	4,078	-	(4,078)
Park donations	25,000	13,509	27,063	13,554
Parkland Dedication balance forward	140,131	133,535	-	(133,535)
Park rental fees	1,650	4,500	8,130	3,630
Parkland fees	80,000	77,239	-	(77,239)
Total Park Revenues	<u>685,982</u>	<u>585,218</u>	<u>210,825</u>	<u>374,393</u>
Grant Expenses	-	-	-	-
DSRP Riding Series	10,000	10,000	11,612	1,612
DSRP merchandise sales	15,000	20,883	28,185	7,302
DSRP Stall Rentals	22,000	30,639	39,040	8,401
RV Site Rentals	18,000	13,730	20,580	6,850
Facility rentals	112,000	57,075	51,572	(5,503)
Equipment rental	5,000	8,218	10,268	2,050
Sponsored events/Rodeo Series	89,000	95,935	118,085	22,150
Other income	5,000	11,978	13,424	1,446
Interest income	1,000	-	729	729
Transfers to DSRP/balance forward	193,528	198,012	130,512	(67,500)
Cleaning fees/staff fees	10,000	4,425	3,916	(509)
Total DSRP Ranch Revenues	<u>480,528</u>	<u>450,895</u>	<u>427,923</u>	<u>(40,287)</u>
Founders Day	-	-	-	-
Craft Booths	6,500	-	-	-
Food Booths	1,100	-	-	-
BBQ Cookers	4,600	-	-	-
Carnival	9,500	-	-	-
Parade	3,750	-	-	-
Sponsorships	63,600	-	-	-
Electric	2,400	-	-	-
Parking Fees	1,700	-	-	-
Balance forward	26,393	19,607	-	(19,607)
Total Founders Day Revenue	<u>119,543</u>	<u>19,607</u>	<u>-</u>	<u>(19,607)</u>
Total Park Revenues	<u>1,286,053</u>	<u>1,055,720</u>	<u>638,748</u>	<u>321,801</u>
Total General Fund Revenues	<u>8,950,960</u>	<u>10,637,573</u>	<u>11,445,055</u>	<u>807,482</u>

CITY OF DRIPPING SPRINGS, TEXAS
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
BUDGET & ACTUAL – GENERAL FUND
FOR THE YEAR ENDED SEPTEMBER, 30, 2021

Item 12.

	<u>Budgeted Amounts</u>		<u>Actual</u> <u>Amounts</u>	<u>Variance with</u> <u>Final Budget</u> <u>Positive</u> <u>(Negative)</u>
	<u>Original</u>	<u>Final</u>		
GENERAL GOVERNMENT EXPENDITURES				
Capital Outlay	0		38,179	(38,179)
Salaries	1,819,122	1,831,548	1,736,593	94,955
Payroll Taxes	144,347	144,721	186,867	(42,146)
Health Insurance Employee Benefits	182,998	203,668	275,232	(71,564)
Retirement	106,662	104,590	101,133	3,457
Bad debt expense	5,000	2,571	2,571	-
Records management	1,000	1,000	840	160
Engineering	70,000	60,000	88,896	(28,896)
Office Supplies	25,000	25,000	22,507	2,493
Office Equipment/Software	176,195	321,818	270,206	51,612
Stephenson improvements & Land use plan	5,500	500	281	219
transportation improvement projects	367,004	367,004	417,014	(50,010)
Street lights	20,000	20,000	17,968	2,032
Streets water	4,000	4,000	3,722	278
Office electric	4,000	4,300	4,775	(475)
Office water	650	500	539	(39)
Stephenson & Triangle Electric	1,500	1,200	1,512	(312)
Stephenson & Triangle Water	500	500	947	(447)
Special Projects	184,000	65,401	-	65,401
Street maintenance	425,000	132,913	131,636	1,277
Office maintenance repairs	10,860	11,000	15,904	(4,904)
Maintenance equipment	9,000	9,000	6,382	2,618
City hall remodel	5,000	5,000	753	4,247
Historic District, Lighting and HR consultants	19,000	19,000	5,215	13,785
Family violence center	7,000	7,000	7,000	-
Lighting compliance	2,000	2,000	1,000	1,000
Equipment maintenance & supplies	7,775	7,775	1,319	6,456
Economic development	5,000	5,000	5,000	-
Emergency Management	4,390	6,000	17,002	(11,002)
Emergency Equip Maint & Covid 19	10,767	16,396	20,670	(4,274)
Public relations	5,000	6,000	9,880	(3,880)
Website newsletter	4,425	4,425	6,625	(2,200)
Postage	3,500	3,000	3,029	(29)
TML insurance liability	14,769	17,771	15,160	2,611
TML insurance property	25,034	32,235	34,846	(2,611)
TML insurance workers comp	22,026	22,026	22,417	(391)
Dues fees pubs	30,000	30,000	24,530	5,470
Public notices	6,000	6,000	7,060	(1,060)
Election/city sponsored events	7,000	4,541	4,258	283
Communications/Network	25,000	25,000	21,065	3,935
Total Contract Services	<u>3,766,024</u>	<u>3,530,403</u>	<u>3,530,533</u>	<u>(130)</u>

CITY OF DRIPPING SPRINGS, TEXAS
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
BUDGET & ACTUAL – GENERAL FUND
FOR THE YEAR ENDED SEPTEMBER, 30, 2021

Item 12.

	<u>Budgeted Amounts</u>			Variance with Final Budget Positive (Negative)
	<u>Original</u>	<u>Final</u>	<u>Actual Amounts</u>	
Financial Services	60,800	119,085	119,085	-
Special Counsel & Consultants	74,000	80,000	54,453	25,547
Muni court	15,500	7,200	4,100	3,100
Building inspector	800,000	1,320,000	1,746,480	(426,480)
Health inspector	45,000	55,000	48,092	6,908
DSRP Salaries, Taxes, benefits, retirement	413,247	404,528	404,528	-
Architectural Consultant	5,000	5,000	4,781	219
Training CE	38,979	35,000	24,780	10,220
Code publication	6,047	6,047	3,227	2,820
Fleet maintenance & acquisition	52,350	98,150	94,306	3,844
Mileage	2,000	1,500	947	553
Miscellaneous	10,000	10,000	4,771	5,229
Transfers to DSRP and Capital Improvement Fund	-	481,915	43,286	438,629
Contingencies/Covid & Miscellaneous	50,000	60,000	103,042	(43,042)
TXF to Reserve Fund	162,329	200,000	200,000	-
Sales Tax TXF to WWU	635,615	723,770	740,260	(16,490)
Transfer AV to TIF	169,379	150,185	-	150,185
ECOD & Spas	508,492	402,000	402,404	(404)
Debt Service payments	-	-	-	-
Transfer to TIRZ	250,000	250,000	400,185	(150,185)
Total Administrative expenses	3,298,738	4,409,380	4,398,727	10,653
Aquatics and Camp Staff expenses	105,413	72,308	87,464	(15,156)
Park dues fees subscriptions	2,719	1,754	1,710	44
parks activity guides	5,000	4,724	4,724	-
Pool equipment, park equip & supplies	19,378	16,157	19,140	(2,983)
Parkland Improvements	58,500	40,000	-	40,000
Founders Park, Charro & Sports Rec Improvements	113,700	72,197	79,914	(7,717)
Charro Ranch park supplies	200	-	1,634	(1,634)
parks phone network	7,650	6,698	-	6,698
Portable toilets	5,780	5,000	5,520	(520)
Electric	9,250	5,120	14,227	(9,107)
water	18,475	25,450	59,868	(34,418)
Founders park maintenance	17,250	24,000	19,805	4,195
S&R park maintenance	14,020	27,000	26,360	640
Charro ranch park maintenannce	10,945	12,500	13,226	(726)
Triangle veterans memorial park	800	800	556	244
general park maintenance	44,329	4,550	-	4,550
Total Parks	433,409	245,950	246,684	(734)
DSRP Operating expenses				
Advertising	700	466	-	466
Office supplies	5,100	10,111	16,286	(6,175)
Supplies and materials	30,000	26,600	1,637	24,963
Sponsored Events	49,000	25,375	47,975	(22,600)
DSRP on call	12,400	10,400	6,200	4,200
Equipment rental	1,000	1,000	-	1,000
Portable toilets	-	780	780	-
training & education	5,000	1,000	481	519

CITY OF DRIPPING SPRINGS, TEXAS
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
BUDGET & ACTUAL – GENERAL FUND
FOR THE YEAR ENDED SEPTEMBER, 30, 2021

Item 12.

Camp Staff	-	36,000	-	36,000
Electric	60,000	65,000	65,493	(493)
Water	10,000	8,550	8,085	465
merchandise & concessions	7,000	11,200	11,229	(29)
Alarm	1,080	6,200	6,199	1
Equipment & Improvements	36,300	28,350	40,018	(11,668)
Communications	12,000	21,503	9,219	12,284
Lawn maintenance	25,000	25,000	20,250	4,750
HCLE	13,200	5,000	-	5,000
General maintenance	60,000	91,250	71,785	19,465
Stall cleaning	2,000	700	1,186	(486)
other expenses	20,500	26,000	24,874	1,126
Dues fees subscriptions	5,983	4,054	10,987	(6,933)
propane	3,000	2,000	2,017	(17)
Contingencies	50,000	37,500	9,582	27,918
Mileage	500	250	18	232
Fleet maintenance & acquisition	45,068	53,500	43,633	9,867
Total DSRP expenses	454,831	497,789	397,934	99,855
Founders Day expenses				
Publicity	8,500	294	98	196
Rentals - Toilets	6,500	-	-	-
Security	20,000	-	-	-
Band	15,000	-	-	-
Electrical setup	4,600	-	-	-
Barricades & traffic plan	19,874	-	-	-
Electricity	1,800	-	-	-
Tents, Tables, & Chairs	4,500	-	-	-
Sponsorships	5,000	-	-	-
Parade	650	-	-	-
Flood plain study	-	-	-	-
Postage & Miscellaneous	7,000	-	-	-
Contingencies	21,519	-	-	-
Clean-up & waste disposal	4,601	-	-	-
Total Founders Day	<u>119,544</u>	<u>294</u>	<u>98</u>	<u>196</u>
Total Farmers Market Expenses	63,449	58,281	25,895	32,386
Total HOT, Parkland Project expenses	628,460	506,611	400,750	105,861
Total Parks & Recreation	<u>1,699,693</u>	<u>1,308,925</u>	<u>1,071,361</u>	<u>237,564</u>
Total Governmental Expenditures	<u>8,764,455</u>	<u>9,248,708</u>	<u>9,000,621</u>	<u>248,087</u>
Revenues Over (Under) Expenditures	<u>186,505</u>	<u>1,388,865</u>	<u>2,444,434</u>	<u>1,055,569</u>
Other Financing Sources (Uses)			-	
Net Changes in Fund Balance	186,505	1,388,865	2,444,434	1,055,569
Fund Balance Beginning of Year	<u>5,124,911</u>	<u>5,124,911</u>	<u>5,124,911</u>	
Adjustment to Beginning Fund Balance	-	-	-	
Adjusted Beginning Fund Balance	<u>5,124,911</u>	<u>5,124,911</u>	<u>5,124,911</u>	
Fund Balance End of Year	<u>5,311,416</u>	<u>6,513,776</u>	<u>7,569,345</u>	<u>1,055,569</u>

CITY OF DRIPPING SPRINGS, TEXAS
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
BUDGET & ACTUAL – PROPRIETARY FUND
FOR THE YEAR ENDED SEPTEMBER, 30, 2021

Item 12.

	<u>Budgeted Amounts</u>			Variance with Final Budget Positive (Negative)
	Original	Final	Actual Amounts	
REVENUES		-		
ROW fees/Telephone franchise fees	15,000	6,250	5,698	(552)
Portion of Sales Tax	635,615	723,770	740,260	16,490
PEC	120,000	140,000	137,534	(2,466)
Texas gas franchise fees	3,000	3,000	6,035	3,035
Total Taxes & revenues	773,615	873,020	889,527	16,507
Charges for Services				
Water/Wastewater sales	794,113	900,991	1,044,953	143,962
Late fees/return check Fees	4,000	9,800	13,285	3,485
Over Use fees	66,068	92,500	88,068	(4,432)
Cable	134,500	140,000	141,375	1,375
Total Charges for Services	998,681	1,143,291	1,287,681	144,390
Development Fees				
Transfer fees	3,500	8,970	8,040	(930)
Delayed connection fees	159,200	150,250	61,650	(88,600)
Line extensions			-	-
Reuse Fees	1,743	-	-	-
Total Development Fees	164,443	159,220	69,690	(89,530)
Other Revenues				
Transfer In for Debt Service	8,795,000	1,530,573	245,573	(1,285,000)
Prior year Balance Forward	7,638,325	8,834,189	-	(8,834,189)
Other income	35,000	142,000	116,104	(25,896)
Impact fees	242,560	1,211,508	1,173,608	(37,900)
Interest income	45,000	123,700	100,109	(23,591)
Total Other Revenues	16,755,885	11,841,970	1,635,394	(10,206,576)
Interest Income	36,200	-	30,114	30,114
Total Proprietary Fund Revenues	18,728,824	14,017,501	3,912,406	(10,105,095)

CITY OF DRIPPING SPRINGS, TEXAS
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
BUDGET & ACTUAL – PROPRIETARY FUND
FOR THE YEAR ENDED SEPTEMBER, 30, 2021

Item 12.

	<u>Budgeted Amounts</u>		Actual Amounts	Variance with Final Budget Positive (Negative)
	Original	Final		
WASTEWATER UTILITY FUND EXPENDITURES				
Depreciation	0	0	541,327	(541,327)
Administrative expense	110,400	116,000	126,121	(10,121)
Auditing	10,000	10,000	10,000	-
Planning/Permitting	50,000	59,000	66,293	(7,293)
Chlorinator expenses	3,500	2,000	-	2,000
Sewer planning	25,000	6,000	-	6,000
Electricity	45,000	62,259	63,991	(1,732)
Phone	6,000	6,500	3,223	3,277
Supplies	10,000	6,000	2,549	3,451
Chemicals	8,000	8,000	6,593	1,407
Legal fees & consultants	710,000	740,000	192,977	547,023
Odor control	12,500	12,500	-	12,500
Lab testing	25,000	25,000	20,124	4,876
Meter calibrations	700	700	-	700
Transfer to water fund	12,000	12,000	-	12,000
Parallel West Interceptor & construction	190,500	79,000	66,490	12,510
Other expense	5,000	12,000	12,000	-
Equipment	4,000	4,000	4,062	(62)
System repairs & maintenance	20,000	10,000	33,983	(23,983)
Reimburse Caliterra Oversize west intercep	-	-	-	-
Engineering & Surveying	-	-	90,261	(90,261)
Drip Field Lawn repairs	30,000	25,000	30,935	(5,935)
Lift Station Repairs	20,000	40,000	53,913	(13,913)
2nd amendment to CIP 1881	5,000	-	-	-
Regulatory fees	3,500	2,440	-	2,440
Non-routine operations	50,000	175,000	199,317	(24,317)
TWDB Construction Phase Services	7,525,000	-	-	-
Wasteflow water measurement	9,000	9,000	-	9,000
Road Reconstruction	10,000	1,000	-	1,000
Jetting lines	15,000	15,000	-	15,000
TWDB 2019 Bond expenses,interest exp	-	-	-	-
WWTP repairs	32,500	51,248	55,005	(3,757)
Capital Projects	2,815,000	377,510	384,180	(6,670)
Lift Station cleaning	9,000	9,000	13,392	(4,392)
Routine operations	80,000	80,000	63,779	16,221
Sludge hauling	80,000	80,000	77,030	2,970
WW lawn maintenance	-	-	5,701	(5,701)
Dues fees subscriptions	-	200	-	200
Transfer to Debt Service	4,109,452	3,444,684	-	3,444,684
Transfer to WW reserve	12,000	-	-	-
Total WW Utility Fund Expenditures	16,053,052	5,481,041	2,123,246	3,357,795
Net Changes in Fund Balance	2,675,772	8,536,460	1,789,160	(6,747,300)
Fund Balance Beginning of Year	12,278,045	12,278,045	12,278,045	
Fund Balance End of Year	14,953,817	20,814,505	14,067,205	

City of Dripping Springs
Schedule of Changes in Net Pension Liability and Related Ratios
Last ten years (will ultimately be displayed)

	2015	2016	2017	2018	2019	2020
Total pension liability						
1. Service Cost	30,743	50,354	67,410	129,750	163,515	215,769
2. Interest (on the Total Pension Liability)	24,446	29,124	38,747	48,199	59,115	74,816
3. Changes of benefit terms			62,645	0	0	0
4. Difference between expected and actual experience	1,741	(4,706)	18,543	(14,071)	(6,464)	12,809
5. Changes of assumptions	15,501	-	-	-	3,380	-
6. Benefit payments, including refunds of employee contributions	-	-	(6,768)	(24,895)	(13,212)	(12,910)
7. Net change in total pension liability	72,431	74,772	180,577	138,983	206,334	290,484
8. Total pension liability - beginning	333,859	406,290	481,062	661,639	800,622	1,006,956
9. Total pension liability - ending	406,290	481,062	661,639	800,622	1,006,956	1,297,440
Plan fiduciary net position						
1. Contributions - employer	8,735	14,212	28,309	78,968	92,626	114,507
2. Contributions - employee	24,994	38,205	55,761	68,470	87,441	115,077
3. Net investment income	440	22,471	56,460	(16,201)	100,230	69,581
4. Benefit payments, including refunds of employee contributions	-	-	(6,768)	(24,895)	(13,212)	(12,910)
5. Administrative Expense	(268)	(253)	(292)	(313)	(564)	(448)
6. Other	(13)	(14)	(15)	(17)	(18)	(18)
7. Net change in plan fiduciary net position	33,888	74,621	133,455	106,012	266,503	285,789
8. Plan fiduciary net position - beginning	298,114	332,002	406,623	540,078	646,090	912,593
9. Plan fiduciary net position - ending	332,002	406,623	540,078	646,090	912,593	1,198,382
Net pension liability [A.9-B.9]	74,288	74,439	121,561	154,532	94,363	99,058
Plan fiduciary net position as a percentage of the total pension liability [B.9 / A.9]	81.72%	84.53%	81.63%	80.70%	90.63%	92.37%
Covered-employee payroll	499,885	764,092	984,086	1,141,163	1,457,351	1,917,948
Net pension liability as a percentage of covered employee payroll [C / E]	14.86%	9.74%	12.35%	13.54%	6.47%	5.16%

**City of Dripping Springs
Schedule of Contributions**

Item 12.

Last 10 Fiscal Years (will ultimately be displayed)

September 30, 2021

	2015	2016	2017	2018	2019	2020
Actually Determined Contribution	\$ 33,729	\$ 52,417	\$ 84,070	147,438	180,067	229,584
Contributions in relation to the actuarially determined contribution	<u>33,729</u>	<u>52,417</u>	<u>84,070</u>	<u>147,438</u>	<u>180,067</u>	<u>229,584</u>
Contribution deficiency (excess)	-	-	-			
Covered employee payroll	\$ 499,885	\$ 764,092	\$ 984,086	1,141,163	1,457,351	1,917,948
Contributions as a percentage of covered employee payroll	6.75%	6.86%	8.54%	12.92%	12.36%	11.97%

Noes to Schedule of Contributions

Valuation Date determined 12/31/2018
Notes

Valuation Date:
Notes

Actuarially determined contribution rates are calculated as of December 31 and become effective in January, 13 months later.

Methods and Assumptions Used to Determine Contribution Rates:

Actuarial Cost Method	Entry Age Normal
Amortization Method	Level Percentage of Payroll, Closed
Remaining Amortization Period	25 Years
Asset Valuation Method	10 Year smoothed market; 12% soft corridor
Inflation	2.5%
Salary Increases	3.50% to 10.50% including inflation
Investment Rate of Return	6.75%
Retirement Age	Experienced-based table of rates that are specific to the City's plan of benefits. Last updated for the 2019 valuation pursuant to an experience study of the period 2014-2018.
Mortality	Post-retirement: 2019 Municipal Retirees of Texas Mortality Tables. The rates are projected on a fully generational basis with scale UMP. Pre Retirement: PUB 10 mortality tables, with the Public Safety table used for males and the General Employee table used for females. The rates are projected on a fully generational basis with scale UMP.

Other Information:

Notes There were no benefit changes during the year.

**REQUIRED
SUPPLEMENTARY
INFORMATION**

**OTHER
SUPPLEMENTARY
INFORMATION**

**NON-MAJOR GOVERNMENTAL FUND COMBINING
STATEMENTS – GOVERNMENTAL FUNDS**

COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS

	Debt Service Fund	Special Revenue Funds	Total Nonmajor Governmental Funds
ASSETS			
Assets:			
Cash and Cash Equivalents	\$ 100,190	\$ 2,051,397	\$ 2,151,587
Receivables (net of allowances for uncollectibles)	-	-	-
Total Assets	<u>\$ 100,190</u>	<u>\$ 2,051,397</u>	<u>\$ 2,151,587</u>
LIABILITIES AND FUND BALANCES:			
Liabilities:			
Accounts Payable		13,554	13,554
Deposits Payable		\$ -	\$ -
Total Liabilities	<u>-</u>	<u>13,554</u>	<u>13,554</u>
Fund Balances:			
Restricted Fund Balances:			
Restricted for Debt Service	100,190	-	100,190
Restricted - Hotel Motel Tax		261,320	261,320
Restricted - PEG Fund		142,458	142,458
Committed - Reserve Funds		1,530,488	1,530,488
Assigned - Dripping Springs Ranch Park		45,749	45,749
Assigned - Farmers Market		57,828	57,828
Unassigned			
Total Fund Balance	<u>100,190</u>	<u>2,037,843</u>	<u>2,138,033</u>
Total Liabilities and Fund Balance	<u>\$ 100,190</u>	<u>\$ 2,051,397</u>	<u>\$ 2,151,587</u>

CITY OF DRIPPING SPRINGS, TEXAS

Item 12.

**COMBINING STATEMENT OF REVENUES,
EXPENDITURES AND CHANGES IN FUND BALANCES
NONMAJOR GOVERNMENTAL FUNDS**

	Debt Service Fund	Special Revenue Funds	Total Nonmajor Governmental Funds
	<u> </u>	<u> </u>	<u> </u>
Revenue:			
Taxes:			
Hotel Motel Taxes		571,247	571,247
Park revenues		353,211	353,211
Other income	-	28,300	28,300
Interest income	1,710	23,830	25,540
Total Revenues:	<u>\$ 1,710</u>	<u>\$ 976,588</u>	<u>\$ 978,298</u>
Expenditures:			
Personnel Services	-	-	
Supplies and Operations			
Contract Services		-	-
Miscellaneous		382,665	382,665
DSRP Expenses		370,752	370,752
Farmers Market		25,895	25,895
Capital Outlay		30,213	30,213
Debt Service:			
Principal	65,000		65,000
Interest	25,108		25,108
Total Expenditures	<u>90,108</u>	<u>809,525</u>	<u>899,633</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	<u>(88,398)</u>	<u>167,063</u>	<u>78,665</u>
Other Financing Sources (Uses):			
Transfers (Out)/In	92,410	330,512	422,922
Total Other Financing Sources (Uses)	<u>92,410</u>	<u>330,512</u>	<u>422,922</u>
Net Change in Fund Balances	4,012	497,575	501,587
Fund Balances - Beginning	<u>\$ 96,178</u>	<u>\$ 1,540,268</u>	<u>\$ 1,636,446</u>
Fund Balances - Ending	<u>\$ 100,190</u>	<u>\$ 2,037,843</u>	<u>\$ 2,138,033</u>

CITY OF DRIPPING SPRINGS, TEXAS
 COMBINING BALANCE SHEET
 NONMAJOR GOVERNMENTAL FUNDS (Continued)

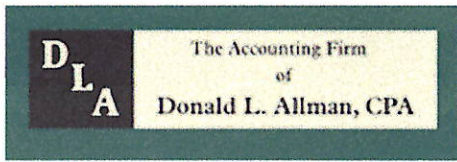
Item 12.

	Hotel Motel Tax	PEG Fund	Reserve Fund	Dripping Springs Ranch Park	Farmers Market	Total Nonmajor Special Revenue Funds
ASSETS						
Assets:						
Cash and Cash Equivalents	\$ 261,320	\$ 142,458	\$ 1,530,488	59,303	57,828	\$ 2,051,397
Total Assets	<u>\$ 261,320</u>	<u>\$ 142,458</u>	<u>\$ 1,530,488</u>	<u>59,303</u>	<u>57,828</u>	<u>\$ 2,051,397</u>
LIABILITIES AND FUND BALANCES:						
Accounts payable				13,554		13,554
Deposits payable				-		-
Liabilities:				13,554		13,554
Fund Balances:						
Restricted - Hotel Motel Tax	261,320					261,320
Restricted - PEG Fund		142,458				142,458
Committed - Reserve Funds			1,530,488			1,530,488
Assigned - Dripping Springs Ranch Park				45,749		45,749
Assigned - Farmers Market					57,828	57,828
Unassigned	-	-	-	-	-	-
Total Fund Balance	<u>261,320</u>	<u>142,458</u>	<u>1,530,488</u>	<u>45,749</u>	<u>57,828</u>	<u>2,037,843</u>
Total Liabilities and Fund Balance	<u>\$ 261,320</u>	<u>\$ 142,458</u>	<u>\$ 1,530,488</u>	<u>59,303</u>	<u>57,828</u>	<u>\$ 2,051,397</u>

**CITY OF DRIPPING SPRINGS, TEXAS
 COMBINING STATEMENT OF REVENUES,
 EXPENDITURES AND CHANGES IN FUND BALANCES
 NONMAJOR GOVERNMENTAL FUNDS (Continued)**

Item 12.

	Hotel Motel Tax	PEG Fund	Reserve Fund	Dripping Springs Ranch Park	Farmers Market	Total Nonmajor Special Revenue Funds
Revenue:						
Hotel Motel Tax	571,247					571,247
TWC Fees		28,300				28,300
Dripping Springs Ranch Park Revenues				306,051		306,051
Farmers Market					47,160	47,160
Interest income	\$ 745	\$ 1,526	\$ 20,293	729	537	\$ 23,830
Total Revenues	571,992	29,826	20,293	306,780	47,697	976,588
Expenditures:						
Hotel Motel Tourism Expenses	382,665					382,665
Dripping Springs Ranch Park Expenses				370,752		370,752
Capital Outlay				30,213		30,213
Farmers Market expenses					25,895	25,895
Total Expenditures	382,665	-	-	400,965	25,895	809,525
Excess (Deficiency) of Revenues Over (Under) Expenditures	189,327	29,826	20,293	(94,185)	21,802	167,063
Other Financing Sources (Uses):						
Transfers	-		200,000	130,512		330,512
Total Other Financing Sources (Uses)	-	-	200,000	130,512		330,512
Net Change in Fund Balances	189,327	29,826	220,293	36,327	21,802	497,575
Fund Balances - Beginning	71,993	112,632	1,310,195	9,422	36,026	1,540,268
Fund Balances - Ending	\$ 261,320	\$ 142,458	\$ 1,530,488	45,749	57,828	\$ 2,037,843



CERTIFIED PUBLIC ACCOUNTANT

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING
AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

To the Mayor & City Council
City of Dripping Springs, Texas

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Dripping Springs, Texas as of and for the year ended September 30, 2021, and the related notes to the financial statements, which collectively comprise the City of Dripping Springs, Texas' basic financial statements, and have issued our report thereon dated March 7, 2022.

Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City of Dripping Springs, Texas' internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City of Dripping Springs, Texas' internal control. Accordingly, we do not express an opinion on the effectiveness of the City of Dripping Springs, Texas' internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.


Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City of Dripping Springs, Texas' financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Donald L. Allman, CPA, PC 
Georgetown, TX
March 7, 2022



SIGN VARIANCE REQUEST REVIEW

Date: **March 15, 2022**

Project: **Mighty Fine**

Applicant: **Ann Lewis – Lewis Sign Builders Inc.**

- Submittals:
- Variance Application
 - Sign Permit Application
 - Master Signage Plan (if applicable)
 - Planned Develop District/Development Agreement Signage Regulations (if applicable)

Variance Requests: an exemption from section 4.2.4(ii) of the Belterra Master Sign Plan: *"No tenant shall be allowed more than one projecting sign."*

The following review has been conducted for the City of Dripping Springs to determine compliance and consistency with the City of Dripping Springs CODE OF ORDINANCES, Title 2 BUILDING AND DEVELOPMENT REGULATIONS, Chapter 26 SIGNS, Article 26.03.003 VARIANCES

Mighty Fine is a proposed ground up project in the Belterra Commercial development. This restaurant is not yet built. The address for this proposed project is "166 Hargraves Drive, Suite T100". The tenant has requested to have 4 commercial wall signs – or as defined in the Belterra Master Sign Plan – 4 projecting signs. In doing so, their provided rendering does not comply with section 4.2.4(ii) of the Belterra Master Sign plan which only allows one projecting sign for this specific tenant. The project will be a standalone building with 4,054 sq. ft. which allows their one projecting sign to be up to 100 sq. ft. Two of the four signs are proposed at 83.06 sq. ft. and the other two are proposed at 71.62 sq. ft. – with a combined total of 309.36 sq. ft.

The variance request relates to the consideration for granting variances as follows:

Considerations in granting variances (Sec. 26.03.003 (e))

(1) Special or unique hardship because of the size or shape of the property on which the sign is to be located, or the visibility of the property from public roads.

Applicable Not Applicable

(2) Hardship claim based on the exceptional topographic conditions or physical features uniquely affecting the property on which a sign is to be located.

Applicable Not Applicable

(3) Proposed sign location, configuration, design, materials and colors are harmonious with the hill country setting.

Applicable Not Applicable

(4) Natural colors (earth tones) and muted colors are favored. Color schemes must be compatible with the surrounding structures. Predominate use of bold and/or bright colors is discouraged under this section.

Applicable Not Applicable

(5) The sign and its supporting structure should be in architectural harmony with the surrounding structures.

Applicable Not Applicable

(6) Mitigation measures related to the sign in question or other sign on the same premises.

Applicable Not Applicable

(7) Demonstrated and documented correlation between the variance and protecting the public health and safety.

Applicable Not Applicable

(8) The stage at which the variance is requested. The city will be more inclined to consider a variance request when it is sought during an earlier stage of the construction approval process, for instance, when the responsible party is submitting/obtaining a plat, planned development district, development agreement, or site plan.

Applicable Not Applicable

(9) Whether the sign could have been included in a master signage plan. Master signage plans are highly encouraged. The city will be more inclined to favorably consider a variance request when the variance is part of a master signage plan. There will be a presumption against granting variances piecemeal, ad hoc, on a case-by-case basis when the sign for which a variance is sought could have been included in a master sign plan and considered in the course of a comprehensive review of the entire project's signage.

Applicable Not Applicable

(10) The sign administrator may authorize the remodeling, renovation, or alternation of a sign when some nonconforming aspect of the sign is thereby reduced.

Applicable Not Applicable

I recommend denial of any additional signage for this project. There are no mitigation factors present. This business will still be entitled to have panels in the multi-unit monuments signs, which are in multiple locations within the commercial subdivision. This project site is only allotted one sign. Other tenants and sites within this subdivision that have more than one wall sign are either adjacent to Highway 290, or have a business with a drive through.

Please let me know if you have any questions about this report.

Respectfully Submitted,



Sarah Cole
Building Official



116 HARGRAVES DRIVE
 J-1
 AUSTIN, TEXAS 78737

G:\Shared drives\M\Mighty Fine\#5 BELTERRA VILLAGE - 166 Hargraves Dr, Austin, TX 78737\09-020 SIGN PACKAGE\2 - Design\09-020 NEW SIGN PACKAGE.CDR
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CLIENT APPROVAL: _____

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 16910 South IH 35, Buda, TX 78610 Office: 512-312-4555 Fax: 512-312-4551 www.LewisSign.com

CUSTOMER	MIGHTY FINE	ACCT. EXEC.	B. HALL	DWG#	09-020 R2	NO.	DATE	BY	DESCRIPTION
LOCATION	116 HARGRAVES DRIVE J-1	DESIGNER	D. WALTERSDORFF	PAGE	1 OF 6	1	12/13/21	DW	REVISIONS BASED ON CLIENT INPUT
CITY, ST	AUSTIN, TEXAS 78737	ORIG. DATE	09/22/21			2	12/21/21	DW	REVISE SIZE OF SIGN B - CHANGE QUANTITY TO TWO

MANDATED BY STATE STATUTE: Anyone selling, installing or servicing electrical signs, outline lighting, lighted awnings, signals, LEDs and existing outdoor electric discharge lighting must maintain an Electric Sign Contractors license. These license holders are regulated by the Texas Department of Licensing and Regulation. For compliance complaints contact TDLR in Austin at 1-800-803-9202, 512-463-6599 or online.
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A1 A2

CHANNEL LETTERS

FONT: CLIENT SUPPLIED

SQ. FT: 83.06



SCOPE OF WORK: FABRICATE AND INSTALL HALO LIT CHANNEL LETTERS ON A BACKER PANEL - WIRE WAY MOUNT

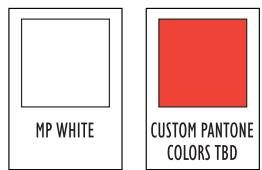
QUANTITY: (2) TWO SETS

CHANNEL LETTERS: HALO LIT CHANNEL LETTERS - .125 ALUMINUM FACES WITH 3" .063 ALUMINUM RETURNS - 3/16" CLEAR BACKS WITH 2" STAND OFFS - PAINT FACES AND RETURNS MP WHITE

ILLUMINATION: 3000K WHITE LED

BACKER: 2" DEEP PAINTED CABINET BACKER PANEL - WELDED ALUMINUM INTERNAL STRUCTURE OVERLAID WITH PAINTED FINISH .125 ALUMINUM - MOUNT BACKER TO A STANDARD 2" x 12" WIRE WAY

MOUNTING: INSTALL SIGN ON BUILDING FASCIA USING FASTENERS APPROPRIATE TO THE SUBSTRATE - SEAL ALL PENETRATIONS WITH CLEAR SILICONE



NIGHT TIME ILLUMINATION

LANDLORD APPROVAL: _____

CLIENT APPROVAL: _____

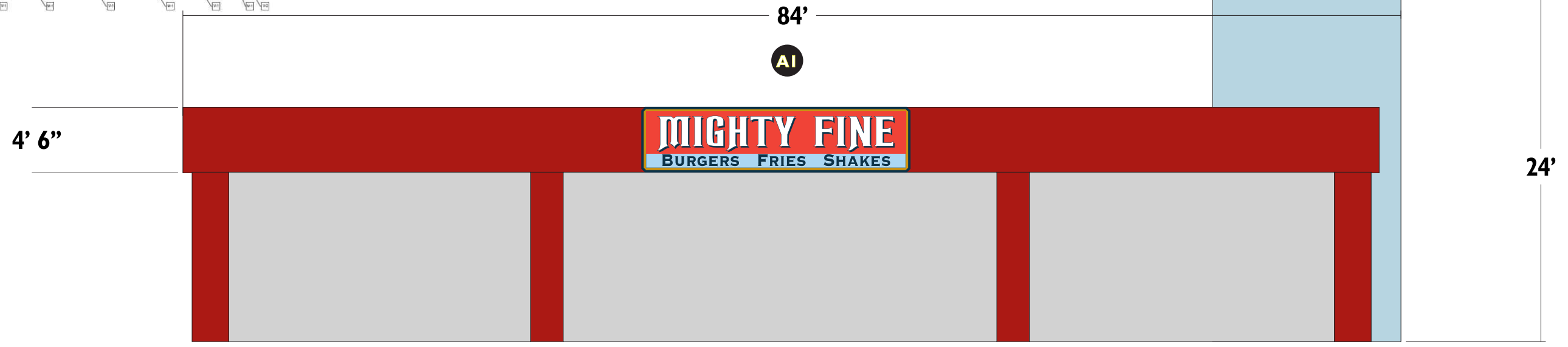
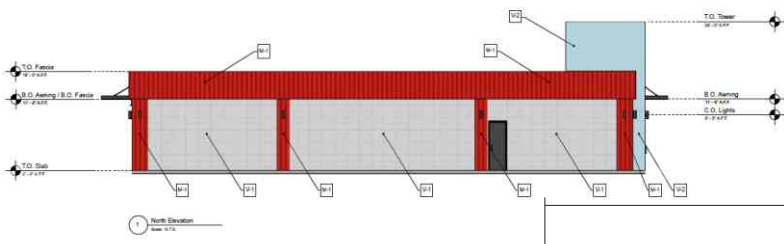
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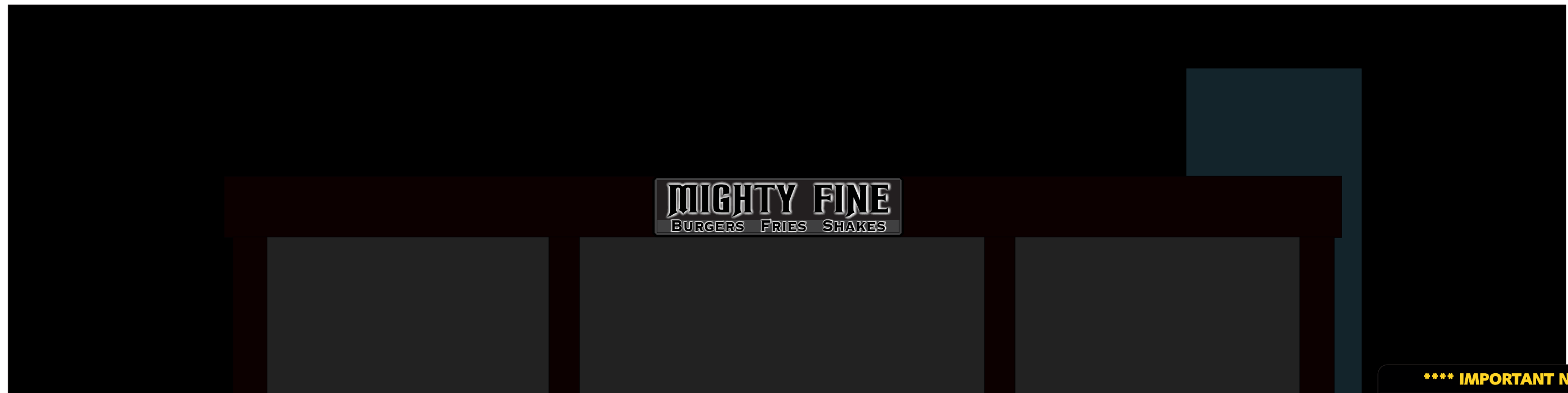
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CUSTOMER	MIGHTY FINE	ACCT. EXEC.	B. HALL	09-020 R2	DWG.#	NO.	DATE	BY	DESCRIPTION
LOCATION	116 HARGRAVES DRIVE J-1	DESIGNER	D. WALTERSDORFF	2 OF 6	PAGE	1	12/13/21	DW	REVISIONS BASED ON CLIENT INPUT
CITY, ST	AUSTIN, TEXAS 78737	ORIG. DATE	09/22/21			2	12/21/21	DW	REVISE SIZE OF SIGN B - CHANGE QUANTITY TO TWO

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NORTH ELEVATION



NIGHT TIME ILLUMINATION VIEW

****** IMPORTANT NOTE ******
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LANDLORD APPROVAL: _____

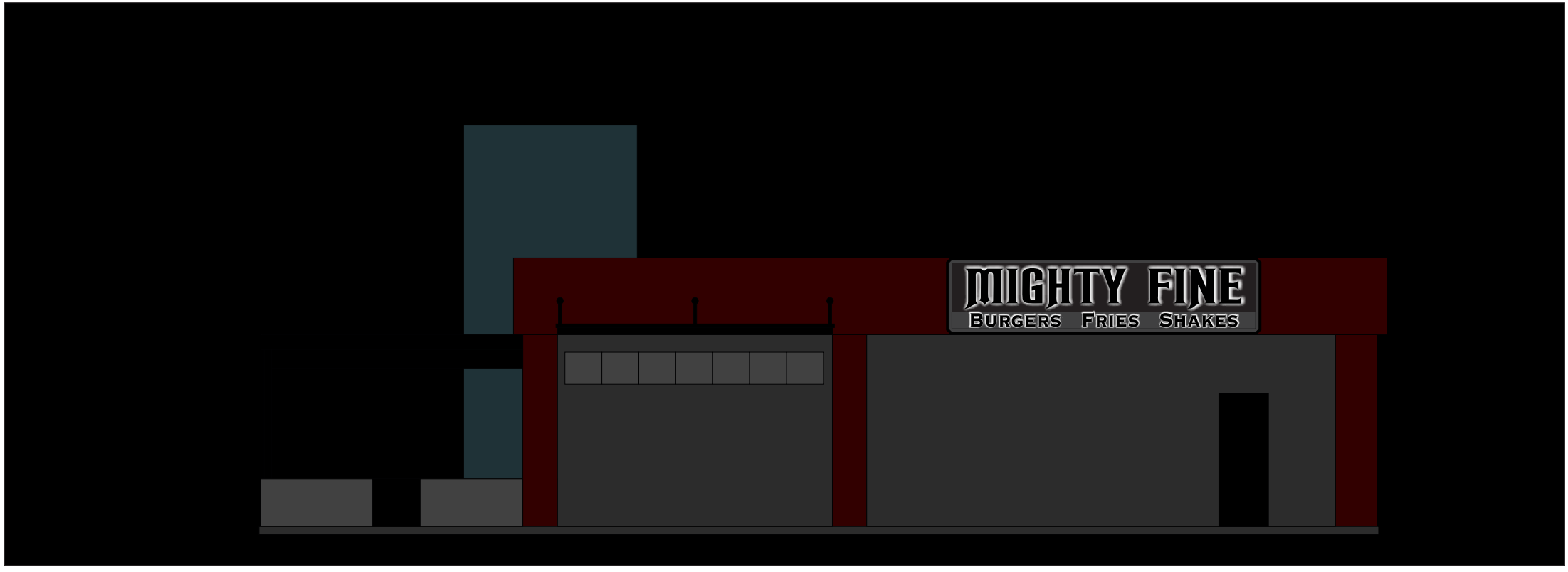
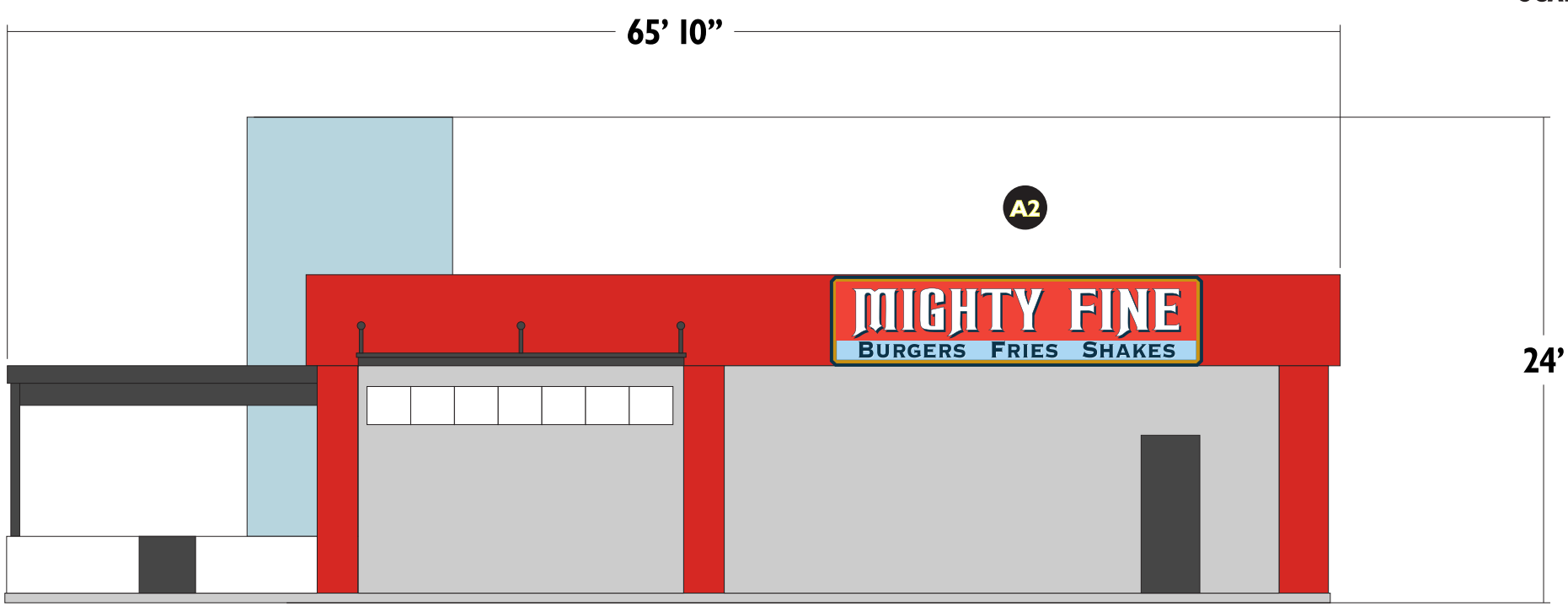
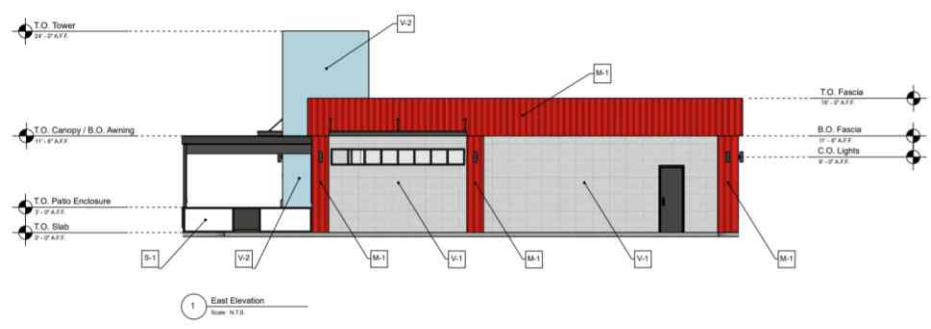
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CUSTOMER	MIGHTY FINE	ACCT. EXEC.	B. HALL	DWG#	09-020 R2	NO.	1	DATE	12/13/21	BY	DW	DESCRIPTION	REVISIONS BASED ON CLIENT INPUT
LOCATION	116 HARGRAVES DRIVE J-1	DESIGNER	D. WALTERSDORFF	PAGE	3 OF 6	NO.	2	DATE	12/21/21	BY	DW	DESCRIPTION	REVISE SIZE OF SIGN B - CHANGE QUANTITY TO TWO
CITY, ST	AUSTIN, TEXAS 78737	ORIG. DATE	09/22/21										

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B1 B2 CHANNEL LETTERS
 FONT: CLIENT SUPPLIED

SQ. FT: 71.62

SCOPE OF WORK: FABRICATE AND INSTALL OPEN FACE CHANNEL LETTERS ON A PAINTED BACKER PANEL WITH A WIRE WAY MOUNT

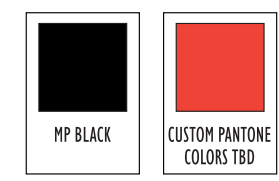
QUANTITY: (2) TWO

CHANNEL LETTERS: OPEN FACE CHANNEL LETTERS WITH EXPOSED NEON - 3" .063 ALUMINUM RETURNS PAINTED MP BLACK

ILLUMINATION: CLEAR NEON PUMPED RED / WHITE NEON

BACKER: 2" DEEP PAINTED CABINET BACKER PANEL - WELDED ALUMINUM INTERNAL STRUCTURE OVERLAID WITH PAINTED FINISH .125 ALUMINUM

MOUNTING: INSTALL SIGN ON BUILDING FASCIA USING FASTENERS APPROPRIATE TO THE SUBSTRATE - SEAL ALL PENETRATIONS WITH CLEAR SILICONE



LANDLORD APPROVAL: _____

CLIENT APPROVAL: _____

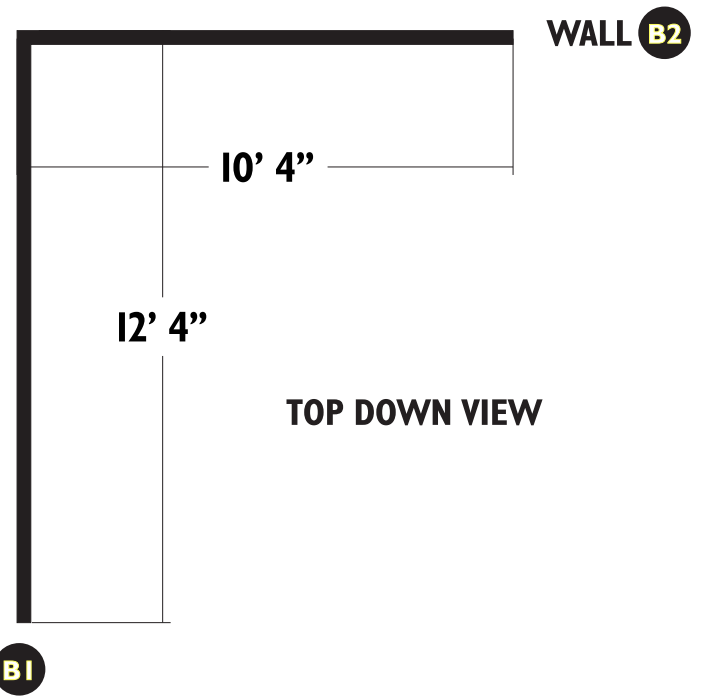
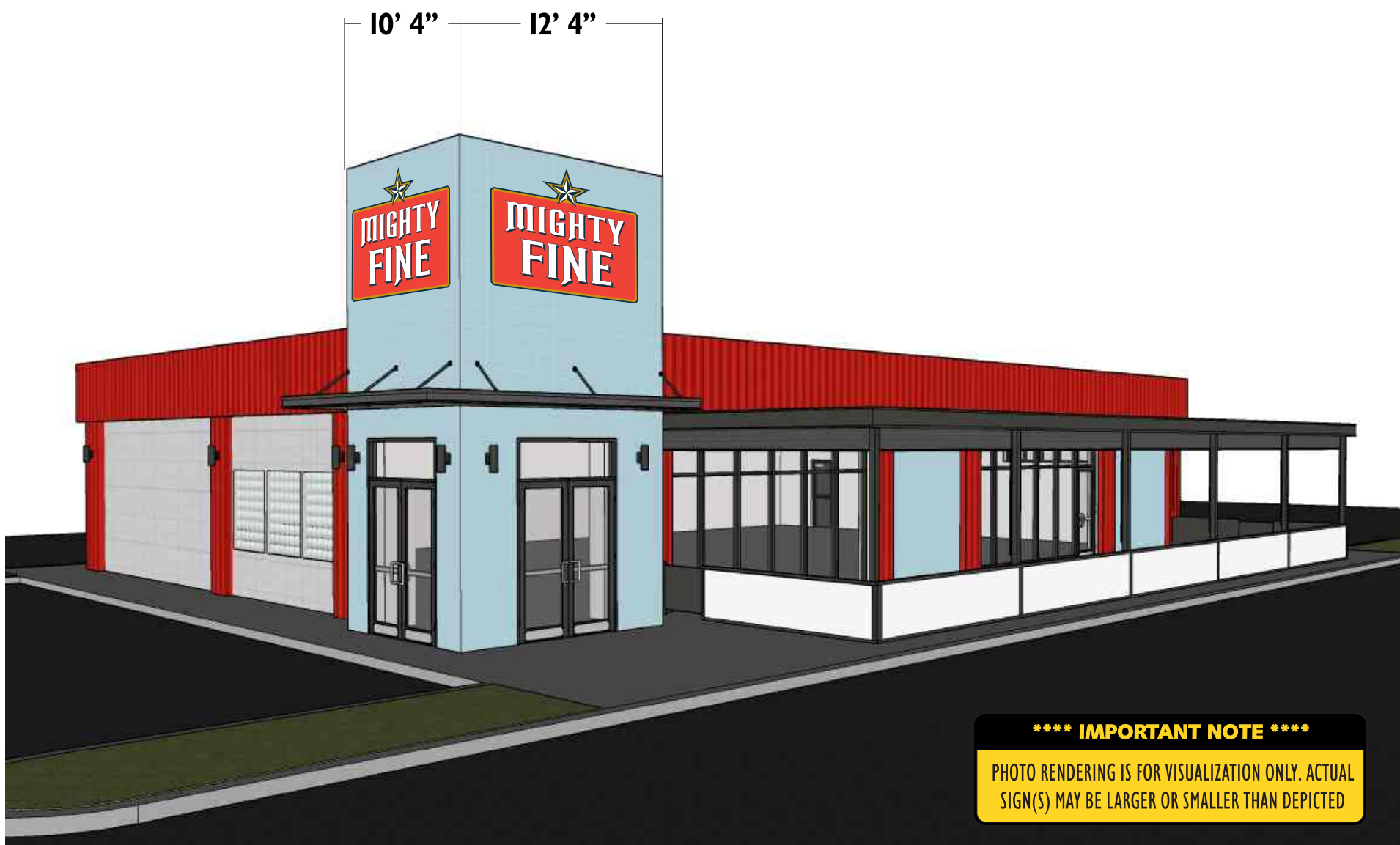
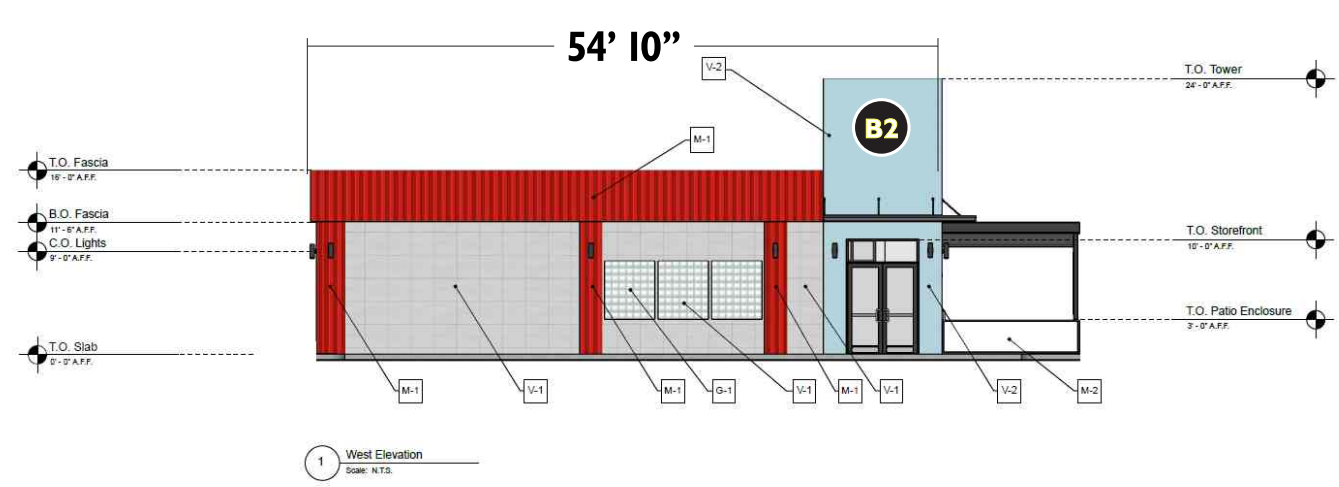
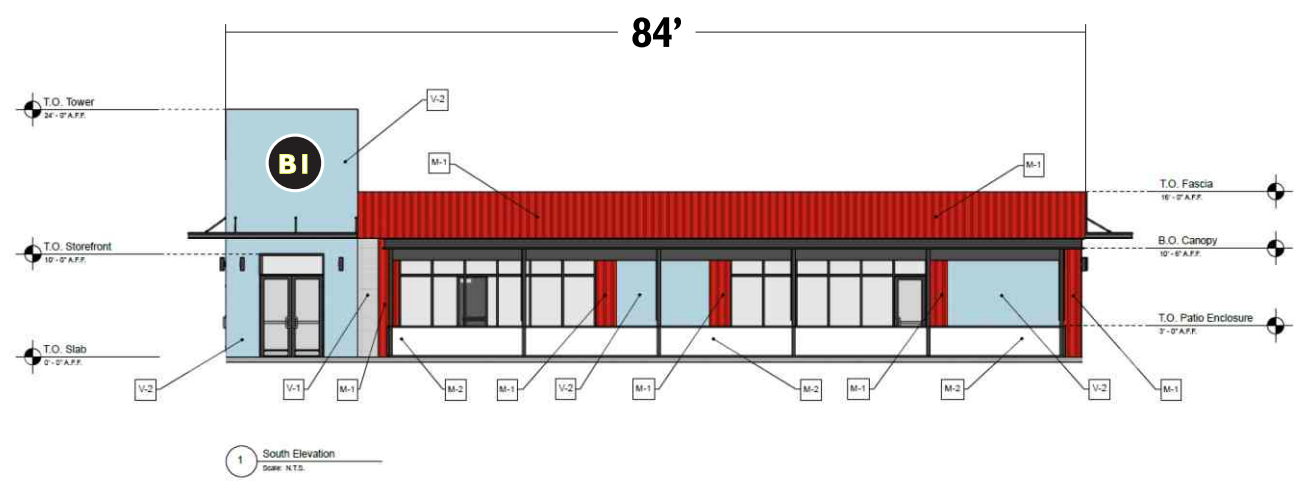
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CUSTOMER	MIGHTY FINE
ACCT. EXEC.	B. HALL
LOCATION	116 HARGRAVES DRIVE J-1
CITY, ST	AUSTIN, TEXAS 78737
DESIGNER	D. WALTERSDORFF

09-020 R2	DWG.#	NO.	DATE	BY	DESCRIPTION
5 OF 6	PAGE	1	12/13/21	DW	REVISIONS BASED ON CLIENT INPUT
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LANDLORD APPROVAL: _____

CLIENT APPROVAL: _____

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CUSTOMER	MIGHTY FINE
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CITY, ST	AUSTIN, TEXAS 78737
ACCT. EXEC.	B. HALL
DESIGNER	D. WALTERSDORFF

NO.	DATE	BY	DESCRIPTION
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09-020 R2		DWG.#	
6 OF 6		PAGE	
09/22/21		ORIG. DATE	

MANDATED BY STATE STATUTE: Anyone selling, installing or servicing electrical signs, outline lighting, lighted awnings, signals, LEDs and existing outdoor electric discharge lighting must maintain an Electric Sign Contractors license. These license holders are regulated by the Texas Department of Licensing and Regulation. For compliance complaints contact TDLR in Austin at 1-800-803-9202, 512-463-6599 or online. This firm's license is **TSCL 18067 & SIGN MASTERS LICENSE 7312**. To verify a company's license visit www.license.state.tx.us/licensesearch. Enter the company's name in the "Inquire by Name" field.

Received on/by:

Date, initials



**APPLICATION FOR AN
ALTERNATIVE STANDARD/SPECIAL EXCEPTION/VARIANCE/WAIVER**

Project Name: Mighty Fine

Project Address/Legal Description: 116 Hargraves Dr. J-1

Project Applicant Name: Lewis Sign

Mailing Address: PO Box 1665
Buda Tx 78610

Email Address: ann@lewissign

Phone Number: 512-361-9286

Owner's Name (if different from Applicant): Beltterra Ltd. (Endeavor)

Mailing Address: 500 W. 5th St #700
AUSTIN, TX 78701

Email Address: dcampbell@endeavor-RE.com

Phone Number: 512-682-5500

Type of Application (check box):

- Alternative Standard
- Variance
- Special Exception
- Waiver

Description of request & reference to section of the Code of Ordinances applicable to request: Code 4.2.2 allows 2 projecting signs, Mighty Fine needs four signs

4.2.3 iii No tenant shall be allowed more than one projecting sign per building side

Description of the hardship or reasons the Alternative Standard/Special Exception/Variance/Waiver is being requested: The building is located in a lower elevation, not visible from main road.

Chase has three signs
Chick fila has four signs.

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: To Allow Mighty Fine to be visible and competitive with other businesses in the shopping center, they need a sign on each side of the building.

Submittal Checklist:

- Signed and Completed Application
- Required Fee Paid \$ _____
reference online Master Fee Schedule for more details
- Billing Contact Form
- Exhibits
- Photographs
- Map/Site Plan
- Architectural Elevation
- Other: _____

*Upon submittal of application, a Public Notice sign is **required** to be displayed at the project property within 48 hours (exceptions apply in cases of signage, lighting, exterior design and landscaping applications). Signs can be picked up at the City Offices for a deposit fee of \$100. Once a permit has been issued, signs in good condition can be returned for a \$75 refund.*

- Pick up Public Notice Sign, \$100 deposit

*All required items and information (including all applicable above listed exhibits and fees) must be received by the City in order for an application and request to be considered complete. **Incomplete submissions will not be reviewed or scheduled for any further action until all deficient items or information has been received.** By signing below, I acknowledge that I have read through and met the above requirements for a complete submittal:*

AB Lewis
Signature of Applicant

2-22-22
Date

[Signature]
Signature of Owner (or attached letter of consent)

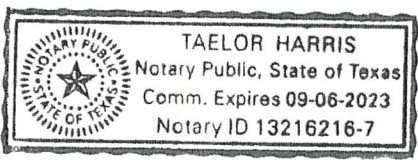
2-23-22
Date

The undersigned, hereby confirms that he/she/it is the owner of the above described real property and further, that Beltterra Ltd is authorized to act as my agent and representative with respect to this Application and the City's conditional use permit process. (As recorded in the Hays County Property Deed Records, Vol. _____, Pg. _____.)

Ann B. Lewis
Name

Secretary - Treasurer of Lewis Sign Builders Inc.
Title

STATE OF TEXAS §
 §
COUNTY OF HAYS §



This instrument was acknowledged before me on the 22 day of February 2022 by Taelor Harris.

Taelor Harris
Notary Public, State of Texas

My Commission Expires: 9/6/2023

Ann Lewis
Name of Applicant

CITY OF DRIPPING SPRINGS

ORDINANCE No. 2020-65

AN ORDINANCE AMENDING CHAPTER 26, APPENDIX “C”, OF THE DRIPPING SPRINGS CODE OF ORDINANCES; AMENDING REGULATIONS FOR A MASTER SIGN PLAN FOR THE BELTERRA COMMERCIAL SUBDIVISION; PROVIDING FOR THE FOLLOWING: RULES; STANDARDS; PROCEDURES; AND FINDINGS OF FACT; CODIFICATION; REPEALER; SEVERABILITY; PROPER NOTICE AND MEETING; ENFORCEMENT INCLUDING CRIMINAL PENALTIES INCLUDING CRIMINAL FINES NOT TO EXCEED \$500.00 AND CIVIL FINES OF UP TO \$500.00

WHEREAS, the City Council of the City of Dripping Springs (“City Council”) seeks to promote uniform regulations and specifications for signs throughout the city limits and extraterritorial jurisdiction in order to uphold and further the intent and purposes of the City’s Sign Ordinance; and

WHEREAS, the City of Dripping Springs and the owners of the property, more fully described in Attachment A (the “Property”), entered into the Belterra Commercial Development Agreement (the “Agreement”), recorded at Volume 3827, Page 63, of the Official Public Records of Hays County, Texas and the First Amendment to Belterra Commercial Development Agreement; and

WHEREAS, pursuant to Chapter 212.172 of this ordinance shall be considered an amendment to the Agreement and either party may record this ordinance to meet the requirements of Chapter 212.172; and

WHEREAS, pursuant to the Agreement, the owners of the Property have asked for a series of approvals for signage as part of the development of the subdivision; and

WHEREAS, the City Council finds there are special and unique hardships present on the site due to the size, shape and topography of the property, its distance from Nutty Brown Road and U.S. Highway 290, and the size of tenants in a master planned mixed-use project; and

WHEREAS, the City Council concludes that the proposed sign locations, configurations, design, materials, and colors are harmonious with the hill country setting; and

WHEREAS, the City Council finds that approval of the amendments to the Master Sign Plan are reasonable and more efficient than individual consideration and approval of particular variances; and

WHEREAS, the intent of this Ordinance is to provide for consistent and compatible signage for the Property, in order to provide a uniform look and feel throughout the subdivision

that is appropriate for the subdivision’s location; and

WHEREAS, the City Council has determined that the standards and specifications set forth in this Ordinance are consistent with the intent of the City’s Sign Ordinance, and spirit of the City’s Comprehensive Plan; 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 Chapter 211 of the Texas Local Government Code, the City has the general authority to regulate the use of land and construction of buildings; and

WHEREAS, pursuant to Chapter 216 of the Texas Local Government Code, the City has the specific authority to regulate signs; and

WHEREAS, pursuant to Chapter 212.172 of this ordinance shall be considered an amendment to the Agreement and either party may record this ordinance to meet the requirements of Chapter 212.172

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 approving the Master Sign Plan for the Belterra Village Subdivision.

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

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

Chapter 26, Appendix “C” of the City of Dripping Springs Code of Ordinances is hereby amended so to read in accordance with Attachment “A”, and all exhibits, which is attached hereto and incorporated into this Ordinance for all intents and purposes. Any underlined text shall be inserted into the Code and any struck-through text shall be deleted from the Code, as stated on *Attachment A*.

3. REPEALER

To the extent reasonably possible, ordinances are to be read together in harmony. However, 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 immediately upon passage and publication of caption.

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 Chapter 52 of the Texas Local Government Code.

PASSED & APPROVED this, the 8th day of December 2020, by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:



Bill Foulds, Jr., Mayor

ATTEST:



Andrea Cunningham, City Secretary



Attachment "A"

**CODE OF ORDINANCES
CHAPTER 26: SIGNS**

**APPENDIX "C":
MASTER SIGN PLAN FOR BELTERRA VILLAGE**

SECTION 1. ENACTMENT PROVISIONS

1.1 Popular Name

This Appendix to Chapter 26 of the Dripping Springs Code of Ordinances shall be commonly cited as the "Master Sign Plan for Belterra Village."

1.2 Purpose

This Appendix provides standards for consistent and compatible signage for the complex as a whole in order to provide a uniform look and feel throughout the complex that is appropriate for the complex's location.

1.3 Scope

1.3.1 This Appendix applies to all property at Belterra Village, that being the following lots, collectively known as "the Property":

- i. Lots 1-3, Belterra Commercial Subdivision

1.3.2 This Appendix applies to the Owner and to each individual Tenant occupying the Property at Belterra Village. Owner shall provide each Tenant with a copy of this Appendix. Both the Owner and the Tenant are Responsible Parties under Chapter 26 for purposes of Enforcement of this Appendix and Chapter 26.

1.4 Applicability

1.4.1 The standards set forth in this Appendix, along with the illustrations identified as Exhibit #1, which are included herein for all intents and purposes, shall govern the signage erected on the Property.

1.4.2 Permit applications for signs proposed to be erected and maintained at the Property at Belterra Village shall be evaluated for compliance with the standards set forth in this Appendix, Chapter 26 (Signs), Chapter 24-Article 24.06 (Lighting), and the Code of Ordinances (generally).

1.4.3 Variance applications for signs proposed to be erected at the Property at Belterra Village shall be evaluated in accordance with the standards set forth in this Appendix, Chapter 26 (generally), Chapter 24-Article 24.06 (Lighting), and the Code of Ordinances (generally).

- 1.4.4 If the standards in this Appendix conflict with specific provisions of Chapter 26, this Appendix shall govern. Chapter 26 shall apply to all signage not specifically addressed in this Appendix.

1.5 Administration

- 1.5.1 Sign permit applications under this Appendix are subject to the general rules and procedures for sign permits set forth in Chapter 26.
- 15.2 Sign permit applications must include the written consent of the Owner stating that the Owner has reviewed the specifications of the proposed sign and supports the permit application.

SECTION 2. DEFINITIONS

2.1 Rules of Interpretation

Words and phrases used in this Appendix shall have the meanings set forth in this section. Terms that are not defined below, but are defined in Chapter 26 of the Code of Ordinances, or elsewhere in the Code, shall be given the meanings set forth in the Code. Words and phrases not defined in the Code of Ordinance 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.

2.2 Specific Terminology

City: the City of Dripping Springs, an incorporated municipality located in Hays County, Texas.

Balcony Sign: Signs depicted on Exhibits “5” and “6” and placed on balconies. This term excludes signs placed or that extend above the roof line of the building on which they are placed.

Directional Sign: Signs depicted as D on the attached Exhibit # 1 that provides information related to the location of businesses and sale of goods, services, and property.

Project Identification Sign: the sign depicted as I on the attached Exhibit #1. This sign shall be a distinctive sign on the top of the hill on the property and shall advertise the overall property and the tenants adjacent to this sign.

Monument Sign: the signs depicted as M1 through M4 on the attached Exhibit #1. These signs shall be the predominate sign along Highway 290 and shall be used to advertise the tenants of Belterra Village.

Owner: the person who owns property at Belterra Village, or the property management agent operating on the owner's behalf pursuant to a written contract, agency letter, or power of attorney. As applied by this Appendix, the term applies regardless of whether the person is operating in the capacity of an investor, owner, landlord, or developer.

Person: a human individual, agency, association, business, corporation, partnership or sole proprietorship.

Projecting Sign: A sign, other than a wall sign, which physically projects from and is supported by a wall of a building or structure.

Tenant: a person with a leasehold interest in a designated unit within the Property at Belterra Village. Subtenants shall not be treated as separate Tenants for purposes of calculating the maximum allowable signage under this Appendix except that subtenants occupying at least 50% of a tenant's premises may have a separate Projecting Sign so long as such tenant is a minimum of ten thousand (10,000) square feet.

Window Signs: Signs that are painted on, etched in, or visible through a window or transparent door of a building that are oriented in a manner establishing an intent to be viewed off-premises or from public roads. This term excludes signs displayed inside of buildings primarily for patrons on the premises.

SECTION 3. PROPERTY SIGNAGE

3.1 General Consistency

3.1.1 Architectural. All signs and supporting structures shall be designed in accordance with the overall architectural theme of the property and subject to review of the Belterra ADRC.

3.1.2 Renderings. All signs and supporting structures shall be designed in accordance with the drawings included herein as Exhibit #1 and Exhibit #2..

3.1.3 Logos. Graphic symbols or logos that represent a business entity or organization shall be permitted to be displayed on all signs within the property, and the outline area of the graphic symbol counts against the maximum area allowed for each sign location that the symbol is present.

3.1.4 Static. Projecting Signs will not have moving parts, changing colors, flashing parts or intermittent illuminated segments to mimic or create movement. The sign shall remain static and evenly illuminated.

3.2 Project Identification Sign

3.2.1 Owner may erect one (1) Project Identification Sign in the middle of Lot 2 of the Belterra Commercial Subdivision and US 290.

3.2.2 Building Materials:

The Project Identification Sign shall be constructed of predominately metal, pre-weathered steel, concrete, and metal mesh and other materials consistent with the architectural design of the center.

3.2.3 Height:

- i. The maximum height for the Project Identification Sign shall not exceed thirty-five feet six inches (35' 6").

3.2.4 Width:

- i. The maximum width for the Project Identification Sign shall not exceed twenty feet nine inches (20' 9") at the base and ten feet eight inches (10' 8") at the top.

3.2.5 Length:

- i. The maximum length for the Project Identification Sign shall not exceed twenty feet nine inches (20' 9") at the base and ten feet eight inches (10' 8") at the top.

3.2.6 The Project Identification Sign shall not have more than four (4) panels, two of which shall display the name "Belterra Village" or the Belterra Village logo.**3.2.7 Signs subject to this section shall only be illuminated to display tenant names and the name of Belterra Village.****3.3 Monument signs****3.3.1 Owner may erect four (4) Monument Signs at the following locations, the approximate location of such monument signs is shown in Exhibit #1:**

- i. **Monument Sign 1:** On the western portion of Lot 1 of the Belterra Commercial Subdivision and US 290.
- ii. **Monument Sign 2:** On the eastern portion of Lot 1 of the Belterra Commercial Subdivision and US 290
- iii. **Monument Sign 3:** On Lot 2 of the Belterra Commercial Subdivision and US 290.
- iv. **Monument Sign 4:** On Lot 3 of the Belterra Commercial Subdivision and US 290.

3.3.2 Building Materials:

Each Monument Sign shall consist of a base comprised of rock, masonry, or stone for the body of the sign and pre-weathered steel for the panels and the top of the sign.

3.3.3 Height:

- i. The maximum height for all Monument Signs shall not exceed eighteen feet nine inches (18' 9"), including a two foot (2') stone or rock base.

- 3.3.4 Width:**
- i. The maximum width for all Monument Signs shall not exceed six feet (6') at the base and one foot six inches (1'6") at the top.
- 3.3.5 Length:**
- i. The maximum length for all Monument Signs shall not exceed twenty- four feet (24') at the base and thirteen feet nine inches (13'9") at the top.
- 3.3.6** Each Monument Sign shall not have more than eight (8) tenant panels on each side of the Monument Sign.
- 3.3.7** Each Monument Sign shall not exceed ninety-six (96) square feet of signable area for tenants on each side of the Monument Sign.
- 3.3.8** Signs subject to this section shall only be illuminated to display tenant names and the name of Belterra Village.

3.4 Directional signs

- 3.4.1** Owner may erect six (6) Directional Signs at the following locations, the approximate location of such directional signs is shown in Exhibit #1:
- i. **Lot 1:** Lot 1 of the Belterra Commercial Subdivision shall contain three directional signs as shown on Exhibit #1
 - ii. **Lot 2:** Lot 2 of the Belterra Commercial Subdivision shall contain two directional signs as shown on Exhibit #1
 - iii. **Lot 3:** Lot 3 of the Belterra Commercial Subdivision shall contain one directional signs as shown on Exhibit #1
- 3.4.2 Building Materials:**
Each directional sign shall consist of a base comprised of rock, masonry, or stone for the body of the sign and pre-weathered steel for the panels and the top of the sign.
- 3.4.3 Height:**
- i. The maximum height for all Directional Signs shall not exceed eight feet ten inches (8' 10"), including a one foot (1') stone or brick base.
- 3.4.4 Width:**
- i. The maximum width for all Directional Signs shall not exceed three feet (3') at the base and six inches (6") at the top.
- 3.4.5 Length:**
- i. The maximum length for all Directional Signs shall not exceed twelve feet (12') at the base and six feet ten inches (6' 10") at the top.
- 3.4.6** Each Directional Sign shall not have more than seven panels.

- 3.4.7 Each Directional Sign shall not exceed thirty (30) square feet of signable area for tenants on each side of the Directional Sign.
- 3.4.8 Directional Signs shall not be included on the frontage road of Highway 290.
- 3.4.9 Signs subject to this section shall only be illuminated to display tenant names and the name of Belterra Village.

3.5 Projecting Signs

- 3.5.1 Owner may erect eight (8) Signs at the following locations, the approximate location of such projecting signs is shown in **Exhibit #2**:
- i. Sign 1: One Belterra Village projecting identification sign up to forty-two (42) square feet centered on high wall in western section of Lot 2. Sign shall be attached to current wall as shown in **Exhibit "2"**.
 - ii. Sign 3: One Belterra Village projecting tenant sign up to sixty-four (64) square feet centered on high wall at the southwestern corner of Lot 1. Sign shall have up to six panels for tenant names. Tenant names may be modified or changed without approval so long as all other provisions of this ordinance and the City's Code of Ordinances is followed when making the change. The total number of panels may be decreased so long as the signage area of the panels is not increased from seventeen (17) inches in height and twelve feet four inches (12'4") in width. Sign shall be attached to current wall as shown in **Exhibit "2"**.
 - iii. Three Planter Signs #5 up to eleven (11) square feet each in combined sign area in Lot 2 of the North Belterra Commercial Subdivision. Signs shall be attached to current walls as shown in **Exhibit "2"**.
 - iv. Two (2) BV Logo Projecting signs #2a shall up to fifteen (15) square feet each in size erected in Lot 2E of the Belterra Commercial Subdivision. Sign shall be attached to current walls.
 - v. One (1) BV Logo Projecting sign #2b may be erected in the roundabout between Lots 2E and 3F. Sign shall be attached to current roundabout as shown in **Exhibit "2"** and shall be up to fifteen (15) square feet in height.

3.5.2 Building Materials:

Each sign shall consist of a base comprised of rock, masonry, or stone for the body of the sign and painted aluminum for the lettering and panels of the sign.

3.5.3 Height:

The maximum height for Sign #3 shall not exceed five feet three inches (5'3"). Each tenant panel shall not exceed nine (9) inches in height.

- i. The maximum height for Sign #1 shall be four feet (4').
- ii. The maximum height for each Planter Sign #5 shall be eight (8) inches.
- iii. The maximum height for each BV Logo Projecting Sign #2a shall be three feet two inches (3'2").
- iv. The maximum height for the BV Logo Projecting Roundabout Sign #2b

shall be three feet two inch (3'2").

3.5.4 Width:

- i. The maximum width for Sign #3 shall not exceed twelve feet four inches (12'4").
- ii. The maximum width for Sign #1 shall be eleven feet four inches (11'4").
- iii. The maximum width for each Planter Sign #5 shall be eleven (11) inches.
- iv. The maximum width for each BV Logo Projecting Sign #2a shall be four feet ten inches (4'10").
- v. The maximum width for the BV Logo Projecting Roundabout Sign #2b shall be four feet two inches (4'2").

3.5.5 Signs subject to this section shall only be illuminated as stated above.

- i. Sign 3: Belterra Village projecting tenant sign may be illuminated so long as the illumination is below 3000 kelvins as per the Belterra Master Plan.
- ii. Sign 1: Belterra Village projecting identification sign may be illuminated so long as the illumination is below 3000 kelvins as per the Belterra Master Plan.
- iii. Planter Signs (Number 5) shall not be illuminated.
- iv. BV Logo Projecting Signs (Number 2a) shall not be illuminated
- v. BV Logo Projecting Roundabout Sign (Number 2b) may be illuminated so long as the illumination is below 3000 kelvins as per the Belterra Master Plan.

SECTION 4. TENANT SIGNAGE

4.1 Architectural General Consistency

Architectural. All signs and supporting structures shall be designed in accordance with the overall architectural theme of the property.

4.2 Projecting Signs

4.2.1 This section shall only apply to Lots 1-3 of the Belterra Commercial Subdivision, Hays County, Texas, the address being Highway 290, Dripping Springs, Texas 78737 (the "Belterra Village").

4.2.2 Only two (2) projecting signs are permitted per business on each property except if the rear of a business is immediately adjacent to a residential use in which case only one (1) projecting sign is permitted per business.

4.2.3 For Buildings E-N, P, X-Z as shown on Exhibit #1, projecting signs shall follow the below criteria:

- i. Lettering for each sign shall consist of one (1) horizontal line of lettering not to exceed thirty-six inches (36") in height, or two (2) horizontal lines of

lettering not to exceed fifty-four inches (54”), including a minimum six inch (6”) space between the two lines.

- ii. Projecting signs facing U.S. Highway 290 shall follow the criteria outlined on Exhibit #3 (Exhibit forthcoming)
- iii. No tenant shall be allowed more than one projecting sign per building side and tenants not on a street corner must locate their projecting signs one at the front of the building and the other at the rear.
- iv. The total length of any such sign shall not exceed seventy-five (75%) of the storefront width of the tenant or occupant’s premises on the Property.
- v. The signable area of any projecting sign for each business shall not exceed:
 1. Sixty-four (64) square feet for any tenant under four thousand (4,000) square feet.
 2. One hundred (100) square feet for any tenant larger than four thousand (4,000) square feet, as shown on Exhibit #2

4.2.4 For Buildings A-D, S, T, Q, R, U-W, and ZZ as shown on Exhibit #1, projecting signs shall follow the below criteria:

- i. Lettering for each sign shall not be limited but each sign must not exceed the total allowable signable area shown below.
- ii. No tenant shall be allowed more than one projecting sign.
- iii. The total length of any such sign shall not exceed seventy-five (75%) of the storefront width of the tenant or occupant’s premises on the Property.
- iv. The signable area of any projecting sign for each business shall not exceed:
 1. Sixty-four (64) square feet for any tenant under four thousand (4,000) square feet.
 2. One hundred (100) square feet for any tenant between 4,001 and 6,000 square feet.
 3. One hundred fifty (150) square feet for any tenant between 6,001 and 10,000 square feet.
 4. One hundred seventy (175) square feet for any tenant between 10,001 and 15,000 square feet.
 5. Two hundred square (200) square feet for any tenant between 15,001 and 25,000 square feet.
 6. Two hundred seventy-five (275) square feet for any tenant over 30,000 square feet.
- v. For Building 13, or any other proposed two-story building, balcony signs may be used in lieu of a projecting sign, but shall follow the additional criteria below:
 1. No portion of any sign located above the first floor shall extend lower than 10’6” Above Finished Floor of the first floor.
 2. Signs located on building S, or any other proposed two-story building, and installed above the first floor shall be connected to the balcony above the first floor as shown in the detail in Exhibits #5 and #6.
 3. All other requirements related to projecting signs in 4.2.4 shall be

adhered to.

- 4.2.5 Projecting Signs may be illuminated. LED illumination shall be below 3000 Kelvin. The property owner shall provide electricity for the illumination of each sign.
- 4.2.6 Projecting Signs that are illuminated must be turned off at the later of closing time of the business or 10:00 p.m.
- 4.2.7 All signs and supporting structures shall be designed in accordance with the overall architectural theme of the property.
- 4.2.8 Lettering, logos, and names on tenant signs may be changed without amendment to this Appendix or application for variance so long as all other requirements of this Appendix are met, including but not limited to size, height, lighting, and color.

4.3 Window Signs

- 4.3.1 The section shall apply to all lots of the Belterra Commercial Subdivision, Hays County, Texas, the address being Highway 290, Dripping Springs, Texas 78737 (the “Belterra Village”).
- 4.3.2 A unit in the multiunit Belterra Commercial Subdivision, may have a total signable area of window signs that shall not exceed twenty-four (24) square feet for each business. A unit in the multiunit Belterra Commercial Subdivision where the unit is at an intersection of two roadways and has windows on different sides of the building adjacent to the roadways, may have a total signable area of window signs that shall not exceed forty-eight (48) square feet for each business.
- 4.3.3 The total signable area of the window signs do not count towards the cumulative total signable area allowed.

SECTION 5. PROHIBITION

A person commits an offense when a person erects, installs or places signage at Belterra Commercial Subdivision in violation of this Appendix.

SECTION 6. ENFORCEMENT

6.1 Civil & Criminal Penalties

The City shall have the power to administer and enforce the provisions of this Appendix as may be required by governing law. Any person violating any provision of this Appendix is subject to suit for injunctive relief as well as prosecution for criminal violations. Any violation of this Appendix is hereby declared to be a nuisance.

6.2 Criminal Prosecution

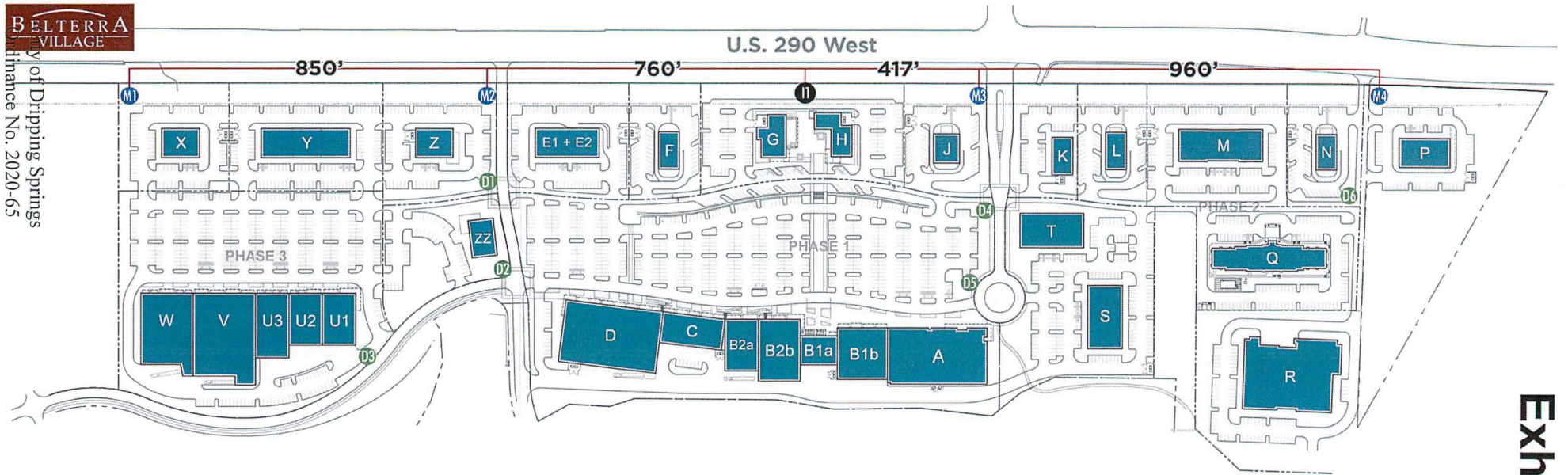
Any person violating any provision of this Appendix shall, upon conviction, be fined a sum

not exceeding five hundred dollars (\$500.00). Each day that a provision of this Appendix is violated shall constitute a separate offense. An offense under this Appendix is a misdemeanor.

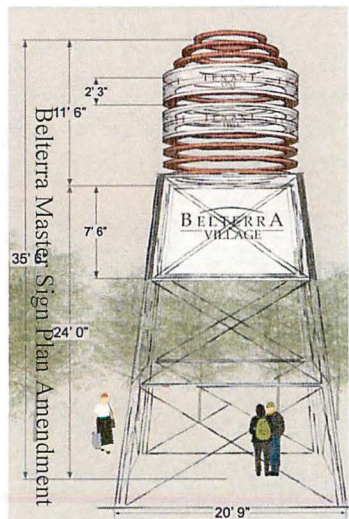
6.3 Civil Remedies

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

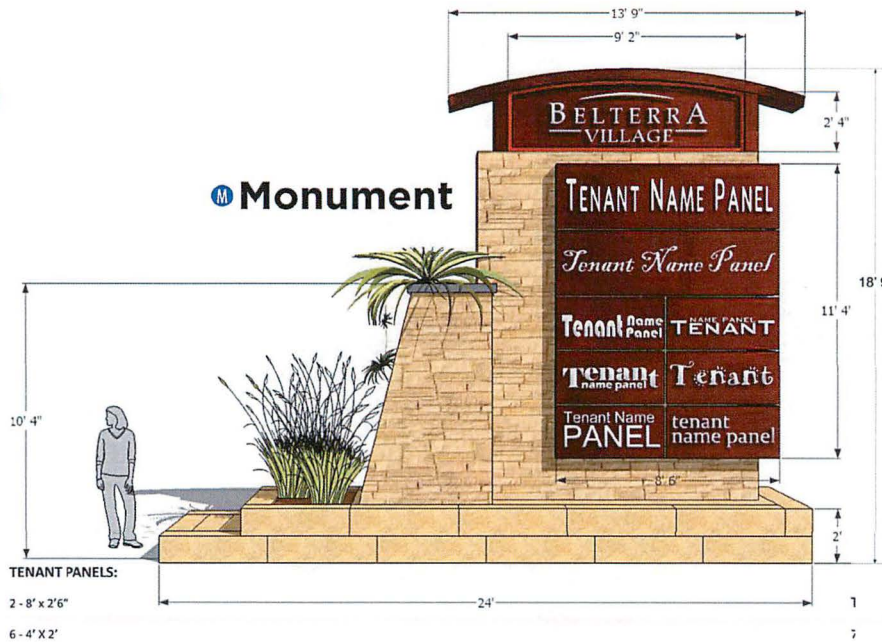
- 6.3.1 Injunctive Relief.** Injunctive relief to prevent specific conduct that violates the Appendix or to require specific conduct that is necessary for compliance with the Chapter.
- 6.3.2 Civil Penalty.** A civil penalty up to five hundred dollars (\$500.00) a day to be deposited in the Landscaping Fund, when it is shown that the defendant was actually notified of the provisions of the Appendix and after receiving notice committed acts in violation of the Appendix or failed to take action necessary for compliance with the Chapter; and other available relief.
- 6.3.3 Stop Work Order.** In the event work is not being performed in accordance with this Appendix, the City shall issue a stop work order and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop work order is in effect.



● **Project Identification**



● **Monument**



● **Directional**

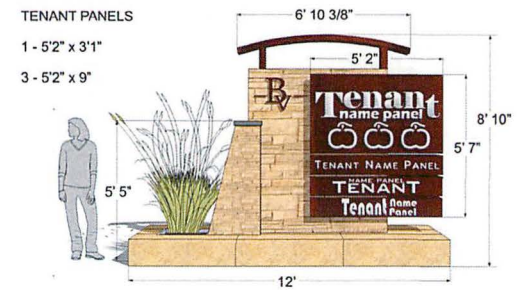
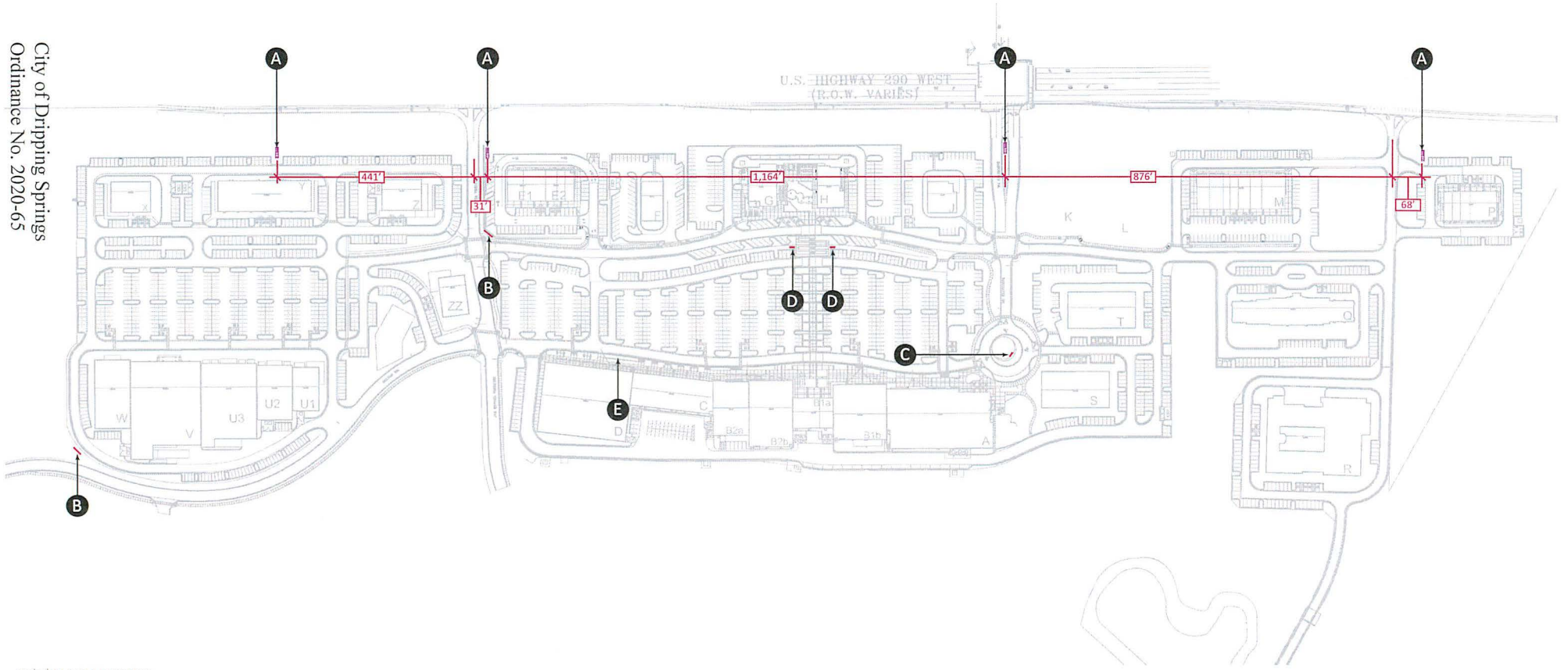


Exhibit #1

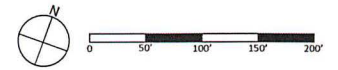


SIGNAGE LEGEND:

- A** (4) MONUMENT SIGN
- B** (2) BELTERRA VILLAGE WALL SIGN
- C** (1) "BV" LOGO SIGN (ILLUMINATED)
- D** (2) "BV" LOGO SIGN (NON-ILLUMINATED)
- E** (3) "BV" PLANTER SIGN (NON-ILLUMINATED)

SIGN LOCATION PLAN

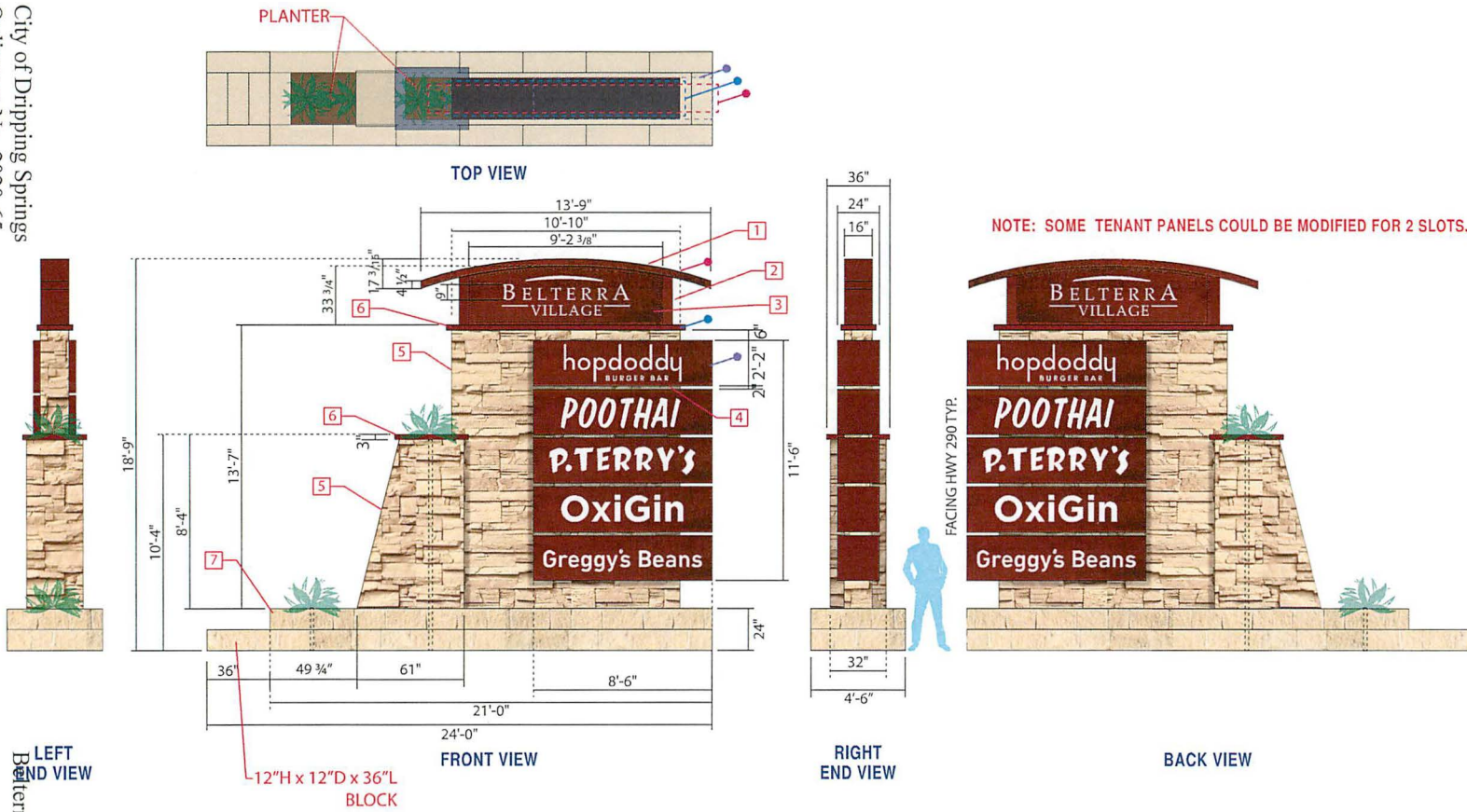
BELTERRA VILLAGE - DRIPPING SPRINGS, TEXAS



OCTOBER 2017

studio 16:19

City of Dripping Springs
Ordinance No. 2020-65



SPECIFICATIONS

- 1.] TOP LIP: ALUMIN. FAB. STRUCTURE PAINTED P2. SERVICE ACCESS BY .125 ALUM. REMOVABLE TOP.
- 2.] ALUMIN. FAB. STRUCTURE PAINTED P2.
- 3.] .125 ALUM. ROUTED FACE PAINTED P2 WITH 3/4" CLEAR PUSH PLEX AND V1 APPLIED TO FACE.
- SECOND SURF. DIFFUSER. ILLUMINATION: WHITE LED. COUNTER-SUNK FASTENERS ON SIDES.
- 4.] .125 ALUM. ROUTED FACE PAINTED P2 WITH WHITE VINYL APPLIED TO FACE. COUNTER-SUNK FASTENERS ON SIDES. TENANT NAMES / LOGOS T.B.D.
- 5.] STONE VENEER, STYLE T.B.D. STEEL SUB-FRAME STRUCTURE WITH BACKER BOARD COVERED BY MOISTURE BARRIER WITH MATCHING STONE VENEER.
- 6.] 'CAPSTONE' - METAL FAB. FAUX CORTEN P2
- 7.] STONE BASE. STYLE T.B.D.

(P1) MP WHITE 202	(P2) FAUX CORTEN	(V1) OPAQUE WHITE VINYL
--------------------------------	-------------------------------	---

ALL COLORS TO BE APPROVED/PROVIDED BY CLIENT PRIOR TO MANUFACTURING
FINAL TENANT NAMES T.B.D.

LED ILLUMINATION SHOULD BE BELOW 3000 KELVINS AS PER THE BELTERRA MASTER PLAN APPROVED BY THE CITY OF DRIPPING SPRINGS

QTY = 4

A D/F MONUMENT SIGN
SCALE: 3/16" = 1' 0"

Page 16 of 39

Custom SIGN CREATIONS
9701 Brown Ln, Bldg E,
Austin, TX 78754
512-374-9300
info@customsigncreations.com
www.customsigncreations.com

Beltterra Village
555 N College
Dripping Springs, TX 78737
ADDRESS T.B.D.

JOB INFORMATION
NUMBER: 5585-SPEC6-AB
SALES REP.: Denise
DESIGNER: Greg

CLIENT APPROVAL
DATE:
X _____
INSTALL DATE:

UL LISTED
UNDERWRITERS
LABORATORIES

NOTE: THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENT OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES, THIS INCLUDES PROPER GROUNDING AND BONDING;



NIGHT

LED ILLUMINATION SHOULD BE BELOW 3000 KELVINS AS PER THE BELTERRA MASTER PLAN APPROVED BY THE CITY OF DRIPPING SPRINGS

QTY = 4

A D/F MONUMENT SIGN
SCALE: 3/16" = 1' 0"



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ADDRESS T.B.D.

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NUMBER: 5585-SPEC6-AB
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DESIGNER: Greg

CLIENT APPROVAL
DATE:
X -----
INSTALL DATE:

UL LISTED
UNDERWRITERS
LABORATORIES



FRONT VIEW



BACK VIEW

ELEVATION @ PYLON #1, #2, #3, #4

SCALE: 1/4" = 1' 0"

BELTERRA

555 N College
Dripping Springs, TX 78737

JOB INFORMATION

NUMBER: 5674-SPEC1-A
SALES REP.: DENISE
DESIGNER: Greg

CLIENT APPROVAL

DATE:
X _____

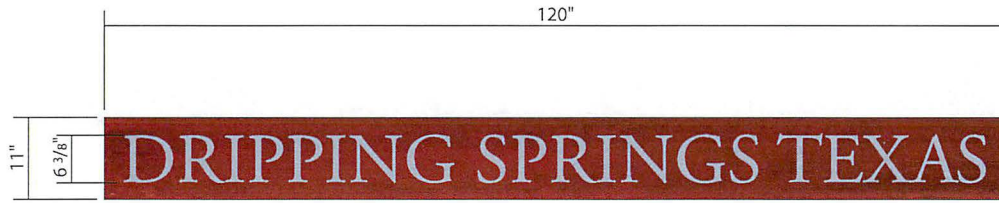
Artworks in this document are considered only as a visual representation of the actual size and specified material. Real world material and size specification takes precedence over any visual representation.

Note: for proposed electrical signs, the sign is intended to be installed in accordance with the requirement of article 600 of the national electrical code and/or other applicable local codes, this includes proper grounding and bonding;



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www.cscsign.com





FONT: ADOBE GARAMOND

FACE TYPE: .25 ALUM. PAINTED P1
BACKER: .125 ALUM. P2.
MOUNTING: PIN-MOUNT TO STONE.

QTY = 8

FCO LETTERS
SCALE: 3/4" = 1' 0"



BELTERRA

555 N College
Dripping Springs, TX 78737

JOB INFORMATION

NUMBER: 5674-SPEC1-A
SALES REP.: DENISE
DESIGNER: Greg

CLIENT APPROVAL

DATE:
X - - - - -



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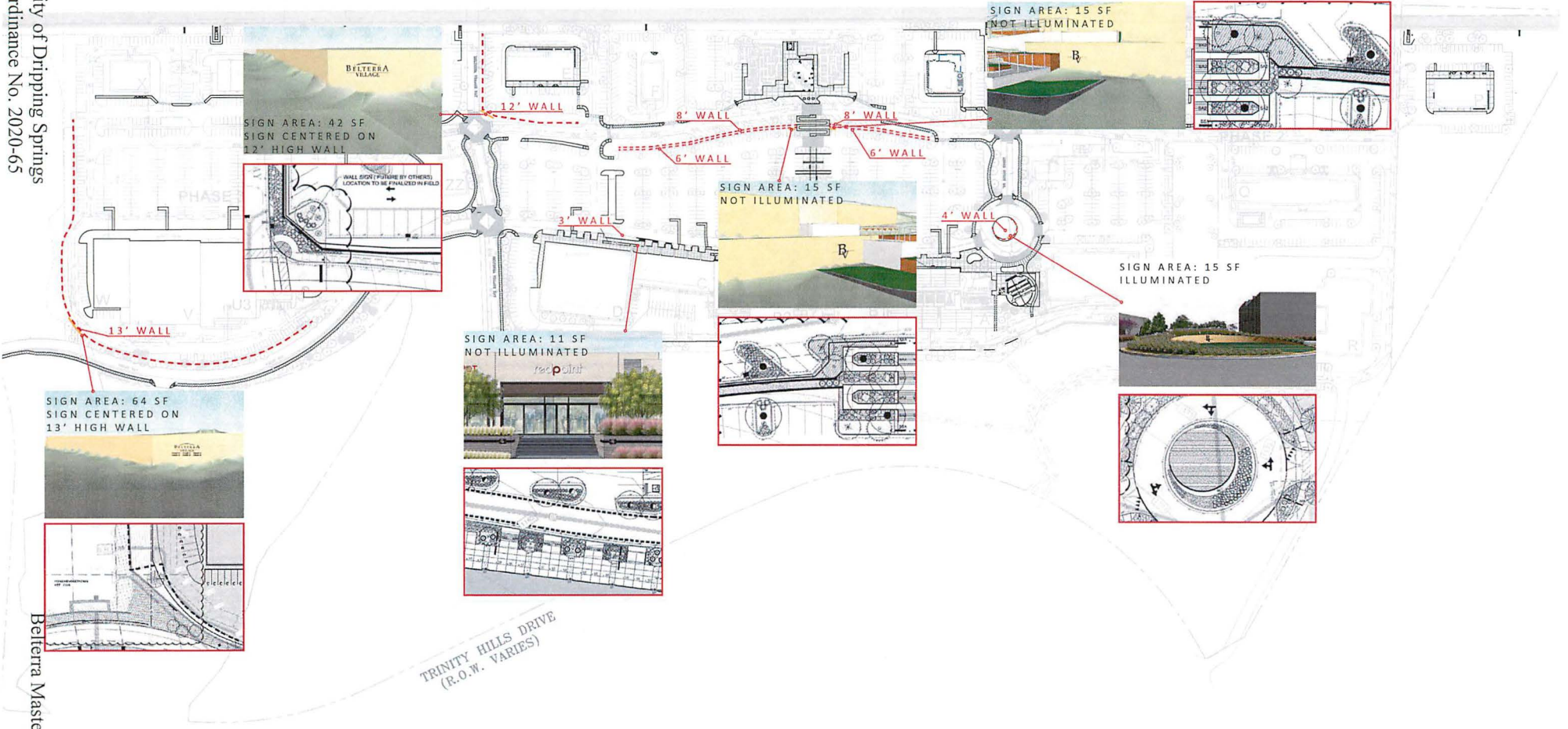
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U.S. HIGHWAY 290 WEST
(R.O.W. VARIES)



TRINITY HILLS DRIVE
(R.O.W. VARIES)

BELTERRA VILLAGE

LOCATIONS OF POTENTIAL WALLSIGNS

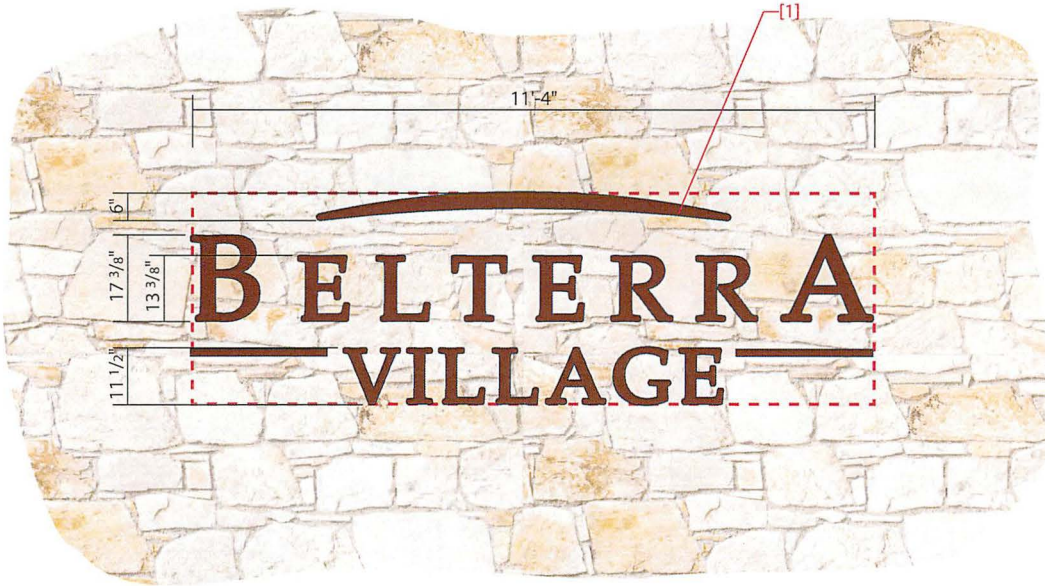


08.01.2017

studio 16:19

LED ILLUMINATION SHOULD BE BELOW 3000 KELVINS AS PER THE BELTERRA MASTER PLAN APPROVED BY THE CITY OF DRIPPING SPRINGS

City of Dripping Springs
Ordinance No. 2020-65



END VIEW

SPEC DETAIL

[1] "BELTERRA VILLAGE" REVERSE CHANNEL.
 FACE TYPE: ALUM. PAINTED P1.
 RETURNS: ALUM. PAINTED P1.
 ILLUMINATION: WARM WHITE LED.
 MOUNTING TYPE: PIN-MOUNT OFFSET 1.5".



ALL COLORS TO BE APPROVED/PROVIDED BY
 CLIENT PRIOR TO MANUFACTURING

NOTE: THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENT OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES, THIS INCLUDES PROPER GROUNDING AND BONDING;

QTY = 1
 41 SQ. FT.

1 CHANNEL LETTERS AND TENANT CABINET
 SCALE: 1/2" = 1' 0"

Belterra Master Sign Plan Amendment

Page 21 of 39

CSC SIGN
 1703 DUNGAN LANE
 AUSTIN, TX 78754
 512-374-9300
 INFO@CSCSIGN.COM
 WWW.CSCSIGN.COM

Belterra
 555 N College
 Dripping Springs, TX 78737

JOB INFORMATION
 NUMBER: 5603-SPEC4-A
 SALES REP.: Denise
 DESIGNER: Greg

CLIENT APPROVAL
 DATE: _____
 X _____
 INSTALL DATE: _____





B ELEVATION - WALL SIGN #1
SCALE: 1/2" = 1' 0"

City of Dripping Springs
Ordinance No. 2020-65

Beltterra Master Sign Plan Amendment

Page 22 of 39

BELTERRA
555 N College Dripping Springs, TX 78737
JOB INFORMATION
NUMBER: 5674-SPEC1-A
SALES REP.: DENISE
DESIGNER: Greg
CLIENT APPROVAL
DATE:
X - - - - -

Amounts in this document are considered only as a visual representation of the actual size and specified material. Real world material and size specification takes precedence over any visual representation.

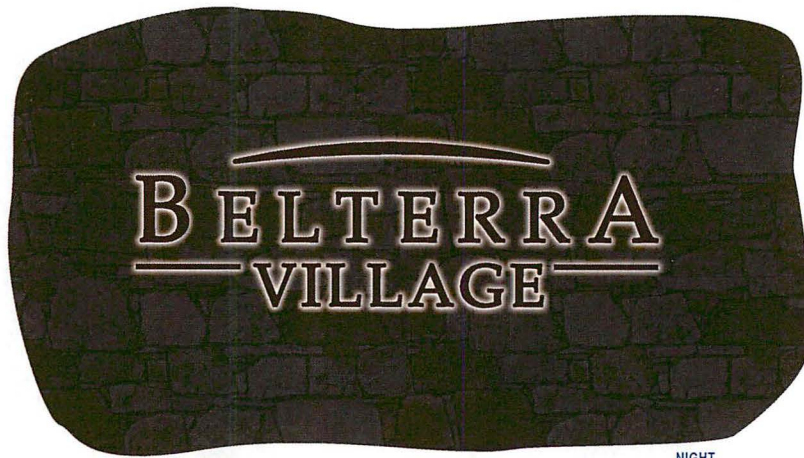
Note: for proposed electrical signs, the sign is intended to be installed in accordance with the requirement of article 610 of the national electrical code and/or other applicable local codes, this includes proper grounding and bonding.



1793 Dungen Lane
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www.cseasign.com



LED ILLUMINATION SHOULD BE BELOW 3000 KELVINS AS PER THE BELTERRA MASTER PLAN
APPROVED BY THE CITY OF DRIPPING SPRINGS



NIGHT

1 ELEVATION
SCALE: 1/2" = 1' 0"

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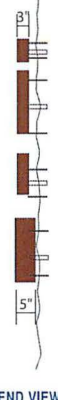
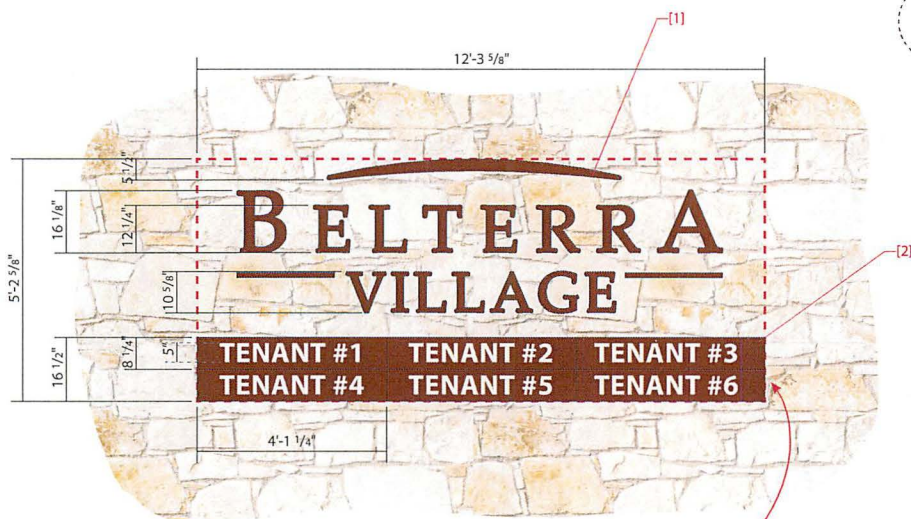
Belterra
 555 N College
 Dripping Springs, TX 78737

JOB INFORMATION
 NUMBER: 5603-SPEC+A
 SALES REP.: Denise
 DESIGNER: Greg

CLIENT APPROVAL
 DATE:
 X - - - - -
 INSTALL DATE:



LED ILLUMINATION SHOULD BE BELOW 3000 KELVINS AS PER THE BELTERRA MASTER PLAN APPROVED BY THE CITY OF DRIPPING SPRINGS



SPEC DETAIL
 [1] "BELTERRA VILLAGE" REVERSE CHANNEL.
 FACE TYPE: ALUM. PAINTED P1.
 RETURNS: ALUM. PAINTED P1.
 ILLUMINATION: WARM WHITE LED.
 MOUNTING TYPE: PIN-MOUNT OFFSET 1.5".
 [2] TENANT CABINET
 FACE TYPE: .125 ALUM. PAINTED P1 WITH 3/4" CLEAR PUSH-PLEX AND WHITE OPAQUE VINYL ON FACE.
 RETURNS: ALUM. PAINTED P1.
 ILLUMINATION: WARM WHITE LED.
 MOUNTING TYPE: COUNTER-SUNK SCREWS PAINTED P1.



ALL COLORS TO BE APPROVED/PROVIDED BY CLIENT PRIOR TO MANUFACTURING

NOTE: THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENT OF ARTICLE 800 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES, THIS INCLUDES PROPER GROUNDING AND BONDING;



TYP. DETAIL NTS
 ALL TENANT PANELS FASTENED WITH COUNTERSUNK SCREWS

QTY = 1
 64 SQ. FT.

3 CHANNEL LETTERS AND TENANT CABINET
 SCALE: 1/2" = 1' 0"

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 WWW.CSCSIGN.COM

Beltterra
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 Dripping Springs, TX 78737

JOB INFORMATION
 NUMBER: 5503-SPEC1-A
 SALES REP.: Denise
 DESIGNER: Greg

CLIENT APPROVAL
 DATE: _____
 X _____
 INSTALL DATE: _____





B ELEVATION - WALL SIGN #3
SCALE: 1/2" = 1' 0"

City of Dripping Springs
Ordinance No. 2020-65

BELTERRA
555 N College Dripping Springs, TX 78737
JOB INFORMATION
NUMBER: 5574-SPEC1-A
SALES REP.: DENISE
DESIGNER: Greg
CLIENT APPROVAL
DATE:
X - - - - -

Attributes in this document are considered only as a visual representation of the actual size and specification. Real world material and size specification takes precedence over any visual representation.

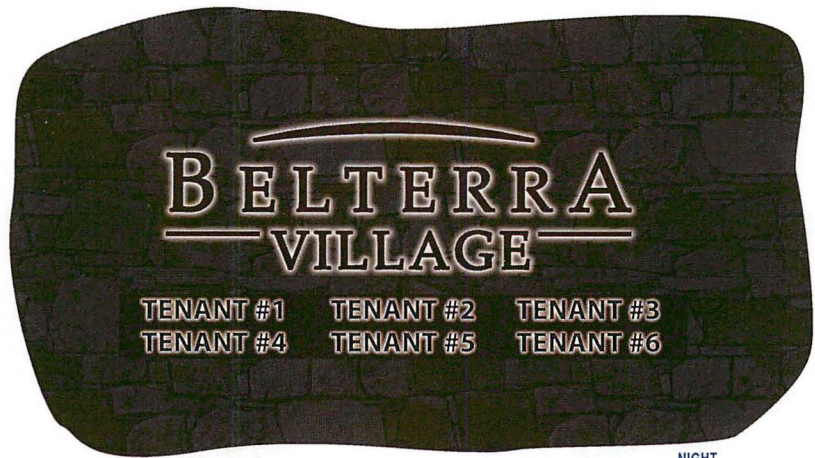
Note: for proposed electrical signs, the sign is intended to be installed in accordance with the requirement of article 610 of the national electrical code and/or other applicable local codes. This includes proper grounding and bonding.



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www.cseesign.com



LED ILLUMINATION SHOULD BE BELOW 3000 KELVINS AS PER THE BELTERRA MASTER PLAN
APPROVED BY THE CITY OF DRIPPING SPRINGS



NIGHT

3 ELEVATION
SCALE: 1/2" = 1' 0"

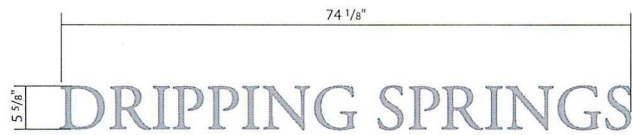
CSC SIGN
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Beltterra
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 Dripping Springs, TX 78737

JOB INFORMATION
 NUMBER: 5603-SPEC+A
 SALES REP.: Denise
 DESIGNER: Greg

CLIENT APPROVAL
 DATE: _____
 X _____
 INSTALL DATE: _____





FONT: ADOBE GARAMOND

FACE TYPE: .25 ALUM. PAINTED P1.
MOUNTING: PIN-MOUNT TO STONE.



BFCO LETTERS
SCALE: 1" = 1' 0"

QTY = 2

City of Dripping Springs
Ordinance No. 2020-65

Belterra Master Sign Plan Amendment

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BELTERRA

555 N College
Dripping Springs, TX 78737

JOB INFORMATION

NUMBER: 5674-SPEC1-A
SALES REP.: DENISE
DESIGNER: Greg

CLIENT APPROVAL

DATE:
X - - - - -



MP Brushed
Alum. 413425P

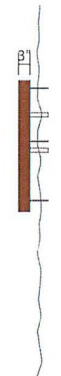
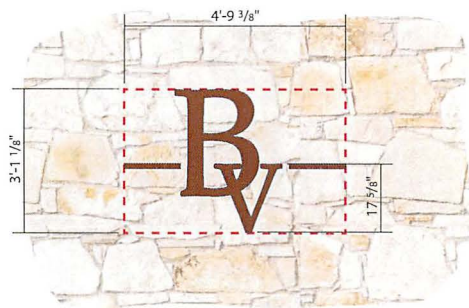
Remarks in this document are considered only as a visual representation of the actual size and specified material. Real world material and size specification takes precedence over any visual representation.

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END VIEW

EXACT LOCATION T.B.D.

QTY = 2
15 SQ. FT.

2a REVERSE CHANNEL LETTER (NON-LIT)
SCALE: 1/2" = 1' 0"

SPEC DETAIL
 [1] "BV LOGO" DIMENSIONAL LETTERS.
 FACE TYPE: ALUM. PAINTED P1.
 RETURNS: ALUM. PAINTED P1.
 ILLUMINATION: NONE.
 MOUNTING TYPE: PIN-MOUNT OFFSET 1.5".


 P1
 FAUX
 CORTEN

ALL COLORS TO BE APPROVED/PROVIDED BY CLIENT PRIOR TO MANUFACTURING

NOTE: THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENT OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING.

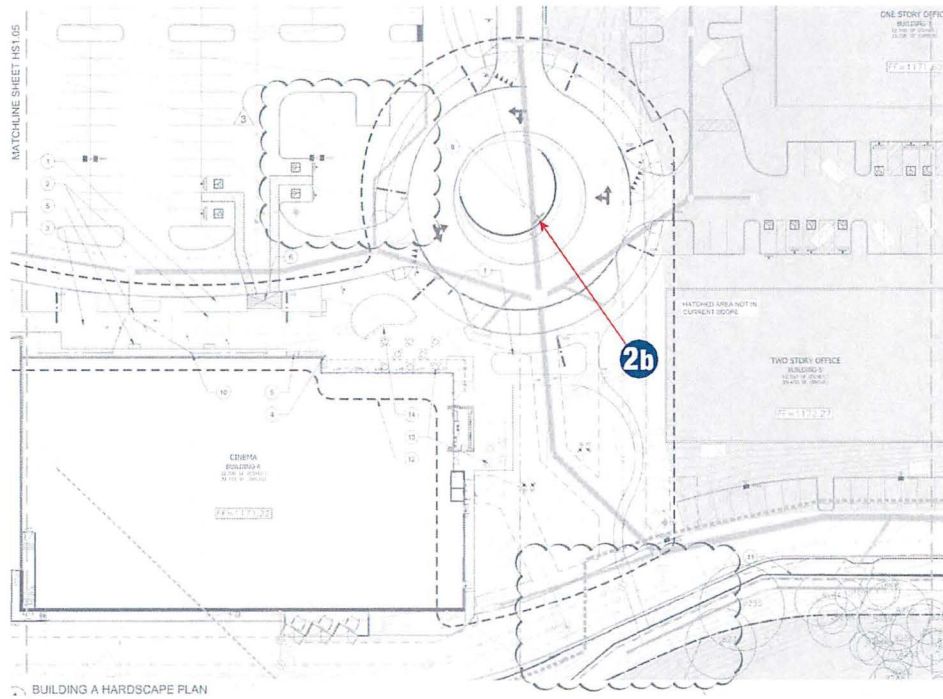
CSC SIGN
 1703 DUNGAN LANE
 AUSTIN, TX 78754
 512-374-9300
 INFO@CSCSIGN.COM
 WWW.CSCSIGN.COM

Beltterra
 555 N College
 Dripping Springs, TX 78737

JOB INFORMATION
 NUMBER: 5603-SPEC+A
 SALES REP.: Denise
 DESIGNER: Greg

CLIENT APPROVAL
 DATE: X-----
 INSTALL DATE:





SITE PLAN
1" = 50'

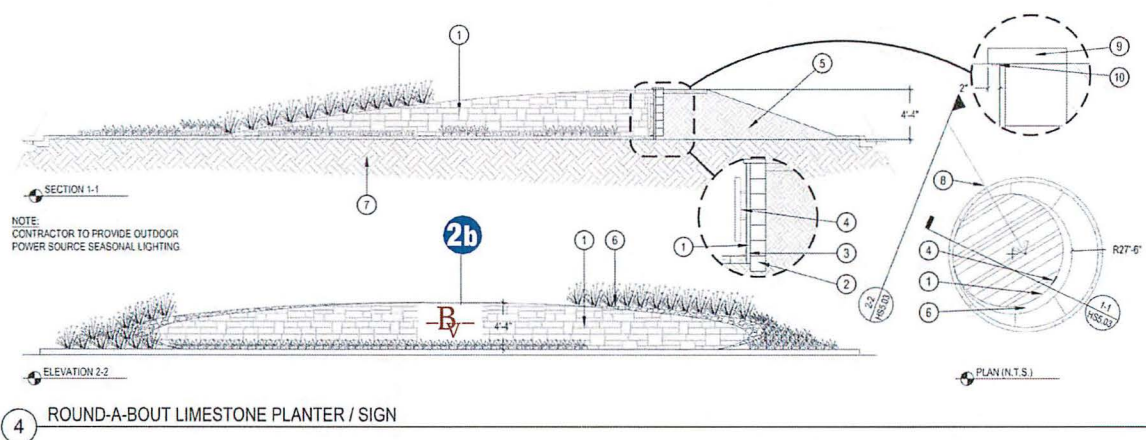
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Dripping Springs, TX 76737

JOB INFORMATION
NUMBER: 5603-SPEC4-A
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DESIGNER: Greg

CLIENT APPROVAL
DATE: _____
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INSTALL DATE: _____





ELEVATION
SCALE: 1/8" = 1' 0"

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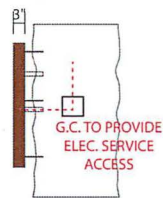
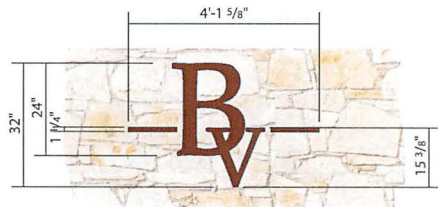
Belterra
555 N College
Dripping Springs, TX 78737

JOB INFORMATION
NUMBER: 5603-SPEC-A
SALES REP.: Denise
DESIGNER: Greg

CLIENT APPROVAL
DATE:
X _____
INSTALL DATE:



LED ILLUMINATION SHOULD BE BELOW 3000 KELVINS AS PER THE BELTERRA MASTER PLAN APPROVED BY THE CITY OF DRIPPING SPRINGS



END VIEW

SPEC DETAIL

[1] "BV LOGO" DIMENSIONAL LETTERS.
 FACE TYPE: ALUM. PAINTED P1.
 RETURNS: ALUM. PAINTED P1. PAINTED INTERIOR BLACK.
 ILLUMINATION: WARM WHITE LED.
 MOUNTING TYPE: PIN-MOUNT OFFSET 1.5".

P1
 FAUX
 CORTEN

ALL COLORS TO BE APPROVED/PROVIDED BY CLIENT PRIOR TO MANUFACTURING

NOTE: THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENT OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING.



NIGHT

QTY = 1
15 SQ. FT.

2b REVERSE CHANNEL LETTER
 SCALE: 1/2" = 1' 0"

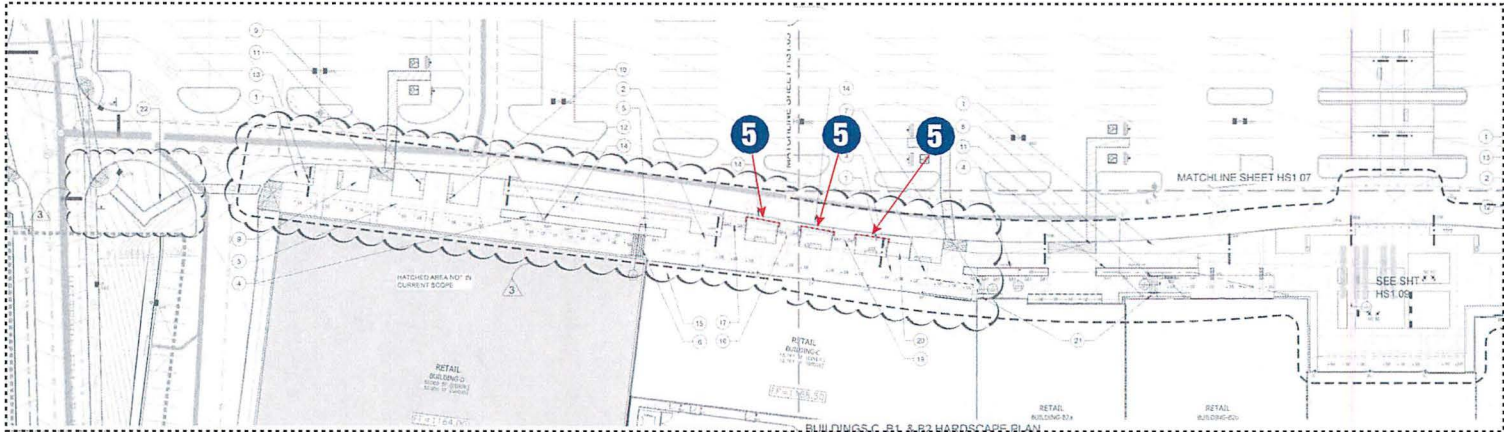
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 INFO@CSCSIGN.COM
 WWW.CSCSIGN.COM

Belterra
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 Dripping Springs, TX 76737

JOB INFORMATION
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 SALES REP.: Denise
 DESIGNER: Greg

CLIENT APPROVAL
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 X _____
 INSTALL DATE:





5 SITE PLAN
1" = 50'

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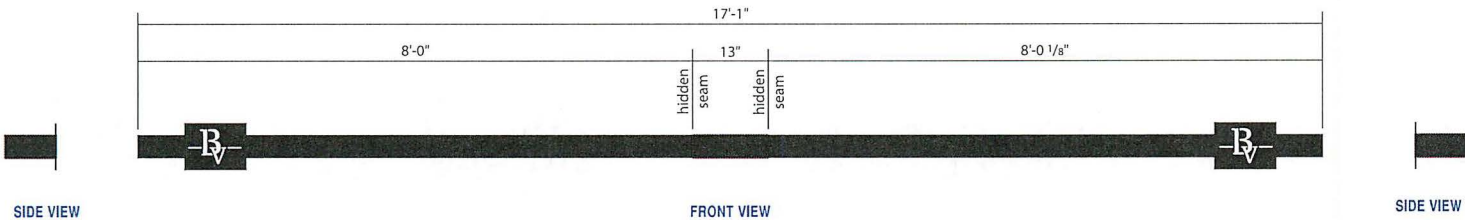
Beltterra
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 Dripping Springs, TX 78737

JOB INFORMATION
 NUMBER: 5603-SPEC-A
 SALES REP.: Denise
 DESIGNER: Greg

CLIENT APPROVAL
 DATE: _____
 X _____
 INSTALL DATE: _____



FIELD SURVEY REQUIRED PRIOR TO FABRICATION.



5 ELEVATION - PLANTER SIGN PANEL ASSEMBLY QTY = 3
 SCALE: 3/4" = 1' 0"



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Belterra
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 Dripping Springs, TX 76737

JOB INFORMATION
 NUMBER: 5603-SPEC+A
 SALES REP.: Denise
 DESIGNER: Greg

CLIENT APPROVAL
 DATE:
 X -----
 INSTALL DATE:



LEFT VIEW

FRONT VIEW (left corner)

SECTION VIEW

SPEC DETAIL

FACE TYPE: .25 WATER-JET CUT ALUM.; FACE AND ENDS PAINTED P1.
 MOUNTING TYPE: PIN-MOUNT OFFSET.
 WELD AND JOIN ALL SEAMS.

P1
NP Black
N923 SP
MATTE

ALL COLORS TO BE APPROVED/PROVIDED BY CLIENT PRIOR TO MANUFACTURING

5 PLANTER SIGN PANEL CORNER (TYP.)
SCALE: 3" = 1' 0"

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Belterra
555 N College
Dripping Springs, TX 76737

JOB INFORMATION
NUMBER: 5603-SPEC+A
SALES REP.: Denise
DESIGNER: Greg

CLIENT APPROVAL
DATE: _____
X _____
INSTALL DATE: _____



Reverse-Lit Channel Letters w/ Backplate / Front Elevations / Raceway Mounted / Belterra Village, Dripping Springs, Texas

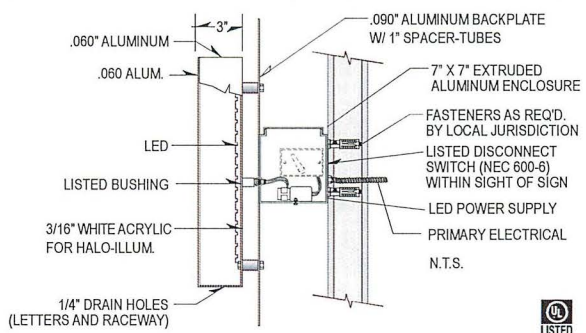


B Reverse-Lit Channel Letters w/ Backplate / Raceway-mounted / Front view

- QUANTITY:** ONE (1) PER FACADE
- Max. Allowed Height:** Refer to Belterra Village Sign Ordinance
- Overall Length:** Varies per tenant (up to 75% of facade length of tenant space)
- Total Sq.Ft.:** Varies per tenant; Refer to Belterra Village Sign Ordinance
- Returns:** White
- Face:** .060 Alum.
- Raceway:** TBD
- Backplate:** Black
- Illumination:** White LEDs / 3000 Kelvins Max.

- NOTES:**
- Raceway Mounted
 - WHITE interiors for increased illumination
 - All paint two-stage automotive polyurethane
 - Maximum sign width: 75% of storefront

CHANNEL LETTER - TYPICAL SECTION - REVERSE-LIT • METAL FACE



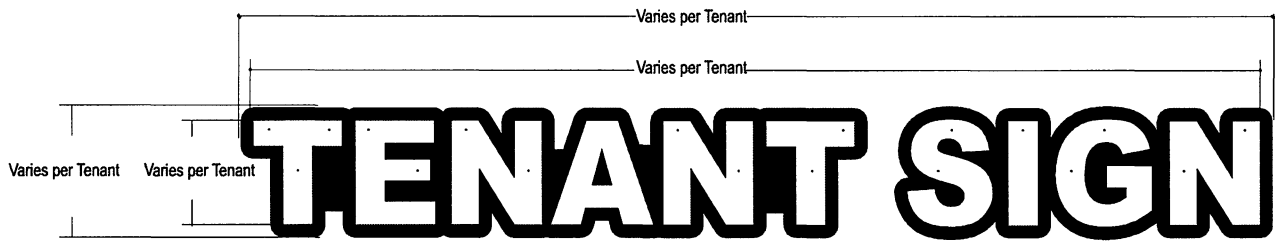
ELECTRICAL NOTES: FSG DOES NOT provide primary electrical to sign. Power to the sign must be done by a licensed electrical contractor at licensed address. Each sign must have: 1. A disconnect of one pole/208/250 circuit, 2. A ground bar installed within 2 feet of sign, 3. Three wire Line, Ground, Neutral.

Exhibit #3

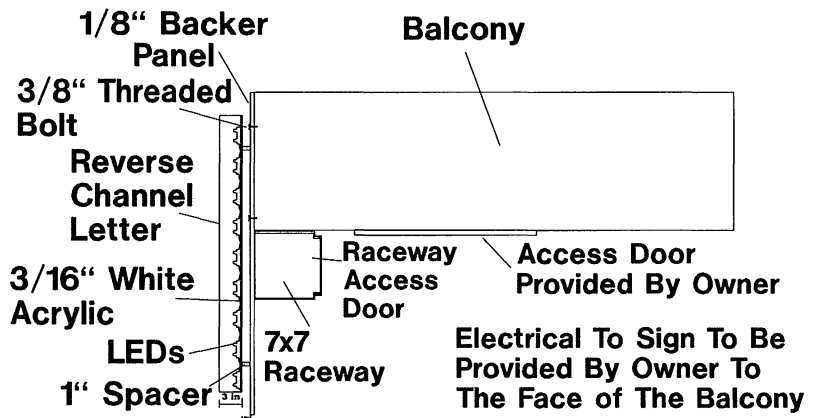
<p>FACILITY SOLUTIONS GROUP City of Dripping Springs</p>	<p>Belterra Village Dripping Springs</p>	<p>Start Date: 8/2016 Last Revision: 08/18/16C Job#: 82J11A Drawing #: 82J11AVZ51</p>	<p>Design Rep: Houze Sales Rep: Edu Strobock</p>	<p>MEMBER INTERNATIONAL ELECTRICAL ASSOCIATION</p> <p>UL LISTED</p> <p>UL INSTALLATION REQUIREMENTS: THE UL LISTED MARKING SYSTEM IS A SERVICE MARK OF UL, INC. IT IS A SYSTEM OF QUALITY CONTROL FOR ELECTRICAL AND ELECTRONIC EQUIPMENT. IT IS BASED ON THE UL STANDARD FOR LISTED ELECTRICAL AND ELECTRONIC EQUIPMENT, WHICH IS A REQUIREMENT FOR THE LISTING OF THE EQUIPMENT.</p> <p>UL LISTED</p>
	<p>10212 METRIC BOULEVARD, AUSTIN, TEXAS 78758 • 1-800-327-1104 / 512-494-0002 / www.fsg.com</p>			<p>Belterra Master Sign Plan Amendment</p>

Ordinance No. 2020-65





**Attachment to the Face of the Canopy
 Using 3/8" Threaded Stainless Bolts
 Bolts to be Concealed Inside the Letters
 Number of Bolts As Required to Secure the Sign to the Balcony**



**Backer Panel Must Not Protrude Above The Top Of The Balcony Face
 Minimize the Portion of the Sign Below the Balcony
 Backer Panel and Raceway to be Painted Matthews Black Satin Finish**



CUASO DESIGN STUDIO | ENDEAVOR | BELTERRA VILLAGE | BUILDING S
DRIPPING SPRINGS, TX

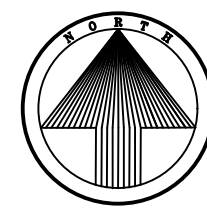
EXHIBIT "6"

Elevation with Sign Size
11.30.2020

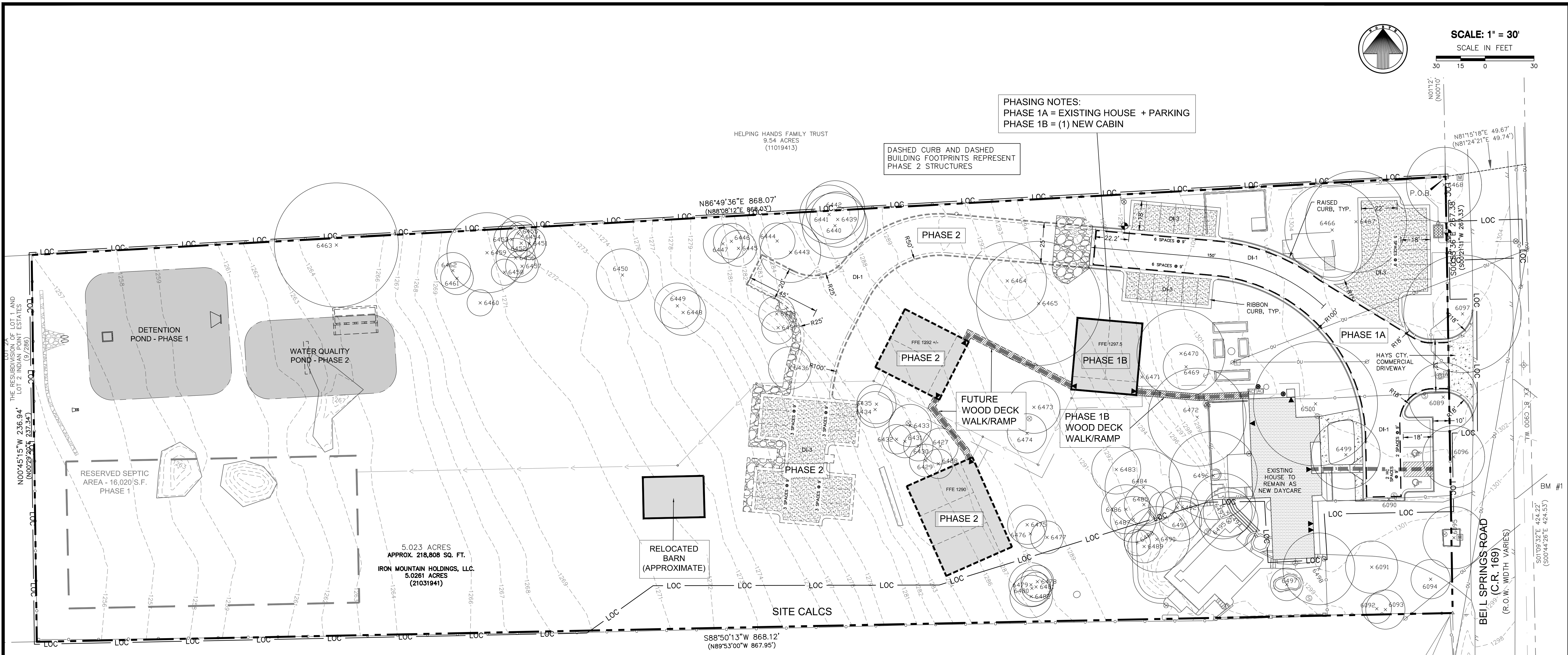
City of Dripping Springs
Ordinance No. 2020-65

Belterra Master Sign Plan Amendment

Page 39 of 39



SCALE: 1" = 30'
SCALE IN FEET



PHASING NOTES:
PHASE 1A = EXISTING HOUSE + PARKING
PHASE 1B = (1) NEW CABIN

DASHED CURB AND DASHED BUILDING FOOTPRINTS REPRESENT PHASE 2 STRUCTURES

- SITE NOTES:**
- PAVING SURFACE TO BE A MIXTURE OF ASPHALT AND GRAVEL. SEE CONSTRUCTION DETAILS.
 - FOR DRIVEWAY CONSTRUCTION, THE OWNER IS RESPONSIBLE FOR ALL COSTS FOR RELOCATION OF OR DAMAGE TO UTILITIES.
 - COORDINATE ALL CONSTRUCTION IN PRIVATE RIGHT-OF-WAY WITH OWNER'S REPRESENTATIVE PRIOR TO STARTING WORK.
 - ALL DEMOLISHED MATERIALS ARE TO BE MOVED TO AN OFF-SITE LOCATION BY DEMOLITION CONTRACTOR.
 - THERE ARE NO OTHER STRUCTURES OR BUILDINGS WITHIN 50' OF THE LIMITS OF CONSTRUCTION OTHER THAN THOSE SHOWN.
 - ESTABLISH FIRE ZONES AS SHOWN ON SITE BY PAINTING GUTTER RED. STENCIL THE WORDS "FIRE ZONE/TOW-AWAY ZONE" IN WHITE LETTERS AT LEAST 3 INCHES HIGH AT 35' INTERVALS ALONG THE CURB OR PAVEMENT AS NOTED ON THE SITE PLAN.
 - GUARDRAILS ARE REQUIRED ON ALL STRUCTURES WHERE THE VERTICAL GRADE DIFFERENCE IS GREATER THAN 30 INCHES ACCORDING TO THE UNIFORM BUILDING CODE. REFER TO ARCHITECTURAL PLANS FOR GUARDRAIL DESIGN AND LAYOUT.

- ACCESSIBILITY NOTES:**
- WHEN MORE THAN ONE BUILDING OR FACILITY IS LOCATED ON A SITE, AT LEAST ONE ACCESSIBLE ROUTE MUST BE PROVIDED BETWEEN ACCESSIBLE ELEMENTS, FACILITIES AND BUILDINGS.
 - EVERY ACCESSIBLE PARKING SPACE MAY NOT EXCEED 1:20 UNLESS DESIGNED AS A RAMP.
 - ACCESSIBLE ROUTES MUST HAVE A CROSS-SLOPE NO GREATER THAN 1:50.
 - GROUND SURFACES ALONG ACCESSIBLE ROUTES MUST BE STABLE, FIRM AND SLIP RESISTANT.
 - THE MAXIMUM SLOPE OF A RAMP IN NEW CONSTRUCTION IS 1:12. THE MAXIMUM RISE FOR ANY RAMP RUN IS 30 IN. THE MAXIMUM HORIZONTAL PROJECTION IS 30 FEET FOR A RAMP WITH A SLOPE BETWEEN 1:12 AND 1:15, AND 40 FEET FOR A RAMP WITH A SLOPE BETWEEN 1:16 AND 1:20.
 - DETECTABLE WARNINGS FOR CURB RAMPS SHALL FOLLOW TDLR TECHNICAL MEMORANDUM TM 08-01 AND HAVE TEXTURES CONSISTING OF RAISED TRUNCATED DOMES WITH A DIAMETER OF NOMINAL 0.9 IN., A HEIGHT OF NOMINAL 0.2 IN. AND A CENTER TO CENTER SPACING OF NOMINAL 2.35 IN. AND SHALL CONTRAST VISUALLY WITH ADJOINING SURFACES, EITHER LIGHT OR DARK, OR DARK ON LIGHT. THE MATERIAL USED TO PROVIDE CONTRAST SHALL BE AN INTEGRAL PART OF THE WALKING SURFACE.
 - ACCESSIBLE PARKING SPACES MUST BE LOCATED ON A SURFACE WITH SLOPE NOT EXCEEDING 1:50.
 - ACCESSIBLE PARKING SPACES MUST BE LOCATED ON THE SHORTEST POSSIBLE ACCESSIBLE ROUTE OF TRAVEL TO AN ACCESSIBLE BUILDING ENTRANCE. IN FACILITIES WITH MULTIPLE ACCESSIBLE BUILDING ENTRANCES WITH ADJACENT PARKING, ACCESSIBLE PARKING SPACES MUST BE DISPERSED AND LOCATED NEAR THE ACCESSIBLE ENTRANCES.
 - EVERY ACCESSIBLE PARKING SPACE MUST BE IDENTIFIED BY A SIGN, CENTERED AT THE HEAD OF THE PARKING SPACE. THE SIGN MUST INCLUDE THE INTERNATIONAL SYMBOL OF ACCESSIBILITY AND STATE "RESERVED" OR EQUIVALENT LANGUAGE, CHARACTERS AND SYMBOLS ON SUCH SIGNS MUST BE LOCATED 60" MINIMUM ABOVE THE GROUND SO THAT THEY CANNOT BE OBSCURED BY A VEHICLE PARKED IN THE SPACE. SEE SIGN DETAIL ON CONSTRUCTION DETAILS SHEET.
 - AT EVERY PRIMARY PUBLIC ENTRANCE AND AT EVERY MAJOR JUNCTION ALONG OR LEADING TO AN ACCESSIBLE ROUTE OF TRAVEL, THERE MUST BE A SIGN DISPLAYING THE INTERNATIONAL SYMBOL OF ACCESSIBILITY. SIGNS MUST INDICATE THE DIRECTION TO AN ACCESSIBLE BUILDING ENTRANCE.
 - THE CONTRACTOR SHALL VERIFY ALL GRADES CONCERNING ACCESSIBLE ROUTES AND WALKWAYS PRIOR TO PLACEMENT OF CONCRETE. THE CONTRACTOR SHALL CONTACT THE ENGINEER 48 HOURS PRIOR TO CONCRETE PLACEMENT ON ALL ACCESSIBLE ROUTES AND WALKWAYS IN ORDER TO VERIFY FORM PLACEMENT, SLOPES AND GRADES.
 - APPROVAL OF THESE PLANS BY THE CITY OF DRIPPING SPRINGS INDICATES COMPLIANCE WITH APPLICABLE CITY REGULATIONS ONLY. COMPLIANCE WITH ACCESSIBILITY STANDARDS SUCH AS THE 2010 STANDARDS FOR ACCESSIBLE DESIGN OR THE 2012 TEXAS ACCESSIBILITY STANDARDS WAS NOT VERIFIED. THE APPLICANT IS RESPONSIBLE FOR COMPLIANCE WITH ALL APPLICABLE ACCESSIBILITY STANDARDS.

SITE TABULATION

LIMITS OF CONSTRUCTION	4.637 ACRES =	201,968 S.F.	
SITE AREA	5.023 ACRES =	218,808 S.F.	
IMPERVIOUS COVER ALLOWABLE	1.758 ACRES =	78,583 S.F.	35%
EXISTING BUILDING		4,531 S.F.	
PARKING, DRIVES & WALKS		9,960 S.F.	
		14,491 S.F.	6.62%
PROPOSED PHASE 1 BUILDING		5,976 S.F.	
FLATWORK/DECKING		5,388 S.F.	
PAVEMENT		10,608 S.F.	
GRAVEL		7,263 S.F.	
		29,233 S.F.	13.36%
PROPOSED PHASE 2 BUILDING		4,400 S.F.	
FLATWORK/DECKING		481 S.F.	
PAVEMENT		7,823 S.F.	
GRAVEL		3,382 S.F.	
		16,086 S.F.	7.35%
PROPOSED AFTER PHASE 2 COMPLETION BUILDING		10,376 S.F.	
FLATWORK/DECKING		5,867 S.F.	
PAVEMENT		18,431 S.F.	
GRAVEL		10,845 S.F.	
		45,319 S.F.	20.71%
PARKING SUMMARY			
REQUIRED PARKING			
N/A	RATIO	N/A	- SPACES
PROVIDED PARKING			
STANDARD SPACES	PH. 1	PH. 2	TOTAL
	19	12	31
HANDICAP SPACES	2	0	2
			33 SPACES

LEGEND

— LOC —	LIMITS OF CONSTRUCTION
— FIRELANE STRIPING	FIRELANE STRIPING
— ACCESSIBLE ROUTE (SEE NOTES)	ACCESSIBLE ROUTE (SEE NOTES)
▲ BUILDING ENTRANCES	BUILDING ENTRANCES
▶ PAVEMENT TYPE (SEE CONST. DETAILS)	PAVEMENT TYPE (SEE CONST. DETAILS)

OVER YONDER NATURE SCHOOL
SITE PLAN
5000 BELL SPRINGS ROAD
DRIPPING SPRINGS, TEXAS

NO.	DATE	DESCRIPTION

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City Council Planning Department Staff Report

City Council Meeting: March 15, 2022
Project No: MORW2022-009
Project Planner: Tory Carpenter, AICP, Senior Planner

Item Details

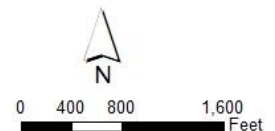
Project Name: Over Yonder Nature School
Property Location: 5000 Bell Springs Road
Legal Description: 5.04 acres out of the Benjamin F Hannah Survey
Applicant: Ron Thrower
Property Owners: Dustin Werley
Request: A waiver from the temporary development moratorium



Location Map

*Over Yonder
Nature School
Moratorium Waiver*

- Roads
- Parcel Lines
- City Limits**
- Full Purpose



Planning Department Staff Report

Development Proposal

This request is associated with a site development permit for a day care facility in the ETJ. The project consists of three new buildings in addition to the existing home on the property.

The project would be served by on-site septic and would not impact the City wastewater system.

Request Overview

The applicant requests an administrative exception to the temporary development moratorium. Since there is no commercial use on the property, the proposed development was determined to be a “change in use” and staff denied the exception request. Staff directed the applicant to apply for a waiver.

Staff Analysis

Moratorium Ordinance: Section 8 Art. B

Waivers. Any property owner who does not assert rights under Texas Local Government Code Chapter 245, but who seeks authorization to proceed with the development permitting process during the time of the temporary moratorium can request a waiver. Property owners agreeing to construct certain wastewater infrastructure at property owners’ sole expense and who do not require land use modifications inconsistent with the updated comprehensive plan, in accordance with Local Government Code Chapter 212, Subchapter E, may apply for a waiver in accordance with City policy.

Wastewater:

This development will be served by on-site septic systems and will not impact the city wastewater system.

Land Use:

While there are residential properties west and north of the subject property, this proposed project is complimentary to development trends in this block of Bell Springs Road and US 290. Recent developments include Esperanza, a large lot single family residential project, and an a 16-unit office / warehouse park adjacent to the east of the subject site (across Bell Springs). Additionally, despite the property’s location in the ETJ, staff does not anticipate imminent comprehensive planning efforts to reverse this emergent trend of commercial development along this corridor, nor the institution of restrictive land use regulations on the property which would preclude commercial uses.

Council Action

City Council is tasked with approval or denial of the waiver. Any denial will stand until the moratorium is lifted unless there is a substantial change to the project.

Attachments

Exhibit 1: Waiver Request

Exhibit 2: Concept Plan

Exhibit 3: Moratorium Ordinance

Recommended Action:	Staff provides this request to City Council with a neutral recommendation as this is ultimately a policy decision.
Alternatives/Options:	Deny or approve the waiver.
Budget/Financial Impact:	N/A
Public Comments:	No public comment was received for this request.
Enforcement Issues:	N/A



City of Dripping Springs MORATORIUM WAIVER APPLICATION

Official Use Only:	
Project #	<u>MOR</u>
Date Received	_____

Property/Site Address or Legal Description: Over Yonder Nature School - 5000 Bell Springs Road

_____ Hays CAD Property ID (R #): R15090

Owner Name: Dustin Werley Phone #: 512-705-7272

Owner Email: dustinw324@gmail.com

Authorized Agent: Ron Thrower Phone #: 512/731-2524

Agent Email: ront@throwerdesign.com

BASIS FOR WAIVER:

The proposed civic use of the property entails conversion of the existing house and multiple buildings for other day care related use.

The project is designed with 2 phases and the first phase will include remodeling of the existing house, adding a cabin and installing a new OSSF to handle all of the proposed development.

The proposed use of the property is for a day care facility which is in high demand to serve the many families in the Dripping Springs area.

With the proposed development using a new on-site drain field, there will not be any impact on the municipal wastewater system.

Additional Information / Submittal Requirements:

This request should be submitted simultaneously with any other permit application including: (1) site development; (2) plat; (3) replat; (4) zoning application including Planned Development District; (5) application for Development Agreement; (6) Building Permit application; (7) Wastewater application; and (8) other land use applications. Waivers will be reviewed by City Council within 10 days of the City receiving: (1) this application; (2) the application for the underlying permit; and (3) all documentation related to the basis for the waiver (for example an agreement to fund and construct wastewater infrastructure). A letter on the status of this waiver will be provided to the applicant after the City Council makes a decision on the request. If denied, a waiver may not be reapplied for unless the waiver request or project substantially changes. Prior to applying for a waiver, it is recommended that you review with staff whether you will be eligible for an exception rather than a waiver.

A. Ron Thrower
Applicant Signature

A. Ron Thrower
Print Name

03/07/2022
Date

OFFICIAL USE ONLY:			
Date all necessary documentation received: _____	Approved: _____	Denied: _____	Date: _____
	By: _____		11/2021

CITY OF DRIPPING SPRINGS

ORDINANCE No. 2022-03

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS, (“CITY”) EXTENDING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, AUTHORIZATION, AND APPROVALS NECESSARY FOR THE SUBDIVISION, SITE PLANNING, DEVELOPMENT, AND CONSTRUCTION IN THE CITY LIMITS AND EXTRATERRITORIAL JURISDICTION, PROVIDING FOR FINDINGS OF FACT, DEFINITIONS, APPLICABILITY, PURPOSE, ENACTMENT, DURATION, EXTENSION, EXCEPTIONS AND EXEMPTIONS, DETERMINATION AND APPEALS, REPEALER, SEVERABILITY, ENFORCEMENT, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council of the City of Dripping Springs (“City Council”) as a duly-elected legislative body, finds that it is facing significant historic and contemporary land use challenges that existing regulations were not designed to address; and

WHEREAS, the City Council finds that it is in the best interest of the City and its citizens to extend the enacted moratorium in order to continue to temporarily suspend the acceptance, authorization, and approvals necessary for the subdivision, site planning, development, zoning, and construction on real property in the City limits and extraterritorial jurisdiction; and

WHEREAS, the City has developed a Comprehensive Plan for development within the City and desires to protect its ability to regulate development within its jurisdiction; and

WHEREAS, the City has started the process of revisiting the Comprehensive Plan and studying land use and development in the City limits and extraterritorial jurisdiction, and is in negotiation with a professional land planning firm to provide comprehensive plan and development code services; and

WHEREAS, Texas Local Government Code Section 51.001 provides the City general authority to adopt an Ordinance or police regulations 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, Texas Local Government Code Chapters 211, 213, 214, and 217 grant the City certain regulation authority concerning construction, land use, nuisances, structures and development-related activities; and

WHEREAS, the City seeks to ensure that impending and future development is conducted in a fiscally-sustainable and environmentally responsible manner; and

WHEREAS, the City Limits and Extraterritorial Jurisdiction (ETJ) are comprised of a

combination of topographical, ecological, and drainage features that create significant development challenges; and

WHEREAS, the City will change drastically if continued growth and development should occur under the City's existing Code of Ordinances and Comprehensive Plan, which no longer adequately address concerns about the effect of responsible development in the City and ETJ; and

WHEREAS, as codified in Tex. Water Code § 26.081(a), the Legislature of the State of Texas found and declared that it is necessary to the health, safety, and welfare of the people of this state to implement the state policy to encourage and promote the development and use of regional and area-wide waste collection, treatment, and disposal systems to serve the waste disposal needs of the citizens of the state and to prevent pollution and maintain and enhance the quality of the water in the state; and

WHEREAS, the City agrees with the Legislature of the State of Texas that it is necessary to the health, safety, and welfare of the people in the City limits and the ETJ to encourage and promote the development and use of regional and area-wide waste collection, treatment, and disposal systems to serve the waste disposal needs of the citizens in the City limits and the ETJ to prevent pollution and maintain and enhance the quality of the water in the City limits and the Extraterritorial Jurisdiction; and

WHEREAS, the City conducted an updated analysis to determine the adequacy of the City's current regional wastewater facilities and the need beyond the estimated capacity that is expected to result from new property development; and

WHEREAS, upon review of the updated analysis by the City's Wastewater Engineer and Deputy City Administrator, the City Council has made updated findings contained herein as **Attachment "B"** related to the inadequacy of existing essential public facilities in accordance with Section 212.135 of the Texas Local Government Code; and

WHEREAS, the City Council finds that certain essential public and private infrastructure, being wastewater facilities and improvements and transportation facilities and improvements throughout the City Limits and ETJ, are inadequate and insufficient to adequately serve new development; and

WHEREAS, relying on the analysis provided by City Staff, the outstanding permits issued by the City prior to this moratorium, and the City's impact fee analysis, the City Council makes the following findings:

1. Taking into account all wastewater that has been committed by contract, the City's wastewater facilities are at capacity; and
2. The current wastewater collection system has bottlenecks that threaten the proper operation of the City's regional wastewater system; and

3. Based on these bottlenecks and the contractual commitments that will utilize all additional capacity of the City's regional wastewater plant, there is currently no additional capacity available to commit to development of lots; and
4. This moratorium is reasonably limited to property located in the City limits and the ETJ; and
5. The City is actively updating its Development Code and is in negotiation with a planning firm to update its Comprehensive Plan and Development Code.

WHEREAS, the City continues to take actions to increase wastewater capacity, but until actions can be finalized to increase the wastewater capacity of the City of Dripping Springs, allowing for additional wastewater service connections to the Dripping Springs Wastewater Treatment Plant(s) service area will only exacerbate the situation; and

WHEREAS, the City Council finds that a temporary moratorium on the acceptance, authorization, and approvals necessary for the subdivision, site planning, development, and construction in the City Limits and ETJ will prevent the situation from becoming worse, and will allow the City time to address the measures needed to remedy the shortage of capacity and to secure funds to pay for such remedial measures; and

WHEREAS, additional evaluation of the existing infrastructure and development are needed to allow for growth and development within the City Limits and ETJ while protecting the health, safety, environment, quality of life, and general welfare of its residents; and

WHEREAS, the City desires to study and evaluate the impact of further development; the need for additional wastewater facilities; appropriate zoning districts and district regulations; appropriate land use and wastewater regulations; and issues that will affect future growth and development of the area within its jurisdiction; and

WHEREAS, the City finds this evaluation process will require community input and will take a reasonable amount of time to complete; and

WHEREAS, the City has determined that it is necessary to continue to study and update its development ordinances and procedures in order to clarify and improve its planning policies based on the forthcoming regulations, strengthen the connection between the City's Code of Ordinances and the goals and needs of the City's residents, and to protect the health, safety, environment, quality of life, and general welfare of its residents; and

WHEREAS, in order for the City to have adequate and reasonable time to review, evaluate, and revise the City's development ordinances, and to consider the impact of the ordinances upon future growth, public health and safety, development, the natural environment, and place of architectural, and ecological importance and significance within the City Limits and ETJ, the City wishes to maintain the status quo by

implementing a temporary moratorium, during which certain applications for development permits and/or approvals will be suspended; and

WHEREAS, the City Council is adopting a working plan and time schedule for achieving an updated comprehensive plan and development code as contained herein as Attachment "C"; and

WHEREAS, the purpose of prohibiting certain applications for development permits and/or approvals during this study period includes, within limitation, preserving the status quo during the planning process, eliminating incentives for hurried applications, facilitating thoughtful and consistent planning, avoiding exploitation of the delays inherent in the municipal legislative process, and preventing applications from undermining the effectiveness of the revised rules by applying for permits and/or approvals in order to avoid the application of new, possibly more restrictive, development regulations; and

WHEREAS, in recognition of the importance of development permits and/or approvals to the community, the City desires to implement this moratorium for a stated and fixed time period, and to include a waiver provision in accordance with Local Government Code Chapter 212, Subchapter E; and

WHEREAS, all notices and hearings, including a hearing by the Planning & Zoning Commission and by the City Council, were published and held in accordance with applicable statutes, laws, and regulations and a temporary moratorium was adopted for 90 days; and

WHEREAS, the notice for the possible extension of the temporary moratorium has been published in the newspaper for a public at City Council; and

WHEREAS, based on the updated findings contained herein, information provided by City staff, and the evidence submitted at the public hearing, the City Council has determined that existing development ordinances and regulations and other applicable laws are inadequate to prevent existing essential public facilities from exceeding capacity, thereby being detrimental to the public health, safety, and welfare of the residents of Dripping Springs; and

WHEREAS, the City Council finds that the enactment of this Ordinance is directly related to the immediate preservation of the public peace, health or safety.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DRIPPING SPRINGS, TEXAS THAT:

SECTION 1. FINDINGS OF FACT

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

SECTION 2. DEFINITIONS

As used in this Ordinance, these terms shall be defined as follows. Terms appearing in this Ordinance but not defined herein shall have the meanings provided in the City's Code of Ordinances, or if not defined by the City then the common meanings in accordance with ordinary usage.

- A. **Commercial property:** means property zoned for or otherwise authorized for use other than single-family use, multifamily use, heavy industrial use, or use as a quarry.
- B. **Essential public facilities:** means water, sewer/wastewater, or storm drainage facilities or street improvements provided by a municipality or private utility.
- C. **Permit:** means a license, certificate, approval, registration, consent, permit, contract or other agreement for construction related to, or provision of, service from a water or wastewater utility owned, operated, or controlled by a regulatory agency, or other form of authorization required by law, rule, regulation, order, or ordinance that a person must obtain to perform an action or initiate, continue, or complete a project for which the permit is sought.
- D. **Project:** means an endeavor over which a regulatory agency exerts its jurisdiction and for which one (1) or more permits are required to initiate, continue, or complete the endeavor.
- E. **Property development:** means the construction, reconstruction, or other alteration or improvement of residential or commercial buildings or the subdivision or replatting of a subdivision of residential or commercial property.
- F. **Residential property:** means property zoned for or otherwise authorized for single- family or multi-family use.

SECTION 3. APPLICABILITY

The City of Dripping Springs hereby enacts this Ordinance in order to extend the temporary moratorium on the acceptance and processing of certain applications and issuance of particular permits and other forms of municipal authorizations related to specific construction and land development activities. This extension of the temporary moratorium applies to all city zoning district uses within the City Limits and the ETJ.

Unless a project falls within an Exception (as provided below), this temporary moratorium applies to all applications for property development permits. Permits that are affected or not affected by the Moratorium are attached as Attachment "A". The applicability of the moratorium to any permit not listed shall be determined based on the purpose of the moratorium and may be added to the list by the City Administrator.

SECTION 4. PURPOSE

This temporary moratorium is being extended to maintain the *status quo*, and to:

- A. assess the short-term and long-term comprehensive plan;
- B. review the City's policies on the acceptance of applications for municipal permits for construction or development;
- C. update the City's permitting and planning requirements and processes for wastewater and transportation infrastructure; and
- D. obtain and review public input and expert guidance.

SECTION 5. ENACTMENT

The City of Dripping Springs hereby enacts this Ordinance implementing a temporary moratorium on the City's acceptance, review, approval, and issuance of permits in the City Limits and ETJ.

SECTION 6. DURATION

The initial duration of this temporary moratorium shall be for a period of ninety (90) days after enactment of this Ordinance, or repeal of this Ordinance by the City, whichever is sooner.

SECTION 7. EXTENSION

If the City determines that the initial period is insufficient for the City to fully complete its study and planning, this Ordinance may be renewed or extended for an additional period of time, necessary to complete the study and implement the recommended changes to City codes, policies, and processes in accordance with the time limits as provided by law upon a majority vote of the City Council.

SECTION 8. EXCEPTIONS AND EXEMPTIONS

- A. **Exceptions.** Any property owner who believes that they fall within the below exceptions shall provide notice of the exception at time of application for any permit with the city-approved form. Exceptions are administratively approved or denied. Any exception that is denied may be appealed to the City Council. Exceptions will be determined within the same time period as the administrative completeness check for each project, or within ten business days, whichever is sooner. If a Grandfathered Development Status Determination Request is required, then the exception can be applied concurrently with the Request but the time frame of the Request shall be controlling.

1. **No Impact Projects.** The temporary moratorium implemented by this Ordinance does not apply to a project that does not:

- Impact wastewater capacity
- Require land use modifications inconsistent with the updated comprehensive planning

To make a determination of whether a project is no impact as listed, an applicant shall apply for an exception to the moratorium.

2. **Ongoing Projects.** The temporary moratorium implemented by this Ordinance does not apply to any projects that are currently, actively in progress for which valid City permits have been issued and have not expired as of November 18, 2021, such being the fifth business day after the date on which the City published notice of the public hearings to consider this Ordinance. The provisions of this Ordinance do not apply to any completed application or plan for development for a permit, plat, verification, rezoning, site plan, approved wastewater plan, or new or revised certificate of occupancy for Property Development that were filed prior to November 18, 2021. New permits applied for as part of a previously approved project may proceed once an exception is applied for and approved as described herein.
 3. **Grandfathered Projects.** The temporary moratorium implemented by this Ordinance shall not apply to projects that are grandfathered under as provided by state law. Property owners asserting grandfathered rights under Texas Local Government Code Chapter 245 must submit an application claiming an exception to this temporary moratorium to the planning department for review in accordance with City policy. Grandfathered status can be approved through an approved Grandfathered Development Status Determination Request. If a Grandfathered Development Status Determination Request has been finalized by staff on or after November 18, 2019, then a new request is not required to meet this exception. New permits applied for as part of a previously vested project may proceed once an exception is applied for and approved as described herein.
 4. **Development Agreement:** Property owners with a negotiated approval granted by the City Council providing for construction standards, platting, wastewater, and development rules pursuant to Local Government Code Chapter 212, Subchapter G may apply for an exception in accordance with City policy. New permits applied for as part of a Development Agreement project may proceed once an exception is applied for and approved as described herein.
- B. Waivers.** Any property owner who does not assert rights under Texas Local Government Code Chapter 245, but who seeks authorization to proceed with the development permitting process during the time of the temporary moratorium can request a waiver. Property owners agreeing to construct certain wastewater infrastructure at property owners' sole expense and who do not require land use modifications inconsistent with the updated comprehensive planning, in accordance with Local Government Code Chapter 212, Subchapter E may apply for waiver in accordance with City policy.

SECTION 9. DETERMINATIONS & APPEALS

- A. Exceptions.** The Planning Director or their designee shall make all initial determinations regarding the status of all projects seeking to apply for permits during this temporary moratorium and recognition of all Exceptions (as provided herein). Exceptions for projects filed within thirty (30) days of the effective date of this ordinance may be filed without a corresponding permit application. Any exception application filed within this period will be decided within ten (10) business days of receipt. Any exception that is denied may be appealed to City Council or the applicant may apply for a Waiver. An exception may be applied for by lot, project, plat, or all area covered by a particular permit or agreement.
- B. City Council.** City Council shall make a final decision on waivers within 10 days of filing of application.
- C. Waivers.** The decision to approve an Exemption (as provided for above) shall rest solely with the City Council. Any denial will stand until the moratorium is lifted unless the project requesting the waiver has a substantial change and reapplies for a waiver.

SECTION 10. REPEALER

In the case of any conflict between the other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control.

SECTION 11. SEVERABILITY

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, that invalidity or the unenforceability will not affect any other provisions or applications of this Ordinance that can be given effect without the invalid provision.

SECTION 12. ENFORCEMENT

The City shall have the power to administer and enforce the provisions of this Ordinance as may be required by governing law. Any person violating any provision of this temporary moratorium is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance.

Nothing in this Ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this Ordinance and to seek remedies as allowed by law and/or equity.

SECTION 13. EFFECTIVE DATE

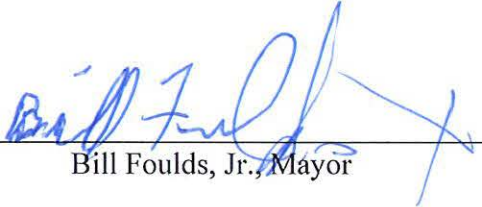
This Ordinance shall be effective upon expiration of the moratorium on February 20, 2022, and shall extend the moratorium for 90 days.

SECTION 14. 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 and public hearings were also provided as required by Texas Government Code Chapter 212, Subchapter E.

PASSED & APPROVED this, the 15th day of February 2022, by a vote of 3 (ayes) to 1 (nay) to 1 (abstention) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:



Bill Foulds, Jr., Mayor

ATTEST:



Andrea Cunningham, City Secretary



ATTACHMENT "A"

**Permits Subject to Moratorium¹**

- Commercial/Multi-Family Building Permit Application
- Residential Building Permit Application
- Plan Review Application
- Subdivision Application
- Site Development Application
- Zoning Amendment/PDD Application
- Development Agreement
- Development Agreement Minor Modification/Amendment
- Conditional Use Permit
- Variance Application
- Wastewater Application
- Special District Agreement/Amendment
- Accessory Dwelling Unit Permit
- Swimming Pool Permit
- Mobile/Modular Home Permit

¹ Any permit subject to the Moratorium must be accompanied by an Exception or Waiver Form which can be found at www.cityofdripping Springs.com/moratorium.

Permits not Subject to Moratorium

- Contractor Registration Form
- Grandfathered Status Request/Appeal
- City Limits/ETJ Determination Letter
- Street Cut/Driveway Permit
- Operational Permit/Inspection Application
- On Site Sewage Facility Permit Application
- Child Care Facility Health Inspection Application
- Food Establishment Permit/Compliance Inspection
- Mobile Food Unit
- Pre-Development Meeting Form
- Certificate of Appropriateness
- Annexation Application
- Sign Permit
- Master Sign Plan
- License to Encroach
- Exterior Lighting Compliance Review
- Zoning Determination Letter Request
- Residential Addition Permit
- Residential Accessory Structure Permit
- Residential Demolition Permit
- Residential Swimming Pool Permit
- Commercial Demolition Permit
- Commercial Tenant Finish Out

- Asbestos Compliance Statement
- Pyrotechnics/Fireworks Application
- Certificates of Occupancy Application (Business Move In/Change of Ownership)
- Any Fire Permits

ATTACHMENT "B"
WASTEWATER ENGINEER LETTER

Firm Registration No. F-10834

February 9, 2022

Laura Mueller
City Attorney
City of Dripping Springs

Dripping Springs, TX 78620

Re: South Regional WWTP Capacity Summary
CMA Job Number 1431-001

Dear Mrs. Mueller:

In October 2015, the City of Dripping Springs submitted an application to the TCEQ to convert its method of treated effluent disposal from land application to discharge into waters of the State, and to expand its wastewater treatment facilities to accommodate the aggressive growth in the Greater Dripping Springs area. The permit was contested and the case was heard at the State Office of Administrative Hearings. The City prevailed and was issued the permit on May 5, 2019 (permit WQ0014488003). However, because of pending litigation, construction of the new wastewater treatment and storage facilities are being delayed. Oral Arguments will be heard in the El Paso Circuit Court on April 10, 2022.

Based on operational information, the City's operator estimates that the existing South Regional WWTP is still currently at a monthly average capacity of approximately 185,000 GPD. This is based on meters measuring flows to the drip irrigation fields and to the Caliterra Effluent Holding Pond. However, please note that in the months from April 2021 through January 2022 monthly average WWTP flows surpassed 200,000 GPD based on the flow meter in the chlorine contact chamber. This is believed to be inaccurate due to excessive backwashing of the cloth filters that has now been corrected. Below is a summary of the constructed, to be constructed, and permitted capacities for the South Regional WWTP current permit WQ0014488001.

- 189,500 GPD Current Constructed Capacity (127,500 GPD Drip Irrigation at WWTP + 62,000 GPD Surface Irrigation at Caliterra)
- 313,500 GPD Current Permitted Capacity (127,500 GPD Drip Irrigation at WWTP + 186,000 GPD Surface Irrigation at Caliterra)
- 284,000 GPD Future Permitted Capacity with Future Drip Fields Removed for WWTP and Effluent Pond Construction (98,000 GPD Drip Irrigation at WWTP + 62,000 GPD Surface Irrigation at Caliterra)

- 160,000 GPD Currently Constructed with Future Drip Fields Removed for WWTP and Effluent Pond Construction (98,000 GPD Drip Irrigation at WWTP + 62,000 GPD Surface Irrigation)
- 394,000 GPD Permit Amendment 2 (Adding 50,000 GPD Disposal Area at Carter Ranch and at 60,000 GPD at Heritage PID)

Also included in Permit Amendment 2, is that the existing Drip Irrigation disposal capacity will be reduced from 127,5000 GPD to 98,000 GPD during construction of the new discharge WWTP and 15,000,000 million gallon effluent holding pond.

Permit Amendment 2 may also be contested. A Virtual Public Meeting is set for May 28, 2022.

Attached is a summary of the developments the City has committed to provide service to in the near future, along with a summary of permitted capacity and capacity of different construction phases. There is enough tankage in the existing WWTP to accommodate treatment capacity, however the City is limited by storage and disposal area capacity. For the purpose of this evaluation, a wastewater production estimate of 175 GPD/LUE is used. As one will see, the capacity of the existing permitted capacity will be exceeded if the total number of committed LUEs are connected before the current pending Amendment 2 to the permit is issued by the TCEQ and/or if future irrigation phases that are needed are not constructed. There are three surface irrigation phases (each 62,000 GPD) permitted at Caliterra. Only one has been constructed. The following is a clause from the City's permit WQ0014488001:

Whenever flow measurements for any domestic sewage treatment facility reach 75 percent of the permitted daily average or annual average flow for three consecutive months, the permittee must initiate engineering and financial planning for expansion and/or upgrading of the domestic wastewater treatment and/or collection facilities. Whenever the flow reaches 90 percent of the permitted daily average or annual average flow for three consecutive months, the permittee shall obtain necessary authorization from the Commission to commence construction of the necessary additional treatment and/or collection facilities. In the case of a domestic wastewater treatment facility which reaches 75 percent of the permitted daily average or annual average flow for three consecutive months, and the planned population to be served or the quantity of waste produced is not expected to exceed the design limitations of the treatment facility, the permittee shall submit an engineering report supporting this claim to the Executive Director of the Commission.

Based on the flow data collected, the City is over 90% disposal capacity, and has obtained authorization from the Commission to commence construction of the next 62,000 GPD surface irrigation phase at Caliterra (see attached approval letter). It is recommended that the approved phase be immediately constructed and that design of the final phase begin immediately followed by construction of the improvements very soon to follow.

At this time the City does not have existing disposal capacity available to provide service to any new developments. Prior to issuance and construction of Amendment No. 2 improvements by the TCEQ (adding

50,000 GPD disposal area at Carter Ranch and at 60,000 GPD at Heritage PID), the City will not have disposal capacity to provide service to any new developments past the original committed developments.

However, the City required newer developments to produce “backup plans” in the case the City exceeds its permitted and/or constructed capacities and need to be removed from the system. These include pumping and hauling raw sewage to other wastewater treatment and disposal facilities, individual onsite sewage treatment facilities/septic systems, or small TCEQ permitted wastewater treatment and disposal facilities.

Please feel free to contact me at 512-432-1000 or at robby.callegari@burgessniple.com with any questions and/or comments.

Very truly yours,

Burgess & Niple



Robert P. Callegari, P.E.
Austin South Engineering Section Director

ATTACHMENT “C”

PLAN AND TIME SCHEDULE FOR UPDATED COMPREHENSIVE PLAN AND DEVELOPMENT CODE.

- January 2022:** Issue and receive qualifications on Comprehensive Plan and Development Code RFQ
- January 18, 2022:** City Council selects Contractor and Alternate for RFQ
- February 2022:** Staff consults with Contractor and produces and executes agreement with Contractor for needed services; Review and Approval of updated regulations related to ADUs.
- March 2022:** Kickoff meeting for Comprehensive Plan/Development Code Rewrite
- March – Oct. 2022:** Public Engagement, data collection, and drafting of documents; additional updates to codes as needed.
- October 2022:** Required notices for public hearings and actions on the Comprehensive Plan and Development Code sent to Newspaper and posted on City Website
- November 2022:** Presentation of draft Comprehensive Plan and Development Code to Planning and Zoning Commission and City Council
- December 2022:** Comprehensive Plan and updated Development Code approved by City Council



To: Mayor Bill Foulds, Jr. and the City Council of the City of Dripping Springs
From: Howard J. Koontz, AICP
Date: March 15, 2022
RE: Comprehensive Plan 2045 – Steering Committee

I. Background

As Dripping Springs embarks on a Comprehensive Plan development process over the course of 2022, staff is preparing the required meetings, venues, and volunteers who assist the project team in facilitating each phase of the process. A key and critical role is the creation and utilization of an intermediary committee that can serve as a sounding board for the consultants as they process and refine the information gathered from stakeholder interviews and public input.

It's important to try and establish as beneficial a balance as possible when considering the make-up of the committee. Staff has considered the institutional knowledge of a wide range of our development and operational partners, and other organizations that may not rely on city administration directly but may have a symbiotic interest in the development patterns in and around the city of Dripping Springs for the years to come.

To that end, staff recommends the committee be established with the knowledge and input of such disciplines as the business community at-large like the Chamber of Commerce and Visitors Bureau; local outside utility institutions such as water and electric providers; the Dripping Springs School District; the Dripping Springs Library; life safety professionals from the Emergency Services District and Constable's Office; historic preservation specialists; transportation consultants; housing a home market authorities; and long-time and vested residents with a strong background of experience and knowledge about the city's growth and development changes.

Notably, staff has purposefully not recommended City Councilmembers or Planning & Zoning commissioners, because at the end of the Comprehensive Planning process, those

two entities will be directly responsible for the recommendation of the plan to move forward, and/or the actual ratification of the Plan. Instead, these groups can be regularly updated on the plan's progress during the usual and customary course of staff reports at their regularly scheduled monthly meetings.

II. Steering Committee Appointees

Staff recommends a committee of 11 persons, for a few reasons: it's large enough to comprise a wide range of disciplines, but not so large that consensus wouldn't be possible. Also, an odd number committee could prevent a tie in the event there's a straw poll for items in discussion. Lastly, if a minority of individual members aren't able to attend every meeting, there will still be a sufficient number of committee members in attendance to offer meaningful insight and direction to the plan consultants.

Staff's working list of preferred appointees includes:

- *Business Community, TIRZ*
- *Business Community, EDC*
- *DSISD Representative*
- *DS Library*
- *ESD #6*
- *Constable's Office—Pct. 4*
- *Pedernales Electric Cooperative*
- *Water Utility Provider*
- *Community member at-large, TBD*
- *Community member at-large, TBD*
- *Community member at-large, TBD*

III. Council Action

At the March 1, 2022 regular city council meeting, staff presented this information with a request for direction on how to fill the positions. At tonight's meeting, staff requests to enter into discussions with the Council about specific persons to fill the roles that make up the steering committee.



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

Submitted By: Shawn Cox, Finance Director/City Treasurer

Council Meeting Date: Tuesday, March 15, 2022

Agenda Item Wording: Update and discussion regarding Coronavirus Local Fiscal Recovery Funds (CLFRF).

Agenda Item Requestor:

Summary/Background:

At the February 1, 2022, Regular Council Meeting, Council was given a presentation regarding the proposed usage of the Coronavirus Local Fiscal Recovery Funds (CLFRF). Based on the feedback received, each Department was asked if there were any projects, they would like to have considered to utilize CLFRF money.

An updated presentation will be presented to Council on the feedback received. So far, the following request have been made (in no particular order):

Parks and Community Services:

- Additional Skate Park Funding = \$450,000
- S&R Park Lighting = \$7,000
- Founders Parking Lot Expansion = \$83,096
- Skate Park Bathrooms = \$125,000
- Park Wayfinding Signage = \$50,000

DSRP:

- Bathroom Remodel = \$100,000
- Tractor = \$75,000
- Em. Mgmt/DSRP Storage = \$30,000
- Sound System Remodel = \$550,000
- Parking Lot/Drainage = \$240,000

Public Works:

- Utility Billing Division = \$80,000
- Wastewater Manhole rehab = \$117,500

Municipal Court Software = \$36,000

Communications:

- Promotional Items = \$1,500
- Night Sky Public Art Project = \$18,000

In total, there have been approximately \$1.66 Million is requests. As discussed previously, the total the City will receive in CLFRF money is about \$1.4 million.

With the presentation staff will present all items and indicate which are considered priorities for FY 2022, and which could be considered as a part of the FY 2023 budget preparation process. An updated presentation is being prepared and will be presented on March 15th.

**Commission
Recommendations:**

Recommended Council Actions: Staff is not seeking any action with this item, just direction on how to proceed.

Attachments: - 02.01.22 - CLFRF Workshop Presentation

Next Steps/Schedule:



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

Submitted By: Laura Mueller, City Attorney; Richard Donoghue, Bond Counsel

Council Meeting Date: March 15, 2022

Agenda Item Wording: **Discuss and consider approval of a Resolution authorizing the publication of Notice of Intention to issue Combination Tax and Surplus Revenue Certificates of Obligation, Series 2022 and other matters related thereto.** *Sponsor: Mayor Foulds, Jr.*

Agenda Item Requestor:

Summary/Background: This is the first step for issuing certificates of obligations for essential infrastructure. Once notice of the intention to issue the certificates of obligation, the City will have meetings to discuss and approve these obligations. The funds are to:

- (1) financing the planning, acquisition, design and construction of improvements to the City's wastewater system, including constructing a new wastewater treatment plant, installing a City-wide SCADA electronic monitoring and operations system, expanding the existing wastewater collection system and constructing an effluent holding pond and pump station, treated effluent distribution system improvements, and related costs and the acquisition of any necessary easements or land;; and
- (2) professional services including fiscal, engineering, architectural and legal fees and other such costs incurred in connection therewith including the costs of issuing the Certificates.

The maximum amount of the request is \$19,895,000.

The tentative schedule is:

- Tuesday March 15, 2022 – City Council adopts CO Notice of Intent Resolution (initial draft attached) at a regular meeting
- By 5pm on Friday March 18, 2022 – Bond Counsel delivers Notice of Intent to Dripping Springs Century News for publication on the two following Thursdays; City also posts the CO Notice on City website to remain online until after the CO Ordinance is adopted

- Thursday March 24, 2022 – First publication of CO Notice runs in the Dripping Springs Century News (46 day “clock” begins)
- Thursday March 31, 2022 – Second publication of CO Notice runs in the Dripping Springs Century News
- Tuesday May 17, 2022 – City Council adopts CO Ordinance at a regular meeting
- Closing date is TBD but should be sometime roughly a month after the CO Ordinance is adopted (so around mid-June) to accommodate the TWDB’s requirement that the AG’s approval be completed at least one week prior to closing

Commission Recommendations: N/A

Recommended Council Actions: Approve resolution.

Attachments: Resolution and notice.

Next Steps/Schedule: See tentative schedule above.

RESOLUTION NO. 2022-_____

RESOLUTION AUTHORIZING THE PUBLICATION OF NOTICE OF INTENTION TO ISSUE CITY OF DRIPPING SPRINGS, TEXAS COMBINATION TAX AND SURPLUS REVENUE CERTIFICATES OF OBLIGATION, SERIES 2022 AND OTHER MATTERS RELATED THERETO

WHEREAS, the City of Dripping Springs, Texas (the "City") is a duly incorporated Type A general law municipality authorized to issue certificates of obligation pursuant to the Certificate of Obligation Act of 1971, Section 271.041 et seq., Local Government Code (the "Act"); and

WHEREAS, the City Council (the "Council") of the City has determined that it is in the best interest of the City to proceed with the issuance of certificates of obligation ("Certificates") to implement certain projects; and

WHEREAS, the City Council of the City finds that the payment in whole or in part of contractual obligations incurred or to be incurred for the purposes set forth in Exhibit "A" attached hereto (the "Contractual Obligations") would be beneficial to the inhabitants of the City and are needed to perform essential City functions; and

WHEREAS, the Council has deemed it advisable to give notice of intention to issue the Certificates in a maximum principal amount not to exceed \$19,895,000 pursuant to the provisions of the Act for the purpose of financing the Contractual Obligations; and

WHEREAS, prior to the issuance of the Certificates, the City is required under the Act to publish notice of its intention to issue the Certificates in a newspaper of general circulation in the City and continuously on the City's website, the notice stating: (i) the time and place tentatively set for the passage of the ordinance authorizing the issuance of the Certificates, (ii) the purpose of the Certificates, (iii) the manner in which the Certificates will be paid, (iv) the then-current principal of all outstanding debt obligations of the City; (v) the then-current combined principal and interest required to pay all outstanding debt obligations of the City on time and in full; (vi) the maximum principal amount of the Certificates; (vii) the estimated combined principal and interest required to pay the Certificates on time and in full; (viii) the estimated interest rate for the Certificates or that the maximum interest rate for the Certificates may not exceed the maximum legal interest rate; and (ix) the maximum maturity date of the Certificates; and

WHEREAS, the meeting at which this Resolution is adopted was open to the public and public notice of the time, place and purpose of the meeting was given, all as required by Chapter 551, Texas Government Code, as amended.

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

1. Attached hereto as Exhibit "A" is a form of the Notice of Intention to issue the Certificates, the form and substance of which is hereby adopted and approved.
 2. Bond Counsel to the City shall cause the notice to be published in substantially the form attached hereto, in a newspaper (as defined by Subchapter C, Chapter 2051, Government Code) that is of general circulation in the City, for two consecutive weeks, the date of the first publication to be at least 46 days before the date tentatively set for passage of the ordinance authorizing the issuance of the Certificates.
 3. The City Secretary shall cause the notice to be continuously published in substantially the form attached hereto on the City's website for at least 45 days before the date tentatively set for the passage of the ordinance authorizing the issuance of the Certificates.
 4. The City Administrator, Deputy City Administrator, and City Treasurer along with the City's financial advisor and bond counsel are authorized to proceed with preparing any necessary bond and offering documents to effectuate the sale of the Certificates, including making application to appropriate rating agencies and bond insurers, if applicable.
 5. The City hereby authorizes the disbursement of a fee equal to the lesser of (i) one-tenth of one percent of the principal amount of each series of the Certificates being issued or (ii) \$9,500 per series, provided that such fee shall not be less than \$750, to the Attorney General of Texas Public Finance Division for payment of the examination fee charged by the State of Texas for the Attorney General's review and approval of public securities and credit agreements, as required by Section 1202.004 of the Texas Government Code. The appropriate member of the City's staff is hereby instructed to take the necessary measures to make this payment. The City is also authorized to reimburse the appropriate City funds for such payment from proceeds of the Certificates.
 6. This Resolution shall become effective immediately upon adoption. The Mayor and City Secretary are hereby authorized and directed to execute the certificate to which this Resolution is attached on behalf of the City, and the Mayor, City Secretary, City Administrator, Deputy City Administrator, and City Treasurer are further authorized to do any and all things proper and necessary to carry out the intent of this Resolution.
-

RESOLVED this 15th day of March, 2022.

ATTEST:

CITY OF DRIPPING SPRINGS, TEXAS

City Secretary
City of Dripping Springs, Texas

Mayor
City of Dripping Springs, Texas

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CITY OF DRIPPING SPRINGS, TEXAS COMBINATION TAX AND SURPLUS REVENUE CERTIFICATES OF OBLIGATION, SERIES 2022

NOTICE IS HEREBY GIVEN that it is the intention of the City Council of the City of Dripping Springs, Texas, to issue interest bearing Certificates of Obligation of the City (the "Certificates") for the purpose of paying contractual obligations incurred or to be incurred by the City for: (1) financing the planning, acquisition, design and construction of improvements to the City's wastewater system, including constructing a new wastewater treatment plant, installing a City-wide SCADA electronic monitoring and operations system, expanding the existing wastewater collection system and constructing an effluent holding pond and pump station, treated effluent distribution system improvements, and related costs and the acquisition of any necessary easements or land;; and (2) professional services including fiscal, engineering, architectural and legal fees and other such costs incurred in connection therewith including the costs of issuing the Certificates. The City Council tentatively proposes to consider for first and final reading at a meeting to commence at 6:00 p.m., on May 17, 2022 at Council Chambers located at City Hall, 511 Mercer Street, Dripping Springs, Texas 78620, the passage of an ordinance authorizing the Certificates. The maximum amount of the Certificates that may be authorized for such purpose is \$19,895,000. The City Council presently proposes to provide for the payment of such certificates of obligation from the levy and collection of ad valorem taxes in the City as provided by law and is additionally secured by and payable from the surplus revenues of the City's wastewater system, remaining after payment of all operation and maintenance expenses thereof, and all debt service, reserve and other requirements in connection with all of the City's revenue bonds or other obligations (now or hereafter outstanding) that are payable from all or part of said revenues.

Due to the ongoing public health concerns regarding the COVID 19 virus, and as may be authorized by Executive Order of the Governor of Texas, such meeting regarding the Certificates to be held on May 17, 2022 may be conducted via a free public video conference or other lawful electronic means. In such event, information regarding how to access the meeting and public participation in the meeting will be available on the City's website and in the agenda posted no less than 72 hours before the meeting at the following internet address: <https://www.cityofdrippingsprings.com/>

The following information is required pursuant to Texas Local Government Code, Section 271.049: As of March 15, 2022, the aggregate principal amount of all outstanding debt obligations of the City secured by and payable from ad valorem taxes is \$26,450,000. As of March 15, 2022, the combined principal and interest required to pay all outstanding debt obligations of the City secured by and payable from ad valorem taxes on time and in full is \$27,588,505. Such amounts also include debt service on debt that the City currently intends to pay from sources other than ad valorem taxes but that could be paid from ad valorem taxes if such other sources are not available at the time required for payment. The estimated combined principal and interest required to pay

the Certificates on time and in full is \$24,293,542. The estimated interest rate for the Certificates is 2.0%. Such estimates take into account a number of factors, including the issuance schedule, maturity schedule and the expected rating(s) of the proposed Certificates. Such estimated interest rate is provided as a matter of information but is not a limitation on the interest rate at which the Certificates may be sold. The maximum maturity date of the Certificates is June 1, 2042.

CITY OF DRIPPING SPRINGS, TEXAS

Project Status Report

Permits Created From 1/1/2022 to 2/28/2022

Generated 2/28/2022 4:28:14 PM

Item 18.

Project #	Status	Address	Description	WO #	Work Type	Specific Use	Inspection Type	WO Status	Inspector	Inspection Date
2022-1	Closed	511 Mercer St., Dripping Springs, TX 78620	Street and ROW Maint. (Jan. WO's)	15466468	N/A	Street/Road s	Work Planned	Completed	Johnathon Hill	01/20/2022
				15504624	N/A	Street/Road s	Work Planned	Completed	Jim Bass	02/01/2022
				15462954	N/A	Street/Road s	Work Planned	Completed	Johnathon Hill	02/09/2022
2022-2	Closed	511 Mercer St., Dripping Springs, TX 78620	City Hall (Jan. WO's)	15410485	N/A	N/A	Work Planned	Completed	Jim Bass	01/07/2022
				15405203	N/A	N/A	Work Planned	Completed	Sonny Garza	01/07/2022
				15470975	N/A	N/A	Work Planned	Completed	Jim Bass	01/20/2022
2022-3	Open	419 Founders Park Rd., Founders Memorial Park, TX 78620	Founders Park (Jan. WO's)	No Work Orders on Project	N/A	N/A				
2022-4	Closed	27148 Ranch Rd 12, Sports and Rec Park, TX 78620	Sports and Rec Park (Jan. WO's)	15490258	N/A	Parks	Work Planned	New	Jim Bass	
				15514482	N/A	Parks	Work Planned	Completed	Jim Bass	02/28/2022
2022-5	Closed	151 E Mercer St, Dripping Springs, TX 78620	VMP/Triangle (Jan. WO's)	15409557	N/A	N/A	Work Planned	Completed	Sonny Garza	01/07/2022
				15463490	N/A	N/A	Work Planned	Completed	Jim Bass	01/20/2022
				15463474	N/A	N/A	Work Planned	Completed	Bill Stevens	01/21/2022
2022-6	Closed	1042 Event Center Drive, Ranch House, TX 78620	Ranch House (Jan. WO's)	15432980	N/A	N/A	Work Planned	Completed	Johnathon Hill	01/12/2022
				15432984	N/A	N/A	Work Planned	Completed	Johnathon Hill	01/12/2022

2022-7	Closed	1042 Event Center Drive, Dripping Springs Ranch Park, TX 78620	DSRP (Jan. WO's)	15425924	N/A	Parks	Work Planned	Completed	Sonny Garza	01/19/2022	Item 18.
				15447361	N/A	Parks	Initial Inspection	Completed	Sonny Garza	02/07/2022	
				15461837	N/A	Parks	Work Planned	New	Jim Bass		
				15469730	N/A	Parks	Initial Inspection	Completed	Jim Bass	01/20/2022	
				15461832	N/A	Parks	Work Planned	Completed	Jim Bass	01/21/2022	
				15483894	N/A	Parks	Work Planned	Completed	Sonny Garza	02/07/2022	
				15500737	N/A	Parks	Work Planned	Completed	Sonny Garza	02/07/2022	
				15501018	N/A	Parks	Work Planned	Completed	Sonny Garza	02/07/2022	
2022-8	Open	22690 Ranch to Market Rd 150, Charro Park, TX 78620	Charro Park (Jan. WO's)	No Work Orders on Project	N/A	Parks					
2022-9	Closed	511 Mercer St., Dripping Springs, TX 78620	Fleet and Equipment (Jan. WO's)	15439241	N/A	N/A	Work Planned	Completed	Sonny Garza	02/07/2022	
2022-10	Open	101 Old Fitzhugh, Stephenson Bldg., TX 78620	Stephenson Bldg (Jan. WO's)	No Work Orders on Project	N/A	N/A					
2022-11	Closed	23127 W. 150, South Regional Water Reclamation Facility , TX 78620	South Regional Water Reclamation Facility (Jan. WO's)	15460900	N/A	N/A	Work Planned	Completed	Johnathon Hill	01/19/2022	
				15460611	N/A	N/A	Work Planned	Completed	Jim Bass	01/26/2022	
2022-12	Closed	, Dripping Springs, TX 78620	Street and ROW Maint. (Feb. WO's)	15925417	N/A	Street/Roads	Work Planned	New	Sonny Garza		
				15929098	N/A	Street/Roads	Work Planned	New	Johnathon Hill		
				15929507	N/A	Street/Roads	Work Planned	New	Johnathon Hill		

2022-12	Closed	, Dripping Springs, TX 78620	Street and ROW Maint. (Feb. WO's)	15538707	N/A	Street/Roads	Work Planned	Completed	Jim Bass	02/09/2022
				15551952	N/A	Street/Roads	Work Planned	Completed	Sonny Garza	02/23/2022
				16452838	N/A	Street/Roads	Work Planned	Completed	Jim Bass	02/28/2022
2022-13	Closed	511 Mercer St., Dripping Springs, TX 78620	City Hall (Feb. WO's)	15564382	N/A	N/A	Work Planned	New	Jim Bass	
				15925384	N/A	N/A	Work Planned	Cancelled	Sonny Garza	
				15925452	N/A	N/A	Work Planned	New	Johnathon Hill	
				15925474	N/A	N/A	Work Planned	New	Jim Bass	
				15539108	N/A	N/A	Work Planned	Completed	Jim Bass	02/22/2022
				15925497	N/A	N/A	Work Planned	Completed	Jim Bass	02/28/2022
2022-14	Open	419 Founders Park Rd., Founders Memorial Park, TX 78620	Founders Park (Feb. WO's)	No Work Orders on Project	N/A	N/A				
2022-15	Open	27148 Ranch Rd 12, Sports and Rec Park, TX 78620	Sports and Rec Park (Feb. WO's)	15517126	N/A	N/A	Work Planned	Completed	Johnathon Hill	02/15/2022
				15517130	N/A	N/A	Work Planned	Completed	Johnathon Hill	02/17/2022
				15929262	N/A	N/A	Work Planned	New	Jim Bass	
				15929331	N/A	N/A	Work Planned	New	Jim Bass	
				15929339	N/A	N/A	Work Planned	New	Jim Bass	
2022-16	Closed	151 E Mercer St, VMP/Triangle, TX 78620	VMP/Triangle (Feb. WO's)	15512617	N/A	Parks	Work Planned	Completed	Bill Stevens	02/09/2022

Item 18.

2022-17	Open	1042 Event Center Drive, Ranch House, TX 78620	Ranch House (Feb. WO's)	No Work Orders on Project	N/A	N/A					Item 18.
2022-18	Open	1042 Event Center Drive, Dripping Springs Ranch Park, TX 78620	DSRP (Feb. WO's)	15571106	N/A	N/A	Work Planned	New	Jim Bass		
				16453995	N/A	N/A	Work Planned	New	Sonny Garza		
				16454004	N/A	N/A	Work Planned	New	Sonny Garza		
				15512598	N/A	N/A	Work Planned	Completed	Sonny Garza	02/07/2022	
				15533452	N/A	N/A	Work Planned	Completed	Jim Bass	02/08/2022	
				15571113	N/A	N/A	Work Planned	Completed	Jim Bass	02/21/2022	
				15571120	N/A	N/A	Work Planned	Completed	Jim Bass	02/22/2022	
2022-19	Open	22690 Ranch to Market Rd 150, Charro Park, TX 78620	Charro Park (Feb. WO's)	15556445	N/A	Parks	Work Planned	Completed	Sonny Garza	02/22/2022	
				15929240	N/A	Parks	Work Planned	New	Sonny Garza		
2022-20	Open	, Fleet and Equipment, TX	Fleet and Equipment (Feb. WO's)	16452854	N/A	N/A	Work Planned	New	Johnathon Hill		
				16452870	N/A	N/A	Work Planned	New	Jim Bass		
2022-21	Open	101 Old Fitzhugh, Stephenson Bldg., TX 78620	Stephenson Bldg (Feb. WO's)	15528781	N/A	N/A	Work Planned	Completed	Jim Bass	02/10/2022	
2022-22	Closed	23127 W. 150, South Regional Water Reclamation Facility , TX 78620	South Regional Water Reclamation Facility (Feb. WO's)	15528886	N/A	N/A	Work Planned	Completed	Jim Bass	02/21/2022	
				15528873	N/A	N/A	Work Planned	Completed	Sonny Garza	02/22/2022	
				15528889	N/A	N/A	Work Planned	Completed	Sonny Garza	02/22/2022	
				15528903	N/A	N/A	Work Planned	Completed	Sonny Garza	02/22/2022	

2022-22	Closed	23127 W. 150, South Regional Water Reclamation Facility (Feb. 2022)	South Regional Water Reclamation Facility (Feb. 2022)	15569353	N/A	N/A	Work Planned	Completed	Sonny Garza	02/23/2022
				15528907	N/A	N/A	Work Planned	Completed	Riley Sublett	02/23/2022
2022-23	Open	, Dripping Springs, TX 78620	Street and ROW Maint. (Mar. WO's)	No Work Orders on Project	N/A	Street/Roads				
2022-24	Open	511 Mercer St., Dripping Springs, TX 78620	City Hall (Mar. WO's)	No Work Orders on Project	N/A	N/A				
2022-25	Open	419 Founders Park Rd., Founders Memorial Park, TX	Founders Park (Mar. WO's)	No Work Orders on Project	N/A	Parks				
2022-26	Open	27148 Ranch Rd 12, Sports and Rec Park, TX	Sports and Rec Park (Mar. WO's)	No Work Orders on Project	N/A	Parks				
2022-27	Open	151 E Mercer St, VMP/Triangle, TX 78620	VMP/Triangle (Mar. WO's)	No Work Orders on Project	N/A	Parks				
2022-28	Open	1042 Event Center Drive, Ranch House, TX 78620	Ranch House (Mar. WO's)	No Work Orders on Project	N/A	N/A				
2022-29	Open	1042 Event Center Drive, Dripping Springs Ranch Park, TX 78620	DSRP (Mar. WO's)	No Work Orders on Project	N/A	Parks				
2022-30	Open	22690 Ranch to Market Rd 150, Charro Park, TX 78620	Charro Park (Mar. WO's)	No Work Orders on Project	N/A	Parks				
2022-31	Open	511 Mercer St., Fleet and Equipment, TX 78620	Fleet and Equipment (Mar. WO's)	No Work Orders on Project	N/A	N/A				

Item 18.

2022-32	Open	101 Old Fitzhugh, Stephenson Bldg., TX 78620	Stephenson Bldg (Mar. WO's)	No Work Orders on Project	N/A	N/A					Item 18.
2022-33	Open	23127 W. 150, South Regional Water Reclamation Facility , TX 78620	South Regional Water Reclamation Facility (Mar. WO's)	No Work Orders on Project	N/A	N/A					

City of Dripping Springs

Monthly Maintenance Report

February 2022

Routine Maintenance

- M-F Weekly Maintenance Check list is completed in the morning
- Maintenance Meeting Wednesdays (1:00pm) safe distancing in council chambers
- Friday's Vehicles cleaned out, washed, and maintenance check completed
- Banners put up and taken down as needed
- City Hall fogged and sprayed with disinfectant daily
- Mercer St. plant beds maintained
- Founders pool skimmers cleaned out
- Founders pool chemicals checked/restocked

Additional Maintenance Completed

Parks

- Adult softball fields mowed – 2/11, 2/14
- Founders pool pump sight glass repaired – 2/7
- Founders pool shower repaired – 2/8-2/9
- Founders pool pump room cleaned – 2/10
- SRP trash pick-up – 2/14, 2/22
- Charro water collection leak repaired – 2/14
- SRP water leak area leveled – 2/14
- SRP DG trail brush trimmed – 2/15-2/16
- SRP volleyball refurbish started – 2/22

Streets

- Hwy290 ROW banner poles reset – 2/1, 2/8
- Mercer St. crosswalk signs repaired – 2/1
- Rob Shelton roadway debris clean-up – 2/1
- Rob Shelton streetlight bulbs replaced – 2/10
- Rob Shelton streetlight photocell replaced – 2/11
- Mercer St. banners switched – 2/14

Facilities

- DSRP entrance door repair – 2/1
- DSRP lift station alarm checked – 2/4
- Stephenson Bldg freeze damage repaired – 2/7, 2/9
- City Hall water run – 2/7, 2/10, 2/18, 2/25
- DSRP expansion water heater issue assessed – 2/7, 2/9, 2/17
- Ranch House water run – 2/10

- DSRP water run – 2/10
- City Hall handicap parking sign reset – 2/10
- DSRP shelving unit installed – 2/15
- City Hall women’s restroom water heater replaced – 2/18
- DSRP electrical access resecured – 2/17
- DSRP toilets repaired – 2/18
- Ranch House A/C filters replaced – 2/22
- Ranch House septic treated – 2/22
- Workshop area cleaning – 2/24
- SRWRF water run – 2/25
- City Hall conference room 2 light switch installed – 2/25
- City Hall restroom vent fans installed – 2/25

Equipment/Vehicles

- DSRP Kabota Tractor oil change – 2/1
- DSRP Little Wonder oil change – 2/1
- Bobcat MT85 hydraulic leak repaired – 2/9
- MD004 pm’d – 2/11, 2/18, 2/25
- MD002 FOB battery replaced – 2/14
- DSRP gator serviced – 2/15
- DSRP mule serviced – 2/15
- MD002 inspection – 2/15
- SRWRF Ferris mower serviced – 2/16-2/17
- SRWRF mule serviced – 2/18
- SRWRF trash pump repaired – 2/18
- MD004 tool inventory – 2/22
- MD002 tool inventory – 2/22

Other

- Freeze procedures on all parks and City facilities – 2/2, 2/23
- ½ pallet of salt picked up for ice weather prep – 2/2
- Diesel tanks, fleet, and equipment prepped for freeze – 2/2
- Roadway and City facilities checked during ice closer – 2/3-2/4
- Water barricades labeled – 2/7, 2/9
- All parks and City facilities water turned on – 2/7
- Pesticide/Herbicide training – 2/10
- Barricades set out for Washer Tournament road closure – 2/11
- Visitors Bureau building vent extended – 2/16
- Stop the Bleed training completed – 2/17
- Historic stop sign replacement parts picked up – 2/17

SRWRF

- Hays St. lift station light switch installed – 2/8
- Hays St. lift station light replaced – 2/11

- Treatment plant lights and ballasts replaced – 2/14



MEMORANDUM

TO: Erin Newberry, Project Manager
HDR Engineering, Inc.

FROM: Ginger Faught
Deputy City Administrator
City of Dripping Springs

PROJECT: South Regional Water Reclamation Project

DATE: February 22, 2022

RE: Establishment and Offer of Just Compensation
Parcel No. 24/CAD R144145
Patrick J. Zielbauer and Jenna Kolle Zielbauer

By my signature below, I authorize HDR Engineering, Inc. to make an offer of \$41,217.00 for the easement(s) over a vacant tract of land located at the Terminus of Diamond Path, W of Cross Creek Dr (520 Diamond Path), Dripping Springs, TX 78620. I believe this amount reflects fair market value and establish this as the amount to be offered as just compensation.

The determination of Just Compensation for this parcel is based on an inspection of the property by a qualified review appraiser and his/her consideration of independently prepared appraisals for the property by competent, qualified real estate appraisers.

Ginger Faught
Deputy City Administrator

APPRAISAL REPORT

of a water and wastewater easement and temporary construction easement to be situated on ±10.030 acres located at the Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, Texas

Parcel:	24
Project Name:	South Regional Water Reclamation Project
Property Owner:	Patrick J. Zielbauer and Jenna Kolle Zielbauer
CAD Parcel Number:	R144145
Legal Description:	Land in the Benjamin F. Mims, Survey No. 8, A-13, Hays County, Texas

Submitted To:

Erin Newberry, SR/WA, R/W-NAC, R/W-RAC
Sr. Real Estate Services Agent
HDR
613 NW Loop 410, Ste. 700
San Antonio, TX 78216

Prepared By:

ATRIUM REAL ESTATE SERVICES
510 C Bridle Path
Dripping Springs, TX 78620

Effective Date of Appraisal:
December 9, 2020



December 15, 2020

Erin Newberry, SR/WA, R/W-NAC, R/W-RAC
Sr. Real Estate Services Agent
HDR
613 NW Loop 410, Ste. 700
San Antonio, TX 78216

RE: Appraisal report of the water and wastewater easement and temporary construction easement to be situated on ±10.030 acres located at the Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, Texas.

Parcel: 24
Project Name: South Regional Water Reclamation Project
Property Owner: Patrick J. Zielbauer and Jenna Kolle Zielbauer
CAD Parcel Number: R144145
Legal Description: Land in the Benjamin F. Mims, Survey No. 8, A-13, Hays County, Texas

Dear Erin Newberry, SR/WA, R/W-NAC, R/W-RAC:

As requested, an appraisal has been completed on the above referenced property. The purpose of the appraisal is to estimate the market value of the fee simple interest of the subject whole property and the recommended compensation for the water and wastewater easement and temporary construction easement. The following appraisal and final estimate of value have been based upon the inspection of the property and upon research into various factors which influence value. The effective date of this appraisal was December 9, 2020.

The analysis and results of the investigation are submitted in the accompanying report which has been prepared in conformity with the requirements of the *Code of Professional Ethics and the Standards of Professional Appraisal Practice* of the APPRAISAL INSTITUTE, the *Uniform Standards of Professional Appraisal Practice* as promulgated by the APPRAISAL FOUNDATION, as well as the requirements of the STATE OF TEXAS for State-Certified General Real Estate Appraisers.

MARKET VALUE/RECOMMENDED COMPENSATION ESTIMATES - The market value of fee simple interest in the subject property, as well as the recommended compensation estimate for the proposed acquisition, as of December 9, 2020, was as follows:

RECOMMENDED COMPENSATION SUMMARY		
Whole Property Value (Land only)	\$524,288	
Water And Wastewater Easement (±0.410 acres)		\$10,716
Remainder Before the Acquisition	\$513,572	
Remainder After the Acquisition	\$556,370	
Damages/(Enhancements)		(\$42,798)
Temporary Construction Easement (±0.460 acres)		\$5,771
Special Compensation/Cost to Cure		\$0
Total Recommended Compensation		\$16,487

Page 2
December 15, 2020

ATRIUM REAL ESTATE SERVICES appreciates the opportunity to be of service to you. Should you have any questions, or if we can be of further assistance, please contact our office.

Respectfully submitted,

ATRIUM REAL ESTATE SERVICES

A handwritten signature in blue ink that reads "Lory R. Johnson". The signature is written in a cursive style with a large initial "L".

Lory R. Johnson, MAI, SR/WA
President
Texas Certified Appraiser #TX-1321640-G

CERTIFICATION OF THE APPRAISER

The undersigned do hereby certify that, to the best of my knowledge and belief:

- the statements of fact contained in this report are true and correct.
- the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment. I have performed appraisal services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, the occurrence of a subsequent event directly related to the intended use of this appraisal.
- the reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the *Code of Professional Ethics and the Standards of Professional Appraisal Practice* of the APPRAISAL INSTITUTE. The report also conforms to the *Uniform Standards of Professional Appraisal Practice* as promulgated by the APPRAISAL FOUNDATION, as well as the requirements of the STATE OF TEXAS for State-Certified General Real Estate Appraisers.
- Lory R. Johnson, MAI, SR/WA and Loryn Johnson have made a personal inspection of the property that is the subject of this report.
- Loryn Johnson provided significant real property appraisal assistance to the persons signing this certification.
- the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives. As of the date of this report, Lory R. Johnson, MAI, SR/WA has completed the continuing education program for Designated Members of the Appraisal Institute.
- this appraisal report sets forth all limiting conditions (imposed by the terms of the assignment or by the undersigned) affecting the analyses, opinions, and conclusions expressed herein.
- the appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.
- the market data contained within this report, has been accumulated from various sources and, where possible, personally examined and verified as to details, motivation, and validity.

ATRIUM REAL ESTATE SERVICES



Lory R. Johnson, MAI, SR/WA
 President & CEO
 Texas Certified Appraiser #TX-1321640-G
 Date Signed: December 15, 2020

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SUBJECT PROPERTY PHOTOGRAPHS



AERIAL PHOTOGRAPH

Source: Google Maps

Blue: Subject property boundary (estimated by appraiser)

Orange: Proposed water and wastewater easement acquisition (estimated by appraiser)

Yellow: Proposed temporary construction easement (estimated by appraiser)

INTRODUCTION

SUBJECT PROPERTY PHOTOGRAPHS



AERIAL PHOTOGRAPH

Source: Google Maps

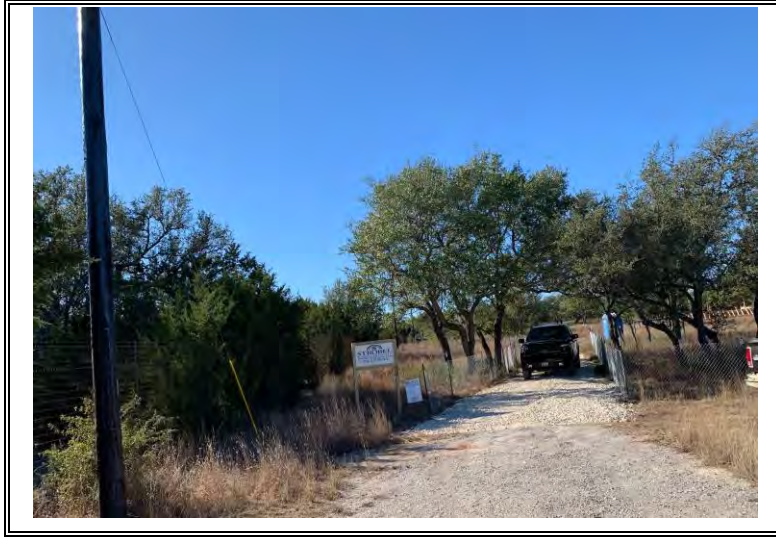
Blue: Subject property boundary (estimated by appraiser)

Orange: Proposed water and wastewater easement acquisition (estimated by appraiser)

Yellow: Proposed temporary construction easement (estimated by appraiser)

INTRODUCTION

SUBJECT PROPERTY PHOTOGRAPHS



Subject property

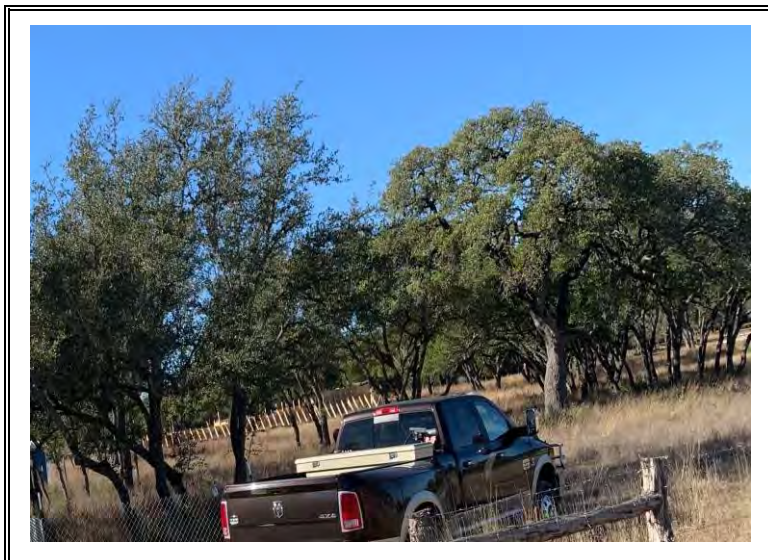
Date photo taken:
12/9/2020

Subject property



Date photo taken:
12/9/2020

Subject property



Date photo taken:
12/9/2020

INTRODUCTION

SUBJECT PROPERTY PHOTOGRAPHS



Subject property

Date photo taken:
09/30/2020

Subject property



Date photo taken:
09/30/2020



Subject property

Date photo taken:
09/30/2020

INTRODUCTION

SUBJECT PROPERTY PHOTOGRAPHS



Proposed easement area

Date photo taken:
09/30/2020

Proposed easement area



Date photo taken:
09/30/2020



Gated entrance to Diamond Path

Date photo taken:
09/30/2020

INTRODUCTION

EXECUTIVE SUMMARY

Parcel #:	24	
Property Owner:	Patrick J. Zielbauer and Jenna Kolle Zielbauer	
Property Location:	Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, Texas	
PROPERTY COMPONENT SUMMARY		
Component	Acres	SF
Whole Property	±10.030 acres	±436,907 SF
Water And Wastewater Easement	±0.410 acres	±17,860 SF
Remainder	±10.030 acres	±436,907 SF
Remainder Unencumbered	±9.620 acres	±419,047 SF
Temporary Construction Easement	±0.460 acres	±20,038 SF
	Whole Property	Remainder After
Highest & Best Use-As if Vacant:	Residential.	Residential.
Highest & Best Use As Improved:	Residential.	Residential.
Shape:	Rectangular.	Rectangular.
Topography:	Generally level.	Generally level.
Floodplain %:	0%	0%
Utilities:	Electric and water available, septic required.	All utilities available.
Additional Public Services:	Fire, emergency medical services, and police protection are provided by Hays County.	
Zoning:	Dripping Springs ETJ - Not zoned	
Easements/Encumbrances:	A 10' easement for installation and maintenance of utilities and drainage facilities along all property lines (V.888 P.85, V.5004 P.283), building setbacks including 100' from the front property line, 50' from any side street, 50' from any side lot line and barns and outbuildings must be built to the rear of the main house within 100' of the rear property line (V.888 P.85, V.5004 P.283) and two 20' electric utility easements to Pedernales Electric Cooperative with one located in the western portion of the property and the other located along the southern property boundary (V.4801 P.59, V.5004 P.334). A 35' access easement provides ingress/egress to the subject to Cross Creek Dr and Kirby Springs Dr through adjacent tracts (V.5001 P.306). A public utility easement to Dripping Springs Water Supply Corporation (V.5001 P.314) is also listed in the title, but appears to be associated with a larger parent tract and is not included in the subject property. No restrictions or easements negatively impact the developability of the property. No additional adverse easements or encumbrances noted.	

INTRODUCTION

Improvements (Whole):	Under construction for a single family residence.
Appraisal Issues:	<p>The subject property is under construction for a single family residence. No site improvements are impacted.</p> <p>Per the restrictive covenants listed in V.888 P.85 of the Official Public Records of Hays County, Texas the subject property is restricted to residential purposes only. The proposed easement is located on the western property line completely within the 50' building setback, partially within a 10' easement for installation and maintenance of utilities and a 20' electric utility easement and is not considered to impact the developability of the site. The subject remainder land will be of adequate size and shape for development to its highest and best use after the acquisition. This size and shape is considered to be within acceptable comparisons to the development in the area. Per the client (07/2020), the remainder property will be allowed access to organized sewer in the future when the property is developed. As such, the remainder is considered to be enhanced.</p> <p>A cost to cure is not necessary.</p>
Effective Date of the Appraisal:	December 9, 2020
Date of the Report:	December 15, 2020
Appraiser:	Lory R. Johnson, MAI, SR/WA

RECOMMENDED COMPENSATION SUMMARY		
Whole Property Value (Land only)	\$524,288	
Water And Wastewater Easement (±0.410 acres)		\$10,716
Remainder Before the Acquisition	\$513,572	
Remainder After the Acquisition	\$556,370	
Damages/(Enhancements)		(\$42,798)
Temporary Construction Easement (±0.460 acres)		\$5,771
Special Compensation/Cost to Cure		\$0
Total Recommended Compensation		\$16,487

INTRODUCTION

DATE OF VALUE

The property was inspected on September 30, 2020 and December 9, 2020, with the latter date serving as the effective date of the appraisal.

OWNER CONTACT

INSPECTION SUMMARY	
Date of inspection:	September 30, 2020 December 9, 2020 (from ROW)
Letter sent to:	Patrick J. Zielbauer and Jenna Kolle Zielbauer 520 Diamond Path Dripping Springs, TX 78620
Date of Atrium intro letter:	November 19, 2020
Owner rep at inspection:	On September 30, 2020 Stephanie Collins, the listing agent for the property, and Jenna Zielbauer, the then prospective new owner of the property and now current owner of the property. On December 9, 2020 there was no owner representative present.
Comments:	A letter was sent to the owner. Stephanie Collins, listing agent for the property, accompanied the appraisers on the inspection on September 30, 2020. Jenna Zielbauer, the then prospective new owner of the property also accompanied appraisers on September 30, 2020. A letter was sent on November 19, 2020 to Patrick and Jenna Zielbauer after they purchased the property. No response was received and the property was inspected from the ROW on December 9, 2020.
Atrium appraisers:	Lory R. Johnson, MAI, SR/WA Loryn Johnson

PURPOSE/INTENDED USE OF THE APPRAISAL

The purpose of this appraisal is to estimate the market value of the fee simple interest of the subject whole property and the recommended compensation for the water and wastewater easement and temporary construction easement. The definitions of these value estimates are included herein. The client is HDR, and the intended users of this report is HDR and City of Dripping Springs. Use of this report by others is not intended by the appraisers. This report is intended only for use in estimation of recommended compensation and it is understood that the opinions expressed in this report may be utilized for litigation purposes.

PERSONAL PROPERTY

The value conclusions contained within this report do not include any items considered to be personal property. Please refer to the following chart for any items noted as personal property, which have not been valued herein. Those improvements considered to be part of the real estate have been listed in the improvement description section.

PERSONAL PROPERTY	
Type:	Description:
None	None

INTRODUCTION

SCOPE OF WORK

As outlined, the purpose of this appraisal is to estimate the market value of the fee simple interest of the subject whole property and the recommended compensation for the water and wastewater easement and temporary construction easement. Ownership information, a title commitment and a survey for the proposed acquisition size was provided. Using this information as well as additional information secured from the County Deed Records and the Central Appraisal District, the size of the property and its legal description were established. All information provided is assumed to be correct and has been considered in the following valuation analysis.

The property is under construction for a single family residence. The subject property is under construction for a single family residence. No site improvements are impacted.

Per the restrictive covenants listed in V.888 P.85 of the Official Public Records of Hays County, Texas the subject property is restricted to residential purposes only. The proposed easement is located on the western property line completely within the 50' building setback, partially within a 10' easement for installation and maintenance of utilities and a 20' electric utility easement and is not considered to impact the developability of the site. The subject remainder land will be of adequate size and shape for development to its highest and best use after the acquisition. This size and shape is considered to be within acceptable comparisons to the development in the area. Per the client (07/2020), the remainder property will be allowed access to organized sewer in the future when the property is developed. As such, the remainder is considered to be enhanced.

A cost to cure is not necessary.

In analyzing the area economy, data from the various sources was obtained. In addition, we inspected the subject property and surrounding properties, analyzed the area and subject neighborhood, formulated an opinion regarding the highest and best use, made a search for comparable sales and listings, and all other available pertinent information used in developing an opinion of value. This data is based upon research into the County market. In all cases, the data is verified with buyer, seller, landlord, tenant, agent, and/or broker, and cross-checked through public records.

The valuation of the subject property will be completed in two phases. First, the overall market value of the property will be estimated. The final step will be to estimate the appropriate recommended compensation for the water and wastewater easement and temporary construction easement.

In the valuation analysis of the subject property, the Cost, Sales Comparison and Income Capitalization Approaches to value were considered. The property is effectively vacant land (construction of SFR not impacted). As such, the Sales Comparison Approach (land only) has been developed to estimate the land value. The Cost Approach, Sales Comparison Approach-As Improved and the Income Approach were not considered applicable and have not been developed.

In the valuation of the remainder property, the Cost, Sales Comparison and Income Capitalization Approaches to value were considered. The property is effectively vacant land (construction of SFR not impacted). As such, the Sales Comparison Approach (land only) has been developed to estimate the land value. The Cost Approach, Sales Comparison Approach-As Improved and the Income Approach were not considered applicable and have not been

INTRODUCTION

developed.

This Appraisal Report is intended to comply with the reporting requirements set forth under Standards Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice. As such, it presents only summary discussions of the data, reasoning and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning and analyses is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated herein. The appraiser is not responsible for unauthorized use of this report.

The appraisal was undertaken jointly by Loryn Johnson and Lory R. Johnson, MAI, SR/WA who performed initial research, inspection and comparable data selection. Lory R. Johnson, MAI, SR/WA provided input with respect to appraisal methodology, data selection, analytical processes and report review. The final report is the result of this collaborative effort.

PROPERTY RIGHTS APPRAISED

The property rights appraised are the fee simple interest in the whole subject property as well as the water and wastewater easement and temporary construction easement associated with the acquisition. Fee simple estate is an absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.¹ An easement is defined as being: **"...an interest in real property that transfers use, but not ownership, of a portion of an owner's property. Easements permit a specific portion of a property to be used for identified purposes..."**²

DEFINITION OF MARKET VALUE

Market value, as used in this appraisal report, is defined as being: "The price which the property would bring when it is offered for sale by one who desires, but is not obliged to sell, and is bought by one who is under no necessity of buying it, taking into consideration all of the uses to which it is reasonably adaptable and for which it either is or in all reasonable probability will become available within the reasonable future."³

DEFINITION OF RECOMMENDED COMPENSATION

Just compensation or Recommended compensation, as used in this appraisal report, is defined as being: **"...the amount of loss for which a property owner is compensated when his or her property is taken...should put the owner in as good a position as he or she would be if the property had not been taken..."**⁴

LEGAL DESCRIPTION

The following legal description was obtained from the County Deed Records and is assumed to be correct. It has not been verified by legal counsel nor has an independent survey of the parcel been commissioned. Therefore, it is suggested that the legal description be verified before being used in a legal document or conveyance.

Land in the Benjamin F. Mims, Survey No. 8, A-13, Hays County, Texas.

¹ *The Appraisal of Real Estate, 14th Edition*, (Chicago: Appraisal Institute, 2013) pg. 5.

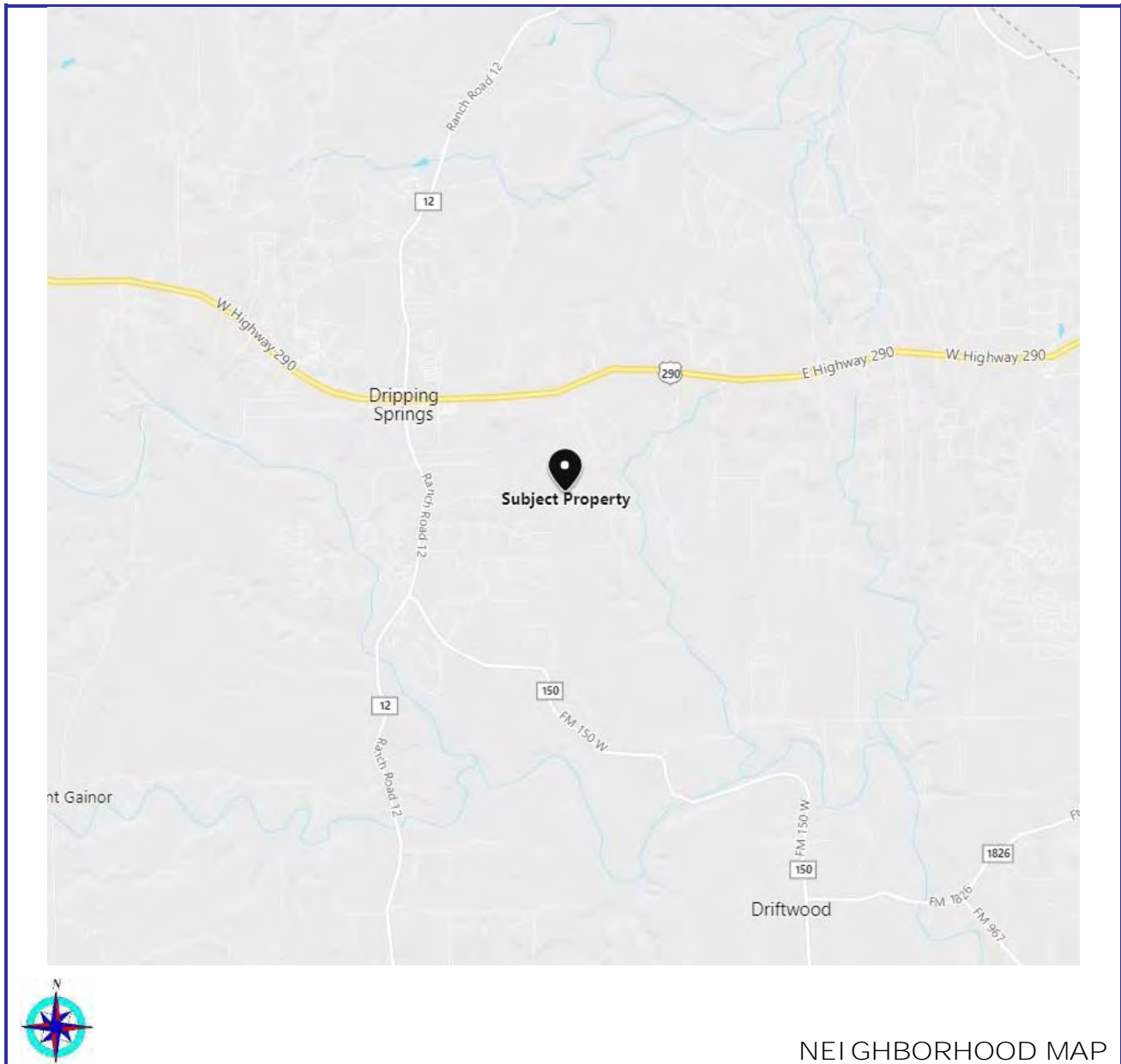
² *The Dictionary of Real Estate Appraisal, 5th ed.*, 75

³ *City of Austin vs. Cannizzo, et al.*, 267 S. W.2d 808,815 (1954)

⁴ *The Dictionary of Real Estate Appraisal, 5th ed.*, 106.

DESCRIPTIONS

NEIGHBORHOOD DESCRIPTION



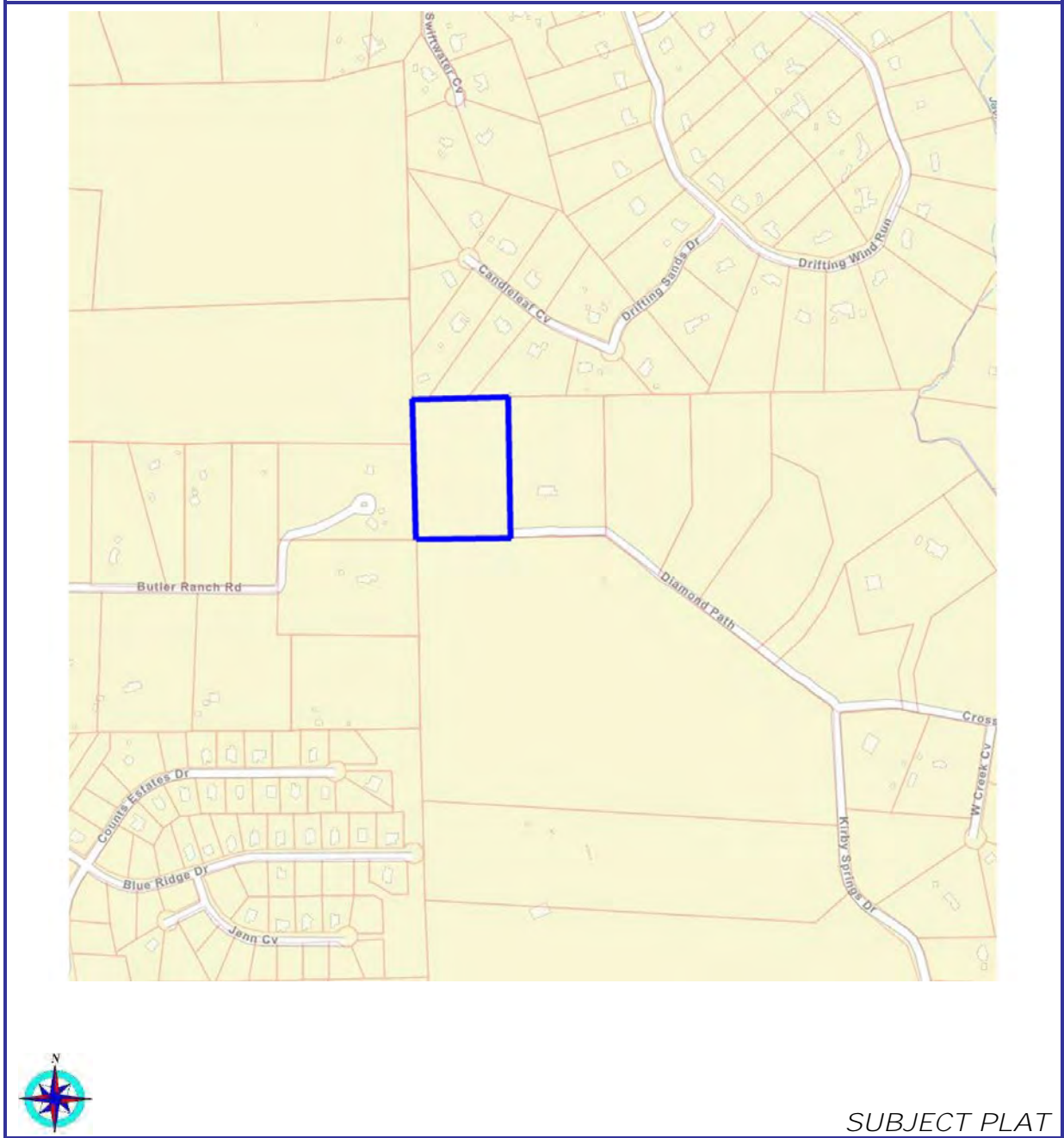
NEIGHBORHOOD MAP

The subject property is located at the Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, Texas. The subject neighborhood can best be defined as the City of Dripping Springs and the surrounding area.

Ranch Road 12 provides the main north-south route and US Hwy 290 provides the main east-west route to and through the neighborhood. Various other FM and county roads provide secondary access to the neighborhood area and surrounding areas. Onion Creek runs east-west through the neighborhood area and provides recreational/aesthetic qualities to the area.

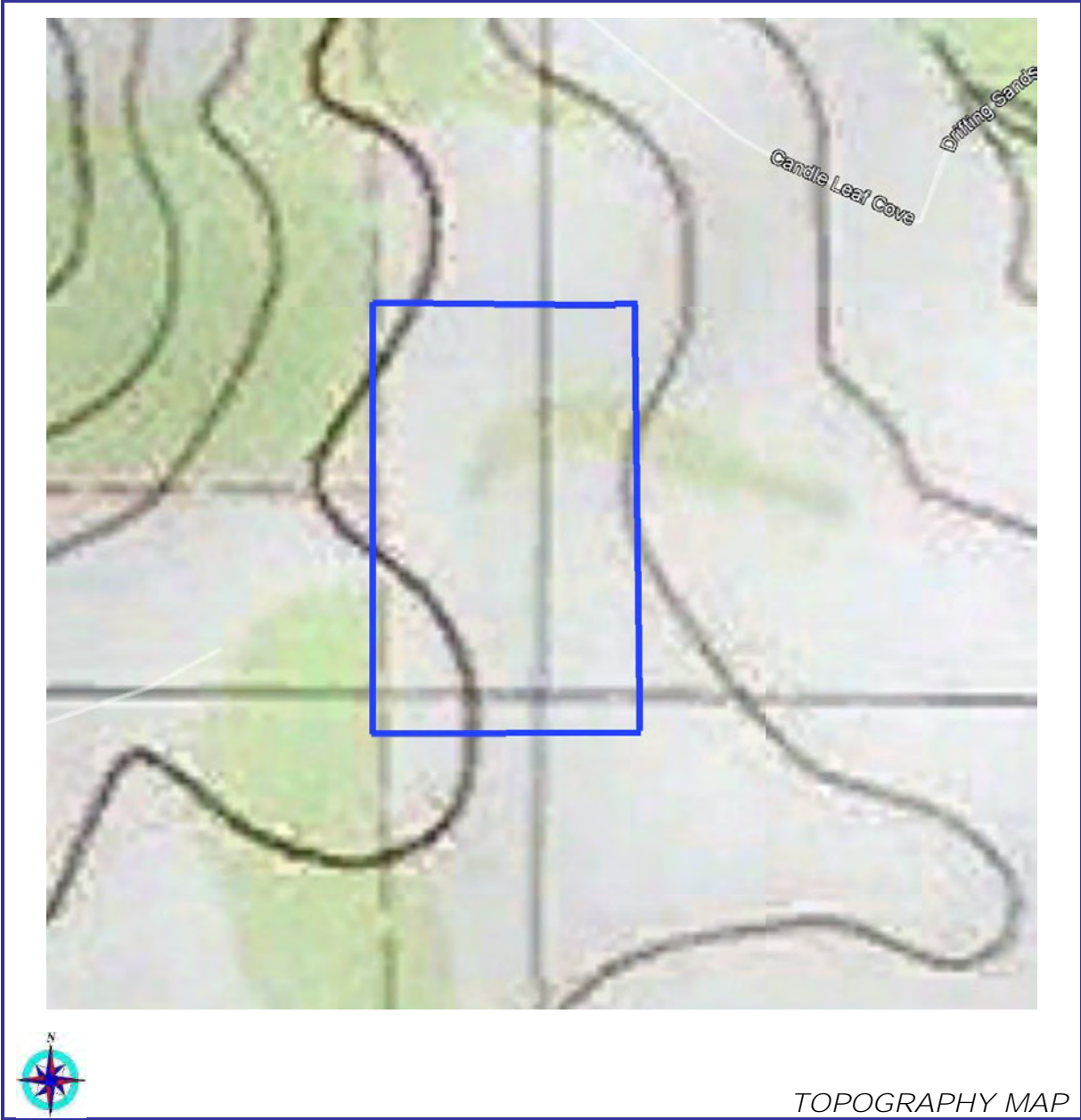
Overall land uses in the neighborhood are predominantly commercial uses along the major arterials with a mix of residential and agricultural on secondary roads. The neighborhood has a number of vacant tracts available for development.

SITE DESCRIPTION



Source: Hays County Appraisal District
Blue: Subject property boundary (estimated by appraiser)

SITE DESCRIPTION



Source: Google Earth/Earthpoint
Blue: Subject property boundary (estimated by appraiser)

SITE DESCRIPTION



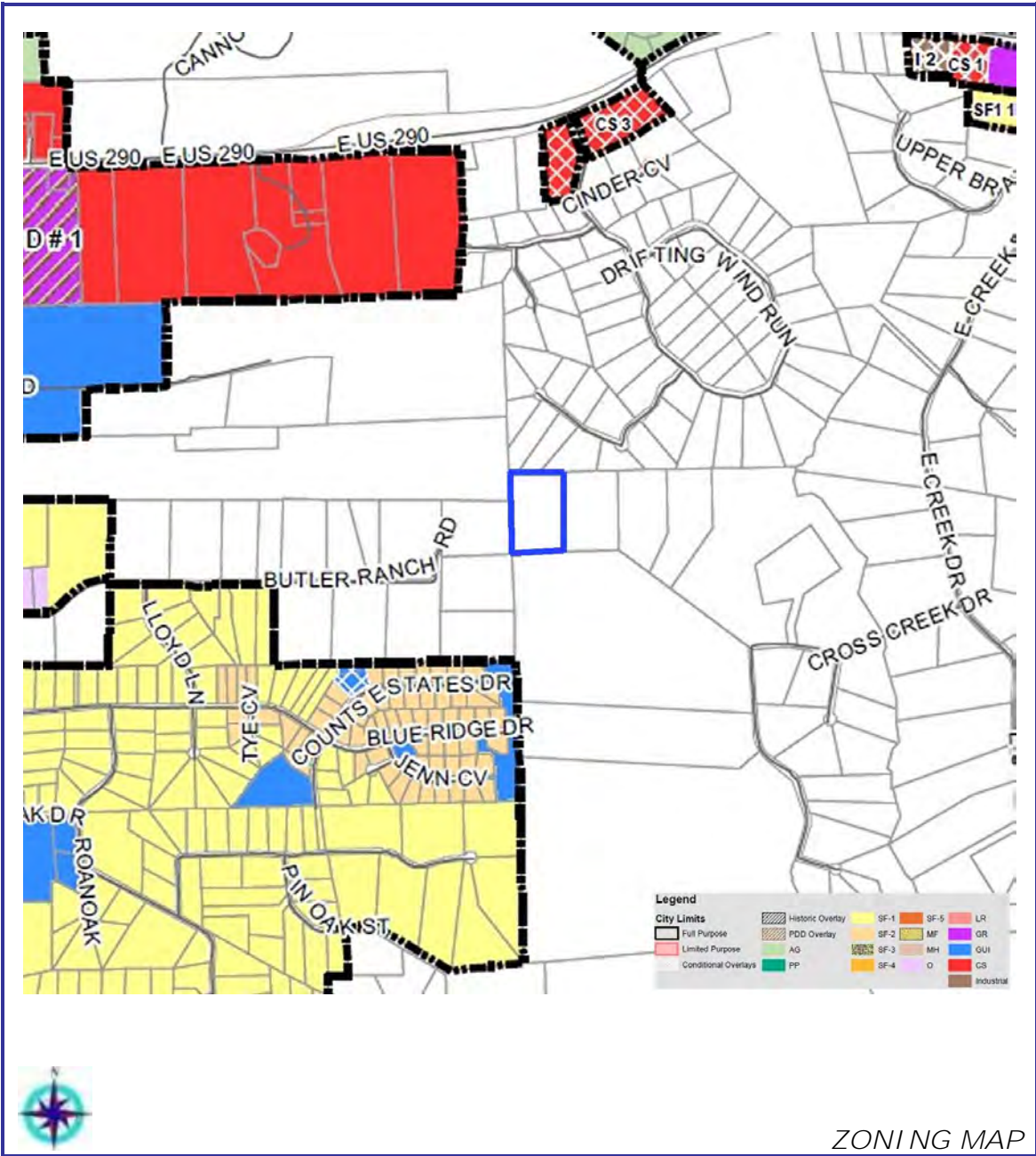
Source: Google Earth/FEMA
Blue: Subject property boundary (estimated by appraiser)

SITE DESCRIPTION



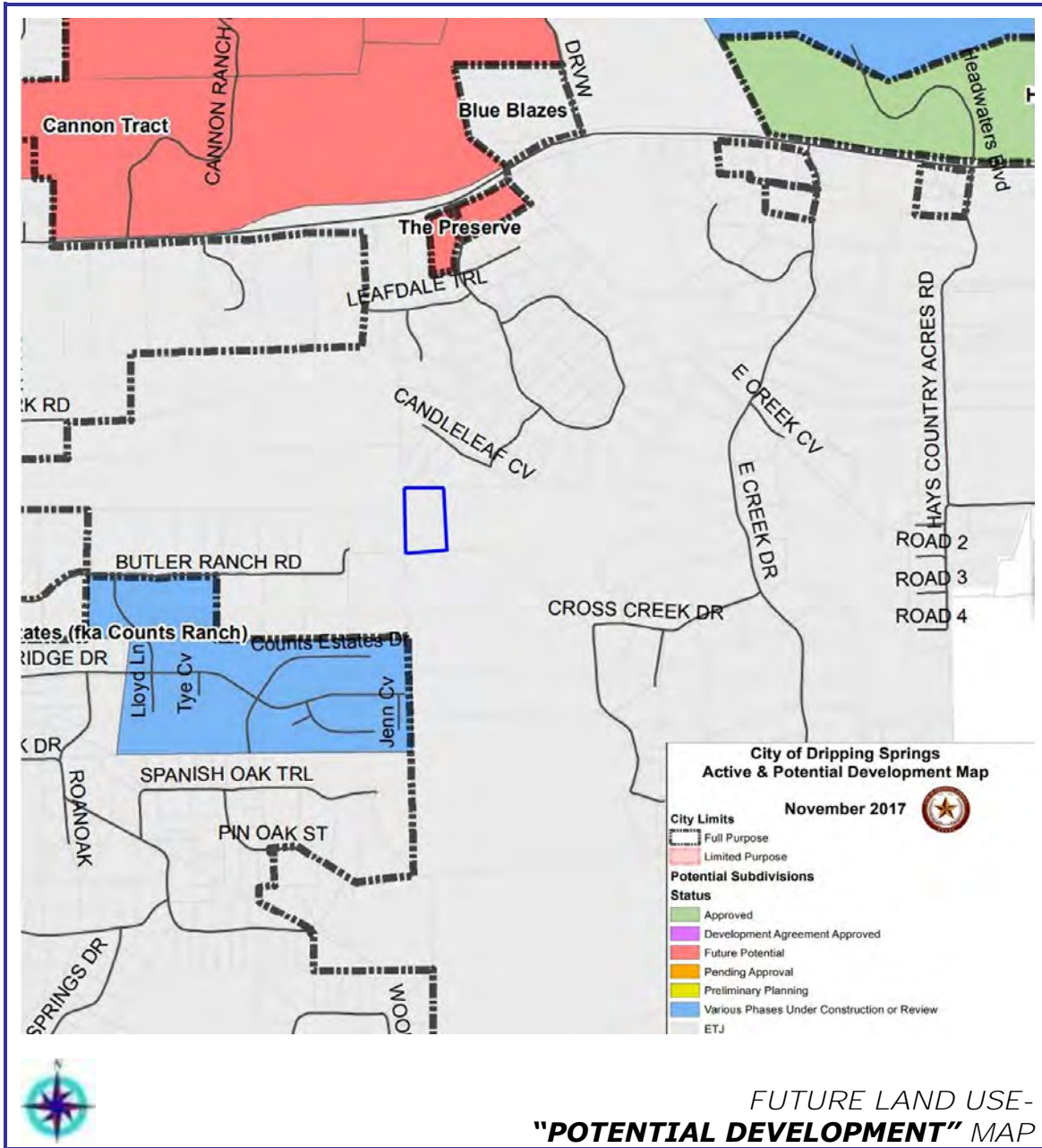
Source: US Fish and Wildlife Service – National Wetlands Inventory
Blue: Subject property boundary (estimated by appraiser)

SITE DESCRIPTION



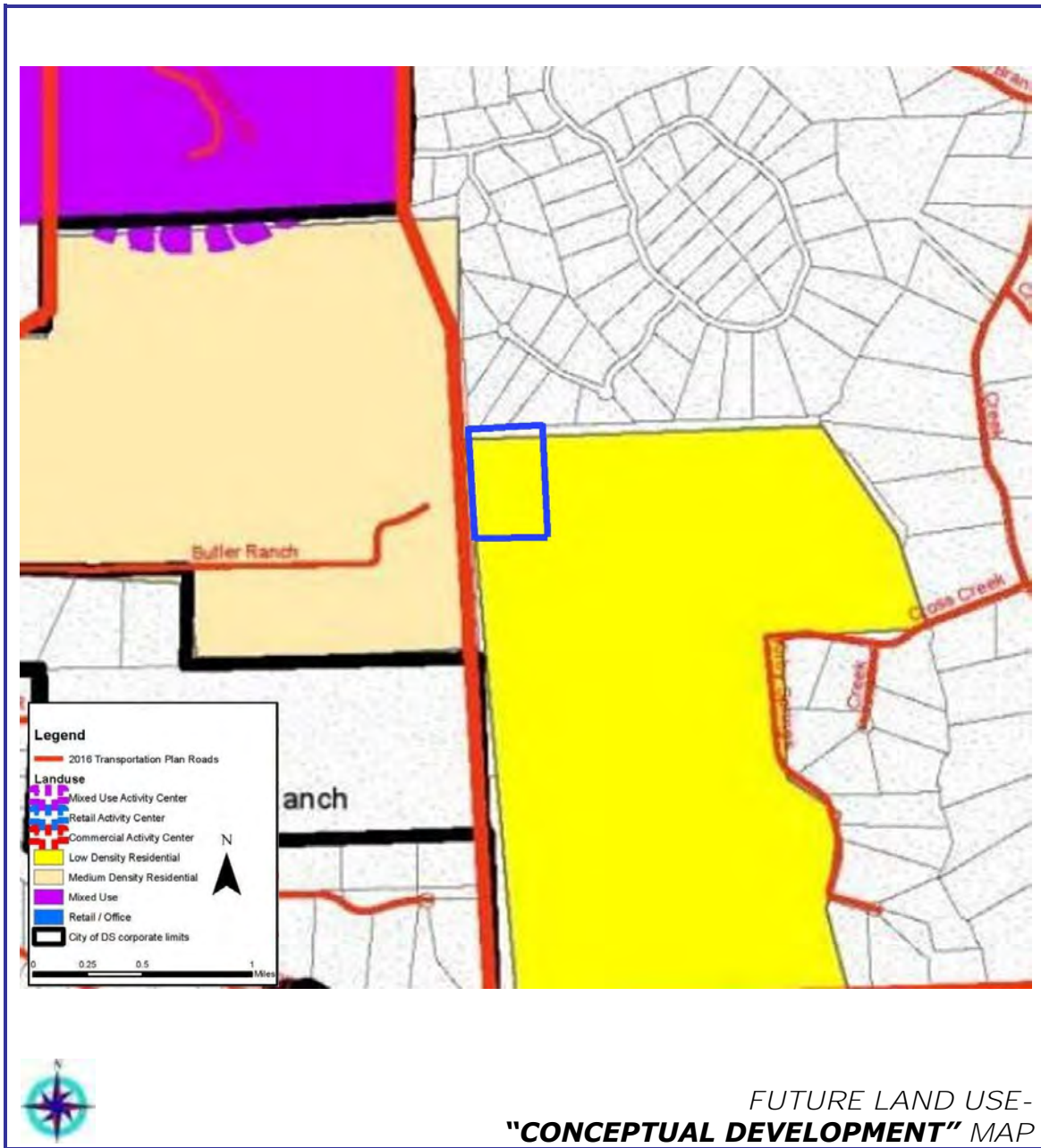
Source: City of Dripping Springs
Blue: Subject property boundary (estimated by appraiser)

SITE DESCRIPTION



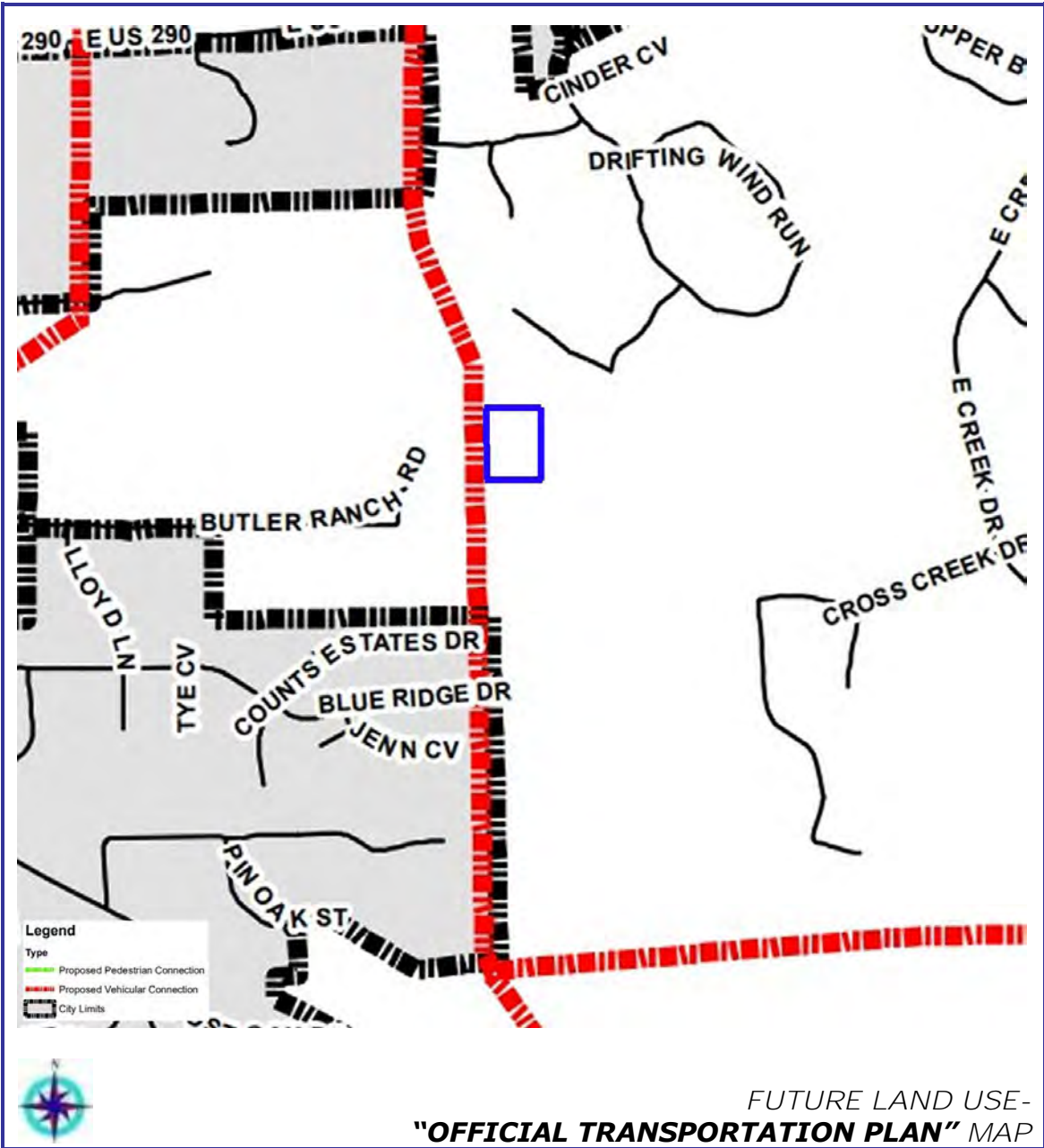
Source: City of Dripping Springs
Blue: Subject property boundary (estimated by appraiser)

SITE DESCRIPTION



Source: City of Dripping Springs
Blue: Subject property boundary (estimated by appraiser)

SITE DESCRIPTION



Source: City of Dripping Springs
Blue: Subject property boundary (estimated by appraiser)

SITE DESCRIPTION

Location:	Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, Texas																						
Legal Description:	Land in the Benjamin F. Mims, Survey No. 8, A-13, Hays County, Texas																						
<table border="1"> <thead> <tr> <th colspan="3">PROPERTY COMPONENT SUMMARY</th> </tr> <tr> <th>Component</th> <th>Acres</th> <th>SF</th> </tr> </thead> <tbody> <tr> <td>Whole Property</td> <td>±10.030 acres</td> <td>±436,907 SF</td> </tr> <tr> <td>Water And Wastewater Easement</td> <td>±0.410 acres</td> <td>±17,860 SF</td> </tr> <tr> <td>Remainder</td> <td>±10.030 acres</td> <td>±436,907 SF</td> </tr> <tr> <td>Remainder Unencumbered</td> <td>±9.620 acres</td> <td>±419,047 SF</td> </tr> <tr> <td>Temporary Construction Easement</td> <td>±0.460 acres</td> <td>±20,038 SF</td> </tr> </tbody> </table>			PROPERTY COMPONENT SUMMARY			Component	Acres	SF	Whole Property	±10.030 acres	±436,907 SF	Water And Wastewater Easement	±0.410 acres	±17,860 SF	Remainder	±10.030 acres	±436,907 SF	Remainder Unencumbered	±9.620 acres	±419,047 SF	Temporary Construction Easement	±0.460 acres	±20,038 SF
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Whole Property Size (Per Field Notes):	±10.030 acres.																						
Whole Property Size (Per CAD):	±10.030 acres.																						
Shape:	Rectangular.																						
Frontage:	Diamond Path:	±20 feet																					
Current Roadway Design:	Diamond Path: Private, gated access easement with mix of dirt and gravel base. Per the City of Dripping Springs Official Transportation Plan Map, dated July 9, 2019 a planned road is along the western border.																						
Access/Visibility:	Accessible via Diamond Path. Adequate visibility from roadway(s).																						
Topography:	Generally level																						
Subsoil Conditions and Drainage:	An engineering study to determine the soil and subsoil conditions has not been furnished. Upon inspection of the subject and surrounding improvements, soil conditions appear adequate to support development of the subject property with adequate engineering.																						
Floodplain:	Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map Panel # and date:	48209C0115F, Hays County, Texas and Incorporated Areas dated September 2, 2005.																					
	FEMA Zone:	Zone X, an area determined to be outside the 100 year floodplain																					
	Floodplain %:	0%																					
Wetlands:	According to the National Wetlands Inventory compiled by the US Fish and Wildlife Service, the site does not contain wetlands.																						
Jurisdiction:	Dripping Springs ETJ and Hays County																						
Utilities:	Electric and water available, septic required.																						
	Water:	Dripping Springs Water Supply Corp																					
	Electricity:	Pedernales Electric Cooperative, Inc																					
	Sewer:	None																					
	Septic:	Septic required																					

SITE DESCRIPTION

	Gas:	None
Additional Public Services:	Fire, emergency medical services, and police protection are provided by Hays County.	
Zoning:	Not zoned - Dripping Springs ETJ.	
Future Land Use:	The City of Dripping Springs has a Conceptual Future Land Use Map in the Comprehensive Plan 2016 dated 11/15/2016 which identifies the subject property as "Low Density Residential". The City of Dripping Springs also has a "potential development" map dated 11/2017. The potential development map does not identify a use for the subject. As of December 9, 2020 the property is under construction for a single family residence.	
Land Use Restrictions:	Per the restrictive covenants listed in V.888 P.85 of the Official Public Records of Hays County, Texas the subject property is restricted to residential purposes only. Deed and title examination by a competent attorney is recommended should any questions arise regarding restrictions.	
Easements/ Encumbrances:	A 10' easement for installation and maintenance of utilities and drainage facilities along all property lines (V.888 P.85, V.5004 P.283), building setbacks including 100' from the front property line, 50' from any side street, 50' from any side lot line and barns and outbuildings must be built to the rear of the main house within 100' of the rear property line (V.888 P.85, V.5004 P.283) and two 20' electric utility easements to Pedernales Electric Cooperative with one located in the western portion of the property and the other located along the southern property boundary (V.4801 P.59, V.5004 P.334). A 35' access easement provides ingress/egress to the subject to Cross Creek Dr and Kirby Springs Dr through adjacent tracts (V.5001 P.306). A public utility easement to Dripping Springs Water Supply Corporation (V.5001 P.314) is also listed in the title, but appears to be associated with a larger parent tract and is not included in the subject property. No restrictions or easements negatively impact the developability of the property. No additional adverse easements or encumbrances noted.	
Environmental/Toxic Waste:	Any environmental issues, including endangered species and endangered species natural habitats, which would pertain to the subject property are unknown. Typically, real estate appraisers are not qualified nor are they experts in detecting hazardous materials, radiological materials, archeological resources, etc.; therefore, an expert in these fields should be consulted for opinions on these matters. This report assumes no environmental hazards or special resources exist within or on the subject property.	
History/Current Listing:	Grantor:	Casey Anthony Collins, Trustee of the Abba Trust Dated July 15, 2012
	Grantee:	Patrick J. Zielbauer and Jenna Kolle Zielbauer
	Date of Transaction:	October 27, 2020

SITE DESCRIPTION

	Recording Info:	Doc # 20048995
	Comments: Per Stephanie Collins, listing agent, the property sold for \$512,500. A copy of the contract was provided.	
	Grantor:	Casey Anthony Collins and Stephanie Dawn Collins
	Grantee:	Casey Anthony Collins, Trustee of the Abba Trust Dated July 15, 2012
	Date of Transaction:	May 22, 2018
	Recording Info:	Doc #18017891
	Comments: Additional information regarding this transaction was not disclosed and it appears to be a non arms length transaction.	
	Grantor:	Casey Anthony Collins, Trustee of the Abba Trust
	Grantee:	Casey Anthony Collins and Stephanie Dawn Collins
	Date of Transaction:	February 20, 2018
	Recording Info:	Doc #18006012
	Comments: Additional information regarding this transaction was not disclosed and it appears to be a non arms length transaction. No additional transactions have occurred in the past 5 years.	
Surrounding Properties:	North:	Residential
	South:	Vacant land
	East:	Residential
	West:	Vacant land and residential
Real Estate Taxes:	Taxing jurisdictions per CAD: (R144145)	Appraisal District North Hays Co ESD #1 Hays Co Fire ESD #6 Hays County Special Road Dripping Springs ISD
	2020 CAD land value:	\$417,060 (\$0.95/SF based on the CAD size of ±10.030 acres)
	2020 CAD improvement value:	\$0
	2020 Total assessed value:	\$1,250 (with Ag valuation)

IMPROVEMENT DESCRIPTION

Improvement:	As of the effective date, the property is under construction for a single family residence. The subject property is under construction for a single family residence. No site improvements are impacted. The site improvements impacted by the acquisition (if any) are listed below.		
	Improvement	Description	Size
	None	N/A	N/A
Proximity to ROW:	N/A		

ANALYSIS OF DATA

HIGHEST & BEST USE

Highest and Best Use can be defined as: "The reasonably probable and legal use of vacant land or an improved property, that is physically possible, appropriately supported, financially feasible, and that results in the highest value."⁵

The highest and best use involves consideration of land use as though vacant, and as improved. The potential uses of the subject are affected by the real estate economic forces of the area and neighborhood. The available uses are restricted by four criteria including physically possible, legally permissible, financially feasible and maximally productive.

Highest and Best Use, As If Vacant

Physically Possible

The first constraint is dictated by the physical attributes of the property itself. The subject property is located at the Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, Texas. The subject contains ±10.030 acres. It is generally level. The shape is rectangular. According to available maps, 0% of the site is in the floodplain. According to the National Wetlands Inventory compiled by the US Fish and Wildlife Service, the site does not contain wetlands. The subject property has electric and water available, septic required. Therefore, based on the physical characteristics of the site, there appear to be no significant detriments to the site.

Legally Permissible

Legal restrictions, as they apply to the subject are private restrictions such as easements, and public restrictions such as zoning. Per the restrictive covenants listed in V.888 P.85 of the Official Public Records of Hays County, Texas the subject property is restricted to residential purposes only. With respect to easements and encumbrances, a 10' easement for installation and maintenance of utilities and drainage facilities along all property lines (V.888 P.85, V.5004 P.283), building setbacks including 100' from the front property line, 50' from any side street, 50' from any side lot line and barns and outbuildings must be built to the rear of the main house within 100' of the rear property line (V.888 P.85, V.5004 P.283) and two 20' electric utility easements to Pedernales Electric Cooperative with one located in the western portion of the property and the other located along the southern property boundary (V.4801 P.59, V.5004 P.334). A 35' access easement provides ingress/egress to the subject to Cross Creek Dr and Kirby Springs Dr through adjacent tracts (V.5001 P.306). A public utility easement to Dripping Springs Water Supply Corporation (V.5001 P.314) is also listed in the title, but appears to be associated with a larger parent tract and is not included in the subject property. No restrictions or easements negatively impact the developability of the property. No additional adverse easements or encumbrances noted.

In consideration of zoning, the subject property is not zoned. The City of Dripping Springs has a Conceptual Future Land Use Map in the Comprehensive Plan 2016 dated 11/15/2016 which **identifies the subject property as "Low Density Residential"**. The City of Dripping Springs also has a **"potential development"** map dated 11/2017. The potential development map does not identify a use for the subject. As of December 9, 2020 the property is under construction for a single family residence.

⁵ *The Appraisal of Real Estate, 14th Edition*, (Chicago: Appraisal Institute, 2013), p.333.

⁴ *The Appraisal of Real Estate, 14th Edition*, (Chicago: Appraisal Institute, 2013), p.33.

HIGHEST & BEST USE

Also considered within the context of Legally Permissible is conformity with surrounding **properties**. "Conformity is the appraisal principle that holds that real property value is created and sustained when the characteristics of a property conform to the demands of its market."⁴ As discussed in the *Neighborhood Description* section, residential, agricultural and commercial properties are predominant throughout the neighborhood. The subject is under construction for a single family residence. Surrounding development is predominately a mixture of agricultural and residential uses.

In summary, due to its location, compatibility and surrounding uses, the legally permissible component of the highest and best use analysis is considered to point toward residential.

Financially Feasible and Maximally Productive

This section requires that the forces of supply and demand be in balance, and that the property developed will provide sufficient income to return profit to the land. The most reasonable use of the site that generates the highest return to the land is residential.

Highest and Best Use Conclusion, As If Vacant

Considering all of the factors which influence highest and best use, it is our opinion that the highest and best use of the subject site, if vacant, is residential.

Highest and Best Use Conclusion, As Improved

As previously noted, the property is under construction for a single family residence. As such, the highest and best use, as improved is residential.

APPRAISAL PROCESS

In estimating the value of real property, there are three recognized approaches or techniques that, when applicable, can be used to process the data considered significant to each into separate value indications. In all instances the experience of the appraisers, coupled with objective judgment, plays a major role in arriving at the conclusions of indicated value from which the final estimate of value is made.

The three approaches are commonly known as:

The Cost Approach - An estimate of the present reproduction cost of the improvements, less accrued depreciation, plus land value. Depreciation includes all loss in value of the improvements due to physical deterioration, functional obsolescence, and economic obsolescence.

The Sales Comparison Approach - Comparison with similar properties that have sold in the market. This Approach can be applied to land alone or to improved properties.

Income Capitalization Approach - Capitalization of the net income that the property can produce. This Approach is applicable only to income producing properties.

Whole Property

In the valuation analysis of the subject property, the Cost, Sales Comparison and Income Capitalization Approaches to value were considered. The subject is effectively vacant land (construction of SFR not impacted). As such, the Sales Comparison Approach (land only) has been developed to estimate the land value. The Cost Approach, Sales Comparison Approach-As Improved and the Income Approach were not considered applicable and have not been developed.

Part to be Acquired

The Part to Be Acquired is considered to be a pro-rata share of the whole.

Remainder Before

The Remainder Before is a mathematical calculation of the Whole Property less the Part to Be Acquired.

Remainder After

In the valuation analysis of the remainder after property, the Cost, Sales Comparison and Income Capitalization Approaches to value were considered. The subject is effectively vacant land (construction of SFR not impacted). As such, the Sales Comparison Approach (land only) has been developed to estimate the land value. The Cost Approach, Sales Comparison Approach- As Improved and the Income Approach were not considered applicable and have not been developed.

First, the overall market value of the property will be estimated. The final step will be to estimate the appropriate recommended compensation for water and wastewater easement and temporary construction easement.

THE SALES COMPARISON APPROACH

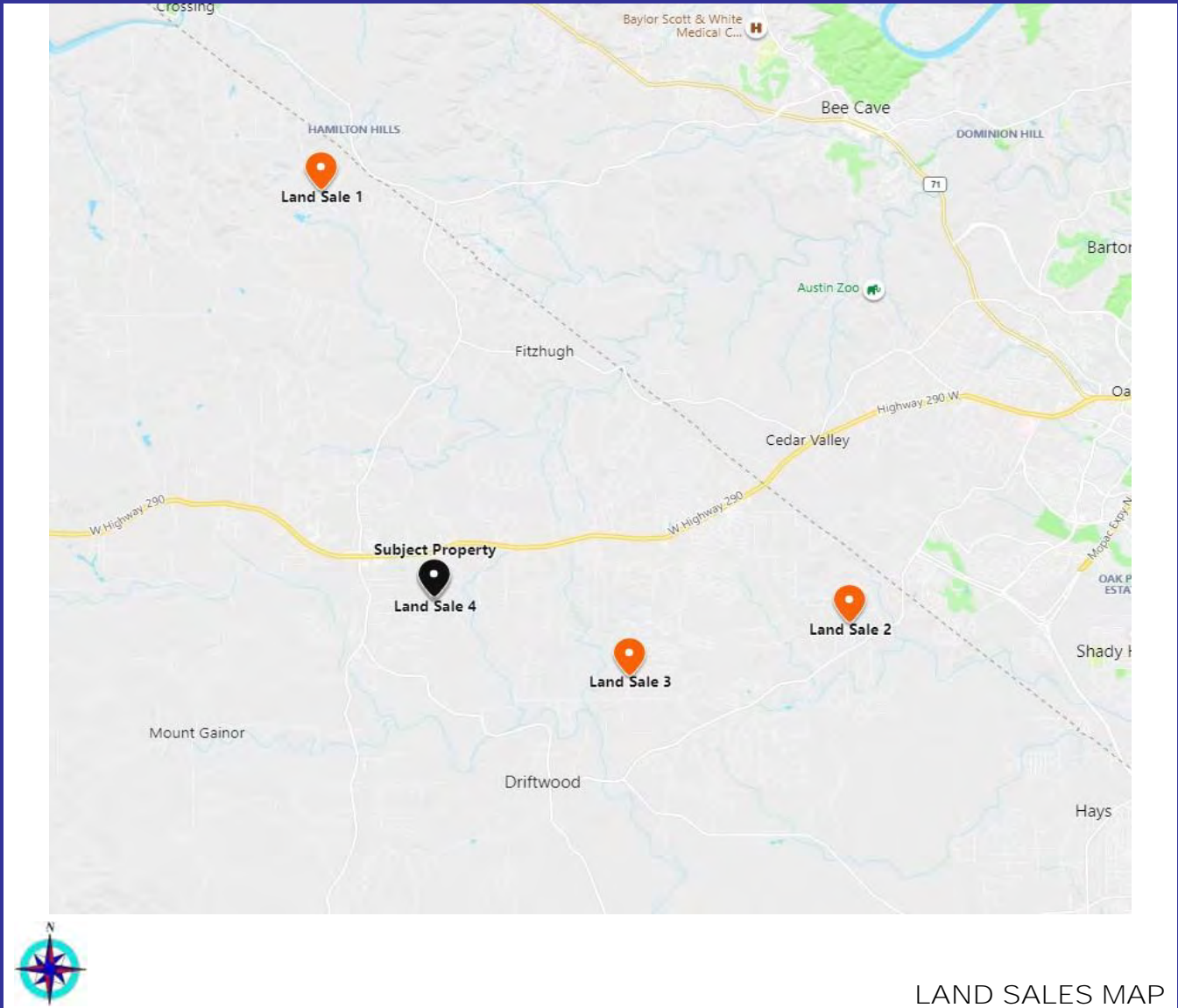
THE SALES COMPARISON APPROACH

The Sales Comparison Approach will be utilized to estimate the fee simple value of the subject site. This approach is considered the most valid indicator in estimating the market value of unimproved land not typically leased in the marketplace. In valuing property via this approach, as many land sales as possible are gathered and the most comparable are used for comparison. Since properties are seldom identical, the comparable sales must be adjusted to the subject for differences in time, location, and physical characteristics to indicate a value for the subject tract.

When valuing real estate via the Sales Comparison Approach, the subject and comparables must be broken down into units of comparison. Units of comparison for vacant land include price per front foot, price per lot, price per acre (buildable or total), price per square foot (buildable or total) and price per buildable unit. The method of comparison is based on the method typically used to purchase vacant tracts in a given area. The price per SF and acre appears prevalent in the area. However, for valuation purposes the \$/SF will be considered to apply to the SF due to the acquisition.

In undertaking our research efforts, a diligent search was made of the subject's neighborhood for properties that had sold or that were under contract. Our research included searching for vacant land tracts that exhibited similar characteristics. Included on the following page is a summary of the documented land sales that have been used in estimating the value of the subject. A location map has also been included.

THE SALES COMPARISON APPROACH



LAND SALES MAP

LAND SALES SUMMARY				
#	LOCATION	DATE OF SALE	\$/SF	LAND SIZE (ACRES)
1	NL of Julieanne Cv, W of Bell Springs Rd (280 Julieanne Cv), Hays County, TX	09/18/20	\$1.08	±10.000 acres
2	EL of Kemp Hills Dr, N of Rio Bravo Ln, Hays County, TX	03/27/20	\$1.09	±10.000 acres
3	EL of Sawyer Ranch Rd, N of Darden Hill Rd (16265 Sawyer Ranch Rd), Hays County, TX	04/05/19	\$1.22	±9.980 acres
4 (subject)	Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, TX	10/27/20	\$1.17	±10.030 acres
Subject	Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, Texas			±10.030 acres

Source: Atrium Real Estate Services 12/2020

THE SALES COMPARISON APPROACH

LAND SALE NO. 1

Property Identification

Record ID 2711
 Property Type Residential
 Address NL of Julieanne Cv, W of Bell Springs Rd (280 Julieanne Cv),
 Hays County, TX
 Tax ID R13674

Sale Data

Grantor Walking W Ranch, L.L.C.
 Grantee Peter Ringquist and Jennifer Ringquist
 Sale Date September 18, 2020
 Deed Book/Page 20041752
 Financing Cash to seller
 Deed Reviewed 10/6/2020 LKJ; Inspected 10/7/2020 LRJ/LKJ
 Verification Jeff Coffman, Listing agent (512) 964-6640, October 6, 2020;
 Confirmed by: LKJ

Sale Price \$469,900

Land Data

Zoning None
 Topography Generally level
 Utilities Electricity available, private well and septic needed
 Shape Irregular
 Flood Info 0% of the site is in 100-year floodplain
 Easements No adverse easements
 Improvements Vacant at time of sale
 Intended/Current Use Residential/Vacant

Land Size Information

Gross Land Size 10.00 acres or 435,600 SF
 Front Footage Julieanne Cv: secondary roadway

Indicators

Sale Price/Gross Acre \$46,990
 Sale Price/Gross SF \$1.08

Legal Description

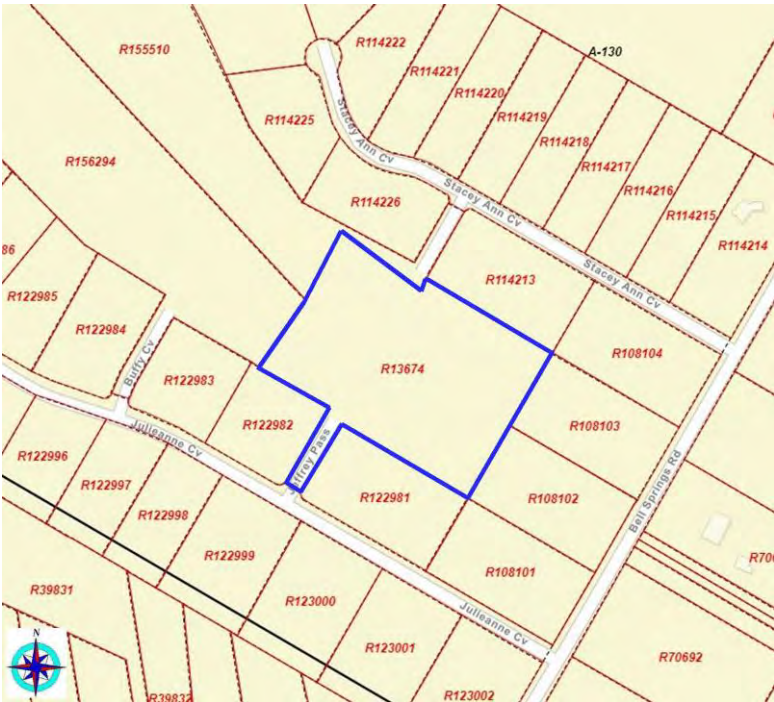
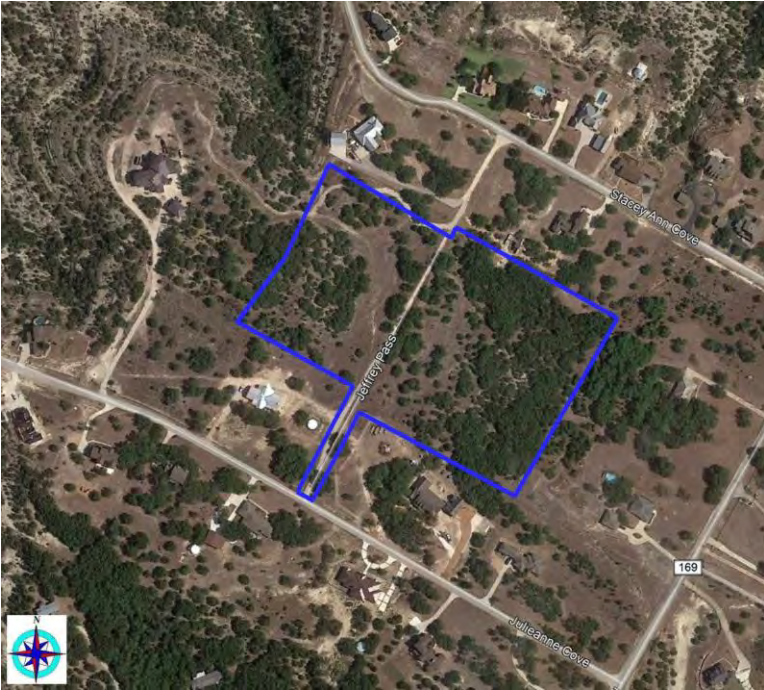
Land out of the Hinton Curtis Survey Number 46, Abstract Number 130, Hays County, Texas

Remarks

The site was vacant at the time of sale. The site has electricity available, private well and septic needed. There are deed restrictions associated with the property stating that the property may only be utilized for residential purposes (V.5393 P.332). According to the National Wetlands Inventory, as compiled by the US Fish and Wildlife, none of the property is within the wetlands. None of the site is located within the 100-year floodplain. A driveway permit on the southwest side of the property was obtained before the time of sale to provide access to the county road Julieanne Cove. As of October 2020, the site vacant.

THE SALES COMPARISON APPROACH

LAND SALE NO. 1 (cont.)



THE SALES COMPARISON APPROACH

LAND SALE NO. 2

Property Identification

Record ID	2712
Property Type	Residential
Address	EL of Kemp Hills Dr, N of Rio Bravo Ln, Hays County, TX
Tax ID	R161078

Sale Data

Grantor	Oliver Milhomme
Grantee	Jeffrey Scott Chambers and Jennifer Leigh Chambers
Sale Date	March 27, 2020
Deed Book/Page	20012495
Financing	Cash to seller
Deed Reviewed	10/6/2020 LKJ; Inspected 10/7/2020 LRJ/LKJ
Verification	David Raesz, Listing agent (512) 801-1223, October 9, 2020; Confirmed by: LKJ

Sale Price	\$475,000
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Land Data

Zoning	None
Topography	Generally level
Utilities	Electricity available, private well and septic needed
Shape	Rectangular
Flood Info	0% of the site is in 100-year floodplain
Easements	No adverse easements
Improvements	Vacant at time of sale
Intended/Current Use	Residential/Vacant

Land Size Information

Gross Land Size	10.00 acres or 435,600 SF
Front Footage	Kemp Hills Dr: secondary roadway

Indicators

Sale Price/Gross Acre	\$47,500
Sale Price/Gross SF	\$1.09

Legal Description

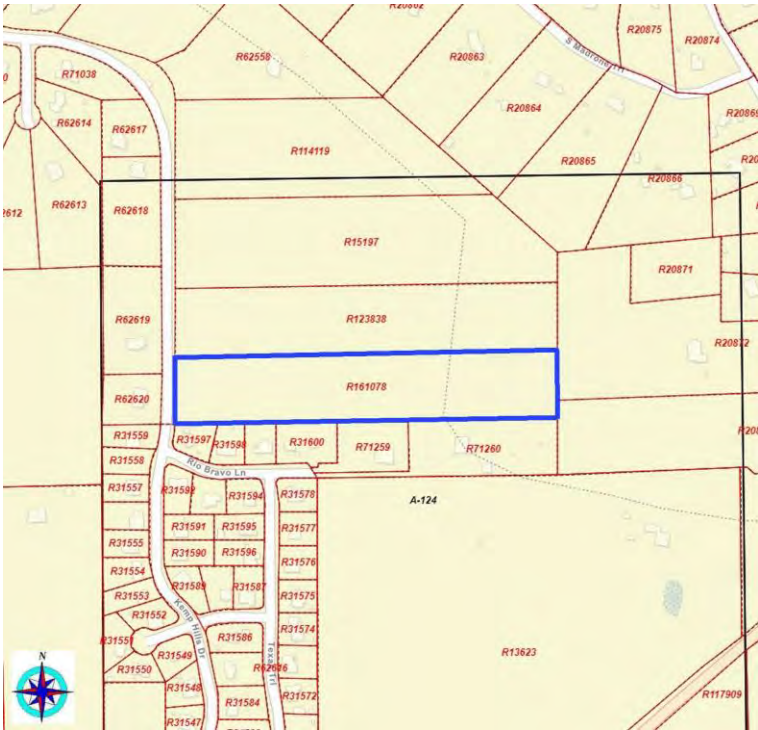
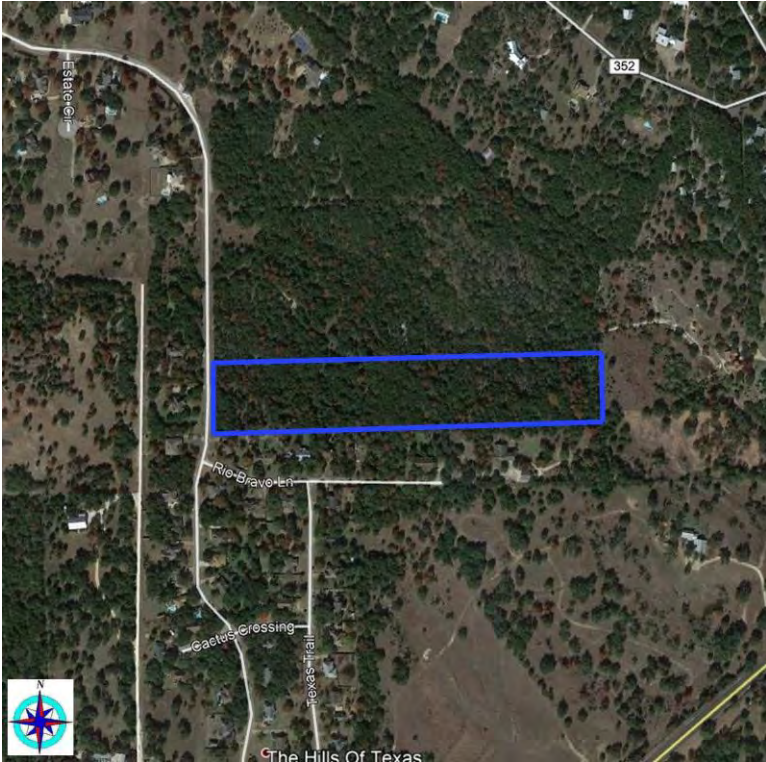
Land out of the Richard Hailey Survey No. 35, Abstract No. 224, Hays County, Texas

Remarks

The site was vacant at the time of sale. The site has electricity available, private well and septic needed. There are deed restrictions associated with the property stating that the property may only be utilized for residential purposes (V.3219 P.385). According to the National Wetlands Inventory, as compiled by the US Fish and Wildlife, none of the property is within the wetlands. None of the site is located within the 100-year floodplain. As of October 2020, the site vacant.

THE SALES COMPARISON APPROACH

LAND SALE NO. 2 (cont.)



 THE SALES COMPARISON APPROACH

LAND SALE NO. 3

Property Identification

Record ID	2713
Property Type	Residential
Address	EL of Sawyer Ranch Rd, N of Darden Hill Rd (16265 Sawyer Ranch Rd), Hays County, Texas
Tax ID	R63286

Sale Data

Grantor	Marilyn Mussett Rhodes
Grantee	Justin Hrabovsky and Tavia Hrabovsky
Sale Date	April 5, 2019
Deed Book/Page	19012232
Financing	Cash to seller
Deed Reviewed	10/6/2020 LKJ; Inspected 10/7/2020 LRJ/LKJ
Verification	Bonnie Rose, Listing agent (512) 626-7673, October 9, 2020; Confirmed by: LKJ

Sale Price	\$530,000
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Land Data

Zoning	None
Topography	Generally level
Utilities	Electricity and water available, septic needed
Shape	Rectangular
Flood Info	0% of the site is in 100-year floodplain
Easements	No adverse easements
Improvements	Vacant at time of sale
Intended/Current Use	Residential/Residential

Land Size Information

Gross Land Size	9.98 acres or 435,600 SF
Front Footage	Sawyer Ranch Rd: secondary roadway

Indicators

Sale Price/Gross Acre	\$53,106
Sale Price/Gross SF	\$1.22

Legal Description

Land located in the Fannie A. D. Darden Survey, Abstract No. 664, and being out of Tract 3, **Settler's Ranch**, Hays County, Texas

Remarks

The site was vacant at the time of sale. The site has electricity and water available, septic needed. There are deed restrictions associated with the property stating that the property may only be utilized for residential purposes (V.1275 P.250). According to the National Wetlands Inventory, as compiled by the US Fish and Wildlife, none of the property is within the wetlands. None of the site is located within the 100-year floodplain. As of October 2020, the site contains a single family residence.

THE SALES COMPARISON APPROACH

LAND SALE NO. 3 (cont.)



THE SALES COMPARISON APPROACH

LAND SALE NO. 4

Property Identification

Record ID 2707
 Property Type Residential
 Address Terminus of Diamond Path (private road), W of Cross Creek Dr
 (520 Diamond Path), Hays County, TX
 Tax ID R144145

Sale Data

Grantor Casey Anthony Collins, Trustee of the Abba Trust dated July
 15, 2012
 Grantee Patrick J. Zielbauer and Jenna Kolle Zielbauer
 Sale Date October 27, 2020
 Deed Book/Page 20048995
 Financing Cash to seller
 Deed Reviewed 12/10/2020 LKJ; Inspected 9/30/2020 and 12/9/2020 LRJ/LKJ
 Verification Stephanie Collins, Listing agent (512) 740-1046, September 2,
 2020; MLS # 5517178; Confirmed by: SMG
 Sale Price \$512,500

Land Data

Zoning None - Dripping Springs ETJ
 Topography Generally level
 Utilities Electricity and water available, septic needed
 Shape Basically rectangular
 Flood Info 0% of the site is in 100-year floodplain
 Easements No adverse easements; access easement at SL of site
 Improvements Vacant at time of sale
 Intended/Current Use Residential/SFR under construction

Land Size Information

Gross Land Size 10.03 acres or 436,907 SF
 Front Footage Diamond Path: secondary roadway

Indicators

Sale Price/Gross Acre \$51,097
 Sale Price/Gross SF \$1.17

Legal Description

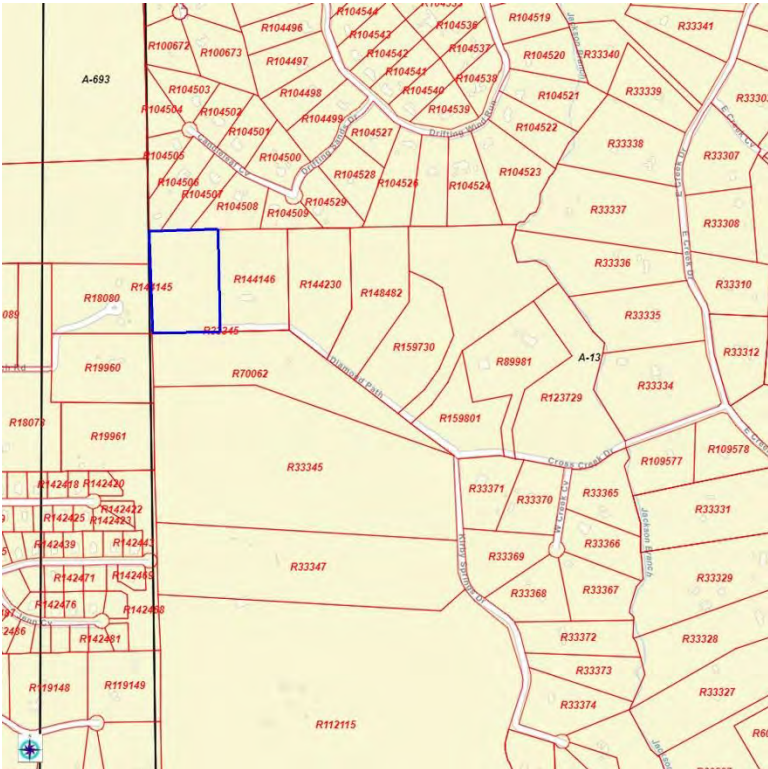
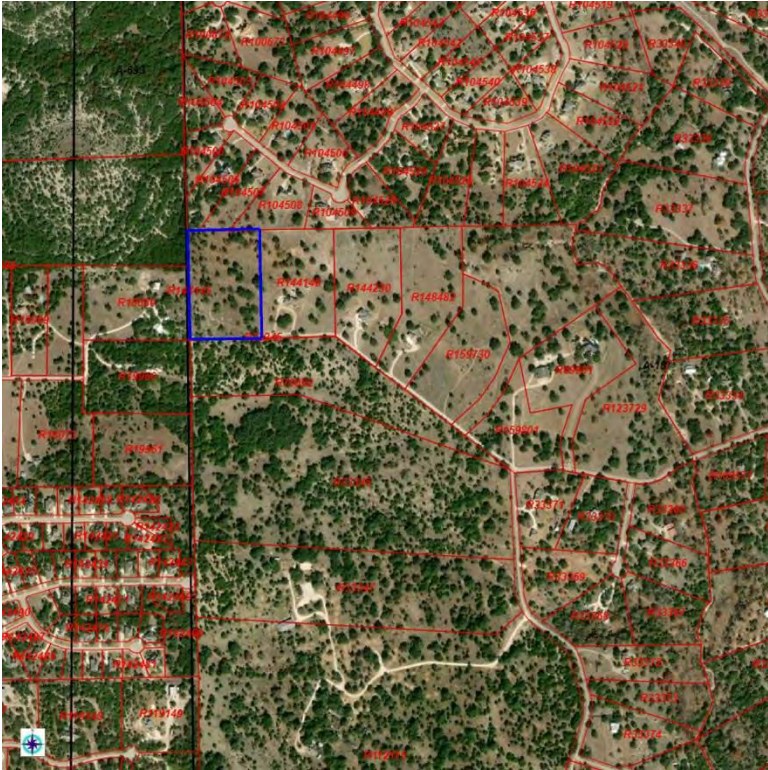
10.03 acres out of the Benjamin F. Mims Survey No. 8, A-13 and an easement for access created and described in V.5001 P.306, Hays County, Texas

Remarks

According to MLS #5517178, and the listing agent Stephanie Collins, the property sold for \$512,500 on October 27, 2020. A copy of the contract was provided. The listing agent has a familial relation with seller, but she indicated this did not impact the sales price. The site has electricity and water available, septic needed. There are deed restrictions associated with the property stating that the property is only to be used for a single family residential (V.888 P.85). According to the National Wetlands Inventory, as compiled by the US Fish and Wildlife, none of the property is within the wetlands. None of the site is located within the 100-year floodplain. **The site is located in a private, gated subdivision and is accessed via a 35' access easement.** As of September 2020, the site is vacant.

THE SALES COMPARISON APPROACH

LAND SALE NO. 4 (cont.)



THE SALES COMPARISON APPROACH

THE ADJUSTMENT PROCESS

In order to narrow the range of sale prices indicated by the comparable sales, adjustments will be made to the sales for differing characteristics. The adjustment process will begin with a discussion of the property rights.

Property Rights Conveyed - The transaction price of a sale is always based on the real property interest conveyed. In this instance, an adjustment for this attribute is not considered necessary.

Terms of Sale/Financing - The sales gathered for this report reflected cash to seller transactions or those where the financing terms were reported to be at market. Therefore, an adjustment for cash equivalency is not necessary.

Conditions of Sale - The sales reflected properties that **are concluded to be arm's length** transactions. No adjustments for conditions of sale appear to be warranted.

Market Conditions/Time - The sale comparables utilized in the present analysis ranged in date of sale from 04/05/19 to 10/27/20. Considering the general market conditions, it appears that no adjustment for this characteristic is warranted. As of mid- March 2020, a global virus pandemic (COVID-19) is impacting many sectors of the US economy. At this time, there is no market evidence to support a market conditions adjustment related to this issue.

Location - The following table summarizes the location ratings:

LOCATION RATINGS		
Sale	Location	Rating
1	NL of Julieanne Cv, W of Bell Springs Rd (280 Julieanne Cv), Hays County, TX	Similar/0
2	EL of Kemp Hills Dr, N of Rio Bravo Ln, Hays County, TX	Similar/0
3	EL of Sawyer Ranch Rd, N of Darden Hill Rd (16265 Sawyer Ranch Rd), Hays County, TX	Similar/0
4 (subject)	Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, TX	Similar/0
<i>Subject</i>	Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, Texas	X

Based on the general location characteristics of the properties, an adjustment for location does not appear necessary.

Physical Characteristics:

Included in the physical characteristics adjustments are various categories including size of properties, improvements on the property, frontage, entitlements, easements, topography, utilities, flood plain, zoning, etc. The following summarizes those characteristics which require adjustment.

THE SALES COMPARISON APPROACH

Size: The size of the property is ± 10.030 acres while the sales range in size from ± 9.980 acres to ± 10.030 acres. Considering the variations in the properties, an adjustment for size does not appear necessary.

SIZE RATINGS		
Sale	Size	Rating/Doubling
1	± 10.000 acres	Similar/0.0
2	± 10.000 acres	Similar/0.0
3	± 9.980 acres	Similar/0.0
4 (subject)	± 10.030 acres	Similar/0.0
<i>Subject</i>	± 10.030 acres	-----

Floodplain /Topography – The subject tract is generally level. 0% of the site is within the floodplain. According to the National Wetlands Inventory compiled by the US Fish and Wildlife Service, the site does not contain wetlands. All sales have generally level topography and do not contain floodplain or wetlands. As such, no adjustment is necessary.

Zoning/restrictions: The subject property is not zoned. All sales have a similar highest and best use and no adjustment is necessary.

Utilities: The subject property has electric and water available, septic required. Sales 1 and 2 have electricity available and well/septic required and are considered inferior. Sales 1 and 2 have been adjusted +10%. Sales 3 and 4 have electric and water available, septic required and have not been adjusted.

Corner/Frontage: The subject property is located at the Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, Texas. Considering the highest and best use of the subject and sales, no adjustment is necessary.

Other Characteristics – No additional adjustments are necessary.

The following adjustment grid illustrates the adjustments applied to the sales.

THE SALES COMPARISON APPROACH

VALUATION GRID		Representative Comparable Sales			
	Subject	Comp No 1	Comp No 2	Comp No 3	Comp No 4
Grantor		Walking W Ranch, L.L.C.	Oliver Milhomme	Marilyn Mussett Rhodes	Casey Anthony Collins, Trustee of the Abba Trust dated July 15, 2012
Grantee		Peter Ringquist and Jennifer Ringquist	Jeffrey Scott Chambers and Jennifer Leigh Chambers	Justin Hrabovsky and Tavia Hrabovsky	Patrick J. Zielbauer and Jenna Kolle Zielbauer
Date of Sale	12/9/2020 Effective date	9/18/2020	3/27/2020	4/5/2019	10/27/2020
Relative Location	Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, TX	NL of Julieanne Cv, W of Bell Springs Rd (280 Julieanne Cv), Hays County, TX	EL of Kemp Hills Dr, N of Rio Bravo Ln, Hays County, TX	EL of Sawyer Ranch Rd, N of Darden Hill Rd (16265 Sawyer Ranch Rd), Hays County, Texas	Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, TX
Size (acres)	10.0300	10.0000	10.0000	9.9800	10.0300
Unit Price	\$/SF	\$1.08	\$1.09	\$1.22	\$1.17
Property Rights		0%	0%	0%	0%
Adjusted \$SF		\$1.08	\$1.09	\$1.22	\$1.17
Financing		0%	0%	0%	0%
Adjusted \$SF		\$1.08	\$1.09	\$1.22	\$1.17
Conditions of Sale		0%	0%	0%	0%
Adjusted \$SF		\$1.08	\$1.09	\$1.22	\$1.17
Market Conditions/Time		0%	0%	0%	0%
Adjusted \$SF		\$1.08	\$1.09	\$1.22	\$1.17
Location Adjustment		0%	0%	0%	0%
Physical Adjustment					
Size adjustment	436,907 SF	0%	0%	0%	0%
Flood/Topo adjustment		0%	0%	0%	0%
Zoning Adjustment		0%	0%	0%	0%
Utilities Adjustment		+10%	+10%	0%	0%
Corner/Frontage Adj.		0%	0%	0%	0%
Other Adjustment		0%	0%	0%	0%
Net Location & Physical Characteristics Adjustment		+10%	+10%	0%	0%
	Indicated Unit Value	\$1.19	\$1.20	\$1.22	\$1.17
Estimated Unit Value					\$1.20
Estimated Total Value					\$524,288

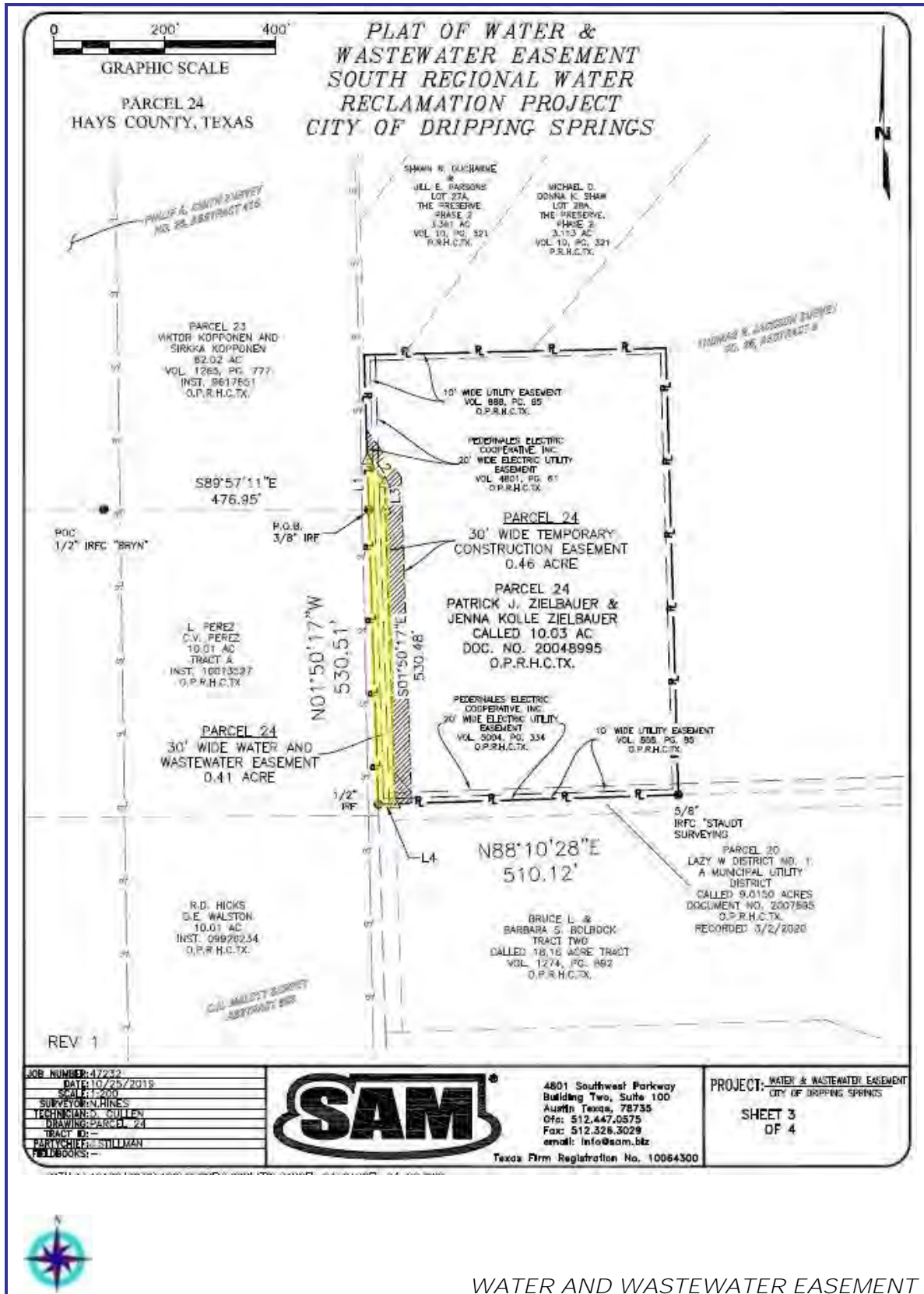
Reconciliation and Value Estimate

In estimating the fee simple value of the subject via this approach, data was analyzed and adjusted, suggesting a value estimate for the subject property between \$1.17/SF and \$1.22/SF. Sale 4 is the subject property. For purposes of this analysis, a reconciled indicated unit estimate of \$1.20/SF has been utilized. Therefore, the following is the estimate of the market value of the fee simple interest in the subject property, as if vacant:

$$\pm 10.030 \text{ acres } (\pm 436,907 \text{ SF}) \times \$1.20/\text{SF} = \$524,288$$

*PART TO BE ACQUIRED, REMAINDER BEFORE AND
REMAINDER AFTER*

PART TO BE ACQUIRED, REMAINDER BEFORE AND REMAINDER AFTER



PART TO BE ACQUIRED, REMAINDER BEFORE AND REMAINDER AFTER

PROPERTY COMPONENT SUMMARY		
Component	Acres	SF
Whole Property	±10.030 acres	±436,907 SF
Water And Wastewater Easement	±0.410 acres	±17,860 SF
Remainder	±10.030 acres	±436,907 SF
Remainder Unencumbered	±9.620 acres	±419,047 SF
Temporary Construction Easement	±0.460 acres	±20,038 SF

Description of the Water And Wastewater Easement

The proposed water and wastewater easement contains a total area of ±0.410 acres (±17,860 SF) and is on the western line of the property. The easement is irregular in shape, has a width of ±30 feet and a length of ±583 feet. The proposed easement area is located within **a 50' building setback, partially within a 10' easement for installation and maintenance of utilities and a 20' electric utility easement.** The shapes and sizes are based on the provided description of the easement obtained from the field notes. This size will be utilized in the calculations herein and is considered to be accurate.

According to available information, the water and wastewater easement will be used in association with the South Regional Water Reclamation Project.

The subject property is under construction for a single family residence. No site improvements are impacted.

Highest & Best Use Analysis of the Water And Wastewater Easement

In arriving at an opinion of highest and best use, factors that affect the property are generally considered as to their effect on the highest and best use of the site, as vacant.

The physical characteristics of the permanent easement impose limitations on its development potential. Considering the narrow configuration of the acquisition area, it is our opinion that the ultimate highest and best use of the acquisition, as vacant, would be for assemblage as a part of the whole property.

Valuation of the Water And Wastewater Easement

Due to the limited utility of the easement area, data for similar acquisitions could not be obtained. The market for this type of acquisition typically appears to be confined to entities with the right of eminent domain. This finding was not entirely unexpected as the limited use of such a piece of land would preclude its sale as an independent economic entity except in very rare cases.

The easement area is considered to have relatively limited utility; however, the easement acquisition does result in a loss of a portion of the property owner's "bundle of rights". These rights include utilization of the surface, subsurface and air associated with a piece of real property.

In reviewing the proposed water and wastewater easement, it is estimated that 50% of the total rights are considered to be extinguished by the proposed easement.

As previously indicated, the fee simple market value of the subject has been estimated at \$1.20/SF. The land value in the part to be acquired is based on same unit value as the whole property. As discussed, it is our opinion that 50% of the bundle of rights are impacted by the easement acquisition.

PART TO BE ACQUIRED, REMAINDER BEFORE AND REMAINDER AFTER

As such, the following chart illustrates the compensation for the water and wastewater easement acquisition.

PART TO BE ACQUIRED							
	Size		\$/SF		Loss of Rights		Total
Water and wastewater easement	±17,860 SF	X	\$1.20	X	50%	=	\$10,716
Total:							\$10,716

Valuation of the Remainder Before the Acquisition

The value of the remainder before the acquisition is a mathematical calculation whereby the value of the part to be acquired is subtracted from the value of the whole property. The difference between these figures is the indication of the value of the remainder immediately before the acquisition, and this number forms the foundation upon which the determination of damages or enhancements to the remainder can be determined. The value of the subject prior to the acquisition was estimated to be \$524,288. The value of the remainder before the acquisition is therefore calculated to be \$513,572 (\$524,288 - \$10,716).

PART TO BE ACQUIRED, REMAINDER BEFORE AND REMAINDER AFTER

Description of the Remainder After the Acquisition

Comparisons Before and After the Acquisition		
Site	Whole Property	Remainder
Size:	±10.030 acres	±10.030 acres ±9.620 acres (Unencumbered)
Proposed Easement Encumbrance:		Water and wastewater easement: ±0.410 acres (±17,860 SF) (±4% of whole property)
Highest and Best Use (As Vacant):	Residential.	Residential.
Highest and Best Use (As Improved):	Residential.	Residential.
Utilities:	Electric and water available, septic required.	All utilities available.
Shape:	Rectangular.	Rectangular.
Floodplain:	0%	0%
Frontage:		
Diamond Path:	±20 feet	±20 feet
Access:	Diamond Path	Diamond Path
Access Denial:	None	None
Improvements		
Distance from ROW	N/A	N/A

The subject property is under construction for a single family residence. No site improvements are impacted.

Per the restrictive covenants listed in V.888 P.85 of the Official Public Records of Hays County, Texas the subject property is restricted to residential purposes only. The proposed easement is located on the western property line completely within the 50' building setback, partially within a 10' easement for installation and maintenance of utilities and a 20' electric utility easement and is not considered to impact the developability of the site. The subject remainder land will be of adequate size and shape for development to its highest and best use after the acquisition. This size and shape is considered to be within acceptable comparisons to the development in the area. Per the client (07/2020), the remainder property will be allowed access to organized sewer in the future when the property is developed. As such, the remainder is considered to be enhanced.

A cost to cure is not necessary.

Highest & Best Use of the Remainder After the Acquisition

In arriving at an opinion of highest and best use, factors that affect the property are generally considered as to their effect on the highest and best use of the site, as vacant.

The physical characteristics of the Remainder After impose no significant limitations on its development potential than as before. Considering all of the factors which influence highest and best use, it is our opinion that the highest & best use of the subject site, as vacant, is residential.

PART TO BE ACQUIRED, REMAINDER BEFORE AND REMAINDER AFTER

Highest and Best Use Conclusion of Remainder After, As Improved

As previously noted, the subject is effectively vacant land (construction of SFR not impacted). As such, the highest and best use, as improved is residential.

Valuation of the Remainder After the Acquisition

The same sales utilized to value the Whole Property have been utilized to value the Remainder After. Please refer to the Sales Comparison Approach for the whole property for additional information regarding each comparable and the adjustments applied. Similar adjustments were utilized. The following charts illustrate the estimated value of the remainder after.

PART TO BE ACQUIRED, REMAINDER BEFORE AND REMAINDER AFTER

VALUATION GRID

Representative Comparable Sales

	Subject	Comp No 1	Comp No 2	Comp No 3	Comp No 4
Grantor		Walking W Ranch, L.L.C.	Oliver Milhomme	Marilyn Mussett Rhodes	Casey Anthony Collins, Trustee of the Abba Trust dated July 15, 2012
Grantee		Peter Ringquist and Jennifer Leigh Ringquist	Jeffrey Scott Chambers and Jennifer Leigh Chambers	Justin Hrabovsky and Tavia Hrabovsky	Patrick J. Zielbauer and Jenna Kolle Zielbauer
Date of Sale	12/9/2020 Effective date	9/18/2020	3/27/2020	4/5/2019	10/27/2020
Relative Location	Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, TX	NL of Julieanne Cv, W of Bell Springs Rd (280 Julieanne Cv), Hays County, TX	EL of Kemp Hills Dr, N of Rio Bravo Ln, Hays County, TX	EL of Sawyer Ranch Rd, N of Darden Hill Rd (16265 Sawyer Ranch Rd), Hays County, Texas	Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, TX
Size (acres)	10.0300	10.0000	10.0000	9.9800	10.0300
Unit Price	\$/SF	\$1.08	\$1.09	\$1.22	\$1.17
Property Rights		0%	0%	0%	0%
Adjusted \$SF		\$1.08	\$1.09	\$1.22	\$1.17
Financing		0%	0%	0%	0%
Adjusted \$SF		\$1.08	\$1.09	\$1.22	\$1.17
Conditions of Sale		0%	0%	0%	0%
Adjusted \$SF		\$1.08	\$1.09	\$1.22	\$1.17
Market Conditions/Time		0%	0%	0%	0%
Adjusted \$SF		\$1.08	\$1.09	\$1.22	\$1.17
Location Adjustment		0%	0%	0%	0%
Physical Adjustment					
Size adjustment	436,907 SF	0%	0%	0%	0%
Flood/Topo adjustment		0%	0%	0%	0%
Zoning adjustment		0%	0%	0%	0%
Utilities Adjustment		+20%	+20%	+10%	+10%
Corner/Frontage Adj.		0%	0%	0%	0%
Other Adjustment		0%	0%	0%	0%
Net Location & Physical Characteristics Adjustment		+20%	+20%	+10%	+10%
Indicated Unit Value		\$1.30	\$1.31	\$1.34	\$1.29
Estimated Unit Value					\$1.30
Remainder unencumbered		419,047 SF	x \$1.30/SF		\$544,761
Remainder water & wastewater easement		17,860 SF	x \$1.30/SF	x 50%	\$11,609
Remainder After Value					\$556,370

Please refer to the Sales Comparison Approach (Whole Property Land Value) section for discussion of adjustments. Similar adjustments have been utilized, with the exception of the Utilities adjustment. Per the client (07/2020), the remainder property will be allowed access to organized sewer in the future when the property is developed. As such, the remainder will have all utilities available. Sales 1 and 2 are inferior and adjusted +20%. Sales 3 and 4 are inferior and adjusted +10%. As such, the remainder is considered to be enhanced.

PART TO BE ACQUIRED, REMAINDER BEFORE AND REMAINDER AFTER

Damages or Enhancements to the Remainder

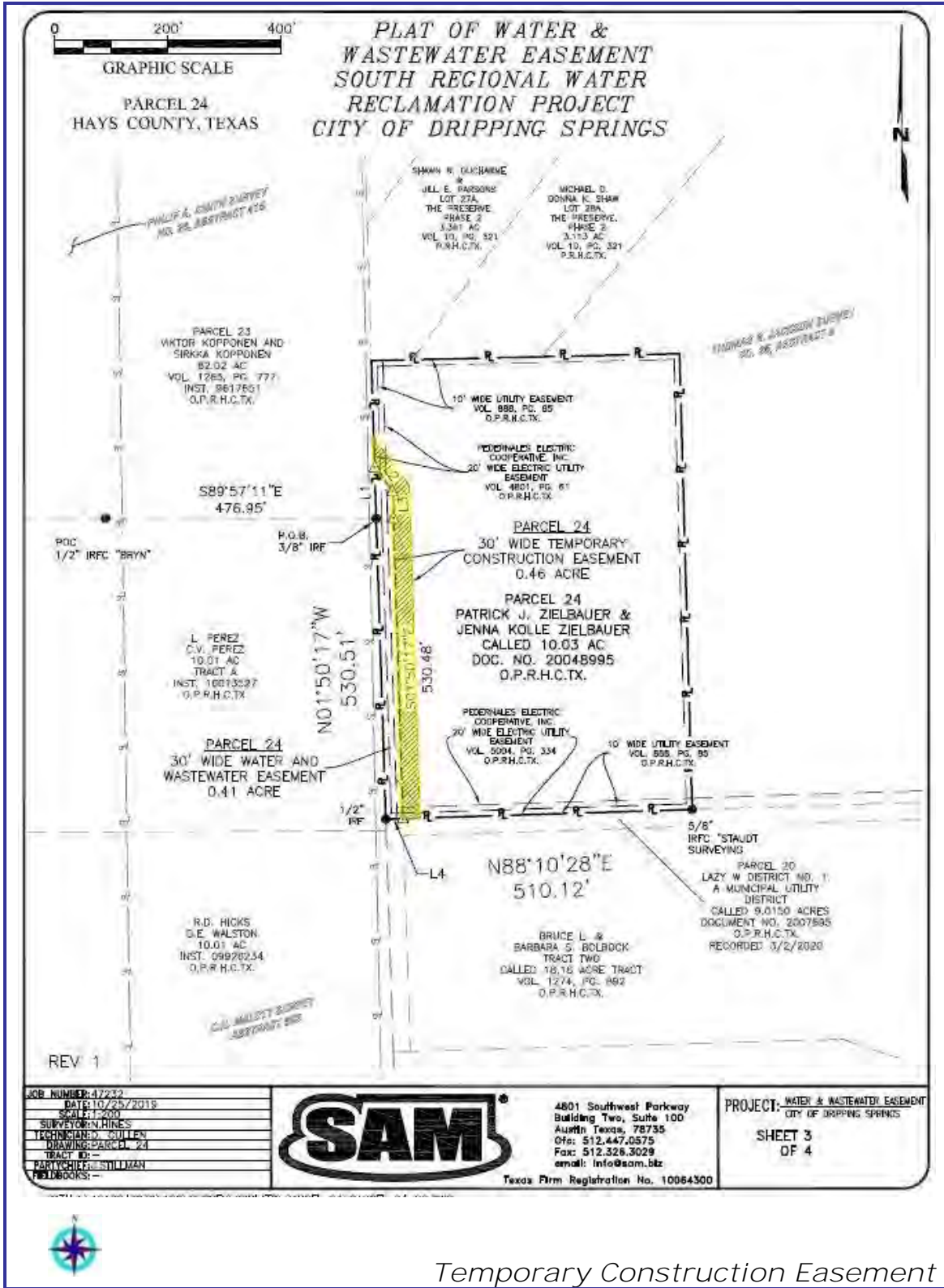
The final step in the process is to measure if the property has been damaged or enhanced due to the proposed acquisition. The measure of these items is also mathematical, whereby the value estimate of the remainder after the acquisition is subtracted from the value of the remainder before the acquisition, with the net result being either damages or enhancements. In Texas, any damages are added to the recommended compensation estimate as an additional compensable amount. Enhancements can only be netted against damages and not against the part to be acquired. The following calculations indicate that the property has been enhanced by the proposed acquisition.

DAMAGES/ENHANCEMENTS	
Value of the Remainder Before the Acquisition	\$513,572
Value of the Remainder After the Acquisition	\$556,370
Net Damages/Enhancements	(\$42,798)

Special Compensation/Cost to Cure

A cost to cure is not necessary.

PART TO BE ACQUIRED, REMAINDER BEFORE AND REMAINDER AFTER



Temporary Construction Easement

PART TO BE ACQUIRED, REMAINDER BEFORE AND REMAINDER AFTER

Description of the Temporary Construction Easement

The proposed temporary construction easement is located along the north and east lines of the proposed water and wastewater easement. The temporary construction easement contains a total of ± 0.460 acres ($\pm 20,038$ SF). It is irregular in shape, has a width of ± 30 feet and a length of ± 583 feet.

This shape and size is based on surveys provided by the client. This size will be utilized in the calculations herein and is considered to be accurate. According to the client, the duration of the temporary construction easement will not exceed 24 months.

Highest & Best Use Analysis of the Temporary Construction Easement

In arriving at an opinion of highest and best use, factors that affect the property are generally considered as to their effect on the highest and best use of the site, as vacant.

The physical characteristics of the temporary construction easement impose limitations on its development potential. Considering the narrow and irregular configuration of the temporary construction easement it is our opinion that the ultimate highest and best use of the temporary construction easement would be for assemblage as a part of the whole property.

Valuation of the Temporary Construction Easement

The fee simple market value of the subject whole property has been estimated at \$1.20/SF. This unit value indication will form the basis of the estimated recommended compensation for the temporary construction easement. As previously discussed, the temporary construction easement will remain in place 24 months. A review of Realty Rates Investor Survey 4th Quarter 2020 for Land Leases revealed a range of rates from 1.17% to 15.89%.

RealtyRates.com INVESTOR SURVEY - 4th Quarter 2020*						
LAND LEASES						
Property Type	Capitalization Rates			Discount Rates		
	Min.	Max.	Avg.	Min.	Max.	Avg.
Apartments	1.46%	8.93%	5.27%	4.06%	9.43%	6.27%
Golf	1.66%	14.60%	7.77%	4.26%	15.10%	8.77%
Health Care/Senior Housing	1.82%	9.68%	5.93%	4.42%	10.18%	6.93%
Industrial	1.55%	8.80%	5.64%	4.15%	9.30%	6.64%
Lodging	1.65%	14.00%	6.31%	4.25%	14.50%	7.31%
Mobile Home/RV Park	1.17%	11.48%	6.54%	3.77%	11.98%	7.54%
Office	1.46%	8.68%	5.37%	4.06%	9.18%	6.37%
Restaurant	2.46%	14.00%	7.41%	5.06%	14.50%	8.41%
Retail	1.50%	9.93%	5.79%	4.10%	10.43%	6.79%
Self-Storage	1.50%	9.15%	6.73%	4.10%	9.65%	7.73%
Special Purpose	2.10%	15.89%	7.76%	5.49%	17.37%	8.36%
All Properties	1.17%	15.89%	6.41%	3.77%	15.10%	7.28%

*3rd Quarter 2020 Data

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Given the depth and width of the temporary construction easement, a lease rate at the upper end of the range is considered reasonable (12.0%/year or 1%/month). Therefore, the following calculations detail the compensation estimate for the temporary construction easement.

PART TO BE ACQUIRED, REMAINDER BEFORE AND REMAINDER AFTER

VALUATION OF TEMPORARY CONSTRUCTION EASEMENT						
	Easement size		Pro rata \$/SF		% Rent	Compensation
Temporary Construction Easement	±20,038 SF	x	\$1.20	x	24%	\$5,771
Total:						\$5,771

RECONCILIATIONS & QUALIFICATIONS

RECONCILIATION & QUALIFICATIONS

In the valuation analysis of the subject property, the Cost, Sales Comparison and Income Capitalization Approaches to value were considered. Please refer to the Scope of Work and the Appraisal Process for discussions regarding the valuation approaches.

In addition, an estimate of the recommended compensation for a water and wastewater easement and temporary construction easement has been provided.

The following Table summarizes the values estimated in this appraisal as well as the total recommended compensation estimate:

RECOMMENDED COMPENSATION SUMMARY		
Whole Property Value (Land only)	\$524,288	
Water And Wastewater Easement (± 0.410 acres)		\$10,716
Remainder Before the Acquisition	\$513,572	
Remainder After the Acquisition	\$556,370	
Damages/(Enhancements)		(\$42,798)
Temporary Construction Easement (± 0.460 acres)		\$5,771
Special Compensation/Cost to Cure		\$0
Total Recommended Compensation		\$16,487

Please note: These value conclusions are specifically limited by the *Assumptions and Limiting Conditions*, with emphasis on the *Extraordinary Assumptions*.

ASSUMPTIONS & LIMITING CONDITIONS

This appraisal report is subject to underlying assumptions and limiting conditions qualifying the information contained in the report as follows:

The valuation estimate applies only to the property specifically identified and described in the ensuing report.

Information and data contained in the report, although obtained from public record and other reliable sources and, where possible, carefully checked, is accepted as satisfactory evidence upon which rests the final expression of property value.

No legal survey has been commissioned by the appraisers; therefore, reference to a sketch, plat, diagram, or survey appearing in the report is only for the purpose of assisting the reader to visualize the property.

It is assumed that all information known to the client and relative to the valuation has been accurately furnished and that there are no undisclosed leases, agreements, liens, or other encumbrances affecting the use of the property.

Ownership and management are assumed to be competent and in responsible hands.

No responsibility beyond reason is assumed for matters of a legal nature, whether existing or pending.

Information identified as being furnished or prepared by others is believed to be reliable, but no responsibility for its accuracy is assumed.

Any appraiser, by reason of this appraisal, shall not be required to give testimony as an Expert Witness in any legal hearing or before any court of law unless justly and fairly compensated for such services.

By reason of the purpose of this appraisal and function of the report herein set forth, the value reported is only applicable to the property rights appraised and the appraisal report should not be used for any other purpose.

Information regarding toxic wastes or hazardous materials which might affect the subject property, has not been proved; thus, the existence of toxic waste which may or may not be present in the property, has not been considered. Soil or drainage tests have not been performed, nor have soil or drainage test results been provided. Therefore, it is assumed that there are no subsoil or drainage conditions which would adversely affect the subject or their final valuation. This report assumes no soil contamination exists within or on the subject site. The valuation is subject to modification if any such potentially hazardous materials were detected by a qualified expert in these areas. The appraisers reserve the right to modify this valuation if so warranted.

One (or more) of the signatories of this appraisal report is a member (or candidate) of the Appraisal Institute. The Bylaws and Regulations of the Institute require each member and candidate to control the use and distribution of each appraisal report signed by such member or candidate. Neither all nor any part of this appraisal report shall be disseminated to the general public by the use of advertising media, public relations media, news media, sales media or other media for public communication without the prior written consent of the signatories of this appraisal report.

ASSUMPTIONS & LIMITING CONDITIONS

No endangered species and endangered species natural habitats were evident upon site inspection. This report assumes that the subject is not encumbered by any environmental factors which would affect value. Typically, real estate appraisers are not qualified nor are they experts in detecting hazardous materials, radiological materials, archeological resources, etc., therefore, an expert in these fields should be consulted for opinions on these matters.

This appraisal report is based on the condition of local and national economies, purchasing power of money, and finance rates prevailing at the effective date of value.

EXTRAORDINARY ASSUMPTIONS

There are no extraordinary assumptions.

QUALIFICATIONS OF LORY R. JOHNSON, MAI, SR/WA

ASSOCIATIONS/STATE CERTIFICATIONS

Texas Certified General Real Estate Appraiser #TX-1321640-G
 Texas Department of Transportation Pre-Certified Appraiser
 Texas Department of Transportation PREAS Appraiser Contract
 MAI Designation- Appraisal Institute, Account No. 81057
 Appraisal Institute – Austin Chapter- President 2002, Director/Officer 1999-2006
 Appraisal Institute – Austin Chapter- Chair of the Education Committee
 Appraisal Institute - Region VIII Rep/Nominations Comm., Reg Ethics & Counseling Panel
 Appraisal Institute - General Demonstration Reports Subcommittee
 Appraisal Institute – Candidate Advisor for Designation 2019
 International Right of Way Association (IRWA) SR/WA Member
 IRWA – Austin Chapter #74 – President 2010, Director/Officer 2006-2011
 IRWA – Austin Chapter #74 – Newsletter Chair/Valuation Chair
 IRWA – Austin Chapter #74 – Employer of the Year 2006
 IRWA – Austin Chapter #74 – Atrium Real Estate Services – Employee of the Year 2006
 Austin Board of Realtors Designated Member
 Texas Real Estate Broker's License #354928

EDUCATION

Bachelor of Science Degree, Ag Economics, Texas A&M University, 1986
 Graduate courses in the Masters of Business Administration program, St. Edwards University

Numerous Appraisal Institute professional courses as well as a large variety of real estate appraisal related continuing education courses and seminars completed.

PROFESSIONAL BACKGROUND

- * October 1991 to present: President/CEO of Atrium Real Estate Services, a full service commercial and residential real estate appraisal and consulting company.
- * Nov 1986 to August 1991: Appraiser w/commercial appraisal firms in Austin area.

Appraisal background consists of appraisals/appraisal reviews, market studies, cost estimates, specialized use properties, flood buyout projects, and litigation support/expert witness testimony. Appraisals for right of way/eminent domain purposes including single and multi-parcel right of way expansion and easement valuations on numerous property types and a variety of easement interests (temporary construction, conservation, ingress/egress, inundation, utility, billboard, drainage, etc.) have also been completed. Comprehensive reviews have been performed on numerous residential and commercial properties. In addition, multiple appraisals of single family residential properties associated with federal flood buy-out programs have been accomplished. Appraisal, litigation support and expert testimony in regards to consulting assignments and eminent domain have also been completed. Qualified in the State of Texas as an expert in real estate valuation.



PROFESSIONAL APPRAISAL SERVICES

RIGHT OF WAY • LITIGATION SUPPORT • SPECIAL PURPOSE

ADDENDA



SAM, LLC

4801 Southwest Parkway, Bldg. Two, Suite 100, Austin, TX 78735

Ofc 512.447.0575 Fax 512.326.3029

info@sam.biz www.sam.biz TBPLS # 10064300

Item 19.

Parcel 24
Legal Description
City of Dripping Springs
South Regional Water Reclamation Project
30 Foot Wide Water and Wastewater Easement
0.41 Acre (17,860 Square Foot)

PARCEL 24:

BEING A 0.41 ACRE, 30 FOOT WIDE WATER AND WASTEWATER EASEMENT, SITUATED IN THE THOMAS R. JACKSON SURVEY NO. 25, ABSTRACT NO. 9, HAYS COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 10.03 ACRE TRACT, DESCRIBED IN A DEED TO PATRICK J. ZIELBAUER AND JENNA KOLLE ZIELBAUER AND RECORDED IN DOCUMENT NO. 20048995, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS (O.P.R.H.C.TX.), SAID 0.41 ACRE 30 FOOT WIDE WATER AND WASTEWATER EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch iron rod with a cap stamped "BRYN" found on the north line of a Tract A a called 10.01 acre tract, described in a deed to L. Perez, C.V. Perez, recorded in Instrument No. 16013527, O.P.R.H.C.TX., same bing at the south line of a called 82.02 acre tract, described in a deed to Viktor Kopponen and Sirkka Kopponen, recorded in Volume 1265, Page 777, Instrument No. 9617651, O.P.R.H.C.TX.,

THENCE S 89°57'11" E, with the common line of said Tract A and 82.02 acre tract a distance of 476.95 feet, to a 3/8-inch iron rod found on the west line of said 10.03 acre tract and at the southeast corner of said 82.02 acre tractand the northeast corner of said Tract A, for the **POINT OF BEGINNING** of this 30 foot wide Water and Wastewater easement;

THENCE N 01°43'07" W, with the common line of said 10.03 acre tract and 82.02 acre tract a distance of 90.50 feet, to a calculated point on the common line of said 10.03 acre tract and 82.02 acre tract for an angle point of this 30 foot wide Water and Wastewater easement;

THENCE over and across said 10.03 acre tract, the following three (3) courses and distances:

- 1) S 36°21'21" E, a distance of 52.78 feet, to a calculated point for an angle point of this 30 foot wide Water and Wastewater easement,
- 2) S 01°43'07" E, a distance of 47.04 feet, to a calculated point for an angle point of this 30 foot wide Water and Wastewater easement,
- 3) S 01°50'17" E, a distance of 530.48 feet, to a calculated point on the south line of said 10.03 acre tract, same being the north line of a called 9.0150 acre tract, described in a deed to LAZY W DISTRICT NO. 1. a Municipal Utility District described in Document No. 2007895, O.P.R.H.C.TX., for an angle corner of this 30 foot wide Water and Wastewater easement. From which a 5/8-inch iron rod with a cap stamped "STAUDT SURVEYING" found at the southeast corner of said 10.03 acre tract, and on the north line of said LAZY W tract bears N 88°20'31" E, a distance 510.12 feet;



THENCE S 88°10'28" W, with the common line of said 10.03 acre tract and said LAZY W tract, a distance of 30.00 feet, to a 1/2-inch iron rod found at the southwest corner of said 10.03 acre tract, and the northwest corner of said LAZY W tract, on the east line of said Tract A, for an angle point of this 30 foot wide Water and Wastewater easement;

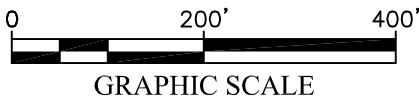
THENCE N 01°50'17" W, with the common line of said 10.03 acre tract and said Tract A, a distance of 530.51 feet to the **POINT OF BEGINNING** and containing 0.41 acres, more or less.

The bearings shown hereon are based on the Texas Coordinate System, South Central Zone, NAD 83/2011. All distances shown are surface in U.S. Survey Feet and may be converted to grid by multiplying the distance by a combined scale factor of 0.999870.



Neil Hines
Registered Professional Land Surveyor
Texas Registration Number 5642

Date: 19 November 2020



**PLAT OF WATER & WASTEWATER EASEMENT
SOUTH REGIONAL WATER
RECLAMATION PROJECT
CITY OF DRIPPING SPRINGS**

Item 19.

PARCEL 24
HAYS COUNTY, TEXAS

*PHILIP A. SMITH SURVEY
NO. 26, ABSTRACT 415*

SHAWN R. DUCHARME
&
JILL E. PARSONS
LOT 27A,
THE PRESERVE,
PHASE 2
3.361 AC
VOL. 10, PG. 321
P.R.H.C.TX.

MICHAEL D.
DONNA K. SHAW
LOT 28A,
THE PRESERVE,
PHASE 2
3.113 AC
VOL. 10, PG. 321
P.R.H.C.TX.

PARCEL 23
VIKTOR KOPPONEN AND
SIRKKA KOPPONEN
82.02 AC
VOL. 1265, PG. 777
INST. 9617651
O.P.R.H.C.TX.

*THOMAS R. JACKSON SURVEY
NO. 26, ABSTRACT 9*

S89°57'11"E
476.95'

POC
1/2" IRFC "BRYN"

P.O.B.
3/8" IRF

10' WIDE UTILITY EASEMENT
VOL. 888, PG. 85
O.P.R.H.C.TX.

PEDERNALES ELECTRIC
COOPERATIVE, INC.
20' WIDE ELECTRIC UTILITY
EASEMENT
VOL. 4801, PG. 61
O.P.R.H.C.TX.

PARCEL 24
30' WIDE TEMPORARY
CONSTRUCTION EASEMENT
0.46 ACRE

PARCEL 24
PATRICK J. ZIELBAUER &
JENNA KOLLE ZIELBAUER
CALLED 10.03 AC
DOC. NO. 20048995
O.P.R.H.C.TX.

L. PEREZ
C.V. PEREZ
10.01 AC
TRACT A
INST. 16013527
O.P.R.H.C.TX.

N01°50'17"W
530.51'
S01°50'17"E
530.48'

PEDERNALES ELECTRIC
COOPERATIVE, INC.
20' WIDE ELECTRIC UTILITY
EASEMENT
VOL. 5004, PG. 334
O.P.R.H.C.TX.

10' WIDE UTILITY EASEMENT
VOL. 888, PG. 85
O.P.R.H.C.TX.

PARCEL 24
30' WIDE WATER AND
WASTEWATER EASEMENT
0.41 ACRE

1/2" IRF

5/8" IRFC "STAUDT
SURVEYING

N88°10'28"E
510.12'

PARCEL 20
LAZY W DISTRICT NO. 1.
A MUNICIPAL UTILITY
DISTRICT
CALLED 9.0150 ACRES
DOCUMENT NO. 2007895
O.P.R.H.C.TX.
RECORDED 3/2/2020

R.D. HICKS
D.E. WALSTON
10.01 AC
INST. 09926234
O.P.R.H.C.TX.

BRUCE L. &
BARBARA S. BOLBOCK
TRACT TWO
CALLED 18.16 ACRE TRACT
VOL. 1274, PG. 892
O.P.R.H.C.TX.

*C.H. MALOTT SURVEY
ABSTRACT 693*

REV 1

JOB NUMBER: 47232
DATE: 10/25/2019
SCALE: 1:200
SURVEYOR: N. HINES
TECHNICIAN: D. CULLEN
DRAWING: PARCEL 24
TRACT ID: -
PARTY CHIEF: J. STILLMAN
FIELD BOOKS: -



4801 Southwest Parkway
Building Two, Suite 100
Austin Texas, 78735
Ofc: 512.447.0575
Fax: 512.326.3029
email: info@sam.biz

PROJECT: WATER & WASTEWATER EASEMENT
CITY OF DRIPPING SPRINGS

SHEET 3
OF 4

376

Texas Firm Registration No. 10064300



PARCEL 24
HAYS COUNTY, TEXAS

*PLAT OF WATER &
WASTEWATER EASEMENT
SOUTH REGIONAL WATER
RECLAMATION PROJECT
CITY OF DRIPPING SPRINGS*

Item 19.



LINE TABLE		
NUMBER	DIRECTION	LENGTH
L1	N01°43'07"W	90.50'
L2	S36°21'21"E	52.78'
L3	S01°43'07"E	47.04'
L4	S88°10'28"W	30.00'

LEGEND

- R ——— PARCEL LIMITS
- S ——— APPROXIMATE SURVEY LINE
- EXISTING ROAD
- ——— ADJOINER PROPERTY
- FLYTIE
- IRON ROD FOUND (AS NOTED)
- △ CALCULATED POINT
- ⊙ TXDOT TYPE I MONUMENT
- ⚓ NAIL FOUND
- ⊙ COTTON SPINDLE FOUND
- D.R.H.C.TX. DEED RECORDS HAYS COUNTY, TEXAS
- P.R.H.C.TX. PLAT RECORDS HAYS COUNTY, TEXAS
- O.P.R.H.C.TX. OFFICIAL PUBLIC RECORDS HAYS COUNTY, TEXAS
- P.O.B. POINT OF BEGINNING
- P.O.R. POINT OF REFERENCE
- P.O.C. POINT OF COMMENCEMENT
- [- -] PERMANENT EASEMENT
- [/ /] TEMPORARY CONSTRUCTION EASEMENT
- [X X] PERMANENT ACCESS EASEMENT

PERMANENT EASEMENT AREA: 0.41 ACRES
TEMPORARY CONSTRUCTION EASEMENT AREA: 0.46 ACRES

NOTES:

- ALL BEARINGS ARE GRID BEARINGS AND ARE BASED ON TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD83 (2011). ALL DISTANCES ARE REPRESENTED IN SURFACE VALUES, MEASURED IN U.S. SURVEY FEET, AND ARE BASED ON SAID HORIZONTAL DATUM. TO OBTAIN GRID DISTANCE MULTIPLY BY CSF OF 0.999870.
- RECORD INFORMATION SHOWN HEREON IS BASED UPON A PUBLIC RECORDS SEARCH PERFORMED BY HDR.
- FOR ADDITIONAL INFORMATION, SEE ATTACHED LEGAL DESCRIPTION MADE IN CONJUNCTION WITH AND CONSIDERED AN INTEGRAL PART OF THIS PLAT.

Neil Hines

19 NOVEMBER 2020

NEIL HINES DATE
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5642 - STATE OF TEXAS



REV 2

JOB NUMBER: 47232
DATE: 10/25/2019
SCALE: 1:200
SURVEYOR: N. HINES
TECHNICIAN: D. CULLEN
DRAWING: PARCEL 24
TRACT ID: -
PARTY CHIEF: J. STILLMAN
FIELD BOOKS: -



4801 Southwest Parkway
Building Two, Suite 100
Austin Texas, 78735
Ofc: 512.447.0575
Fax: 512.326.3029
email: info@sam.biz

PROJECT: WATER & WASTEWATER EASEMENT
CITY OF DRIPPING SPRINGS

SHEET 4
OF 4

Texas Firm Registration No. 10064300

377



November 19, 2020

Patrick J. Zielbauer and Jenna Kolle Zielbauer
520 Diamond Path
Dripping Springs, TX 78620

RE: Appraisal of a proposed acquisition on the property located at 520 Diamond Path for the City of Dripping Springs South Regional Water Reclamation Project in Hays County

Parcel: 24 (Zielbauer)

Dear Property Owner:

HDR Engineering, Inc. has retained *ATRIUM REAL ESTATE SERVICES* as an independent appraiser for the above referenced project.

It is our policy to provide the owner or designated representative an opportunity to accompany the appraiser at the time of the inspection. We would like to extend to you or your designated representative the opportunity to accompany us on the inspection and to disclose any information about the property you find pertinent.

If applicable to your property, the following items would be helpful:

- Information regarding previous sale of the subject and/or current listing, contracts pending
- Surveys and/or site plans of the property
- Information regarding the general use of the property
- Information on any improvements on the property and improvements, if any, located in the proposed acquisition
- Any unique or special features about the property that should be considered

Should you have any questions, require further clarification, or wish to provide information and/or accompany us on the property inspection, please feel free to contact Lory R. Johnson, MAI, SR/WA by telephone (512) 453-7407 or by e-mail: ljohnson@atriumrealestate.com at your earliest convenience.

Respectfully submitted,

Atrium Real Estate Services

A handwritten signature in blue ink that reads 'Lory R. Johnson'.

Lory R. Johnson, MAI, SR/WA
President
Texas Certified Appraiser #TX-1321640-G

Atrium Reference #: GOV-20-24-05B.HDR

APPRAISAL REPORT

of a wastewater easement and temporary construction easement to be situated on ±10.030 acres located at the Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, Texas

Parcel:	24
Project Name:	South Regional Water Reclamation Project
Property Owner:	Patrick J. Zielbauer and Jenna Kolle Zielbauer
CAD Parcel Number:	R144145
Legal Description:	Land in the Benjamin F. Mims, Survey No. 8, A-13, Hays County, Texas

Submitted To:

Erin Newberry, SR/WA, R/W-NAC, R/W-RAC
Sr. Real Estate Services Agent
HDR
613 NW Loop 410, Ste. 700
San Antonio, TX 78216

Prepared By:

ATRIUM REAL ESTATE SERVICES
510 C Bridle Path
Dripping Springs, TX 78620

Effective Date of Appraisal:
February 16, 2022



February 21, 2022

Erin Newberry, SR/WA, R/W-NAC, R/W-RAC
Sr. Real Estate Services Agent
HDR
613 NW Loop 410, Ste. 700
San Antonio, TX 78216

RE: Appraisal report of the wastewater easement and temporary construction easement to be situated on ±10.030 acres located at the Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, Texas.

Parcel: 24
Project Name: South Regional Water Reclamation Project
Property Owner: Patrick J. Zielbauer and Jenna Kolle Zielbauer
CAD Parcel Number: R144145
Legal Description: Land in the Benjamin F. Mims, Survey No. 8, A-13, Hays County, Texas

Dear Erin Newberry, SR/WA, R/W-NAC, R/W-RAC:

As requested, an appraisal has been completed on the above referenced property. The purpose of the appraisal is to estimate the market value of the fee simple interest of the subject whole property and the recommended compensation for the wastewater easement and temporary construction easement. The following appraisal and final estimate of value have been based upon the inspection of the property and upon research into various factors which influence value. The effective date of this appraisal was February 16, 2022.

The analysis and results of the investigation are submitted in the accompanying report which has been prepared in conformity with the requirements of the *Code of Professional Ethics and the Standards of Professional Appraisal Practice* of the APPRAISAL INSTITUTE, the *Uniform Standards of Professional Appraisal Practice* as promulgated by the APPRAISAL FOUNDATION, as well as the requirements of the STATE OF TEXAS for State-Certified General Real Estate Appraisers.

MARKET VALUE/RECOMMENDED COMPENSATION ESTIMATES - The market value of fee simple interest in the subject property, as well as the recommended compensation estimate for the proposed acquisition, as of February 16, 2022, was as follows:

RECOMMENDED COMPENSATION SUMMARY		
Whole Property (Land and impacted site improvements - if any)	\$1,310,721	
Wastewater Easement (±0.410 acres)		\$26,790
Remainder Before the Acquisition	\$1,283,931	
Remainder After the Acquisition	\$1,390,926	
Damages/(Enhancements)		(\$106,995)
Temporary Construction Easement (±0.460 acres)		\$14,427
Special Compensation/Cost to Cure		\$0
Total Recommended Compensation		\$41,217

Page 2
February 21, 2022

ATRIUM REAL ESTATE SERVICES appreciates the opportunity to be of service to you. Should you have any questions, or if we can be of further assistance, please contact our office.

Respectfully submitted,

ATRIUM REAL ESTATE SERVICES



Lory R. Johnson, MAI, SR/WA
President
Texas Certified Appraiser #TX-1321640-G

CERTIFICATION OF THE APPRAISER

The undersigned do hereby certify that, to the best of my knowledge and belief:

- the statements of fact contained in this report are true and correct.
- the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment. I have performed appraisal services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, the occurrence of a subsequent event directly related to the intended use of this appraisal.
- the reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the *Code of Professional Ethics and the Standards of Professional Appraisal Practice* of the APPRAISAL INSTITUTE. The report also conforms to the *Uniform Standards of Professional Appraisal Practice* as promulgated by the APPRAISAL FOUNDATION, as well as the requirements of the STATE OF TEXAS for State-Certified General Real Estate Appraisers.
- Lory R. Johnson, MAI, SR/WA and Loryn Johnson have made a personal inspection of the property that is the subject of this report.
- Loryn Johnson provided significant real property appraisal assistance to the persons signing this certification.
- the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives. As of the date of this report, Lory R. Johnson, MAI, SR/WA has completed the continuing education program for Designated Members of the Appraisal Institute.
- this appraisal report sets forth all limiting conditions (imposed by the terms of the assignment or by the undersigned) affecting the analyses, opinions, and conclusions expressed herein.
- the appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.
- the market data contained within this report, has been accumulated from various sources and, where possible, personally examined and verified as to details, motivation, and validity.

ATRIUM REAL ESTATE SERVICES



Lory R. Johnson, MAI, SR/WA
 President & CEO
 Texas Certified Appraiser #TX-1321640-G
 Date Signed: February 21, 2022

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INTRODUCTION

INTRODUCTION

SUBJECT PROPERTY PHOTOGRAPHS



AERIAL PHOTOGRAPH

Source: Google Maps

Blue: Subject property boundary (estimated by appraiser)

Orange: Proposed wastewater easement acquisition (estimated by appraiser)

Yellow: Proposed temporary construction easement (estimated by appraiser)

INTRODUCTION

SUBJECT PROPERTY PHOTOGRAPHS



AERIAL PHOTOGRAPH

Source: Google Maps

Blue: Subject property boundary (estimated by appraiser)

Orange: Proposed wastewater easement acquisition (estimated by appraiser)

Yellow: Proposed temporary construction easement (estimated by appraiser)

INTRODUCTION

SUBJECT PROPERTY PHOTOGRAPHS



Subject property

Date photo taken:
02/16/2022

Subject property



Date photo taken:
02/16/2022



Gated entrance to Diamond Path

Date photo taken:
02/16/2022

INTRODUCTION

SUBJECT PROPERTY PHOTOGRAPHS



Subject property

Date photo taken:
09/30/2020

Subject property



Date photo taken:
09/30/2020



Subject property

Date photo taken:
09/30/2020

INTRODUCTION

SUBJECT PROPERTY PHOTOGRAPHS



Proposed easement area

Date photo taken:
09/30/2020

Proposed easement area



Date photo taken:
09/30/2020



Gated entrance to Diamond Path

Date photo taken:
09/30/2020

INTRODUCTION

EXECUTIVE SUMMARY

Parcel #:	24	
Property Owner:	Patrick J. Zielbauer and Jenna Kolle Zielbauer	
Property Location:	Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, Texas	
PROPERTY COMPONENT SUMMARY		
Component	Acres	SF
Whole Property	±10.030 acres	±436,907 SF
Wastewater Easement	±0.410 acres	±17,860 SF
Remainder	±10.030 acres	±436,907 SF
Remainder Unencumbered	±9.620 acres	±419,047 SF
Temporary Construction Easement	±0.460 acres	±20,038 SF
	Whole Property	Remainder After
Highest & Best Use-As if Vacant:	Residential.	Residential.
Highest & Best Use As Improved:	Residential.	Residential.
Shape:	Rectangular.	Rectangular.
Topography:	Generally level.	Generally level.
Floodplain %:	0%	0%
Utilities:	Electric and water available, septic required.	All utilities available.
Additional Public Services:	Fire, emergency medical services, and police protection are provided by Hays County.	
Zoning:	Dripping Springs ETJ - Not zoned	
Easements/Encumbrances:	A 10' easement for installation and maintenance of utilities and drainage facilities along all property lines (V.888 P.85, V.5004 P.283), building setbacks including 100' from the front property line, 50' from any side street, 50' from any side lot line and barns and outbuildings must be built to the rear of the main house within 100' of the rear property line (V.888 P.85, V.5004 P.283) and two 20' electric utility easements to Pedernales Electric Cooperative with one located in the western portion of the property and the other located along the southern property boundary (V.4801 P.59, V.5004 P.334). A 35' access easement provides ingress/egress to the subject to Cross Creek Dr and Kirby Springs Dr through adjacent tracts (V.5001 P.306). A public utility easement to Dripping Springs Water Supply Corporation (V.5001 P.314) is also listed in the title, but appears to be associated with a larger parent tract and is not included in the subject property. No restrictions or easements negatively impact the developability of the property. No additional adverse easements or encumbrances noted.	

INTRODUCTION

Improvements (Whole):	Improved with a single family residence (unknown SF per CAD and 2021 YOC) and attendant site improvements.
Appraisal Issues:	<p>The main improvement is not impacted and has not been included herein. The SFR is ± 230 LF from the proposed easement. No site improvements are impacted.</p> <p>The whole property size utilized herein is ± 10.030 acres.</p> <p>Per the restrictive covenants listed in V.888 P.85 of the Official Public Records of Hays County, Texas the subject property is restricted to residential purposes only. The proposed easement is located on the western property line completely within the 50' building setback, partially within a 10' easement for installation and maintenance of utilities and a 20' electric utility easement and is not considered to impact the developability of the site. The subject remainder land will be of adequate size and shape for development to its highest and best use after the acquisition. This size and shape is considered to be within acceptable comparisons to the development in the area. Per the client (07/2020), the remainder property will be allowed access to organized sewer in the future. As such, the remainder is considered to be enhanced.</p> <p>A cost to cure is not necessary.</p>
Effective Date of the Appraisal:	February 16, 2022
Date of the Report:	February 21, 2022
Appraiser:	Lory R. Johnson, MAI, SR/WA

RECOMMENDED COMPENSATION SUMMARY		
Whole Property (Land only and impacted site improvements - if any)	\$1,310,721	
Wastewater Easement (± 0.410 acres)		\$26,790
Remainder Before the Acquisition	\$1,283,931	
Remainder After the Acquisition	\$1,390,926	
Damages/(Enhancements)		(\$106,995)
Temporary Construction Easement (± 0.460 acres)		\$14,427
Special Compensation/Cost to Cure		\$0
Total Recommended Compensation		\$41,217

INTRODUCTION

DATE OF VALUE

The property was inspected on September 30, 2020, December 20, 2020 and February 16, 2022, with the latter date serving as the effective date of the appraisal.

OWNER CONTACT

INSPECTION SUMMARY	
Date of inspection:	September 30, 2020 December 20, 2020 (from ROW) February 16, 2022 (from ROW)
Letter sent to:	Patrick L. Reznik preznik@braungresham.com Braun & Gresham, PLLC P.O. Box 1148 Dripping Springs, TX 78620
Date of Atrium intro letter:	January 25, 2022 via mail February 15, 2022 via email
Owner rep at inspection:	On September 30, 2020 Stephanie Collins, the listing agent for the property, and Jenna Zielbauer, the then prospective new owner of the property and now current owner of the property. On December 20, 2020 and February 16, 2022 there was no owner representative present.
Comments:	A letter was sent to the owner's attorney . No response was received and the property was inspected from the ROW on February 16, 2022.
Atrium appraisers:	Lory R. Johnson, MAI, SR/WA Loryn Johnson

PURPOSE/INTENDED USE OF THE APPRAISAL

The purpose of this appraisal is to estimate the market value of the fee simple interest of the subject whole property and the recommended compensation for the wastewater easement and temporary construction easement. The definitions of these value estimates are included herein. The client is HDR, and the intended users of this report is HDR and City of Dripping Springs. Use of this report by others is not intended by the appraisers. This report is intended only for use in estimation of recommended compensation and it is understood that the opinions expressed in this report may be utilized for litigation purposes.

PERSONAL PROPERTY

The value conclusions contained within this report do not include any items considered to be personal property. Please refer to the following chart for any items noted as personal property, which have not been valued herein. Those improvements considered to be part of the real estate have been listed in the improvement description section.

PERSONAL PROPERTY	
Type:	Description:
None	None

INTRODUCTION

SCOPE OF WORK

As outlined, the purpose of this appraisal is to estimate the market value of the fee simple interest of the subject whole property and the recommended compensation for the wastewater easement and temporary construction easement. Ownership information, a title commitment and a survey for the proposed acquisition size was provided. Using this information as well as additional information secured from the County Deed Records and the Central Appraisal District, the size of the property and its legal description were established. All information provided is assumed to be correct and has been considered in the following valuation analysis.

The whole property size utilized herein is ± 10.030 acres.

The property is improved with a single family residence (unknown SF per CAD and 2021 YOC) and attendant site improvements. The main improvement is not impacted and has not been included herein. The SFR is ± 230 LF from the proposed easement. No site improvements are impacted.

Per the restrictive covenants listed in V.888 P.85 of the Official Public Records of Hays County, Texas the subject property is restricted to residential purposes only. The proposed easement is located on the western property line completely within the 50' building setback, partially within a 10' easement for installation and maintenance of utilities and a 20' electric utility easement and is not considered to impact the developability of the site. The subject remainder land will be of adequate size and shape for development to its highest and best use after the acquisition. This size and shape is considered to be within acceptable comparisons to the development in the area. Per the client (07/2020), the remainder property will be allowed access to organized sewer in the future. As such, the remainder is considered to be enhanced.

A cost to cure is not necessary.

In analyzing the area economy, data from the various sources was obtained. In addition, we inspected the subject property and surrounding properties, analyzed the area and subject neighborhood, formulated an opinion regarding the highest and best use, made a search for comparable sales and listings, and all other available pertinent information used in developing an opinion of value. This data is based upon research into the County market. In all cases, the data is verified with buyer, seller, landlord, tenant, agent, and/or broker, and cross-checked through public records.

The valuation of the subject property will be completed in two phases. First, the overall market value of the property will be estimated. The final step will be to estimate the appropriate recommended compensation for the wastewater easement and temporary construction easement.

In the valuation analysis of the subject property, the Cost, Sales Comparison and Income Capitalization Approaches to value were considered. The property is effectively vacant land (main improvement not impacted). As such, the Sales Comparison Approach (land only) has been developed to estimate the land value. The Cost Approach, Sales Comparison Approach-As Improved and the Income Approach were not considered applicable and have not been developed.

In the valuation of the remainder property, the Cost, Sales Comparison and Income Capitalization Approaches to value were considered. The property is effectively vacant land.

INTRODUCTION

The remainder is improved with an SFR. The main improvement is not impacted and not valued herein. As such, the Sales Comparison Approach (land only) has been developed to estimate the land value. The Cost Approach, Sales Comparison Approach- As Improved and the Income Approach were not considered applicable and have not been developed.

This Appraisal Report is intended to comply with the reporting requirements set forth under Standards Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice. As such, it presents only summary discussions of the data, reasoning and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning and analyses is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated herein. The appraiser is not responsible for unauthorized use of this report.

The appraisal was undertaken jointly by Loryn Johnson and Lory R. Johnson, MAI, SR/WA who performed initial research, inspection and comparable data selection. Lory R. Johnson, MAI, SR/WA provided input with respect to appraisal methodology, data selection, analytical processes and report review. The final report is the result of this collaborative effort.

PROPERTY RIGHTS APPRAISED

The property rights appraised are the fee simple interest in the whole subject property as well as the wastewater easement and temporary construction easement associated with the acquisition. Fee simple estate is an absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.¹ **An easement is defined as being: "...an interest in real property that transfers use, but not ownership, of a portion of an owner's property. Easements permit a specific portion of a property to be used for identified purposes..."**²

DEFINITION OF MARKET VALUE

Market value, as used in this appraisal report, is defined as being: "The price which the property would bring when it is offered for sale by one who desires, but is not obliged to sell, and is bought by one who is under no necessity of buying it, taking into consideration all of the uses to which it is reasonably adaptable and for which it either is or in all reasonable probability will become available within the reasonable future."³

DEFINITION OF RECOMMENDED COMPENSATION

Just compensation or Recommended compensation, as used in this appraisal report, is defined as being: **"...the amount of loss for which a property owner is compensated when his or her property is taken...should put the owner in as good a position as he or she would be if the property had not been taken..."**⁴

LEGAL DESCRIPTION

The following legal description was obtained from the County Deed Records and is assumed to be correct. It has not been verified by legal counsel nor has an independent survey of the parcel been commissioned. Therefore, it is suggested that the legal description be verified before being used in a legal document or conveyance.

Land in the Benjamin F. Mims, Survey No. 8, A-13, Hays County, Texas.

¹ *The Appraisal of Real Estate, 14th Edition*, (Chicago: Appraisal Institute, 2013) pg. 5.

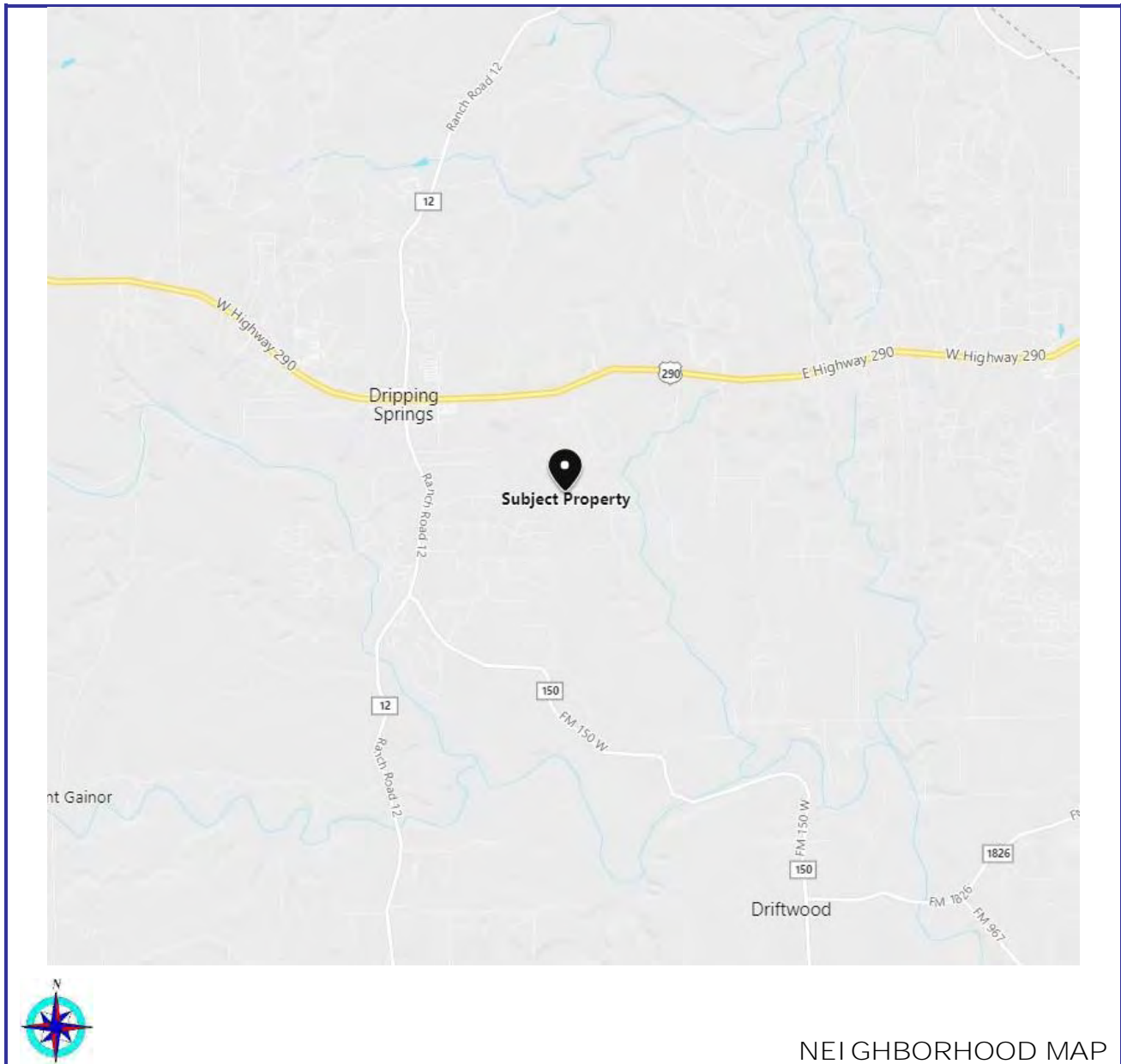
² *The Dictionary of Real Estate Appraisal, 5th ed.*, 75

³ *City of Austin vs. Cannizzo, et al.*, 267 S. W.2d 808,815 (1954)

⁴ *The Dictionary of Real Estate Appraisal, 5th ed.*, 106.

DESCRIPTIONS

NEIGHBORHOOD DESCRIPTION



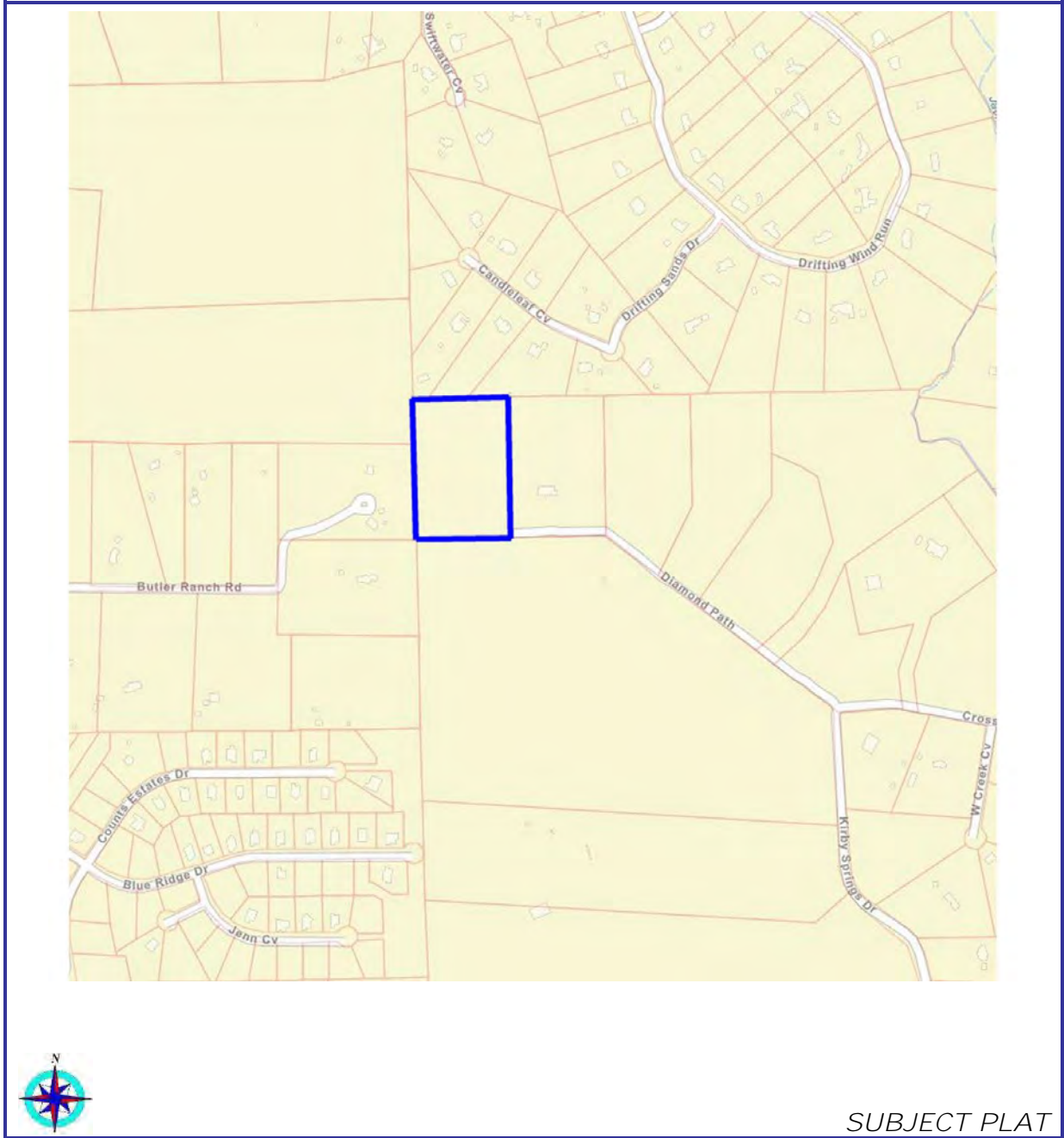
NEIGHBORHOOD MAP

The subject property is located at the Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, Texas. The subject neighborhood can best be defined as the City of Dripping Springs and the surrounding area.

Ranch Road 12 provides the main north-south route and US Hwy 290 provides the main east-west route to and through the neighborhood. Various other FM and county roads provide secondary access to the neighborhood area and surrounding areas. Onion Creek runs east-west through the neighborhood area and provides recreational/aesthetic qualities to the area.

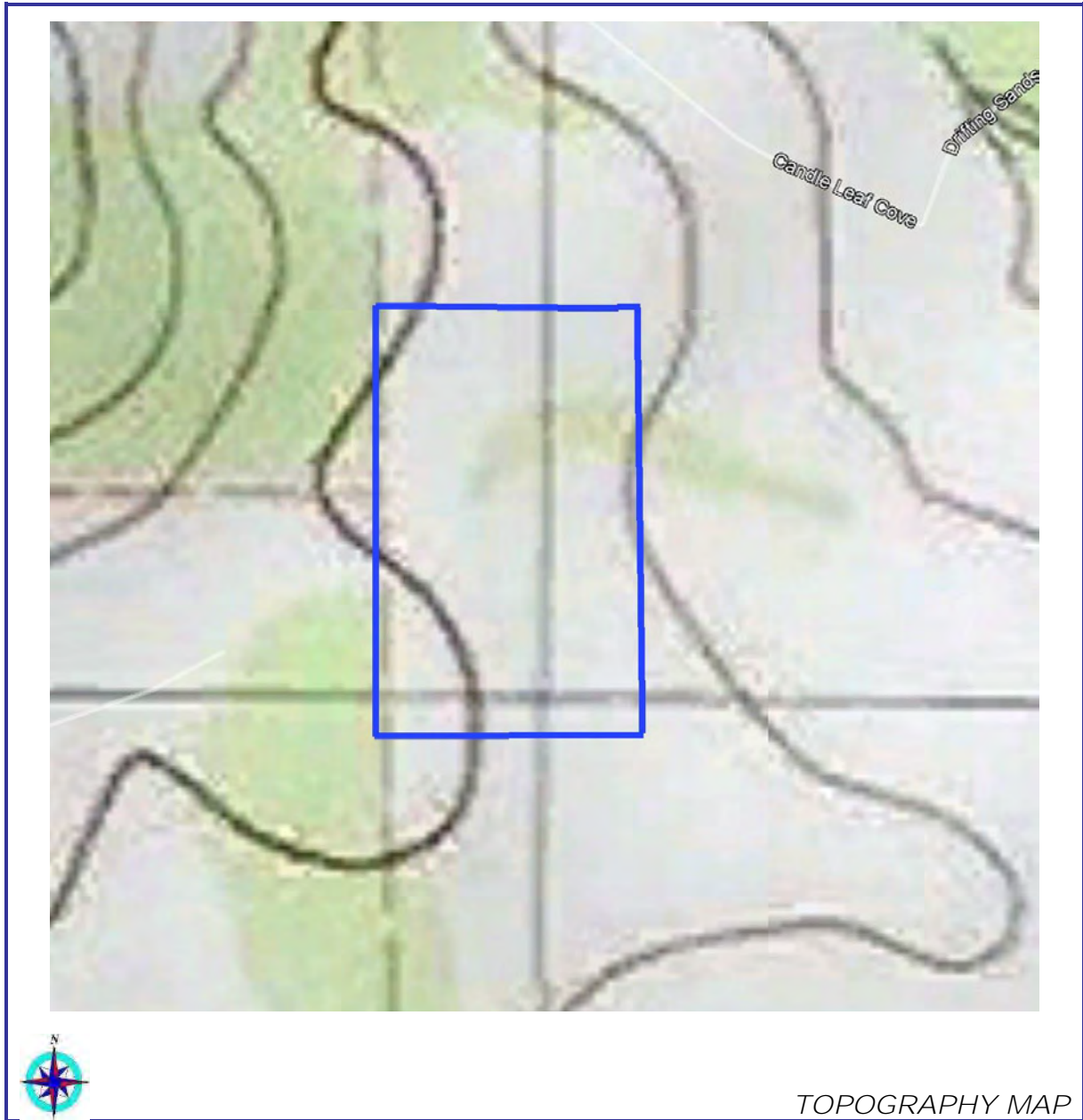
Overall land uses in the neighborhood are predominantly commercial uses along the major arterials with a mix of residential and agricultural on secondary roads. The neighborhood has a number of vacant tracts available for development.

SITE DESCRIPTION



Source: Hays County Appraisal District
Blue: Subject property boundary (estimated by appraiser)

SITE DESCRIPTION



Source: Google Earth/Earthpoint
Blue: Subject property boundary (estimated by appraiser)

SITE DESCRIPTION



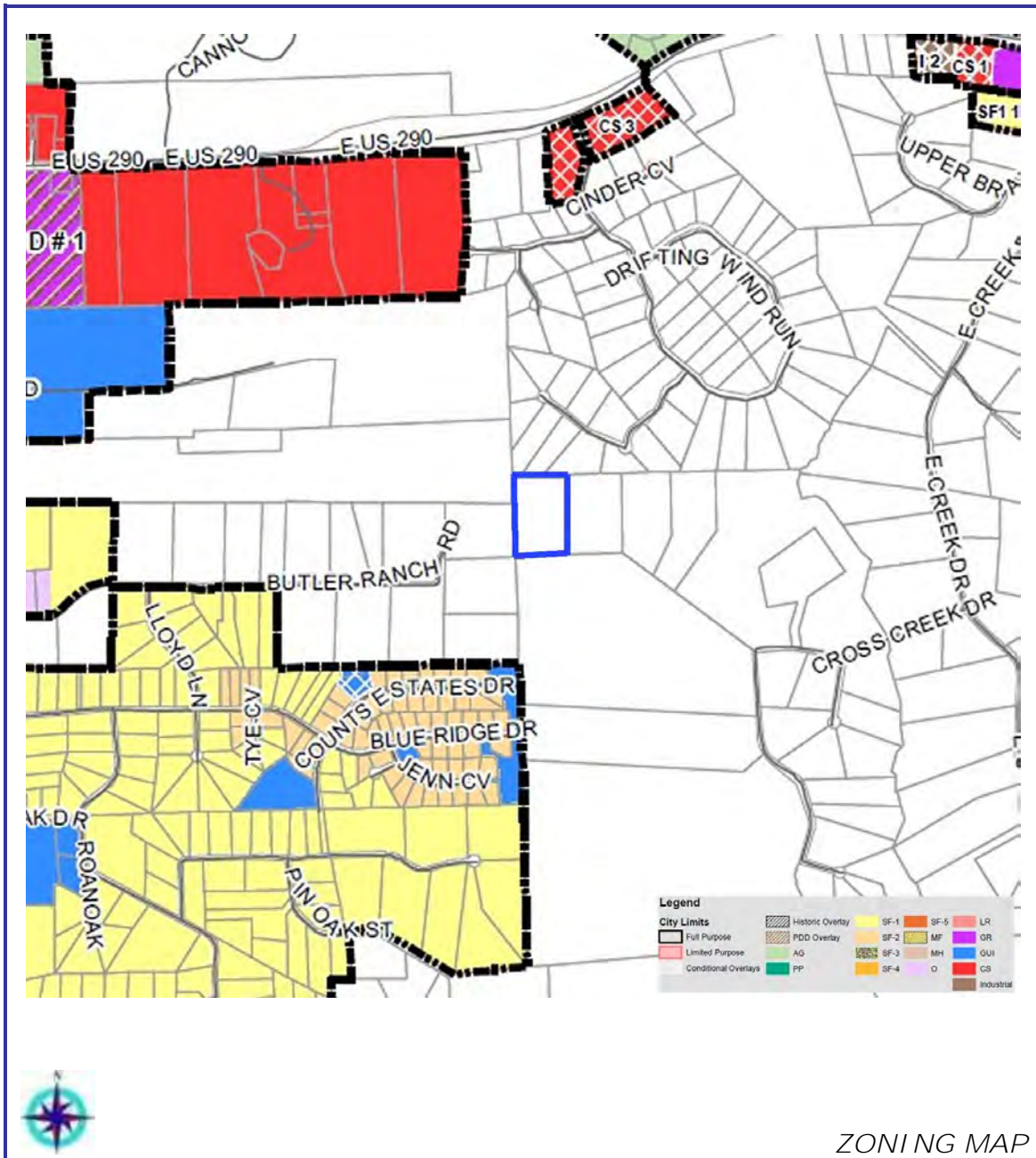
Source: Google Earth/FEMA
Blue: Subject property boundary (estimated by appraiser)

SITE DESCRIPTION



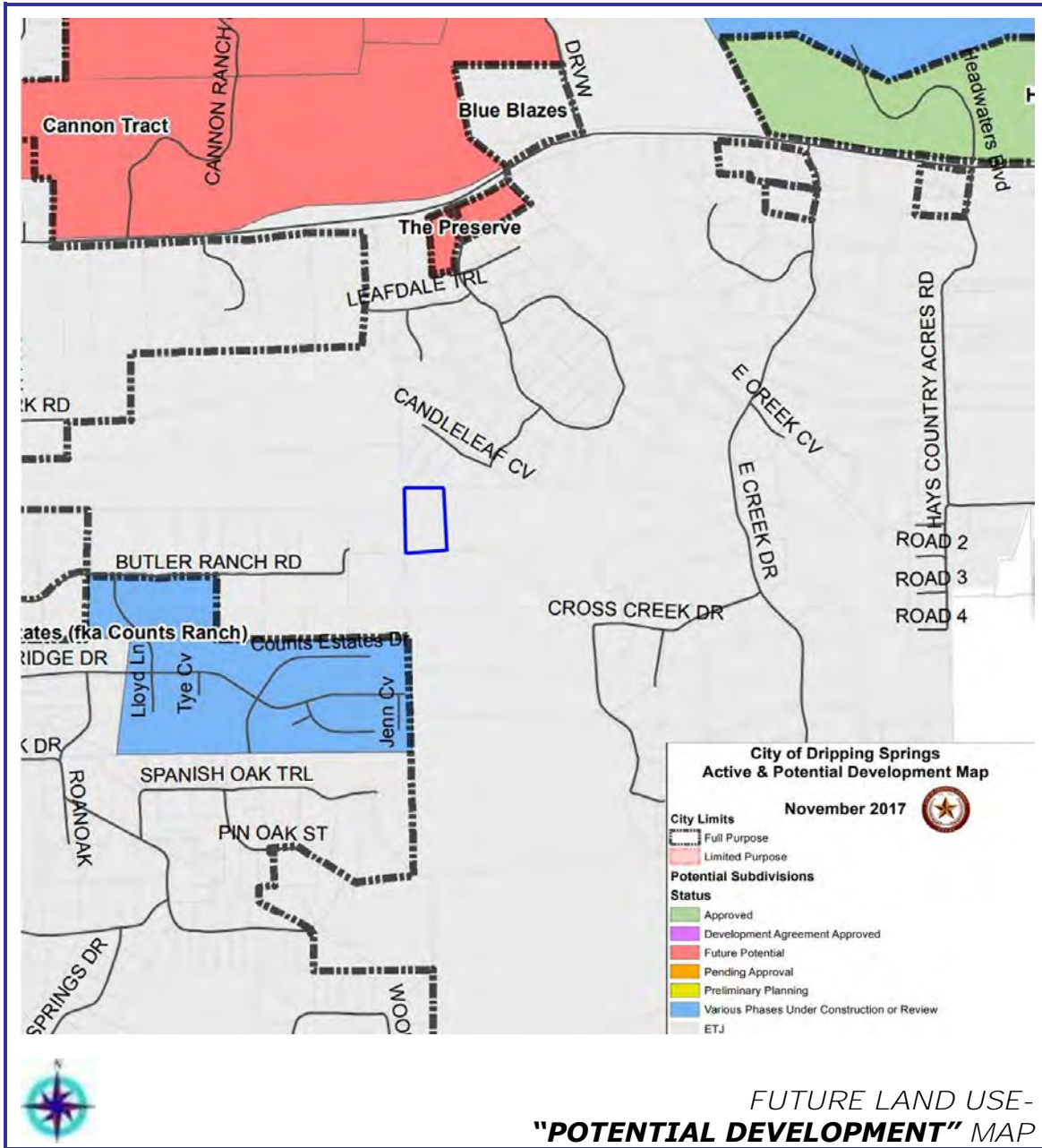
Source: US Fish and Wildlife Service – National Wetlands Inventory
Blue: Subject property boundary (estimated by appraiser)

SITE DESCRIPTION



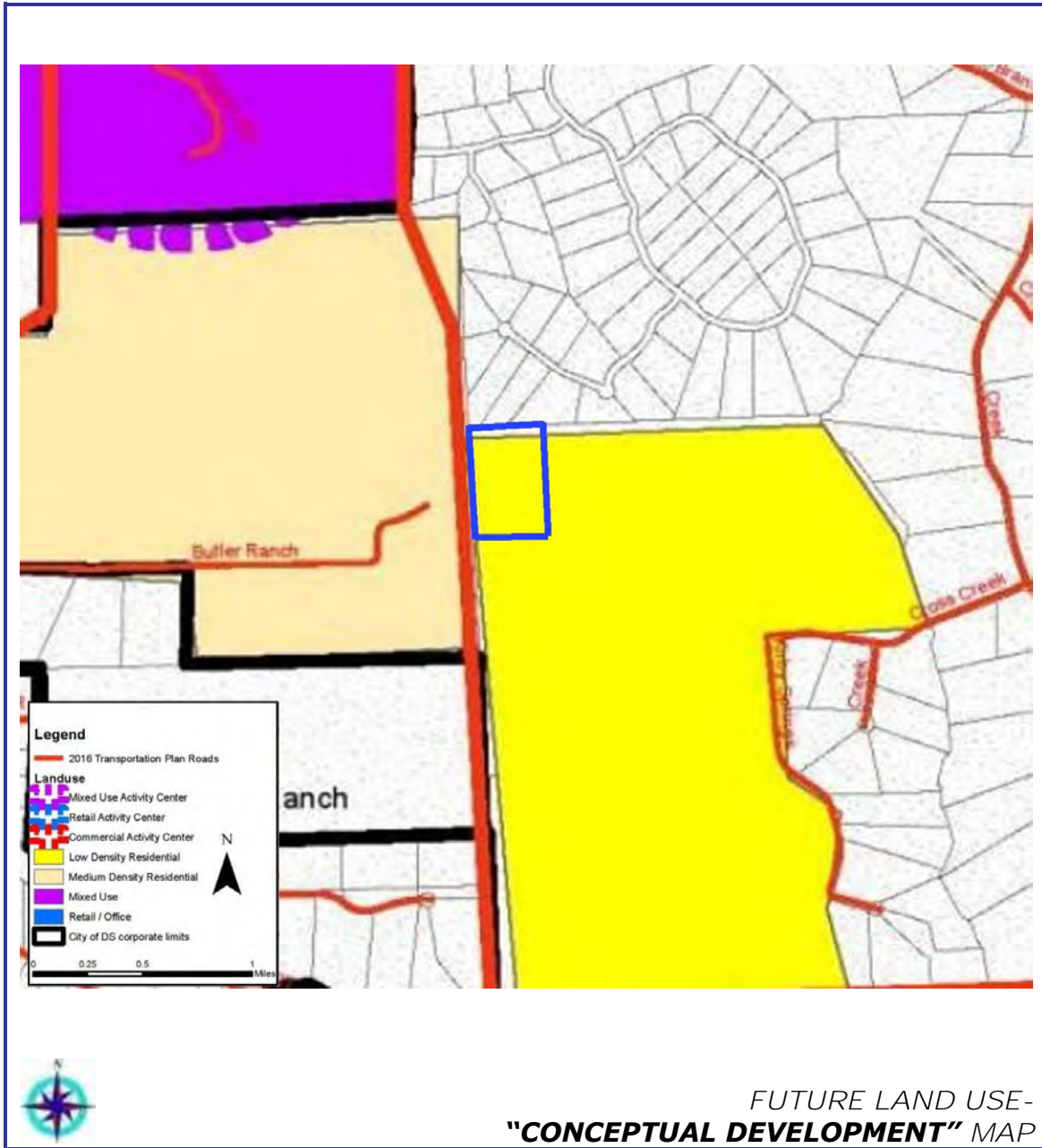
Source: City of Dripping Springs
Blue: Subject property boundary (estimated by appraiser)

SITE DESCRIPTION



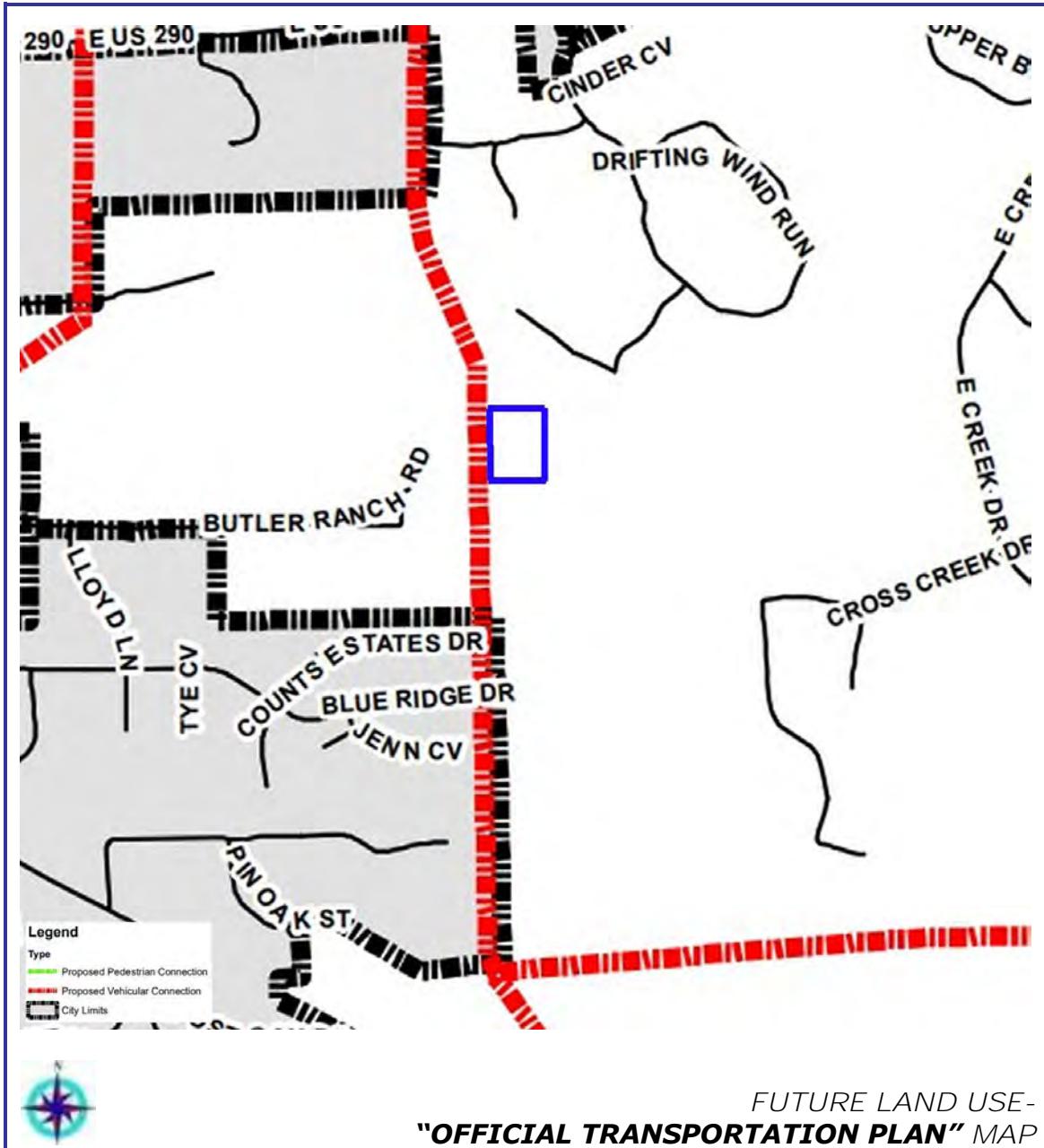
Source: City of Dripping Springs
 Blue: Subject property boundary (estimated by appraiser)

SITE DESCRIPTION



Source: City of Dripping Springs
Blue: Subject property boundary (estimated by appraiser)

SITE DESCRIPTION



Source: City of Dripping Springs
Blue: Subject property boundary (estimated by appraiser)

SITE DESCRIPTION

Location:	Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, Texas	
Legal Description:	Land in the Benjamin F. Mims, Survey No. 8, A-13, Hays County, Texas	
PROPERTY COMPONENT SUMMARY		
Component	Acres	SF
Whole Property	±10.030 acres	±436,907 SF
Wastewater Easement	±0.410 acres	±17,860 SF
Remainder	±10.030 acres	±436,907 SF
Remainder Unencumbered	±9.620 acres	±419,047 SF
Temporary Construction Easement	±0.460 acres	±20,038 SF
Whole Property Size (Per Field Notes):	±10.030 acres. The whole property size utilized herein is ±10.030 acres.	
Whole Property Size (Per CAD):	±10.030 acres.	
Shape:	Rectangular.	
Frontage:	Diamond Path:	±20 feet
Current Roadway Design:	Diamond Path: Private, gated access easement with mix of dirt and gravel base. Per the City of Dripping Springs Official Transportation Plan Map, dated July 9, 2019 a planned road is along the western border.	
Access/Visibility:	Accessible via Diamond Path. Adequate visibility from roadway(s).	
Topography:	Generally level	
Subsoil Conditions and Drainage:	An engineering study to determine the soil and subsoil conditions has not been furnished. Upon inspection of the subject and surrounding improvements, soil conditions appear adequate to support development of the subject property with adequate engineering.	
Floodplain:	Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map Panel # and date:	48209C0115F, Hays County, Texas and Incorporated Areas dated September 2, 2005.
	FEMA Zone:	Zone X, an area determined to be outside the 100 year floodplain
	Floodplain %:	0%
Wetlands:	According to the National Wetlands Inventory compiled by the US Fish and Wildlife Service, the site does not contain wetlands.	
Jurisdiction:	Dripping Springs ETJ and Hays County	
Utilities:	Electric and water available, septic required.	
	Water:	Dripping Springs Water Supply Corp
	Electricity:	Pedernales Electric Cooperative, Inc
	Sewer:	None
	Septic:	Septic required

SITE DESCRIPTION

	Gas:	None
Additional Public Services:	Fire, emergency medical services, and police protection are provided by Hays County.	
Zoning:	Not zoned - Dripping Springs ETJ.	
Future Land Use:	The City of Dripping Springs has a Conceptual Future Land Use Map in the Comprehensive Plan 2016 dated 11/15/2016 which identifies the subject property as "Low Density Residential". The City of Dripping Springs also has a "potential development" map dated 11/2017. The potential development map does not identify a use for the subject. As of December 9, 2020 the property is under construction for a single family residence.	
Land Use Restrictions:	Per the restrictive covenants listed in V.888 P.85 of the Official Public Records of Hays County, Texas the subject property is restricted to residential purposes only. Deed and title examination by a competent attorney is recommended should any questions arise regarding restrictions.	
Easements/ Encumbrances:	A 10' easement for installation and maintenance of utilities and drainage facilities along all property lines (V.888 P.85, V.5004 P.283), building setbacks including 100' from the front property line, 50' from any side street, 50' from any side lot line and barns and outbuildings must be built to the rear of the main house within 100' of the rear property line (V.888 P.85, V.5004 P.283) and two 20' electric utility easements to Pedernales Electric Cooperative with one located in the western portion of the property and the other located along the southern property boundary (V.4801 P.59, V.5004 P.334). A 35' access easement provides ingress/egress to the subject to Cross Creek Dr and Kirby Springs Dr through adjacent tracts (V.5001 P.306). A public utility easement to Dripping Springs Water Supply Corporation (V.5001 P.314) is also listed in the title, but appears to be associated with a larger parent tract and is not included in the subject property. No restrictions or easements negatively impact the developability of the property. No additional adverse easements or encumbrances noted.	
Environmental/Toxic Waste:	Any environmental issues, including endangered species and endangered species natural habitats, which would pertain to the subject property are unknown. Typically, real estate appraisers are not qualified nor are they experts in detecting hazardous materials, radiological materials, archeological resources, etc.; therefore, an expert in these fields should be consulted for opinions on these matters. This report assumes no environmental hazards or special resources exist within or on the subject property.	
History/Current Listing:	Grantor:	Casey Anthony Collins, Trustee of the Abba Trust Dated July 15, 2012
	Grantee:	Patrick J. Zielbauer and Jenna Kolle Zielbauer
	Date of Transaction:	October 27, 2020

SITE DESCRIPTION

	Recording Info:	Doc # 20048995
	Comments: Per Stephanie Collins, listing agent, the property sold for \$512,500. A copy of the contract was provided.	
	Grantor:	Casey Anthony Collins and Stephanie Dawn Collins
	Grantee:	Casey Anthony Collins, Trustee of the Abba Trust Dated July 15, 2012
	Date of Transaction:	May 22, 2018
	Recording Info:	Doc #18017891
	Comments: Additional information regarding this transaction was not disclosed and it appears to be a non arms length transaction.	
	Grantor:	Casey Anthony Collins, Trustee of the Abba Trust
	Grantee:	Casey Anthony Collins and Stephanie Dawn Collins
	Date of Transaction:	February 20, 2018
	Recording Info:	Doc #18006012
	Comments: Additional information regarding this transaction was not disclosed and it appears to be a non arms length transaction. No additional transactions have occurred in the past 5 years.	
Surrounding Properties:	North:	Residential
	South:	Vacant land
	East:	Residential
	West:	Vacant land and residential
Real Estate Taxes:	Taxing jurisdictions per CAD: (R144145)	Appraisal District North Hays Co ESD #1 Hays Co Fire ESD #6 Hays County Special Road Dripping Springs ISD
	2021 CAD land value:	\$521,320 (\$1.19/SF)
	2021 CAD improvement value:	\$0
	2021 Total assessed value:	\$53,160 (with Ag valuation)

IMPROVEMENT DESCRIPTION

Improvement:	As of the effective date, the property is improved with a single family residence (unknown SF per CAD and 2021 YOC) and attendant site improvements. The main improvement is not impacted and has not been included herein. The SFR is ±230 LF from the proposed easement. No site improvements are impacted. The site improvements impacted by the acquisition (if any) are listed below.		
	Improvement	Description	Size
	None	N/A	N/A
Proximity to ROW:	SFR (not impacted): ±200 LF from Diamond Path		

ANALYSIS OF DATA

HIGHEST & BEST USE

Highest and Best Use can be defined as: "The reasonably probable and legal use of vacant land or an improved property, that is physically possible, appropriately supported, financially feasible, and that results in the highest value."⁵

The highest and best use involves consideration of land use as though vacant, and as improved. The potential uses of the subject are affected by the real estate economic forces of the area and neighborhood. The available uses are restricted by four criteria including physically possible, legally permissible, financially feasible and maximally productive.

Highest and Best Use, As If Vacant

Physically Possible

The first constraint is dictated by the physical attributes of the property itself. The whole property is located at the Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, Texas. The subject contains ±10.030 acres. It is generally level. The shape is rectangular. According to available maps, 0% of the site is in the floodplain. According to the National Wetlands Inventory compiled by the US Fish and Wildlife Service, the site does not contain wetlands. The subject property has electric and water available, septic required. Therefore, based on the physical characteristics of the site, there appear to be no significant detriments to the site.

Legally Permissible

Legal restrictions, as they apply to the subject are private restrictions such as easements, and public restrictions such as zoning. Per the restrictive covenants listed in V.888 P.85 of the Official Public Records of Hays County, Texas the subject property is restricted to residential purposes only. With respect to easements and encumbrances, a 10' easement for installation and maintenance of utilities and drainage facilities along all property lines (V.888 P.85, V.5004 P.283), building setbacks including 100' from the front property line, 50' from any side street, 50' from any side lot line and barns and outbuildings must be built to the rear of the main house within 100' of the rear property line (V.888 P.85, V.5004 P.283) and two 20' electric utility easements to Pedernales Electric Cooperative with one located in the western portion of the property and the other located along the southern property boundary (V.4801 P.59, V.5004 P.334). A 35' access easement provides ingress/egress to the subject to Cross Creek Dr and Kirby Springs Dr through adjacent tracts (V.5001 P.306). A public utility easement to Dripping Springs Water Supply Corporation (V.5001 P.314) is also listed in the title, but appears to be associated with a larger parent tract and is not included in the subject property. No restrictions or easements negatively impact the developability of the property. No additional adverse easements or encumbrances noted.

In consideration of zoning, the subject property is not zoned, it is with the City of Dripping Springs ETJ. The City of Dripping Springs has a Conceptual Future Land Use Map in the Comprehensive Plan **2016 dated 11/15/2016 which identifies the subject property as "Low Density Residential"**. The City of Dripping Springs also has a "potential development" map dated 11/2017. The potential development map does not identify a use for the subject. As of December 9, 2020 the property is under construction for a single family residence.

⁵ *The Appraisal of Real Estate, 14th Edition*, (Chicago: Appraisal Institute, 2013), p.333.

⁴ *The Appraisal of Real Estate, 14th Edition*, (Chicago: Appraisal Institute, 2013), p.33.

HIGHEST & BEST USE

Also considered within the context of Legally Permissible is conformity with surrounding **properties**. "Conformity is the appraisal principle that holds that real property value is created and sustained when the characteristics of a property conform to the demands of its market."⁴ As discussed in the *Neighborhood Description* section, residential, agricultural and commercial properties are predominant throughout the neighborhood. The subject is improved with a single family residence (unknown SF per CAD and 2021 YOC) and attendant site improvements. Surrounding development is predominately a mixture of agricultural and residential uses.

In summary, due to its location, compatibility and surrounding uses, the legally permissible component of the highest and best use analysis is considered to point toward residential.

Financially Feasible and Maximally Productive

This section requires that the forces of supply and demand be in balance, and that the property developed will provide sufficient income to return profit to the land. The most reasonable use of the site that generates the highest return to the land is residential.

Highest and Best Use Conclusion, As If Vacant

Considering all of the factors which influence highest and best use, it is our opinion that the highest and best use of the subject site, if vacant, is residential.

Highest and Best Use Conclusion, As Improved

As previously noted, the property is improved with a single family residence (unknown SF per CAD and 2021 YOC) and attendant site improvements. As such, the highest and best use, as improved is residential.

APPRAISAL PROCESS

In estimating the value of real property, there are three recognized approaches or techniques that, when applicable, can be used to process the data considered significant to each into separate value indications. In all instances the experience of the appraisers, coupled with objective judgment, plays a major role in arriving at the conclusions of indicated value from which the final estimate of value is made.

The three approaches are commonly known as:

The Cost Approach - An estimate of the present reproduction cost of the improvements, less accrued depreciation, plus land value. Depreciation includes all loss in value of the improvements due to physical deterioration, functional obsolescence, and economic obsolescence.

The Sales Comparison Approach - Comparison with similar properties that have sold in the market. This Approach can be applied to land alone or to improved properties.

Income Capitalization Approach - Capitalization of the net income that the property can produce. This Approach is applicable only to income producing properties.

Whole Property

In the valuation analysis of the subject property, the Cost, Sales Comparison and Income Capitalization Approaches to value were considered. The subject is effectively vacant land (main improvement not impacted). As such, the Sales Comparison Approach (land only) has been developed to estimate the land value. The Cost Approach, Sales Comparison Approach-As Improved and the Income Approach were not considered applicable and have not been developed.

Part to be Acquired

The Part to Be Acquired is considered to be a pro-rata share of the whole.

Remainder Before

The Remainder Before is a mathematical calculation of the Whole Property less the Part to Be Acquired.

Remainder After

In the valuation analysis of the remainder after property, the Cost, Sales Comparison and Income Capitalization Approaches to value were considered. The subject is effectively vacant land. The remainder is improved with an SFR. The main improvement is not impacted and not valued herein. As such, the Sales Comparison Approach (land only) has been developed to estimate the land value. The Cost Approach, Sales Comparison Approach- As Improved and the Income Approach were not considered applicable and have not been developed.

First, the overall market value of the property will be estimated. The final step will be to estimate the appropriate recommended compensation for wastewater easement and temporary construction easement.

THE SALES COMPARISON APPROACH

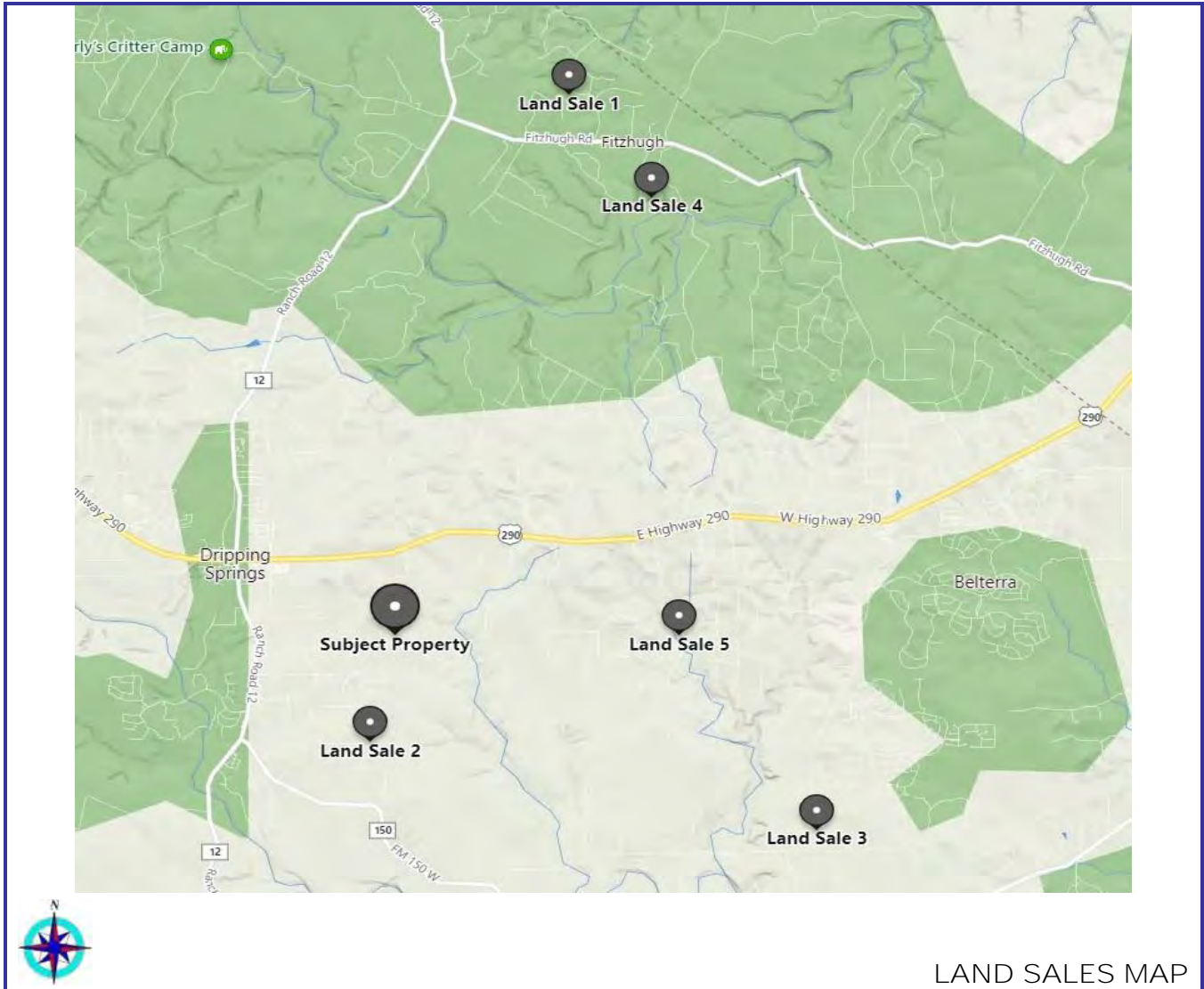
THE SALES COMPARISON APPROACH

The Sales Comparison Approach will be utilized to estimate the fee simple value of the subject site. This approach is considered the most valid indicator in estimating the market value of unimproved land not typically leased in the marketplace. In valuing property via this approach, as many land sales as possible are gathered and the most comparable are used for comparison. Since properties are seldom identical, the comparable sales must be adjusted to the subject for differences in time, location, and physical characteristics to indicate a value for the subject tract.

When valuing real estate via the Sales Comparison Approach, the subject and comparables must be broken down into units of comparison. Units of comparison for vacant land include price per front foot, price per lot, price per acre (buildable or total), price per square foot (buildable or total) and price per buildable unit. The method of comparison is based on the method typically used to purchase vacant tracts in a given area. The price per SF and acre appears prevalent in the area. However, for valuation purposes the \$/SF will be considered to apply to the SF due to the acquisition.

In undertaking our research efforts, a diligent search was made of the subject's neighborhood for properties that had sold or that were under contract. Our research included searching for vacant land tracts that exhibited similar characteristics. Included on the following page is a summary of the documented land sales that have been used in estimating the value of the subject. A location map has also been included.

THE SALES COMPARISON APPROACH



LAND SALES MAP

LAND SALES SUMMARY				
#	LOCATION	DATE OF SALE	\$/SF	LAND SIZE (ACRES)
1	SL of Patti Ln, W of Bonham Ranch Rd (225 Patti Ln), Hays County, TX	11/15/21	\$2.46	±8.880 acres
2	Terminus of Post Oak Dr, SL of Pin Oak St (823 Post Oak Dr), Hays County, TX	06/24/21	\$3.08	±5.037 acres
3	EL of Sawyer Ranch Rd, N of Darden Hills Rd (16671 Sawyer Ranch Rd), Hays County, TX	06/22/21	\$2.92	±10.020 acres
4	Terminus of Fitzhugh Pl, S of Fitzhugh Rd, Hays County, TX	03/19/21	\$2.26	±15.270 acres
5	Terminus of Cattle Trail Dr, W of Westland Ridge Rd, Hays County, TX	02/10/21	\$2.77	±10.471 acres
Subject	Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, Texas			±10.030 acres

Source: Atrium Real Estate Services 02/2022

THE SALES COMPARISON APPROACH

LAND SALE NO. 1

Property Identification

Record ID	2947
Property Type	Residential
Address	SL of Patti Ln, W of Bonham Ranch Rd (225 Patti Ln), Hays County, TX
Tax ID	R113783

Sale Data

Grantor	Steven K. Dovi
Grantee	Benjamin Flammang and wife, Sky Khan
Sale Date	November 15, 2021
Deed Book/Page	21063323
Financing	Cash to seller
Deed Reviewed	2/16/2022 LKJ; Inspected 2/16/2022 LRJ/LKJ
Verification	Jonathan Head, Listing agent (618) 520-4204, February 16, 2022; Confirmed by: LKJ
Sale Price	\$949,995

Land Data

Zoning	None – Dripping Springs ETJ
Topography	Generally level
Utilities	Electricity available, private well and septic needed
Shape	Irregular
Flood Info	0% of the site is in 100-year floodplain
Easements	No adverse easements
Improvements	Vacant at time of sale
Intended/Current Use	Residential/Vacant

Land Size Information

Gross Land Size	8.880 acres or 386,813 SF
Front Footage	Patti Ln: secondary roadway

Indicators

Sale Price/Gross Acre	\$106,981
Sale Price/Gross SF	\$2.46

Legal Description

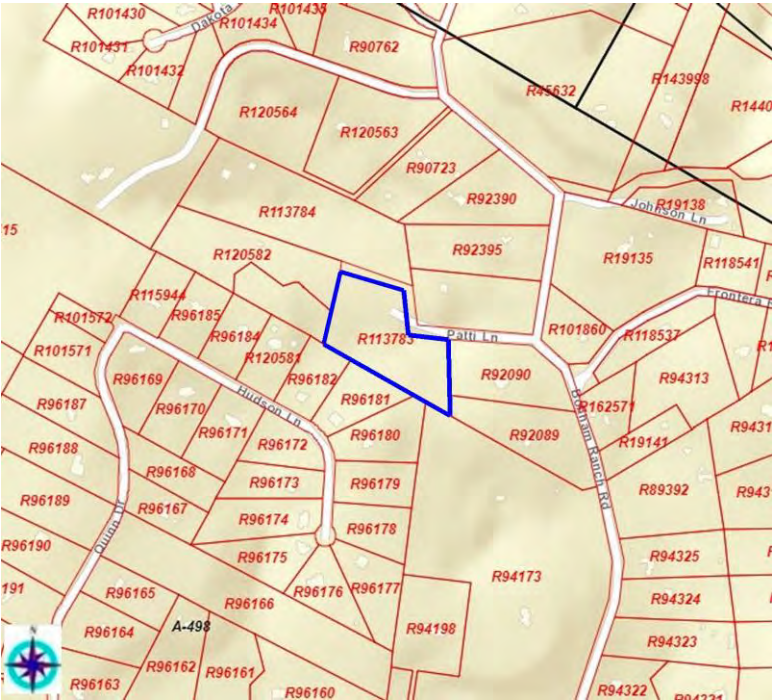
Lot One (1), Patricial Falls, Hays County, Texas

Remarks

The site was vacant at the time of sale. The site has electricity available, private well and septic needed. There are deed restrictions associated with the property stating that the property may only be utilized for residential purposes (V.12 P.48). According to the National Wetlands Inventory, as compiled by the US Fish and Wildlife, none of the property is within the wetlands. None of the site is located within the 100-year floodplain. **The site is accessed via a 35' access easement (Patti Ln, an unpaved road).** As of February 2022, the site vacant.

THE SALES COMPARISON APPROACH

LAND SALE NO. 1 (cont.)



 THE SALES COMPARISON APPROACH

LAND SALE NO. 2

Property Identification

Record ID	2948
Property Type	Residential
Address	Terminus of Post Oak Dr, SL of Pin Oak St (823 Post Oak Dr), Hays County, TX
Tax ID	R165809

Sale Data

Grantor	Clinton James Leschber and Andrea Nicole Leschber
Grantee	Louis Aprile and Bailey Aprile
Sale Date	June 24, 2021
Deed Book/Page	21034085
Financing	Cash to seller
Deed Reviewed	2/16/2022 LKJ; Inspected 2/16/2022 LRJ/LKJ
Verification	MLS # 7182432

Sale Price	\$675,000
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Land Data

Zoning	None – Dripping Springs ETJ
Topography	Generally level
Utilities	Electricity and water available, septic needed
Shape	Irregular
Flood Info	0% of the site is in 100-year floodplain
Easements	No adverse easements
Improvements	Vacant at time of sale
Intended/Current Use	Residential/Vacant

Land Size Information

Gross Land Size	5.037 acres or 219,412 SF
Front Footage	Post Oak Dr: secondary roadway Pin Oak St: secondary roadway

Indicators

Sale Price/Gross Acre	\$134,088
Sale Price/Gross SF	\$3.08

Legal Description

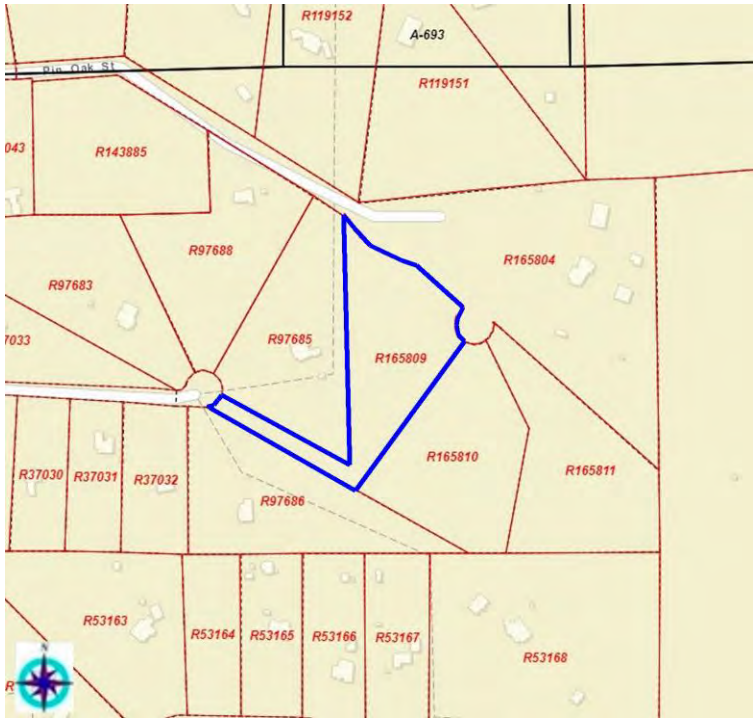
Lot 5B-2, of Final Plat of Lots 5B-1 thru 5B-4, being a replat of Lot 5-B of the Crooked Oaks Subdivision, Hays County, Texas

Remarks

The site was vacant at the time of sale. The site has electricity and water available, septic needed. There are deed restrictions associated with the property stating that the property may only be utilized for residential purposes (Doc #19000316). According to the National Wetlands Inventory, as compiled by the US Fish and Wildlife, none of the property is within the wetlands. None of the site is located within the 100-year floodplain. The tract has an irregular shape and **is accessed by a 60' strip extending from Post Oak Dr. Per the subdivision plat (Doc # 19000316)** the property also has access from Pin Oak St. As of February 2022, the site vacant.

THE SALES COMPARISON APPROACH

LAND SALE NO. 2 (cont.)



THE SALES COMPARISON APPROACH

LAND SALE NO. 3

Property Identification

Record ID 2949
 Property Type Residential
 Address EL of Sawyer Ranch Rd, N of Darden Hills Rd (16671 Sawyer Ranch Rd), Hays County, TX
 Tax ID R144935

Sale Data

Grantor Dustin Brudnicki and Maren Brudnicki
 Grantee Kristin Bulat
 Sale Date June 22, 2021
 Deed Book/Page 21034212
 Financing Cash to seller
 Deed Reviewed 2/16/2022 LKJ; Inspected 2/16/2022 LRJ/LKJ
 Verification Micah Wagner, Listing agent (512) 694-0589, February 16, 2022; Confirmed by: LKJ

Sale Price \$1,275,000

Land Data

Zoning None – Dripping Springs ETJ
 Topography Generally level
 Utilities Electricity and water available by extension from Darden Hills Rd, septic needed
 Shape Rectangular
 Flood Info 0% of the site is in 100-year floodplain
 Easements No adverse easements
 Improvements Vacant at time of sale
 Intended/Current Use Residential/Vacant

Land Size Information

Gross Land Size 10.020 acres or 436,471 SF
 Front Footage Sawyer Ranch Rd: secondary roadway

Indicators

Sale Price/Gross Acre \$127,246
 Sale Price/Gross SF \$2.92

Legal Description

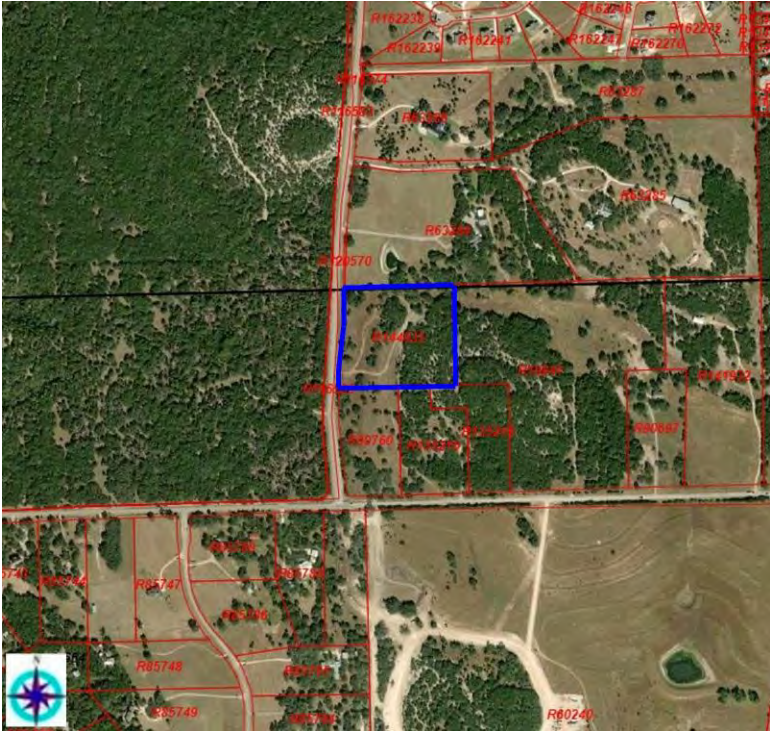
Land located in the Fannie A. D. Darden Survey, Abstract No. 664, Hays County, Texas

Remarks

The site was vacant at the time of sale. Per the listing agent the site has electricity and water available by extension from Darden Hills Rd, septic needed. There are deed restrictions associated with the property stating that the property may only be utilized for residential purposes (V.4161 P.154). According to the National Wetlands Inventory, as compiled by the US Fish and Wildlife, none of the property is within the wetlands. None of the site is located within the 100-year floodplain. As of February 2022, the site is vacant.

THE SALES COMPARISON APPROACH

LAND SALE NO. 3 (cont.)



THE SALES COMPARISON APPROACH

LAND SALE NO. 4

Property Identification

Record ID 2746
 Property Type Residential
 Address Terminus of Fitzhugh Pl, S of Fitzhugh Rd, Hays County, TX
 Tax ID R27590

Sale Data

Grantor Dr. David C. Needham and Dr. Nina Jo Muse
 Grantee BlizzBuildTex, LLC
 Sale Date March 19, 2021
 Deed Book/Page 21013774
 Financing Cash to seller; conventional
 Deed Reviewed 05/18/2021 KP; Inspected 2/16/2022 LRJ/LKJ
 Verification Sandra Foston, 512-922-1119, May 11, 2021; Confirmed by: KP

Sale Price \$1,500,000

Land Data

Zoning None - Dripping Springs ETJ
 Topography Generally level
 Utilities Electricity available, water well and septic required
 Shape Irregular
 Flood Info ±2% in the 100-year floodplain
 Easements No adverse easements
 Improvements Vacant at time of sale
 Intended/Current Use Residential/Residential

Land Size Information

Gross Land Size 15.270 acres or 665,161 SF
 Front Footage Fitzhugh Pl: secondary roadway

Indicators

Sale Price/Gross Acre \$98,232
 Sale Price/Gross SF \$2.26

Legal Description

Lots 13, 14, 15, 16, and 17, Fitzhugh Place, a subdivision in Hays County, TX

Remarks

The property was vacant at the time of sale. The property has electricity available, water well and septic required. Per the Doc.21015724, the property is restricted to single family residential uses only. The property is part of the gated community of Fitzhugh Place. According to the National Wetlands Inventory compiled by the US Fish and Wildlife Services, none of the property is within the wetlands. ±2% of the property (estimated by the appraiser) is located in the 100-year floodplain. The topography is generally level. As of February 2022, the property is improved with a single family residence.

THE SALES COMPARISON APPROACH

LAND SALE NO. 5

Property Identification

Record ID 2950
 Property Type Residential
 Address Terminus of Cattle Trail Dr, W of Westland Ridge Rd, Hays County, TX
 Tax ID R164306 & R164307

Sale Data

Grantor Stephen A. Cordova Jr.
 Grantee Wesley Lohec and Erin Lohec
 Sale Date February 10, 2021
 Deed Book/Page 21007102
 Financing Cash to seller
 Deed Reviewed 2/16/2022 LKJ; Inspected 2/16/2022 LRJ/LKJ
 Verification Scott Daves, 512-415-2265, February 16, 2022; Confirmed by: LKJ

Sale Price \$1,262,500

Land Data

Zoning None – Dripping Springs ETJ
 Topography Generally level
 Utilities Electricity available, water well and septic required
 Shape Irregular
 Flood Info None
 Easements No adverse easements
 Improvements Improved with several vintage buildings, contributed little to no value to sale
 Intended/Current Use Residential/Vacant

Land Size Information

Gross Land Size 10.471 acres or 456,117 SF
 Front Footage Cattle Trail Dr: secondary roadway

Indicators

Sale Price/Gross Acre \$120,571
 Sale Price/Gross SF \$2.77

Legal Description

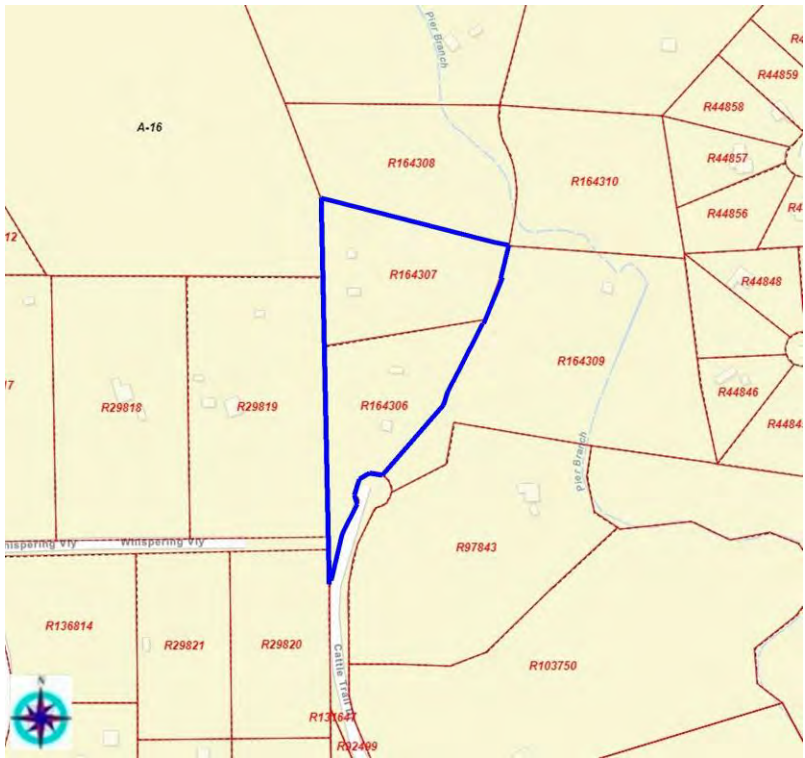
Lots 1C-1, and 1C-2, Final plat of the Dripping Springs Ranch, Phase 2 Subdivision, Hays County, TX

Remarks

The site was improved with several vintage buildings at the time of sale, including an old barn, dovecote and shed. Per the listing agent these improvements contributed little to no value to the sales price. The site has electricity available, private well and septic needed. There are deed restrictions associated with the property stating that the property may only be utilized for residential purposes (Doc #18010411). According to the National Wetlands Inventory, as compiled by the US Fish and Wildlife, none of the property is within the wetlands. None of the site is located within the 100-year floodplain. As of February 2022, the site is improved with the vintage buildings present at the time of sale.

THE SALES COMPARISON APPROACH

LAND SALE NO. 5 (cont.)



THE SALES COMPARISON APPROACH

THE ADJUSTMENT PROCESS

In order to narrow the range of sale prices indicated by the comparable sales, adjustments will be made to the sales for differing characteristics. The adjustment process will begin with a discussion of the property rights.

Property Rights Conveyed - The transaction price of a sale is always based on the real property interest conveyed. In this instance, an adjustment for this attribute is not considered necessary.

Terms of Sale/Financing - The sales gathered for this report reflected cash to seller transactions or those where the financing terms were reported to be at market. Therefore, an adjustment for cash equivalency is not necessary.

Conditions of Sale - The sales reflected properties that **are concluded to be arm's length** transactions. No adjustments for conditions of sale appear to be warranted.

Market Conditions/Time - The sale comparables utilized in the present analysis ranged in date of sale from 02/10/21 to 11/15/21. Considering the sales are recent transactions, a market conditions adjustment is not warranted.

Location - The following table summarizes the location ratings:

LOCATION RATINGS		
Sale	Location	Rating
1	SL of Patti Ln, W of Bonham Ranch Rd (225 Patti Ln), Hays County, TX	Similar/0
2	Terminus of Post Oak Dr, SL of Pin Oak St (823 Post Oak Dr), Hays County, TX	Similar/0
3	EL of Sawyer Ranch Rd, N of Darden Hills Rd (16671 Sawyer Ranch Rd), Hays County, TX	Similar/0
4	Terminus of Fitzhugh Pl, S of Fitzhugh Rd, Hays County, TX	Similar/0
5	Terminus of Cattle Trail Dr, W of Westland Ridge Rd, Hays County, TX	Similar/0
<i>Subject</i>	Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, Texas	X

Based on the general location characteristics of the properties, an adjustment for location does not appear necessary.

Physical Characteristics:

Included in the physical characteristics adjustments are various categories including size of properties, improvements on the property, frontage, entitlements, easements, topography, utilities, flood plain, zoning, etc. The following summarizes those characteristics which require adjustment.

THE SALES COMPARISON APPROACH

Size: The size of the property is ±10.030 acres while the sales range in size from ±10.020 acres to ±15.270 acres. Considering the variations in the properties, an adjustment for size does appear necessary. The sales have been adjusted at 5% per rating.

SIZE RATINGS		
Sale	Size	Rating
1	±8.880 acres	Similar/0
2	±5.037 acres	Superior/1.0
3	±10.020 acres	Similar/0
4	±15.270 acres	Inferior/1.0
5	±10.471 acres	Similar/0
<i>Subject</i>	±10.030 acres	-----

Floodplain /Topography – The subject tract is generally level. 0% of the site is within the floodplain. According to the National Wetlands Inventory compiled by the US Fish and Wildlife Service, the site does not contain wetlands. Sales 1, 2, 3 and 5 have generally level topography and do not contain floodplain or wetlands. As such, no adjustment is necessary. Sale 4 contains ±2% 100-year floodplain (estimated by appraiser), no wetlands, generally level topography and is considered similar. An adjustment is not warranted.

Zoning/restrictions: The subject property is not zoned. All sales have a similar highest and best use and no adjustment is necessary.

Utilities: The subject property has electric and water available, septic required. Sales 1, 4 and 5 have electricity available and well/septic required, are considered inferior and have been adjusted +10%. Sale 2 has electric and water available, septic required and has not been adjusted. Sale 3 has electricity and water available by extension from Darden Hills Rd, septic required, and has been adjusted +5%.

Corner/Frontage: The subject property is located at the Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, Texas. Considering the highest and best use of the subject and sales, an adjustment is not warranted.

Other Characteristics – Additional adjustments are not warranted.

The following adjustment grid illustrates the adjustments applied to the sales.

THE SALES COMPARISON APPROACH

VALUATION GRID		Representative Comparable Sales				
	Subject	Comp No 1	Comp No 2	Comp No 3	Comp No 4	Comp No 5
Grantor		Dovi	Leschber	Brudnicki	Needham and Muse	Cordova
Grantee		Flammang and Khan	Aprile	Bulat	BlizzBuildTex, LLC	Lohec
Date of Sale	2/16/2022 Effective date	11/15/2021	6/24/2021	6/22/2021	3/19/2021	2/10/2021
Relative Location	Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, Texas	SL of Patti Ln, W of Bonham Ranch Rd (225 Patti Ln), Hays County, TX	Terminus of Post Oak Dr, SL of Pin Oak St (823 Post Oak Dr), Hays County, TX	EL of Sawyer Ranch Rd, N of Darden Hills Rd (16671 Sawyer Ranch Rd), Hays County, TX	Terminus of Fitzhugh Pl, S of Fitzhugh Rd, Hays County, TX	Terminus of Cattle Trail Dr, W of Westland Ridge Rd, Hays County, TX
Size (acres)	10.0300	8.8800	5.0370	10.0200	15.2700	10.4710
Unit Price	\$/SF	\$2.46	\$3.08	\$2.92	\$2.26	\$2.77
Property Rights		0%	0%	0%	0%	0%
Adjusted \$SF		\$2.46	\$3.08	\$2.92	\$2.26	\$2.77
Financing		0%	0%	0%	0%	0%
Adjusted \$SF		\$2.46	\$3.08	\$2.92	\$2.26	\$2.77
Conditions of Sale		0%	0%	0%	0%	0%
Adjusted \$SF		\$2.46	\$3.08	\$2.92	\$2.26	\$2.77
Market Conditions/Time		0%	0%	0%	0%	0%
Adjusted \$SF		\$2.46	\$3.08	\$2.92	\$2.26	\$2.77
Location Adjustment		0%	0%	0%	0%	0%
Physical Adjustment						
Size adjustment	436,907 SF	0%	-5%	0%	+5%	0%
Flood/Topo adjustment		0%	0%	0%	0%	0%
Zoning adjustment		0%	0%	0%	0%	0%
Utilities Adjustment		+10%	0%	+5%	+10%	+10%
Corner Adjustment		0%	0%	0%	0%	0%
Other Adjustment		0%	0%	0%	0%	0%
Net Location & Physical Characteristics Adjustment		+10%	-5%	+5%	+15%	+10%
	Indicated Unit Value	\$2.71	\$2.93	\$3.07	\$2.60	\$3.05
Estimated Unit Value						\$3.00
Estimated Total Value						\$1,310,721

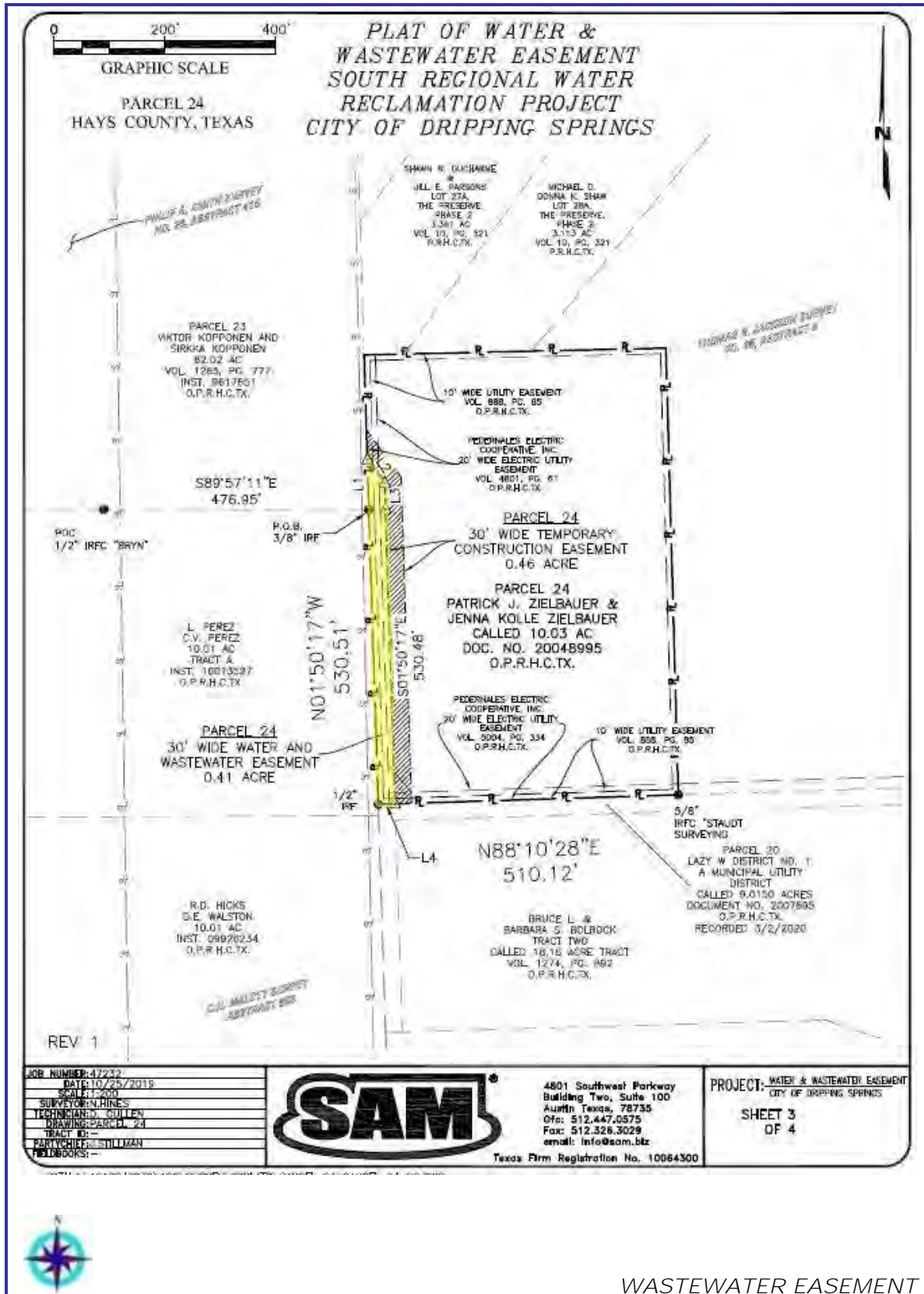
Reconciliation and Value Estimate

In estimating the fee simple value of the subject via this approach, data was analyzed and adjusted, suggesting a value estimate for the subject property between \$2.60/SF and \$3.07/SF. For purposes of this analysis, a reconciled indicated unit estimate of \$3.00/SF has been utilized. Therefore, the following is the estimate of the market value of the fee simple interest in the subject property, as if vacant:

$$\pm 10.030 \text{ acres } (\pm 436,907 \text{ SF}) \times \$3.00/\text{SF} = \$1,310,721$$

*PART TO BE ACQUIRED, REMAINDER BEFORE AND
REMAINDER AFTER*

PART TO BE ACQUIRED, REMAINDER BEFORE AND REMAINDER AFTER



WASTEWATER EASEMENT

PART TO BE ACQUIRED, REMAINDER BEFORE AND REMAINDER AFTER

PROPERTY COMPONENT SUMMARY		
Component	Acres	SF
Whole Property	±10.030 acres	±436,907 SF
Wastewater Easement	±0.410 acres	±17,860 SF
Remainder	±10.030 acres	±436,907 SF
Remainder Unencumbered	±9.620 acres	±419,047 SF
Temporary Construction Easement	±0.460 acres	±20,038 SF

Description of the Wastewater Easement

The proposed wastewater easement contains a total area of ±0.410 acres (±17,860 SF) and is on the western line of the property. The easement is irregular in shape, has a width of ±30 feet and a length of ±583 feet. The proposed easement area is located within **a 50' building setback, partially within a 10' easement for installation and maintenance of utilities and a 20' electric utility easement.** The shapes and sizes are based on the provided description of the easement obtained from the field notes. This size will be utilized in the calculations herein and is considered to be accurate.

According to available information, the wastewater easement will be used in association with the South Regional Water Reclamation Project.

The main improvement is not impacted and has not been included herein. The SFR is ±230 LF from the proposed easement. No site improvements are impacted.

Highest & Best Use Analysis of the Wastewater Easement

In arriving at an opinion of highest and best use, factors that affect the property are generally considered as to their effect on the highest and best use of the site, as vacant.

The physical characteristics of the permanent easement impose limitations on its development potential. Considering the narrow configuration of the acquisition area, it is our opinion that the ultimate highest and best use of the acquisition, as vacant, would be for assemblage as a part of the whole property.

Valuation of the Wastewater Easement

Due to the limited utility of the easement area, data for similar acquisitions could not be obtained. The market for this type of acquisition typically appears to be confined to entities with the right of eminent domain. This finding was not entirely unexpected as the limited use of such a piece of land would preclude its sale as an independent economic entity except in very rare cases.

The easement area is considered to have relatively limited utility; however, the easement acquisition does result in a loss of a portion of the property owner's "bundle of rights". These rights include utilization of the surface, subsurface and air associated with a piece of real property.

In reviewing the proposed wastewater easement, it is estimated that 50% of the total rights are considered to be extinguished by the proposed easement.

As previously indicated, the fee simple market value of the subject has been estimated at \$3.00/SF. The land value in the part to be acquired is based on same unit value as the whole property. As discussed, it is our opinion that 50% of the bundle of rights are impacted by the easement acquisition.

PART TO BE ACQUIRED, REMAINDER BEFORE AND REMAINDER AFTER

As such, the following chart illustrates the compensation for the wastewater easement acquisition.

PART TO BE ACQUIRED							
	Size		\$/SF		Loss of Rights		Total
Wastewater easement	±17,860 SF	X	\$3.00	X	50%	=	\$26,790
Total:							\$26,790

Valuation of the Remainder Before the Acquisition

The value of the remainder before the acquisition is a mathematical calculation whereby the value of the part to be acquired is subtracted from the value of the whole property. The difference between these figures is the indication of the value of the remainder immediately before the acquisition, and this number forms the foundation upon which the determination of damages or enhancements to the remainder can be determined. The value of the subject prior to the acquisition was estimated to be \$1,310,721. The value of the remainder before the acquisition is therefore calculated to be \$1,283,931 (\$1,310,721 - \$26,790).

PART TO BE ACQUIRED, REMAINDER BEFORE AND REMAINDER AFTER

Description of the Remainder After the Acquisition

Comparisons Before and After the Acquisition		
Site	Whole Property	Remainder
Size:	±10.030 acres	±10.030 acres ±9.620 acres (Unencumbered)
Proposed Easement Encumbrance:		Wastewater easement: ±0.410 acres (±17,860 SF) (±4% of whole property)
Highest and Best Use (As Vacant):	Residential.	Residential.
Highest and Best Use (As Improved):	Residential.	Residential.
Utilities:	Electric and water available, septic required.	All utilities available.
Shape:	Rectangular.	Rectangular.
Floodplain:	0%	0%
Frontage:		
Diamond Path:	±20 feet	±20 feet
Access:	Diamond Path	Diamond Path
Access Denial:	None	None
Improvements		
Distance from ROW	SFR (not impacted): ±200 LF from Diamond Path	SFR (not impacted): ±200 LF from Diamond Path

The main improvement is not impacted and has not been included herein. The SFR is ±230 LF from the proposed easement. No site improvements are impacted.

Per the restrictive covenants listed in V.888 P.85 of the Official Public Records of Hays County, Texas the subject property is restricted to residential purposes only. The proposed easement is located on the western property line completely within the 50' building setback, partially within a 10' easement for installation and maintenance of utilities and a 20' electric utility easement and is not considered to impact the developability of the site. The subject remainder land will be of adequate size and shape for development to its highest and best use after the acquisition. This size and shape is considered to be within acceptable comparisons to the development in the area. Per the client (07/2020), the remainder property will be allowed access to organized sewer in the future. As such, the remainder is considered to be enhanced.

A cost to cure is not necessary.

Highest & Best Use of the Remainder After the Acquisition

In arriving at an opinion of highest and best use, factors that affect the property are generally considered as to their effect on the highest and best use of the site, as vacant.

The physical characteristics of the Remainder After impose no significant limitations on its development potential than as before. Considering all of the factors which influence highest and best use, it is our opinion that the highest & best use of the subject site, as vacant, is residential.

PART TO BE ACQUIRED, REMAINDER BEFORE AND REMAINDER AFTER

Highest and Best Use Conclusion of Remainder After, As Improved

As previously noted, the subject is effectively vacant land. The remainder is improved with an SFR. The main improvement is not impacted and not valued herein. As such, the highest and best use, as improved is residential.

Valuation of the Remainder After the Acquisition

The same sales utilized to value the Whole Property have been utilized to value the Remainder After. Please refer to the Sales Comparison Approach for the whole property for additional information regarding each comparable and the adjustments applied. Similar adjustments were utilized. The following charts illustrate the estimated value of the remainder after.

PART TO BE ACQUIRED, REMAINDER BEFORE AND REMAINDER AFTER

VALUATION GRID

Representative Comparable Sales

	Subject	Comp No 1	Comp No 2	Comp No 3	Comp No 4	Comp No 5
Grantor		Dovi	Leschber	Brudnicki	Needham and Muse	Cordova
Grantee		Flammang and Khan	Aprile	Bulat	BlizzBuildTex, LLC	Lohec
Date of Sale	2/16/2022 Effective date	11/15/2021	6/24/2021	6/22/2021	3/19/2021	2/10/2021
Relative Location	Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, Texas	SL of Patti Ln, W of Bonham Ranch Rd (225 Patti Ln), Hays County, TX	Terminus of Post Oak Dr, SL of Pin Oak St (823 Post Oak Dr), Hays County, TX	EL of Sawyer Ranch Rd, N of Darden Hills Rd (16671 Sawyer Ranch Rd), Hays County, TX	Terminus of Fitzhugh Pl, S of Fitzhugh Rd, Hays County, TX	Terminus of Cattle Trail Dr, W of Westland Ridge Rd, Hays County, TX
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Unit Price	\$/SF	\$2.46	\$3.08	\$2.92	\$2.26	\$2.77
Property Rights		0%	0%	0%	0%	0%
Adjusted \$SF		\$2.46	\$3.08	\$2.92	\$2.26	\$2.77
Financing		0%	0%	0%	0%	0%
Adjusted \$SF		\$2.46	\$3.08	\$2.92	\$2.26	\$2.77
Conditions of Sale		0%	0%	0%	0%	0%
Adjusted \$SF		\$2.46	\$3.08	\$2.92	\$2.26	\$2.77
Market Conditions/Time		0%	0%	0%	0%	0%
Adjusted \$SF		\$2.46	\$3.08	\$2.92	\$2.26	\$2.77
Location Adjustment		0%	0%	0%	0%	0%
Physical Adjustment						
Size adjustment	436,907 SF	0%	-5%	0%	+5%	0%
Flood/Topo adjustment		0%	0%	0%	0%	0%
Zoning adjustment		0%	0%	0%	0%	0%
Utilities Adjustment		+20%	+10%	+15%	+20%	+20%
Corner Adjustment		0%	0%	0%	0%	0%
Other Adjustment		0%	0%	0%	0%	0%
Net Location & Physical Characteristics Adjustment		+20%	+5%	+15%	+25%	+20%
	Indicated Unit Value	\$2.95	\$3.23	\$3.36	\$2.83	\$3.32
Estimated Unit Value						\$3.25
Remainder unencumbered			419,047 SF	x \$3.25/SF		\$1,361,903
Remainder water & wastewater easement			17,860 SF	x \$3.25/SF	x 50%	\$29,023
Remainder After Value						\$1,390,926

Please refer to the Sales Comparison Approach (Whole Property Land Value) section for discussion of adjustments. Similar adjustments have been utilized, with the exception of the Utilities adjustment. Per the client (07/2020), the remainder property will be allowed access to organized sewer in the future when the property is developed. As such, the remainder will have all utilities available. Sales 1, 4 and 5 are inferior and adjusted +20%. Sale 2 is inferior and adjusted +10%. Sale 3 is inferior and adjusted +15%. As such, the remainder is considered to be enhanced.

PART TO BE ACQUIRED, REMAINDER BEFORE AND REMAINDER AFTER

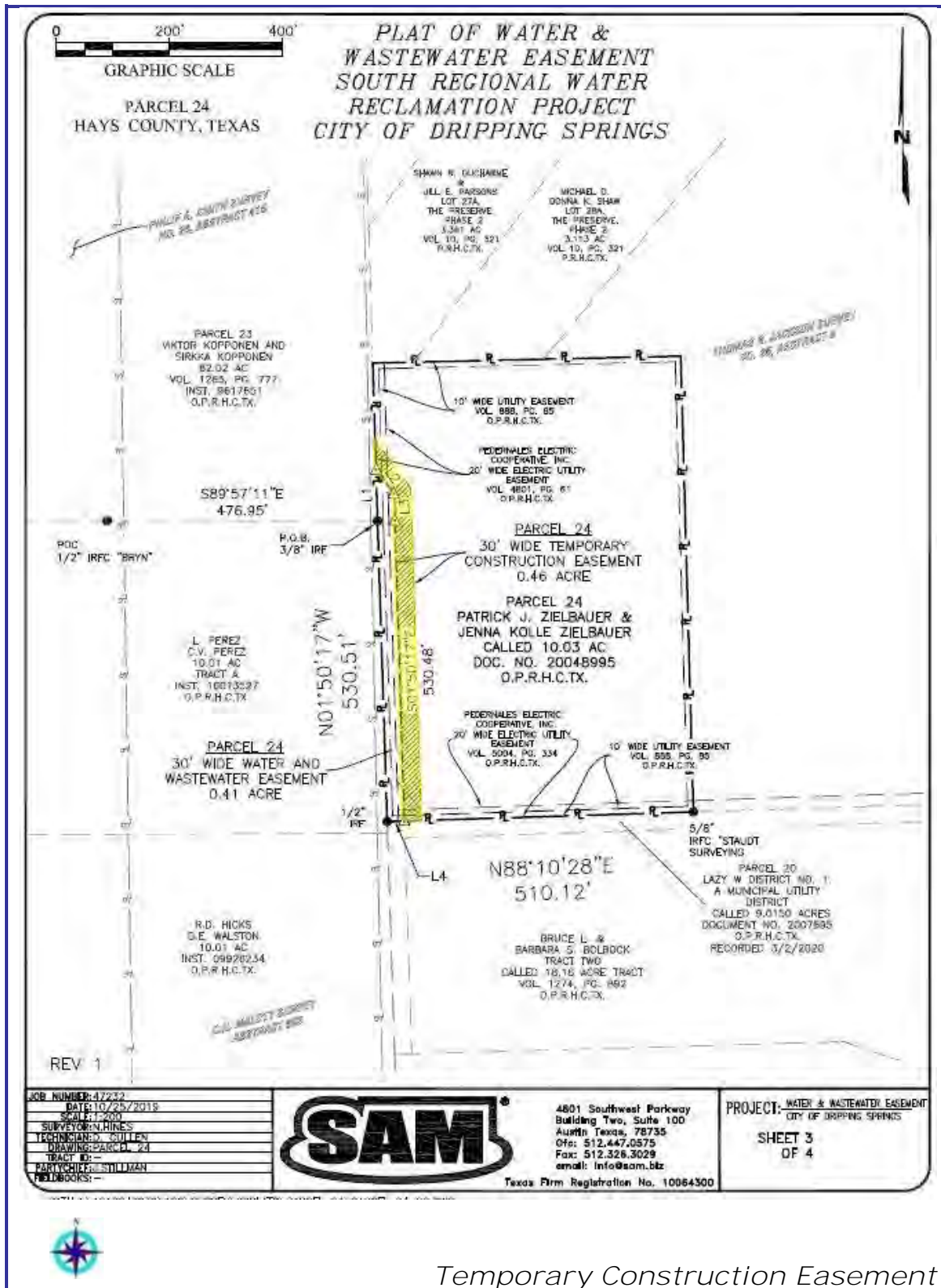
Damages or Enhancements to the Remainder

The final step in the process is to measure if the property has been damaged or enhanced due to the proposed acquisition. The measure of these items is also mathematical, whereby the value estimate of the remainder after the acquisition is subtracted from the value of the remainder before the acquisition, with the net result being either damages or enhancements. In Texas, any damages are added to the recommended compensation estimate as an additional compensable amount. Enhancements can only be netted against damages and not against the part to be acquired. The following calculations indicate that the property has been enhanced by the proposed acquisition.

DAMAGES/ENHANCEMENTS	
Value of the Remainder Before the Acquisition	\$1,283,931
Value of the Remainder After the Acquisition	\$1,390,926
Net Damages/Enhancements	(\$106,995)

*TEMPORARY EASEMENTS AND
SPECIAL COMPENSATION/COST TO CURE*

TEMPORARY EASEMENTS AND SPECIAL COMPENSATION/COST TO CURE



Temporary Construction Easement

TEMPORARY EASEMENTS AND SPECIAL COMPENSATION/COST TO CURE

Description of the Temporary Construction Easement

The proposed temporary construction easement is located along the north and east lines of the proposed wastewater easement. The temporary construction easement contains a total of ±0.460 acres (±20,038 SF). It is irregular in shape, has a width of ±30 feet and a length of ±583 feet.

This shape and size is based on surveys provided by the client. This size will be utilized in the calculations herein and is considered to be accurate. According to the client, the duration of the temporary construction easement will not exceed 24 months.

Highest & Best Use Analysis of the Temporary Construction Easement

In arriving at an opinion of highest and best use, factors that affect the property are generally considered as to their effect on the highest and best use of the site, as vacant.

The physical characteristics of the temporary construction easement impose limitations on its development potential. Considering the narrow and irregular configuration of the temporary construction easement it is our opinion that the ultimate highest and best use of the temporary construction easement would be for assemblage as a part of the whole property.

Valuation of the Temporary Construction Easement

The fee simple market value of the subject whole property has been estimated at \$3.00/SF. This unit value indication will form the basis of the estimated recommended compensation for the temporary construction easement. As previously discussed, the temporary construction easement will remain in place 24 months. A review of Realty Rates Investor Survey 4th Quarter 2020 for Land Leases revealed a range of rates from 1.81% to 15.97%.

RealtyRates.com INVESTOR SURVEY - 4th Quarter 2021*						
LAND LEASES						
Property Type	Capitalization Rates			Discount Rates		
	Min.	Max.	Avg.	Min.	Max.	Avg.
Apartments	2.01%	9.31%	5.80%	4.61%	9.81%	6.80%
Golf	2.03%	14.63%	8.28%	4.63%	15.13%	9.28%
Health Care/Senior Housing	2.05%	9.86%	6.41%	4.65%	10.36%	7.41%
Industrial	2.05%	9.19%	6.15%	4.65%	9.69%	7.15%
Lodging	2.06%	13.86%	6.70%	4.66%	14.36%	7.70%
Mobile Home/RV Park	1.81%	11.73%	6.97%	4.41%	12.23%	7.97%
Office	2.06%	9.06%	5.86%	4.66%	9.56%	6.86%
Restaurant	2.96%	14.29%	7.84%	5.56%	14.79%	8.84%
Retail	2.06%	10.26%	6.33%	4.66%	10.76%	7.33%
Self-Storage	2.07%	9.46%	7.23%	4.67%	9.96%	8.23%
Special Purpose	2.76%	15.97%	8.26%	5.90%	17.39%	8.59%
All Properties	1.81%	15.97%	6.89%	4.41%	15.13%	7.76%

*3rd Quarter 2021 Data

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Given the depth and width of the temporary construction easement, a lease rate at the upper end of the range is considered reasonable (12.0%/year or 1%/month). Therefore, the following calculations detail the compensation estimate for the temporary construction easement.

TEMPORARY EASEMENTS AND SPECIAL COMPENSATION/COST TO CURE

VALUATION OF TEMPORARY CONSTRUCTION EASEMENT							
	Easement size		Pro rata \$/SF		% Rent		Compensation
Temporary Construction Easement	±20,038 SF	x	\$3.00	x	24%	=	\$14,427
Total:							\$14,427

Special Compensation/Cost to Cure

A cost to cure is not necessary.

RECONCILIATIONS & QUALIFICATIONS

RECONCILIATION & QUALIFICATIONS

In the valuation analysis of the subject property, the Cost, Sales Comparison and Income Capitalization Approaches to value were considered. Please refer to the Scope of Work and the Appraisal Process for discussions regarding the valuation approaches.

In addition, an estimate of the recommended compensation for a wastewater easement and temporary construction easement has been provided.

The following Table summarizes the values estimated in this appraisal as well as the total recommended compensation estimate:

RECOMMENDED COMPENSATION SUMMARY		
Whole Property (Land and impacted site improvements - if any)	\$1,310,721	
Wastewater Easement (±0.410 acres)		\$26,790
Remainder Before the Acquisition	\$1,283,931	
Remainder After the Acquisition	\$1,390,926	
Damages/(Enhancements)		(\$106,995)
Temporary Construction Easement (±0.460 acres)		\$14,427
Special Compensation/Cost to Cure		\$0
Total Recommended Compensation		\$41,217

Please note: These value conclusions are specifically limited by the *Assumptions and Limiting Conditions*, with emphasis on the *Extraordinary Assumptions*.

ASSUMPTIONS & LIMITING CONDITIONS

This appraisal report is subject to underlying assumptions and limiting conditions qualifying the information contained in the report as follows:

The valuation estimate applies only to the property specifically identified and described in the ensuing report.

Information and data contained in the report, although obtained from public record and other reliable sources and, where possible, carefully checked, is accepted as satisfactory evidence upon which rests the final expression of property value.

No legal survey has been commissioned by the appraisers; therefore, reference to a sketch, plat, diagram, or survey appearing in the report is only for the purpose of assisting the reader to visualize the property.

It is assumed that all information known to the client and relative to the valuation has been accurately furnished and that there are no undisclosed leases, agreements, liens, or other encumbrances affecting the use of the property.

Ownership and management are assumed to be competent and in responsible hands.

No responsibility beyond reason is assumed for matters of a legal nature, whether existing or pending.

Information identified as being furnished or prepared by others is believed to be reliable, but no responsibility for its accuracy is assumed.

Any appraiser, by reason of this appraisal, shall not be required to give testimony as an Expert Witness in any legal hearing or before any court of law unless justly and fairly compensated for such services.

By reason of the purpose of this appraisal and function of the report herein set forth, the value reported is only applicable to the property rights appraised and the appraisal report should not be used for any other purpose.

Information regarding toxic wastes or hazardous materials which might affect the subject property, has not been proved; thus, the existence of toxic waste which may or may not be present in the property, has not been considered. Soil or drainage tests have not been performed, nor have soil or drainage test results been provided. Therefore, it is assumed that there are no subsoil or drainage conditions which would adversely affect the subject or their final valuation. This report assumes no soil contamination exists within or on the subject site. The valuation is subject to modification if any such potentially hazardous materials were detected by a qualified expert in these areas. The appraisers reserve the right to modify this valuation if so warranted.

One (or more) of the signatories of this appraisal report is a member (or candidate) of the Appraisal Institute. The Bylaws and Regulations of the Institute require each member and candidate to control the use and distribution of each appraisal report signed by such member or candidate. Neither all nor any part of this appraisal report shall be disseminated to the general public by the use of advertising media, public relations media, news media, sales media or other media for public communication without the prior written consent of the signatories of this appraisal report.

ASSUMPTIONS & LIMITING CONDITIONS

No endangered species and endangered species natural habitats were evident upon site inspection. This report assumes that the subject is not encumbered by any environmental factors which would affect value. Typically, real estate appraisers are not qualified nor are they experts in detecting hazardous materials, radiological materials, archeological resources, etc., therefore, an expert in these fields should be consulted for opinions on these matters.

This appraisal report is based on the condition of local and national economies, purchasing power of money, and finance rates prevailing at the effective date of value.

EXTRAORDINARY ASSUMPTIONS

There are no extraordinary assumptions.

QUALIFICATIONS OF LORY R. JOHNSON, MAI, SR/WA

ASSOCIATIONS/STATE CERTIFICATIONS

Texas Certified General Real Estate Appraiser #TX-1321640-G
 MAI Designation- Appraisal Institute, #81057
 Appraisal Institute – Austin - President 2002, Director/Officer 1999-2006
 Appraisal Institute – Austin - Chair of the Education Committee
 Appraisal Institute - Reg VIII Rep/Nom Committee, Reg Ethics & Counseling Panel
 Appraisal Institute - General Demonstration Reports Subcommittee
 Appraisal Institute – Candidate Advisor for Designation 2019
 International Right of Way Association (IRWA) SR/WA Member
 IRWA – Austin – President 2010, Director/Officer 2006-2011
 IRWA – Austin – Newsletter Chair/Valuation Chair
 IRWA – Austin – Professional of the Year 2006
 IRWA – Austin – Atrium Real Estate Services – Employer of the Year 2010
 Austin Board of Realtors Designated Member
 Texas Real Estate Broker's License #354928
 Texas Department of Transportation Pre-Certified Appraiser
 Texas Department of Transportation PREAS Appraiser

EDUCATION

Texas A&M University, 1986 - Bachelor of Science Degree
 Agricultural Economics with an emphasis in Finance and Real Estate

Appraisal Institute professional courses as well as a variety of real estate appraisal related and project management continuing education courses and seminars. Graduate courses in Masters of Business Administration, St. Edwards University.

PROFESSIONAL BACKGROUND

October 1991 to present: President/CEO of Atrium Real Estate Services, a full service commercial and residential real estate appraisal and consulting company.
 Nov 1986 to August 1991: Appraiser w/commercial appraisal firms in Austin area.

Atrium Real Estate Services (a woman owned company) was founded in 1991 by Lory R. Johnson, MAI, SR/WA. Our 30th year is 2021! Atrium features a team of 15 appraisers/trainees and administrative staff to deliver complex transportation and utility infrastructure appraisals and reviews on multi-parcel projects.

Appraisal background includes consulting, analysis/valuation and expert testimony of various properties for eminent domain purposes including single and multi-parcel right of way transportation expansion and multi-parcel easement acquisition projects (conservation, temporary construction, ingress/egress, utility, subsurface, drainage, inundation, etc.). Background also includes valuing special purpose and properties associated with federal flood buy-out programs on multi-parcel projects.

Lory R. Johnson, MAI, SR/WA testifies in condemnation proceedings and is qualified as a real estate expert in the State of Texas.

In 2020, Atrium diversified into a complete right of way acquisition company including project management of large scale transportation projects.

ADDENDA



SAM, LLC

4801 Southwest Parkway, Bldg. Two, Suite 100, Austin, TX 78735

Ofc 512.447.0575 Fax 512.326.3029

info@sam.biz www.sam.biz TBPLS # 10064300

Item 19.

EXHIBIT "A"

**Parcel 24
Legal Description
City of Dripping Springs
South Regional Water Reclamation Project
30 Foot Wide Wastewater Easement
0.41 Acre (17,860 Square Foot)**

PARCEL 24:

BEING A 0.41 ACRE, 30 FOOT WIDE WASTEWATER EASEMENT, SITUATED IN THE BENJAMIN F. MIMS SURVEY NO. 8, ABSTRACT NO. 13, HAYS COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 10.03 ACRE TRACT, DESCRIBED IN A DEED TO PATRICK J. ZIELBAUER AND JENNA KOLLE ZIELBAUER AND RECORDED IN DOCUMENT NO. 20048995, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS (O.P.R.H.C.TX.), SAID 0.41 ACRE 30 FOOT WIDE WASTEWATER EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch iron rod with a cap stamped "BRYN" found on the north line of a Tract A a called 10.01 acre tract, described in a deed to L. Perez, C.V. Perez, recorded in Instrument No. 16013527, O.P.R.H.C.TX., same bing at the south line of a called 82.02 acre tract, described in a deed to Viktor Kopponen and Sirkka Kopponen, recorded in Volume 1265, Page 777, Instrument No. 9617651, O.P.R.H.C.TX.,

THENCE S 89°57'11" E, with the common line of said Tract A and 82.02 acre tract a distance of 476.95 feet, to a 3/8-inch iron rod found on the west line of said 10.03 acre tract and at the southeast corner of said 82.02 acre tractand the northeast corner of said Tract A, for the **POINT OF BEGINNING** of this 30 foot wide Wastewater easement;

THENCE N 01°43'07" W, with the common line of said 10.03 acre tract and 82.02 acre tract a distance of 90.50 feet, to a calculated point on the common line of said 10.03 acre tract and 82.02 acre tract for an angle point of this 30 foot wide Wastewater easement;

THENCE over and across said 10.03 acre tract, the following three (3) courses and distances:

- 1) S 36°21'21" E, a distance of 52.78 feet, to a calculated point for an angle point of this 30 foot wide Wastewater easement,
- 2) S 01°43'07" E, a distance of 47.04 feet, to a calculated point for an angle point of this 30 foot wide Wastewater easement,
- 3) S 01°50'17" E, a distance of 530.48 feet, to a calculated point on the south line of said 10.03 acre tract, same being the north line of a called 9.0150 acre tract, described in a deed to LAZY W DISTRICT NO. 1. a Municipal Utility District described in Document No. 2007895, O.P.R.H.C.TX., for an angle corner of this 30 foot wide Wastewater easement. From which a 5/8-inch iron rod with a cap stamped "STAUDT SURVEYING" found at the southeast corner of said 10.03 acre tract, and on the north line of said LAZY W tract bears N 88°20'31" E, a distance 510.12 feet;



THENCE S 88°10'28" W, with the common line of said 10.03 acre tract and said LAZY W tract, a distance of 30.00 feet, to a 1/2-inch iron rod found at the southwest corner of said 10.03 acre tract, and the northwest corner of said LAZY W tract, on the east line of said Tract A, for an angle point of this 30 foot wide Wastewater easement;

THENCE N 01°50'17" W, with the common line of said 10.03 acre tract and said Tract A, a distance of 530.51 feet to the **POINT OF BEGINNING** and containing 0.41 acres, more or less.

The bearings shown hereon are based on the Texas Coordinate System, South Central Zone, NAD 83/2011. All distances shown are surface in U.S. Survey Feet and may be converted to grid by multiplying the distance by a combined scale factor of 0.999870.

Neil Hines



Neil Hines
Registered Professional Land Surveyor
Texas Registration Number 5642

Date: *19 January 2022*



Sent via mail: January 25, 2022
Sent via email: February 15, 2022

Patrick L. Reznik
preznik@braungresham.com
Braun & Gresham, PLLC
P.O. Box 1148
Dripping Springs, TX 78620

RE: Appraisal of a proposed acquisition on the property located at 520 Diamond Path for the City of Dripping Springs South Regional Water Reclamation Project in Hays County

Parcel: 24
Property Owner: Patrick and Jenna Zielbauer

Dear Mr. Reznik:

HDR Engineering, Inc. has retained Atrium Real Estate Services as an independent appraiser for the above referenced project.

It is our policy to provide the owner or designated representative an opportunity to accompany the appraiser at the time of the inspection. We would like to extend to you or your designated representative the opportunity to accompany us on the inspection and to disclose any information about the property you find pertinent.

If applicable to your property, the following items would be helpful:

- Information regarding previous sale of the subject and/or current listing, contracts pending
- Surveys and/or site plans of the property
- Information regarding the general use of the property
- Information on any improvements on the property and improvements, if any, located in the proposed acquisition
- Any unique or special features about the property that should be considered

Should you have any questions, require further clarification, or wish to provide information and/or accompany us on the property inspection, please feel free to contact Lory R. Johnson, MAI, SR/WA by telephone (512) 453-7407 or by e-mail: ljohnson@atriumrealestate.com at your earliest convenience.

Respectfully submitted,

Atrium Real Estate Services

A handwritten signature in blue ink that reads 'Lory R. Johnson'.

Lory R. Johnson, MAI, SR/WA
President
Texas Certified Appraiser #TX-1321640-G

Atrium Reference #: GOV-22-08-01.HDR

CITY OF DRIPPING SPRINGS

APPRAISAL REVIEW MEMORANDUM

Parcel : 24

Location: Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, Texas

Taking Type: Partial Acquisition

Property Owner: Patrick J. Zielbauer and Jenna Kolle Zielbauer

Type of Property: Vacant Land

Appraised by: Lory R. Johnson

Effective Date of Appraisal: February 16, 2022

Whole Property Values

Land Value	Site Improvements	Main Improvements	Sign Value (OAS)	Total Value
\$1,310,721	\$0.00	\$0.00	\$0.00	\$1,310,721

Acquisition Values

Land

Acquisition Interest	Land Area	Unit Value	Total Value	Total Acquisition Land Value
Water and Wastewater Easement	0.41 ac (17,860 sf)	\$3.00/sf	\$26,790	*\$26,790

* The fee simple base unit cost is \$3.00/sf. The permanent easement was valued at 50% of the fee simple value since not all of the interests are being acquired.

Improvements in Acquisition

Item No.	Improvement Type	Description	Improvement Value
N/A			
		Total	

Remainder Before Value: \$1,283,931 (\$1,310,721 - \$26,790)

Remainder After Value: \$1,390,926

Damages/Enhancement: (\$106,995)

APPRAISAL REVIEW MEMORANDUM (Con't)

Parcel: 24

Owner: Patrick J. & Jenna Kolle Zielbauer

Location: Terminus of Diamond Path
(private road), W of Cross Creek Dr
(520 Diamond Path), Hays County, TX

Comments and Conclusions:

Date of Review:	February 21, 2022
Purpose of the Review:	This appraisal report is reviewed for compliance with the rules and regulations of the City of Dripping Springs and the Uniform Standards of Professional Practice. The report was also reviewed for accuracy, reasonableness and correctness.
Client:	City of Dripping Springs
Intended User(s):	HDR Engineering, Inc. and the City of Dripping Springs
Intended Use:	For assistance in the partial acquisition of property.
Scope of the Review:	The subject property and comparable sales used in this report were inspected by the undersigned from the roadway, with all sales verified through public records although the sales prices of each comparable was not confirmed and any additional sales were not researched. I have read the report in its entirety with comments being provided to the appraiser. All calculations were checked for accuracy. The methodology was analyzed for compliance with acceptable standards. Compensable items were reviewed for compliance with the laws of the State of Texas regarding Eminent Domain acquisitions.
Hypothetical Conditions:	None associated with this review.
Extraordinary Assumptions:	None associated with this review.
Disclosure of Past Services:	Richard L. McGee has completed a review of an appraisal report prepared on the subject property within the last three years.
Legal Description:	Land in the Benjamin F. Mims, Survey No. 8, A-13, Hays County, Texas

Whole Property Summary: This review assignment is of an appraisal report prepared by Lory R. Johnson as of February 16, 2022 with a report date of February 21, 2022. The subject property is a tract of land consisting of 10.03 acres (436,907 sf) and improved with a single family residence. The appraiser determined that there were no improvements impacted by the acquisition and therefore all improvements were excluded from the valuation. The highest and best use of the whole property, as vacant, was considered to be residential. The property is located Terminus of Diamond Path (private road), W of Cross Creek Dr (520 Diamond Path), Hays County, Texas, just south of the town of Dripping Springs. The site has approximately 20-feet of frontage along Diamond Path Road. The site is rectangular in shape with a generally level topography. The sales comparison approach was used to estimate the market value of the whole property. The cost approach, sales comparison approach (as improved) and the income approach to value were not considered to be applicable for the valuation of the whole property since this is considered to be a vacant land appraisal. The appraiser used a total of five comparable sales to estimate the land value of the whole property. Sale dates of the five comparables ranged from February, 2021 to November, 2021. The appraiser did not apply a market condition adjustment to any of the sales. The appraiser appropriately adjusted for such items as location, size, flood/topography and utilities. The adjusted unit values of the ranged from a low of \$2.60 per square foot to a high of \$3.07 per square foot. The appraiser reconciled to a unit value is \$3.00 per square foot. Therefore, the total value of the whole property is **\$1,310,721** (\$3.00/sf x 436,907 sf).

APPRAISAL REVIEW MEMORANDUM (Cont.)

Parcel: 24

Owner: Patrick J. & Jenna Kolle Zielbauer

Location: Terminus of Diamond Path
(private road), W of Cross Creek Dr
(520 Diamond Path), Hays County, TX

Comments and Conclusions (Con't)

Part Acquired: The acquisition consists of a permanent water and wastewater easement that totals 0.41acs (17,860 sf) and a temporary construction easement 0.46 acs (20,038 sf) in size. The appraiser determined that the permanent easement has a value of 50% of the fee simple rights. The value of the permanent easements are therefore as follows:

$$17,860 \text{ sf} \quad \times \quad \$3.00/\text{sf} \times 50\% \quad = \quad \$26,790$$

The temporary easement was valued as a land lease. The appraiser estimated a rate of return of 12% per year with a two-year construction period. Therefore, the value of the temporary easement area is as follows:

$$20,038 \text{ sf} \quad \times \quad \$3.00/\text{sf} \times 12\% \times 2 \text{ yrs} \quad = \quad \underline{\$14,427}$$

Total Compensation **\$41,217**

Remainder Valuation: The appraiser determined that with the addition of water and sewer services on the property resulting from the project, there was an enhancement to the remainder of the subject property. The value of the remainder was estimated to be \$1,390,926. The enhancement does not affect the acquisition amount and does not have an effect on the estimate of compensation.

Compensation: Total compensation is the value as indicated in the part acquired being the water and wastewater easement and one temporary construction easement and equals **\$41,217**.

Based on my review of the above mentioned report, the appraisal report appears reasonable and acceptance is recommended.

APPRAISAL REVIEW MEMORANDUM (Cont.)

Parcel: 24

Owner: Patrick J. & Jenna Kolle Zielbauer

Location: Terminus of Diamond Path
(private road), W of Cross Creek Dr
(520 Diamond Path), Hays County, TX

Reviewing Appraisers' Statements

Reviewing Appraiser's Statement

It is my opinion that the appraiser's report for this parcel appears adequately supported and in compliance with all appropriate appraisal standards, laws, and regulations, and I recommend this appraisal for use by the appropriate Agency Official and his/her assigns. I have no direct or indirect present or contemplated future personal interest in such property or in any benefit from the acquisition of the parcel. To the best of my knowledge, the value does not include any items that are not compensable under State law.

Reviewing Appraiser

Date

Richard McGee TX-1320854-G

Contract Reviewing Appraiser (if applicable)

February 21, 2022

Date

X. Approval of Values

County/City Representative

Date

ROW Staff Representative

Date

Appraisal Review Certification

I certify, to the best of my knowledge and belief:

- the facts and data reported by the reviewer and used in the review process are true and correct;
- the analyses, opinions and conclusions in this review report are limited only by the assumptions and limiting conditions stated in this review report and are my personal, impartial and unbiased professional analyses, opinions and conclusions;
- I have no present or prospective interest in the property, that is the subject of this report and no personal interest with respect to the parties involved;
- I have no bias with respect to the property, that is the subject of this report or to the parties involved with this assignment;
- my engagement in this assignment was not contingent upon developing or reporting predetermined results;
- my compensation is not contingent on an action or event resulting from the analyses, opinions or conclusions in this review or from its use;
- The reported analysis, opinions and conclusions were developed, and this review report has been prepared, in conformity with the requirements of the Uniform Standards of Professional Appraisal Practice, the Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA) the appraisal guidelines detailed in the Uniform Act (49 CFR 24.103);
- as of the date of this review, Richard L. McGee, has met the continuing education requirements of the Texas Appraiser Licensing and Certification Board (License #TX-1320854-G).
- I have made a personal inspection of the subject property and the comparables, which are described in the appraisal report under review;
- No one provided significant appraisal review assistance to me during the review process;
- I have provided appraisal related services on this property within the last three years.

HDR Engineering, Inc.

Richard McGee

**Richard L. McGee, SR/WA, R/W-AC
Texas Certified General Appraiser
TX-1320854-G**

ASSUMPTIONS AND LIMITING CONDITIONS

This appraisal review report has been made with the following general assumptions and limiting conditions.

No responsibility is assumed for the legal description or for matters including legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.

The property is appraised free and clear of any or all liens or encumbrances unless otherwise stated.

Responsible ownership and competent property management are assumed.

Information, estimates, and opinions furnished to the appraiser or reviewer, and contained in the report were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy of such items furnished to the appraiser can be assumed by the reviewer.

All engineering is assumed to be correct. The illustrative material in this report is included only to assist the reader in visualizing the property.

It is assumed that there are no hidden or unapparent conditions of property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.

It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined, and considered in the appraisal report.

It is assumed that all applicable zoning, deed restrictions, and use regulations and restrictions have been complied with, unless nonconformity has been stated, defined, and considered in the appraisal report.

It is assumed that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the opinion of value contained in this report is based.

It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in the report.

The appraisal reviewer assumes no responsibility for economic or physical factors occurring after the effective date stated in the appraisal review report which may affect the opinions herein stated.

In the valuation of agricultural property, no consideration has been given in the appraisal to the value, if any, attributable to growing crops on any portion of the property appraised unless stated in the report.

The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.

Possession of this report, or a copy thereof, does not carry with it the right of publication. This appraisal review is intended solely for the internal use of HDR Engineering, Inc. and the City of Dripping Springs.

ASSUMPTIONS AND LIMITING CONDITIONS (con't)

The appraisal reviewer herein by reason of this appraisal review is not required to give further consultation, testimony, or be in attendance in court with reference to the property in question unless arrangements have been previously made.

Neither all nor any part of the contents of this appraisal review report (especially any conclusions as to value or the identity of the appraisal reviewer) shall be disseminated to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of the review appraiser.

In this appraisal review assignment, the existence of potentially hazardous material used in the construction or maintenance of the building, such as the presence of urea formaldehyde foam insulation, and/or existence of toxic waste, chemicals, materials, or any other hazardous materials, which may or may not be present on the property, has not been considered. The reviewer is not qualified to detect such substances. I urge the client to retain an expert in this field if desired.

Underground fuel tanks could be a liability. The typical life expectancy of an underground tank is 15 to 20 years. Soil contamination could occur if the tanks leak and would be costly to clean up. Without a detailed physical inspection of underground fuel tanks and surrounding soil, it is impossible to estimate potential clean up costs. Therefore, this analysis does not cover such contingencies, if applicable.

The Americans with Disabilities Act ("ADA") became effective January 26, 1992, I have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect upon the value of the property. Since I have no direct evidence relating to this issue, I did not consider possible non-compliance with the requirements of ADA in the appraisal review or in developing an opinion of value for the property, if applicable.

The Appraisal Review Report constitutes a limited assignment and should not be construed as an appraisal of the subject property.

Unless otherwise stated, the analysis, opinions and conclusions in this Appraisal Review Report are based solely on the data, analysis and conclusions contained in the appraisal report under review. It is assumed that these data are representative of existing market conditions.

All analysis, opinions and conclusions expressed by the Review Appraiser are limited by the scope of the review process as identified under the section "Scope of the Review".



Richard L. McGee, SR/WA, R/W-AC Real Estate Appraiser

Education

Bachelor of Science Degree in Forestry with emphasis in Forest Management, Stephen F. Austin State University, 1980

Professional Registrations

State Certified General Real Estate Appraiser,
Texas, No. 1320854-G
South Dakota, No. 1434CG
Illinois, No. 553.002850
Indiana, No.
Michigan, No. 1205076985
Idaho, No. CGA-5542
Wyoming, No. AP-2063
Washington State, No. 210
Texas Broker License, No. 0362914
New Mexico Broker License, No. 19189
Member, IRWA (Appraisal Certification)
IRWA Appraisal Certification, R/W-AC
IRWA-Senior Right of Way Agent, SR/WA

HDR Tenure

Nine Years +

Industry Tenure

31 Years (Appraisal)
16 Years (Right of Way)

Professional Experience

Richard has over 30 years experience in the appraisal of real estate including appraising for ad-valorem tax purposes, mortgage loan purposes and for the acquirement of right of way. The last ten years the main concentration of his experience has been in the appraisal of various right of way projects. Began his career in 1981 with the Gregg County Appraisal District and was Assistant Director of Real Estate Valuations. Established timber productivity values in various counties in Northeast Texas for ad-valorem tax purposes. Formed Richard McGee & Associates, Inc. in 1989 with majority of work being in real estate appraising and property tax consulting. Expert witness in District Courts of Gregg, Harrison, Smith, Rush and Harrison Counties. Smith and Gregg Counties Special Commissioners Court and Federal Bankruptcy Court. Condemnation appraisals for various oil and gas companies as well as law firms.

Major Project Appraisal/Appraisal Review Experience

Texas Department of Transportation

F.M. 349, Whitehouse, Texas, State Highway 135, Gregg County, Texas; Highway 69 between Lindale and Mineola, Texas; U.S. Highway 79, Palestine, Texas; State Highway 155, Big Sandy, Texas; U.S. 59, Marion County, Texas; Loop 49 Tollway, Tyler, Texas; Bridge Project Cedar Creek Lake, Kaufman County, Texas; Loop 281, Longview, Texas; F.M. 1798, Rusk County, Texas.

Appraisal Reviews

F.M. 1637 (China Springs) project
Trial reviews on SH-130 Tollway, NTE 35W North, Section 3A.
Loop 82-San Marcos
BHW Loop 375-El Paso
SH 183 Midtown Expressway
RM 12 Hays County
FM 2234 Fort Bend Parkway

Cost Estimates for TxDOT Projects

Interstate 35E Project, Dallas/Denton Counties
Loop 375 Border West Expressway Project, El Paso, Texas
SH 183 Midtown Expressway Project, Dallas/Tarrant Counties

Other Projects

Wood County, Texas

F.M. 546 (Appraisals)

Gregg County, Texas

F.M. 349, Estes Parkway and Eastman Road, Longview, Texas (Appraisals)

City of Longview

George Richey Road and Spring Hill Park Project. (Appraisals)

Gulf Crossing Pipeline

Appraisals for the acquisition of easements thru Titus and Cass Counties (Appraisals)

City of New Braunfels

Appraisal Reviews for City of New Braunfels

City of Austin

City of Austin-Onion Creek Floodplain Buyout Program (Review)
Waiver Valuations for Capital Metro

Relevant Seminars and Courses

Uniform Appraisal Standards for Federal Land Acquisitions, 2021
TxDOT, Short Course for ROW Professionals, College Station, Tx, 2019
CLE Eminent Domain Conference, 2008, 2016
Region 2 Conference, College Station Texas, July, 2008 , 2013
The Appraisal of Partial Acquisitions, March, 2009
Easement Valuation, September, 2010
Natural Gas: America's Transportation Future (Appraisal Institute, IRWA, 2011)
Principles of Real Estate Negotiations, (IRWA, 2011)
Principles of Real Estate Engineering, (IRWA, 2012)
Alternative Dispute Resolution, (IRWA, 2013)
Legal Aspects of Easements, (IRWA, 2014)
Business Relocation, (IRWA, 2014)
The Uniform Act Executive Summary, (IRWA, 2016)
Principles of Real Estate Negotiation, (IRWA, 2016)
Environmental Awareness, (IRWA, 2016)
The Environmental Process, (IRWA, 2016)

Richard L. McGee is current on all Continuing Education Requirements of the States of Texas, South Dakota, New Mexico, Illinois, Wyoming, Idaho and the International Right of Way Association.



**Certified General
Real Estate Appraiser**

Appraiser: **Richard Lacy McGee**
License #: **TX 1320854 G** License Expires: **05/31/2023**

Having provided satisfactory evidence of the qualifications required by the Texas Appraiser Licensing and Certification Act, Occupations Code, Chapter 1103, authorization is granted to use this title:
Certified General Real Estate Appraiser

For additional information or to file a complaint please contact TALCB at www.talcb.texas.gov.



**Chelsea Buchholtz
Commissioner**





SAM, LLC

4801 Southwest Parkway, Bldg. Two, Suite 100, Austin, TX 78735

Ofc 512.447.0575 Fax 512.326.3029

info@sam.biz www.sam.biz TBPLS # 10064300

Item 19.

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- 1) S 36°21'21" E, a distance of 52.78 feet, to a calculated point for an angle point of this 30 foot wide Wastewater easement,
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Neil Hines



Neil Hines
Registered Professional Land Surveyor
Texas Registration Number 5642

Date: *19 January 2022*



PLAT OF WASTEWATER EASEMENT SOUTH REGIONAL WATER RECLAMATION PROJECT CITY OF DRIPPING SPRINGS

PARCEL 24
HAYS COUNTY, TEXAS

*PHILIP A. SMITH
SURVEY NO. 26,
ABSTRACT 415*

SHAWN R. DUCHARME
&
JILL E. PARSONS
LOT 27A,
THE PRESERVE,
PHASE 2
3.361 AC
VOL. 10, PG. 321
P.R.H.C.TX.

MICHAEL D.
DONNA K. SHAW
LOT 28A,
THE PRESERVE,
PHASE 2
3.113 AC
VOL. 10, PG. 321
P.R.H.C.TX.

PARCEL 23
VIKTOR KOPPONEN AND
SIRKKA KOPPONEN
82.02 AC
VOL. 1265, PG. 777
INST. 9617651
O.P.R.H.C.TX.

*BENJAMIN F. MIMS
SURVEY NO. 2, ABSTRACT 13*

S89°57'11"E
476.95'

POC
1/2" IRFC "BRYN"

P.O.B.
3/8" IRF

PARCEL 24
30' WIDE TEMPORARY
CONSTRUCTION EASEMENT
0.46 ACRE

PARCEL 24
PATRICK J. ZIELBAUER &
JENNA KOLLE ZIELBAUER
CALLED 10.03 AC
DOC. NO. 20048995
O.P.R.H.C.TX.

L. PEREZ
C.V. PEREZ
10.01 AC
TRACT A
INST. 16013527
O.P.R.H.C.TX.

N01°50'17"W
530.51'
S01°50'17"E
530.48'

PARCEL 24
30' WIDE WASTEWATER
EASEMENT
0.41 ACRE

PEDERNALES ELECTRIC
COOPERATIVE, INC.
20' WIDE ELECTRIC UTILITY
EASEMENT
VOL. 5004, PG. 334
O.P.R.H.C.TX.

10' WIDE UTILITY EASEMENT
VOL. 888, PG. 85
O.P.R.H.C.TX.

1/2" IRF

5/8" IRFC "STAUDT
SURVEYING

N88°10'28"E
510.12'

PARCEL 20
LAZY W DISTRICT NO. 1.
A MUNICIPAL UTILITY
DISTRICT
CALLED 9.0150 ACRES
DOCUMENT NO. 2007895
O.P.R.H.C.TX.
RECORDED 3/2/2020

R.D. HICKS
D.E. WALSTON
10.01 AC
INST. 09926234
O.P.R.H.C.TX.

BRUCE L. &
BARBARA S. BOLBOCK
TRACT TWO
CALLED 18.16 ACRE TRACT
VOL. 1274, PG. 892
O.P.R.H.C.TX.

*C.H. MALOTT SURVEY
ABSTRACT 603*

REV 4

JOB NUMBER: 47232
DATE: 10/25/2019
SCALE: 1"=200'
SURVEYOR: N. HINES
TECHNICIAN: D. CULLEN
DRAWING: PARCEL 24
TRACT ID: --
PARTY CHIEF: J. STILLMAN
FIELD BOOKS: --

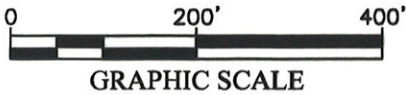


4801 Southwest Parkway
Building Two, Suite 100
Austin Texas, 78735
Ofc: 512.447.0575
Fax: 512.326.3029
email: info@sam.biz

Texas Firm Registration No. 10064300

PROJECT: WASTEWATER EASEMENT
CITY OF DRIPPING SPRINGS

SHEET 3
OF 4



**PLAT OF
WASTEWATER EASEMENT
SOUTH REGIONAL WATER
RECLAMATION PROJECT
CITY OF DRIPPING SPRINGS**

PARCEL 24
HAYS COUNTY, TEXAS



LINE TABLE		
NUMBER	DIRECTION	LENGTH
L1	N01°43'07"W	90.50'
L2	S36°21'21"E	52.78'
L3	S01°43'07"E	47.04'
L4	S88°10'28"W	30.00'

LEGEND

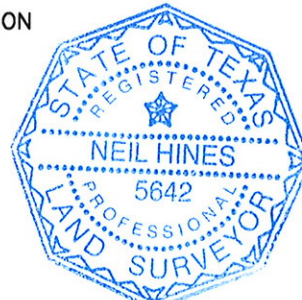
- R —— PARCEL LIMITS
- S —— APPROXIMATE SURVEY LINE
- EXISTING ROAD
- ——— ADJOINER PROPERTY
- FLYTIE
- IRON ROD FOUND (AS NOTED)
- △ CALCULATED POINT
- TXDOT TYPE I MONUMENT
- ▲ NAIL FOUND
- COTTON SPINDLE FOUND
- D.R.H.C.TX. DEED RECORDS HAYS COUNTY, TEXAS
- P.R.H.C.TX. PLAT RECORDS HAYS COUNTY, TEXAS
- O.P.R.H.C.TX. OFFICIAL PUBLIC RECORDS HAYS COUNTY, TEXAS
- P.O.B. POINT OF BEGINNING
- P.O.R. POINT OF REFERENCE
- P.O.C. POINT OF COMMENCEMENT
- [] PERMANENT EASEMENT
- [] TEMPORARY CONSTRUCTION EASEMENT
- [] PERMANENT ACCESS EASEMENT

PERMANENT EASEMENT AREA: 0.41 ACRES
TEMPORARY CONSTRUCTION EASEMENT AREA: 0.46 ACRES

NOTES:

- ALL BEARINGS ARE GRID BEARINGS AND ARE BASED ON TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD83 (2011). ALL DISTANCES ARE REPRESENTED IN SURFACE VALUES, MEASURED IN U.S. SURVEY FEET, AND ARE BASED ON SAID HORIZONTAL DATUM. TO OBTAIN GRID DISTANCE MULTIPLY BY CSF OF 0.999870.
- RECORD INFORMATION SHOWN HEREON IS BASED UPON A PUBLIC RECORDS SEARCH PERFORMED BY HDR.
- FOR ADDITIONAL INFORMATION, SEE ATTACHED LEGAL DESCRIPTION MADE IN CONJUNCTION WITH AND CONSIDERED AN INTEGRAL PART OF THIS PLAT.

Neil Hines 19 January 2022
NEIL HINES DATE
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5642 - STATE OF TEXAS



REV 4

JOB NUMBER: 47232
DATE: 10/25/2019
SCALE: 1"=200'
SURVEYOR: N. HINES
TECHNICIAN: D. CULLEN
DRAWING: PARCEL 24
TRACT ID: -
PARTY CHIEF: J. STILLMAN
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PROJECT: WASTEWATER EASEMENT
CITY OF DRIPPING SPRINGS
SHEET 4
OF 4