



City of Granite Shoals  
2221 N. Phillips Ranch Road  
Granite Shoals, TX 78654  
Phone (830) 598-2424 Fax (830) 598-6538  
[www.graniteshoals.org](http://www.graniteshoals.org)

**AGENDA NOTICE**  
**GRANITE SHOALS CITY COUNCIL**  
**REGULAR CITY COUNCIL MEETING**  
**CITY HALL – COUNCIL CHAMBER, 2<sup>ND</sup> FLOOR**  
**2221 N. PHILLIPS RANCH ROAD**  
**TUESDAY, OCTOBER 25, 2016, 6:00 PM**

Reception for former Council Member Eric Tanner will be held in Council Chambers from 5:00 PM to 5:45 PM. There may, or may not, be a quorum of Council members at this social activity.

No action will take place until this regular meeting starts at 6 PM.

1. **Call meeting to order**
2. **Invocation**
3. **Pledge of Allegiance to the flag of the United States and to the Texas flag**  
*Texas Flag: Honor the Texas flag; I pledge allegiance to thee,  
Texas, one state under God, one and indivisible.*
4. **Public comment and announcements and Items of Interest** *p. 4-9*  
*At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting. No discussion or deliberation can occur. Comments regarding specific agenda items should occur when the item is called. Anyone wishing to speak under this agenda item must complete a Comment Card and submit to the City Secretary prior to addressing the Council.*
  - Volunteers Wanted for Granite Shoals Volunteer Fire Department.
  - 3 Part-Time positions for Firefighter/EMT for the Granite Shoals Fire Department.
  - *Early Voting for Nov. 8<sup>th</sup> Elections* – Monday, October 24<sup>th</sup> – Friday, November 4<sup>th</sup>
  - *October 28, 2016; Friday – Public Safety Day at Highland Lakes Elementary School.*
  - *Fall Festival* – Presented by the Granite Shoals Faith Alliance – **updated location Veterans Park** – October 30, 2016. 1 PM – 5 PM
  - *Veterans Celebration* – November 5, 2016; Saturday, Veterans Park at 11:00 AM
  - *November 8, 2016 City of Granite Shoals Special Elections* – Election Day polling places will be open 7 AM to 7 PM.
  - *December 2, 2016 Friday, Christmas By The Highway ‘Lighting Ceremony’* 6 PM
5. **MANAGEMENT REPORTS** *p. 9*
  - a.) **Assistant City Manager**
    - City Wide Clean Up
    - City Hall Projects
    - Veterans Day Celebration, November 5, 2016

- Lower Colorado River Authority (LCRA) Update *p. 10-11*
- Community Development Block Grant (CDBG) updates

**b.) City Secretary**

- Elections Update *p. 12-33*
- Human Resources Update

**6. CONSENT AGENDA ITEMS *p. 34***

*The items listed are considered to be routine and non-controversial by the City Council and will be approved by one motion, There will be no separate discussion of these items unless a Councilmember so requests, in which case the item will be removed from the Consent Agenda prior to a motion and vote. The item will be considered in its normal sequence of the regular agenda.*

- Approve October 11, 2016; Regular City Council meeting minutes. *p. 35-47*
- Approve Resolution #514 adopting FEMA Hazard Mitigation Plan update, as reviewed every five years. *p. 48-49*
- Approve Resolution #515 to update the signature cards for the city's bank accounts. *p. 50*
- Approve Resolution #516 to update the signature cards for the city's TEXPOOL accounts. *p. 51-52*
- Approve Resolution #517 to re-adopt the city's Investment Policy. *p. 53-59*
- Ratify the city's current Finance Policy / Finance Goals as originally passed as Resolution 446. *p. 60-69*

**7. REGULAR AGENDA ITEMS**

- Discuss, consider and possibly take action related to possible adoption of the 2015 International Residential Code (IRC), Chapter 11 and the 2015 International Energy Conservation Code (IECC). (*Assistant City Manager Smith*) *p. 70-105*
- Discuss, consider and possibly take action related to making appointments to Boards or Committees. (*City Secretary Elaine Simpson*) *p. 106*
- Review information from staff and discuss policy related to making Board and Committee appointments. (*City Secretary Elaine Simpson*) *p. 107-123*

**8. EXECUTIVE SESSION:**

A. Executive session pursuant to sections 551.074 of the Texas Open Meetings Act (Personnel Matters): Discussion regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the following public employee: City Secretary Elaine Simpson. *p. 124*

B. Executive (Closed) meeting as authorized by Texas Government Code. Executive session pursuant to section 551.071 of the Texas Open Meetings Act (Consultation with Attorney) to receive legal advice from the city's legal counsel relating to SOAH DOCKET NO. 47-16-4527, *JP Wilson v. Granite Shoals Police Department*, in the State Office of Administrative Hearings, Cause No. C4820, *City of Granite Shoals v. Josh Patrick "JP" Wilson*, in the Burnet County Court at Law, and related matters.

C. Any action resulting from Executive Session(s)

9. **WRITTEN REPORTS** *p. 125*
- a. Code *p. 126*
  - b. Fire *p. 127-128*
  - c. Parks *p. 129*
  - d. Police *p. 130-134*
  - e. Streets *p. 135 / Utilities 136-137*

10. **FUTURE AGENDA ITEMS** *p. 138*
- o Review Agenda Calendar
  - o Identification of future agenda items

11. **ADJOURNMENT**

CERTIFICATION

*I certify that the foregoing agenda has been posted at Granite Shoals City Hall, 2221 N. Phillips Ranch Road, both on the indoor bulletin board and the six panel Park Information and City Notice Outdoor Bulletin Board cases which are accessible to the public at all times, and the city website at [www.graniteshoals.org](http://www.graniteshoals.org) on Friday, October 21, 2016 on or before 8:00 p.m. and shall remain there continuously from such time until after this meeting is adjourned on Tuesday, October 25, 2016. City Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 8 hours prior to this meeting. Please contact the City Secretary at (830) 598-2424 for further information.*



*Elaine Simpson*  
 Elaine Simpson, TRMC/MMC, City Secretary

*The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any matters listed on the agenda, 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), 551.087 (economic development), and/or 418.183 (homeland security).*

**V.T.C.A., Penal Code § 42.05, § 42.05. Disrupting Meeting or Procession**

- (a) A person commits an offense if, with intent to prevent or disrupt a lawful meeting, procession, or gathering, he obstructs or interferes with the meeting, procession, or gathering by physical action or verbal utterance.*
- (b) An offense under this section is a Class B misdemeanor. Credits: Acts 1973, 63rd Leg., p. 883, ch. 399, § 1, eff. Jan. 1, 1974. Amended by Acts 1993, 73rd Leg., ch. 900, § 1.01, eff. Sept. 1, 1994. V. T. C. A., Penal Code § 42.05, TX PENAL § 42.05 - Current through the end of the 2015 Regular Session of the 84th Legislature*



**City of Granite Shoals, Texas  
City Council Regular Meeting  
Agenda Item Cover Memo  
October 25, 2016**

**Agenda Item: Item 4 – Public Comment and Staff Announcements**

**AGENDA CAPTION**

- **At this time, any person with business before the Council not scheduled on the agenda may speak to the Council.**
- **No formal action can be taken on these items at this meeting.**
- **No discussion or deliberation can occur.**
- **Comments regarding specific items should occur when the item is called on the agenda.**
- **Anyone wishing to speak under this agenda item must complete a “Comment Card” and submit it to the City Secretary prior to addressing the Council.**

**Texas Government Code, Section 551.042. Sec. 551.042. INQUIRY MADE AT MEETING.**

(a) If, at a meeting of a governmental body, a member of the public or of the governmental body inquires about a subject for which notice has not been given as required by this subchapter, the notice provisions of this subchapter do not apply to:

- (1) a statement of specific factual information given in response to the inquiry; or
- (2) a recitation of existing policy in response to the inquiry.

(b) Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

***V.T.C.A., Penal Code § 42.05, § 42.05. Disrupting Meeting or Procession***

*(a) A person commits an offense if, with intent to prevent or disrupt a lawful meeting, procession, or gathering, he obstructs or interferes with the meeting, procession, or gathering by physical action or verbal utterance.*

*(b) An offense under this section is a Class B misdemeanor.*

*Credits: Acts 1973, 63rd Leg., p. 883, ch. 399, § 1, eff. Jan. 1, 1974. Amended by Acts 1993, 73rd Leg., ch. 900, § 1.01, eff. Sept. 1, 1994. V. T. C. A., Penal Code § 42.05, TX PENAL § 42.05 - Current through the end of the 2015 Regular Session of the 84th Legislature*

**Staff Announcements (announcements of community interest) :**

The Texas Open Meetings Act effective September 1, 2009, provides that “a quorum of the city council may receive from municipal staff, and a member of the governing body may make, a report regarding items of community interest during a council meeting without having given notice of the subject of the report, provided no action is taken or discussed.”

The law provides that an “item of community interest” includes the following:

- expressions of thanks, congratulations, or condolence;
- information regarding holiday schedules;
- honorary recognitions of city officials, employees, or other citizens;
- reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by a city official or city employee; and,
- announcements involving imminent public health and safety threats to the city.

The Open Meetings Act does not allow Council to discuss an item concerning pending City Council business unless it is specifically, appropriately posted on the agenda.

The City of Granite Shoals is accepting applications for the following:

### PART TIME FIRE FIGHTER (3 Openings)

PT - Call In, professional staff position in the Granite Shoals Fire and Rescue Department. Primarily this position will protect life and property by fighting fires, respond with Volunteer firefighters to emergency incidents, use Emergency Medical Services (EMS) skills and engage in public education, station and equipment maintenance activities as directed.

Firefighters in Granite Shoals work 48 hrs. on duty, followed by 96 hours off duty. Part Time fire fighters may be called at any time to cover a set amount of hours to maintain Minimum Department Staffing with no guarantee of the Number of Hours to be worked.

Minimum requirements include High School Diploma or equivalent, Development Certificate and Basic Firefighter from the Texas Commission on Fire Protection, EMT - Basic by the Texas Department of State Health Services or National Registry is required, Paramedic Certification desired, TCFP Inspection desired. TENTATIVE TEST DATE: schedule TBA FACE TO FACE INTERVIEWS: TBA REQUIRED PHYSICAL AGILITY EXAMS: schedule TBA.

Applications may be obtained Monday-Friday between 8:30 a.m. – 5:00 p.m. at: City Hall, 2221 N. Phillips Ranch Road, Granite Shoals, Texas. Applications should be forwarded to: Elaine Simpson, City Secretary, City of Granite Shoals, City Hall, 2221 N. Phillips Ranch Rd., Granite Shoals, TX 78654. Or visit Employment section at our website: [www.graniteshoals.org](http://www.graniteshoals.org).

**The City does not accept emailed or faxed employment applications.**

Granite Shoals is EEO.

# 2016 Christmas by the Highway Work Days

All work days starting with September 28 are 1-4PM at the storage shed on City Hall property unless otherwise noted.

## 1 - Work days in September

- September 12 - 9AM - Inventory at storage shed
- September 28 - 1-4PM - first work day - at the storage shed

## 2 - Work days in October

- October 3, 5, 10, 12, 17, 19, 24, 26, 31

## 3 - Work days in November

- November 2, 7, 9, 14, 16
- November 21 (Monday before Thanksgiving) MAY put up Zilker trees; volunteers do prep work in the morning (9-11AM), bucket truck comes at 1PM, volunteers are also needed in the afternoon (1-3PM)

## 4 - Set up starts Monday, November 28

- General set up of the display begins (including Zilker trees if not done earlier)
- Volunteers work 9-11AM and 1-3PM starting Monday and working several days in a row to complete the display

## 5 - LIGHTS ON - Friday, December 2 at 6PM

## 6 - LIGHTS OFF - Timer turned off Sunday, January 1, 2017

## 7 - Take down starts Tuesday, January 3, 2017, 9-11AM and 1-3PM, and continues until completed.

RECEIVED  
OCT 14 2016

City of Granite Shoals  
City Secretary's Office



**Wish List  
for  
"Christmas by the Highway"  
light display**

- 4 un-lit 7.5 foot artificial Christmas trees  
- Lowe's "Fleetwood Pine" \$128 each
- LED "Caroling Penguin Trio"  
- Christmas-LEDS.com (online) \$236.50
- LED "Animated Toy Soldier"  
- Christmas-LEDS.com (online) \$219.60
- 6 Treekeeper Polyester Christmas Tree Storage Bag  
- Lowe's Item #76574 \$18.98 each
- 2 Steel storage shelves  
- HUSKY 77 in. wide by 78 in. high by 24 in. deep  
steel shelving unit (Home Depot) \$185 each

**Your donation is appreciated!**

OCTOBER

FAMILY FUN FEST

SUNDAY OCTOBER 30<sup>TH</sup>

Sponsored By Granite Shoals Faith Alliance

† All City Worship - 11:00 am †

Petting Zoo



Contests

Music

BOOTHS

FOOD

Give Aways

Games

DOOR PRIZES

GRANITE SHOALS POLICE DEPT. AND FIRE DEPT.

Activities 1:00 pm - 5:00 pm

Park 10 - Veterans Park

Granite Shoals



# City of Granite Shoals Veterans Day Celebration November 5, 2016

## Veterans Day Agenda

Carl Brugger  
Mayor

Shirley King  
Council Member  
Place 2

Anita Hisey  
Council Member  
Place 1

Jim Davant  
Council Member  
Place 3

Tom Dillard  
Mayor Pro-Tem  
Council Member  
Place 4

Todd Holland  
Council Member  
Place 5

Mark Morren  
Council Member  
Place 6

Ken Nickel  
City Manager

Peggy Smith  
Assistant City Manager

- 1) Welcome and introductions – Mayor Brugger
- 2) Posting of the Colors - Highland Lakes Honor Guard (HLHG)
- 3) Invocation - Rev. Randy Taylor, First Baptist Church
- 4) Pledge of Allegiance to US and Texas flags – Mayor Brugger
- 5) National Anthem - Seth Smith, Music by Randy Hilmer
- 6) John Rinehart Award presentation – Mayor Brugger
- 7) America The Beautiful - Seth Smith
- 8) Veterans Program - Seth Smith / HLHG
- 9) God Bless America - Seth Smith
- 10) Closing Comments & Lunch - Seth Smith

Sound System and Music provided by Randy Hilmer



**City of Granite Shoals, Texas  
City Council Meeting  
Agenda Item Cover Memo  
October 25, 2016**

**Agenda Item:** 5. Management Reports  
**Prepared By:** City Secretary  
**Department:** Administration  
**Submitted By:** City Secretary

**AGENDA CAPTION**

**5. MANAGEMENT REPORTS**

**a.) Assistant City Manager**

- City Wide Clean Up
- City Hall Projects
- Veterans Day Celebration, November 5, 2016
- Lower Colorado River Authority (LCRA) Update
- Community Development Block Grant (CDBG) updates

**b.) City Secretary**

- Elections Update
- Human Resources Update

News

## About

LCRA House Bill 3693  
Compliance Report

Business Opportunities with  
LCRA

Employment

Filming at LCRA

Financial Highlights

Leadership

Maps

Newsroom

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Feature Stories Archives

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Ask LCRA

Resource Library

Community Events

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Steps Forward

LCRA Retirees

## Energy

## Water

## Parks

Environment and  
Education

## Community

## LCRA to lower Lake LBJ and Lake Austin in early 2017

**Drawdown will allow maintenance, help fight aquatic vegetation**  
Oct. 21, 2016

The Lower Colorado River Authority will lower lakes LBJ and Austin for about six weeks in early 2017 to give lakeside property owners an opportunity to repair and maintain docks, retaining walls and other shoreline property. The drawdown also will aid in curbing the growth of nuisance aquatic vegetation such as hydrilla and Eurasian watermilfoil.

"It's been years since we've lowered any of the Highland Lakes," said John Hofmann, LCRA executive vice president of Water. "Property owners need to maintain their boat docks and perform other maintenance, and I'm pleased our water supplies have been replenished enough that a drawdown is possible. Our lakes are nearly full, and conditions in the basin are better than they have been in several years."

**Lake LBJ:** LCRA will lower Lake LBJ about 4 feet from about Jan. 2, 2017, to Feb. 13, 2017. The drawdown will take three to four days. Water released from Lake LBJ for the drawdown will be captured and held downstream in Lake Travis until it is needed by customers.

To refill Lake LBJ, water will be moved downstream from Lake Buchanan beginning about Feb. 10, 2017. The water to refill Lake LBJ is equivalent to about 1.07 feet in Lake Buchanan, but the impact on Lake Buchanan could be reduced by rainfall or additional inflows to lakes LBJ or Buchanan.

A permit is not needed for dock repairs performed on Lake LBJ during the drawdown, but all work must comply with LCRA's [Safety Standards for Residential Docks on the Highland Lakes](#). Maintenance dredging, debris removal and repair work on existing retaining walls during the drawdown can be done under LCRA's permit with the U.S. Army Corps of Engineers, but the work must be registered with LCRA. Registration forms are available:

- Online at [lcra.org/lakelowerings](http://lcra.org/lakelowerings).
- By calling LCRA Water Quality Protection at 512-578-2324.
- In person at the LCRA Western Maintenance Facility, 2643 Wirtz Dam Road, Marble Falls, from 9 a.m. to 12:30 p.m. and 1:30 to 3 p.m. Monday through Friday.

Burning debris in the lakebed is not allowed.

For more information on work allowed on Lake LBJ during the drawdown, visit [lcra.org/lakelowerings](http://lcra.org/lakelowerings) or contact LCRA Water Quality Protection at 512-578-2324.

**Lake Austin:** At the City of Austin's request, LCRA will lower Lake Austin about 10 feet during that same time period. Lowering Lake Austin may take two to three weeks, depending on conditions.

LCRA will not actively lower Lake Austin, but instead will allow levels to gradually fall by not sending water downstream from Lake Travis to replace water used by customers that draw water from Lake Austin or downstream, or water released to meet environmental flow requirements in the lower river or Matagorda Bay.

To refill Lake Austin, water will be moved downstream from Lake Travis beginning about Feb. 9, 2017. The water to refill Lake Austin is equivalent to about 8 inches of water in Lake Travis, but the impact on Lake Travis could be reduced by rainfall or additional inflows into lakes Austin or Travis.

In the City of Austin's request to LCRA, the city said the drawdown would provide an opportunity to stay ahead of nuisance vegetation growth on Lake Austin, allow property owners to assess and repair bulkheads and boat docks, and allow a City of Austin fire station to maintain its boat ramp.

Property owners must secure authorization from the City of Austin to perform work on structures in or along Lake Austin during the drawdown:

- For minor repairs of existing docks, removing sediment beneath the footprint of existing docks or repairing up to 25 percent of an existing bulkhead, contact the City of Austin Development Assistance Center at One Texas Center, 505 Barton Springs Road, Austin, or 512-974-6370.
- For new dock construction, or to add, change or replace structural components such as load bearing beams, piers or pilings, an approved site plan signed and sealed by a licensed professional engineer is required. For more information, including the application requirements, contact the City of Austin Development Assistance Center at One Texas Center, 505 Barton Springs Road, Austin, or 512-974-6370; or Liz Johnston, Watershed Protection Division, 512-974-2619.

**LCRA to lower Lake LBJ and Lake Austin in early 2017**

The drawdown on Lake Austin in early 2017 is expected to be the last opportunity for a lowering on Lake Austin for several years because of an upcoming LCRA project to strengthen and modernize floodgates on Tom Miller Dam. The lake will remain within its normal operating range during the gate rehabilitation project for safety and accessibility, and to minimize delays during the anticipated five-year project.

Unforeseen circumstances, such as floods or power emergencies, could prompt LCRA to change or cancel the scheduled drawdowns if necessary to pass water through the Highland Lakes and protect public safety. Equipment and tools should not be left in the lakebed overnight and should be removed from the shoreline when not in use.

LCRA last lowered Lake LBJ in 2008, Lake Marble Falls in 2009, and lakes Inks and Austin in 2011. No drawdowns occurred in 2012-2016 because of the drought.

**About LCRA**

The Lower Colorado River Authority serves customers and communities throughout Texas by managing the lower Colorado River; generating and transmitting electric power; ensuring a clean, reliable water supply; and offering access to nature at more than 40 parks, recreation areas and river access sites along the Texas Colorado River, from the Hill Country to the Gulf Coast. LCRA and its employees are committed to enhancing the lives of Texans through water stewardship, energy and community services. LCRA was created by the Texas Legislature in 1934.

**Media Contact**

Clara Tuma  
512-578-3292  
[clara.tuma@lcra.org](mailto:clara.tuma@lcra.org)



NOTICE

ORDER OF SPECIAL ELECTION FOR CITY OF GRANITE SHOALS, TEXAS

A Special election is hereby ordered to be held on November 8, 2016, from 7:00 a.m. to 7:00 p.m., at the Granite Shoals Fire Department, 8410 W FM 1431, Granite Shoals, TX 78654 and the Grace United Methodist Church, 4007 Valley View Lane, Granite Shoals, TX 78654 for the purpose of placing the following referendum item to the voters:

“Shall the City Code be amended to include Ordinance No. 680, “No Deer Feeding Ordinance,” the effect of which would be: (1) to prohibit the feeding of deer in the city limits, which is an essential component of the city’s comprehensive deer management program; (2) to adopt a city policy that enforcement of deer-feeding regulations should occur first through education, then through warnings, then through the imposition of civil penalties, and then through the initiation of criminal proceedings only if all of the previous methods prove ineffective; and (3) to provide due process protections for persons accused of violating the ordinance?

- YES
- NO”

City of Granite Shoals voters from Precinct 3 will vote at Grace Methodist Church and Precinct 18 voters will vote at the Fire Department. Voters should bring their voter registration certificate and their photo identification, if possible.

Early Voting By Personal Appearance will be conducted each weekday at:

Polling Place		Address		City		
Burnet County Courthouse		220 S. Pierce		Burnet, TX 78611		
Marble Falls Courthouse Annex		810 Steve Hawkins Pkwy.		Marble Falls, TX 78654		
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	October 24 8am-5pm	October 25 8am-5pm	October 26 8am-5pm	October 27 8am-5pm	October 28 8am-5pm	October 29 8am-5pm
	October 31 7am-7pm	November 1 7am-7pm	November 2 7am-7pm	November 3 7am-7pm	November 4 7am-7pm	

Applications for ballot by mail can be requested from and should be returned to: Doug Ferguson, Burnet County Elections Administrator, 220 S. Pierce ST, Burnet, TX 78611. Applications for ballots by mail must be received no later than the close of business on Friday, October 28, 2016.

Mayor <i>Paul Drueger</i>	Council 2 <i>Shirley King</i>	Council 4 <i>[Signature]</i>	Council 6 <i>[Signature]</i>
Council #1 <i>Ariz Wisay</i>	Council 3 <i>Eric C. Turner</i>	Council 5 <i>[Signature]</i>	



AVISO

ORDEN DE ESPECIAL ELECCIÓN DE CIUDAD DE BANCOS DE GRANITO, TEXAS

Una elección especial por la presente se ordena que se celebrará el 08 de noviembre de 2016, de 7: 00 a.m. a 19:00 en el Departamento de bomberos de bancos de granito, 8410 W FM 1431, Bancos de granito, TX 78654 y la Grace United Methodist Church, 4007 Valley View Lane, bancos de granito, TX 78654 con el fin de colocar el siguiente tema de referéndum a los electores:

¿Debería modificarse el Código de la Ciudad para incluir la Ordenanza N° 680, "Ordenanza para no alimentar venados", cuyos efecto serían: (1) prohibir que se alimenten venados dentro de los límites de la ciudad, lo cual constituye un componente esencial del programa general de control de venados; (2) adoptar una política en la ciudad para que se cumplan los reglamentos sobre alimentar venados, primero por medio de campañas de información públicas, seguido por advertencias, y después por la aplicación de sanciones civiles; y finalmente, por procedimientos penales sólo en caso de que los métodos anteriores no sean eficaces; y, (3) establecer garantías procesales para las personas acusadas del incumplimiento de la ordenanza?

SÍ

NO

Los votantes de la ciudad de bancos de granito del precinto 3 votarán en la Iglesia Metodista de Grace y precinto 18 electores votarán en el Departamento de bomberos. Los votantes deben traer su certificado de votante y su identificación con foto, si es posible.

La votación anticipada en persona se llevará a cabo cada día de la semana en:

Lugar de votación		Dirección			Ciudad	
Burnet County Courthouse Anexo de Palacio de Justicia de Marble Falls		220 S. Pierce 810 Steve Hawkins Pkwy.			Burnet, TX 78611 Marble Falls, TX 78654	
Domín go	Lunes	Martes	Miércoles	Jueves	Viernes	Sábado
	24 de octubre 8:00-17:00	25 de octubre 8:00-17:00	26 de octubre 8:00-17:00	27 de octubre 8:00-17:00	28 de octubre 8:00-17:00	29 de octubre 8:00-17:00
	31 de octubre 7:00-19:00	1 de noviembre 7:00-19:00	2 de noviembre 7:00-19:00	3 de noviembre 7:00-19:00	4 de noviembre 7:00-19:00	

Solicitudes de voto por correo puede solicitarse y deben devolverse al: Doug Ferguson, administrador de elecciones del Condado de Burnet, 220 S. Pierce ST, Burnet, TX 78611. Solicitudes de voto por correo deben recibirse no más tarde del cierre de las operaciones en viernes, 28 de octubre de 2016.

Alcalde 	Consejo 2 	Consejo 4 	Consejo 6 
Consejo #1 	Consejo 3 	Consejo 5 	

**ORDINANCE No. 698**

**ORDINANCE CALLING A BOND ELECTION FOR NOVEMBER 8, 2016; MAKING PROVISIONS FOR CONDUCTING THE ELECTION AND OTHER MATTERS RELATED TO SUCH ELECTION**

**THE STATE OF TEXAS                   §  
COUNTY OF BURNET                   §  
CITY OF GRANITE SHOALS           §**

**WHEREAS**, pursuant to the provisions of Chapters 1251 and 1331, Texas Government Code, as amended, the Texas Election Code, as amended, and other related statutes the City Council of the City of Granite Shoals, Texas (the "City") is authorized to call an election in order to submit to the voters of the City a proposition regarding the issuance of tax bonds;

**WHEREAS**, the City Council deems it advisable to call a bond election to be held on November 8, 2016 for the proposition hereinafter stated;

**WHEREAS**, the City Council finds that holding a bond election on this date is in the public interest; and

**WHEREAS**, it is hereby officially found and determined that the meeting at which this Ordinance is being 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, Government Code, as amended.

**THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRANITE SHOALS, TEXAS THAT:**

1. **ELECTION DATE, POLLING PLACES AND ELECTION JUDGES.** An election shall be held between the hours of 7:00 A.M. and 7:00 P.M. on Tuesday, November 8, 2016. The City is located entirely in Burnet County and therefore the Burnet County Elections Administrator is conducting the election pursuant to an election agreement (the "Election Agreement") between the City and Burnet County, as authorized under Section 31.092 of the Texas Election Code. The election shall be held as a joint election pursuant to Chapter 271 of the Texas Election Code and a joint election agreement to be entered into between the City and the other participating entities located in Burnet County, which are holding an election on November 8, 2016. The City election precincts and polling places within the City designated for holding the election shall be determined by Burnet County and conducted at the polling places used for the Burnet County General Election attached hereto as Exhibit "A" to this Ordinance which exhibit is incorporated by reference for all purposes. Exhibit "A" may be revised as necessary to conform to final county polling locations. Burnet County's election equipment shall be used to conduct the bond election. The election judges and clerks shall be appointed in accordance with the Election Agreement and the Texas Election Code, as amended.

2. **CONDUCT OF ELECTION.** As authorized by Chapter 31, Subchapter D of the Texas Election Code, the City Council hereby appoints the Burnet County Elections Administrator, Doug Ferguson, as the election officer for the purpose of conducting the November 8, 2016 Bond Election. This appointment includes services as Early Voting Clerk for the Election, Counting Station Manager, Presiding Judge of the Central Counting Station, and Tabulation Supervisor.

In addition and in accordance with Chapter 66 and Chapter 31 of the Texas Election Code, the City Council hereby appoints Burnet County Elections Administrator, Doug Ferguson, as agent for the Custodian of Records ("Agent") for the November 8, 2016 Bond Election for the purpose of preserving voted ballots and other election records as required by the Texas Election Code.

3. **EARLY VOTING.** Early voting in the election by personal appearance shall be conducted at the times, dates and polling places as provided for in the Burnet County General Election attached hereto as Exhibit "B" to this Ordinance which exhibit is incorporated by reference for all purposes. Exhibit "B" may be revised as necessary to conform to final county early voting polling locations. Doug Ferguson is the Early Voting Clerk for Burnet County. Application for ballots by mail for Burnet County voters should be sent to Doug Ferguson, Elections Administrator, Burnet County Elections, 220 South Pierce, Burnet, Texas 78611.

4. **EARLY VOTING BALLOT BOARD.** Early voting ballot boards are hereby created to process early voting results, and the Presiding Judge of the board will be appointed by the Burnet County Elections Administrator. The Presiding Judge shall appoint not less than two resident nor more than eighteen (18) qualified electors to serve as members of the Early Voting Ballot Boards.

5. **VOTERS.** All resident, qualified electors of the City shall be entitled to vote at the election.

6. **NOTICE.** A substantial copy of this Ordinance, with such omissions authorized by law, shall serve as a proper notice of the election. Such notice, including a Spanish translation thereof, shall be posted on the bulletin board used by the City to post notices of meetings and at City Hall not less than twenty-one (21) days prior to the date the election is to be held, and shall remain posted through election day. In addition to the foregoing, this Ordinance, including a Spanish translation thereof, shall be (i) posted on election day and during early voting by personal appearance in a prominent location at each polling place; (ii) posted in three (3) public places in the boundaries of the City no later than twenty-one (21) days before the election; and (iii) posted on the City's Internet website during the twenty-one (21) days before the election if the City maintains an Internet website.

Such notice, including a Spanish translation thereof, shall be published in *The Highlander*, a newspaper of general circulation in the City, on the same day in each of two successive weeks with the first publication occurring not earlier than the thirtieth (30th) day or later than the fourteenth (14th) day prior to the day of the election.

The City Secretary is hereby authorized and directed to publish and post the required notices in the manner and for the time periods required by law.

7. **VOTING DEVICES.** In all respects, the election shall be conducted in accordance with the Texas Election Code and the Federal Help America Vote Act. Every polling place used in Burnet County for this election will have at least one disabled access voting device such as a Direct Recording Electronic voting device available for election day voting and early voting. The Burnet County Voter Registrar may also utilize a central counting station as provided by Section 127.000 et seq., as amended, Texas Election Code. Any central counting station presiding judge and the alternate presiding judge shall be appointed in accordance with the Election Agreement and the Texas Election Code.

8. **PROPOSITION.** At the election, the following BOND PROPOSITION shall be submitted in accordance with law:

**PROPOSITION**

Shall the City Council of the City of Granite Shoals, Texas, be authorized to issue the bonds of the City, in one or more series or issues, in the aggregate principal amount of \$3,000,000 with the bonds of each such series or issues, respectively, to mature serially within not to exceed forty years from their date, and to be sold at such prices and bear interest at such rates, as shall be determined within the discretion of the City Council, in accordance with law at the time of issuance, for the purpose of constructing, improving, extending, expanding, upgrading and/or developing Phillips Ranch Road, Prairie Creek Road and Valley View Lane, including related utility relocation, drainage, sidewalks, traffic safety and operational improvements, the purchase or acquisition of any necessary rights-of-way and easements and other related costs; and shall said City Council be authorized to levy and cause to be assessed and collected annual ad valorem taxes on all taxable property in the City in an amount sufficient to pay the annual interest on said bonds and provide a sinking fund to pay the bonds at maturity?

9. **OFFICIAL BALLOTS.** Voting in the election for the proposition shall be by the use of electronic or paper ballots which shall show the proposition in both English and Spanish and which shall conform to the requirements of federal law, including the Help America Vote Act and the Texas Election Code, as amended. The official ballots for the election shall be prepared so as to permit the electors to vote "FOR" or "AGAINST" the PROPOSITION set forth above with the ballots to contain such provision, markings and language as required by law, and with such PROPOSITION to be expressed substantially as follows:

PROPOSITION

FOR           [    ] THE ISSUANCE OF \$3,000,000 TAX BONDS FOR IMPROVEMENTS  
                  TO PHILLIPS RANCH ROAD, PRAIRIE CREEK ROAD AND VALLEY  
                  VIEW LANE  
AGAINST      [    ]

10.    **CONDUCT IN ACCORDANCE WITH LAW.** In all respects the election shall be conducted in accordance with State and federal law including the Texas Election Code and the Help America Vote Act.

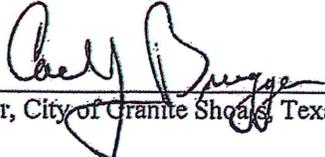
11.    **SECTION 3.009(b) OF THE TEXAS ELECTION CODE.** Solely for purposes of compliance with Section 3.009(b) of the Texas Election Code, set forth in Exhibit "C" attached hereto is the information required in a document ordering a bond election in accordance with Section 3.009(b) of the Texas Election Code. Exhibit "C" is hereby incorporated by reference for all purposes.

12.    **RESULTS.** The Burnet County Voter Registrar shall conduct an unofficial tabulation of results after the closing of the polls on November 8, 2016. The official canvass and tabulation of the results of the Special Election shall be conducted by the City Council at a Special Council Meeting in accordance with the Election Code.

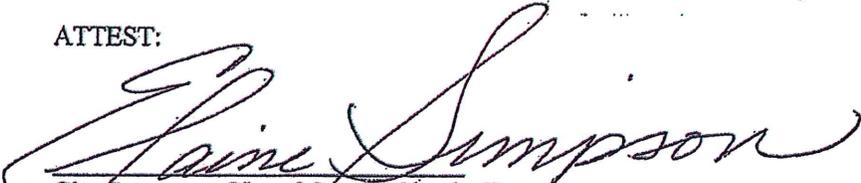
13.    **PROVISIONS.** The provisions of this Ordinance are severable; and in case any one or more of the provisions of this Ordinance or the application thereof to any person or circumstance should be held to be invalid, unconstitutional, or ineffective as to any person or circumstance, the remainder of this Ordinance nevertheless shall be valid, and the application of any such invalid provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby. The Mayor and the City Secretary are authorized and directed to take any action necessary to carry out the provisions of this Ordinance.

[The Remainder of This Page is Intentionally Left Blank]

READ, PASSED, AND ADOPTED on this August 22, 2016.

  
\_\_\_\_\_  
Mayor, City of Granite Shoals, Texas

ATTEST:

  
\_\_\_\_\_  
City Secretary, City of Granite Shoals, Texas

**EXHIBIT A**

**ELECTION DAY VOTING**

CITY OF GRANITE SHOALS - Burnet County Election Day Polling Locations

November 8, 2016 - 7:00 a.m. to 7:00 p.m.

Precinct 3 - Grace United Methodist Church  
Precinct 18 - Granite Shoals Fire Station

**SUBJECT TO CHANGE**

**EXHIBIT "B"**

**EARLY VOTING**

CITY OF GRANITE SHOALS - Burnet County Early Voting Locations

See Attached Schedule

SUBJECT TO CHANGE

**NOVEMBER 8, 2016**

*el 8 de noviembre de 2016*

**GENERAL AND LOCAL ELECTIONS**

*ELECCIONES GENERAL Y LOCALES*

**Burnet County, Texas**

*Condado de Burnet, Texas*

**Early Voting Locations and Hours**

*Sitios y Horarios de Votación Adelante*

Polling Place <i>Sitio de Votación</i>		Address <i>Domicilio</i>		City <i>Ciudad</i>		
Burnet County Courthouse		220 S. Pierce St.		Burnet, TX 78611		
Marble Falls Courthouse South Annex		810 Steve Hawkins Pkwy.		Marble Falls, TX 78654		
Sunday <i>Domingo</i>	Monday <i>Lunes</i>	Tuesday <i>Martes</i>	Wednesday <i>Miércoles</i>	Thursday <i>Jueves</i>	Friday <i>Viernes</i>	Saturday <i>Sábado</i>
	<b>October 24</b> <i>el 24 de oct.</i>	<b>October 25</b> <i>el 25 de oct.</i>	<b>October 26</b> <i>el 26 de oct.</i>	<b>October 27</b> <i>el 27 de oct.</i>	<b>October 28</b> <i>el 28 de oct.</i>	<b>October 29</b> <i>el 29 de oct.</i>
	<b>8am-5pm</b>	<b>8am-5pm</b>	<b>8am-5pm</b>	<b>8am-5pm</b>	<b>8am-5pm</b>	<b>8am-5pm</b>
	<b>October 31</b> <i>el 31 de oct.</i>	<b>November 1</b> <i>el 1 de nov.</i>	<b>November 2</b> <i>el 2 de nov.</i>	<b>November 3</b> <i>el 3 de nov.</i>	<b>November 4</b> <i>el 4 de nov.</i>	
	<b>7am-7pm</b>	<b>7am-7pm</b>	<b>7am-7pm</b>	<b>7am-7pm</b>	<b>7am-7pm</b>	

**EXHIBIT "C"**

**INFORMATION REQUIRED PURSUANT TO  
SECTION 3.009(b) OF THE TEXAS ELECTION CODE<sup>1</sup>**

In accordance with the provisions of 3.009(b) of the Texas Election Code, it is hereby found and determined that:

(1) The proposition language that will appear on the ballot is set forth in Section 9 of this Ordinance.

(2) The purpose for which the bonds are to be authorized is set forth in Section 8 of this Ordinance.

(3) The principal amount of the bonds to be authorized is set forth in Sections 8 and 9 of this Ordinance.

(4) As set forth in Sections 8 and 9 of this Ordinance, if the bonds are approved by the voters, taxes sufficient to pay the annual principal of and interest on the bonds, within the limits prescribed by law, may be imposed.

(5) Based upon the bond market conditions on the date this Ordinance is approved, the maximum interest rate for any series of the bonds authorized to be sold by the voters is estimated to be 4.9%, as calculated in accordance with applicable law. Such estimate is based on advice received from the City's financial advisors, which advice takes into account a number of factors, including the timing of the issuance of debt obligations approved by the voters, the maturity schedule for debt obligations issued by the City, and the expected credit ratings of the proposed debt obligations. The estimated maximum interest rate is provided as a matter of information, but is not a limitation on the interest rate at which the bonds, or any series thereof, may be sold.

(6) As set forth in Section 8 of this Ordinance, if the bonds are approved by the voters, the bonds may be issued in one or more series to mature serially over a period not to exceed 40 years.

(7) As of the beginning of the City's current fiscal year (2015-2016), the aggregate amount of outstanding principal of the City's ad valorem tax debt obligations is \$10,936,016.

(8) As of the beginning of the City's current fiscal year (2015-2016), the aggregate amount of outstanding interest on the City's ad valorem tax debt obligations is \$3,523,646.

(9) As of the date of this Ordinance, the ad valorem debt service tax rate of the City is \$0.2287 per \$100.00 valuation of taxable property.

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<sup>1</sup> This information is provided solely for purposes of compliance with Section 3.009(b) of the Texas Election Code and is for illustration purposes only. The information is not a part of the proposition to be voted on and does not create a contract with the voters.

ORDENANZA #698

ORDENANZA PARA CONVOCAR UNA ELECCIÓN DE BONOS A CELEBRARSE EL 8 DE NOVIEMBRE DE 2016; ESTABLECIENDO LAS DISPOSICIONES PARA LA CONDUCCIÓN DE LA ELECCIÓN Y OTROS ASUNTOS RELACIONADOS CON TAL ELECCIÓN

EL ESTADO DE TEXAS           §  
CONDADO DE BURNET           §  
CIUDAD DE GRANITE SHOALS   §

EN VISTA DE QUE, en conformidad con las disposiciones de los Capítulos 1251 y 1331 del Código de Gobierno de Texas y sus enmiendas, el Código Electoral de Texas y sus enmiendas y otras leyes relacionadas, el Consejo Municipal de la Ciudad de Granite Shoals, Texas (la "Ciudad") está autorizado a convocar una elección con el fin de presentar ante los votantes de la Ciudad una proposición relativa a la emisión de bonos de impuestos; y

EN VISTA DE QUE el Consejo Municipal considera recomendable convocar una elección de bonos a celebrarse el 8 de noviembre de 2016 para la proposición descrita más adelante en la presente.

EN VISTA DE QUE El Consejo Municipal considera que celebrar la elección en dicha fecha es de interés público; y

EN VISTA DE QUE por la presente se halla y determina oficialmente que la asamblea en la cual esta Ordenanza se adopta estuvo abierta al público, y que se dio aviso público de la hora, el lugar y el propósito de la asamblea, todo según lo exige el Capítulo 551 del Código de Gobierno y sus enmiendas.

POR LO TANTO, EL CONSEJO MUNICIPAL DE LA CIUDAD DE GRANITE SHOALS, TEXAS ORDENA QUE:

1. FECHA DE LA ELECCIÓN, LUGARES DE VOTACIÓN Y JUECES DE LA ELECCIÓN. Se celebrará una elección el martes 8 de noviembre de 2016 en el horario de 7:00 A.M. a 7:00 P.M. La Ciudad está situada completamente dentro del Condado de Burnet y por lo tanto el Administrador de Elecciones del Condado de Burnet está llevando a cabo la elección en conformidad con un convenio electoral (el "Convenio Electoral") entre la Ciudad y el Condado de Burnet según lo autoriza la Sección 31.092 del Código Electoral de Texas. La elección se llevará a cabo como elección conjunta en conformidad con el Capítulo 271 del Código Electoral de Texas y un convenio de elección conjunta a ser convenido entre la Ciudad y las demás entidades participantes localizadas en el Condado de Burnet que celebren elecciones el 8 de noviembre de 2016. Los precintos electorales de la Ciudad y los lugares de votación dentro de la Ciudad designados para celebrar la elección serán determinados por el Condado de Burnet, y esta se llevará a cabo en los lugares de votación utilizados para la Elección General del Condado de Burnet, adjuntos a la presente como Anexo "A" de esta Ordenanza, el cual se incorpora por referencia para todos los fines. El Anexo "A" puede ser actualizado según sea necesario para reflejar lugares definitivos de votación del condado. Se usará el equipo electoral del Condado de Burnet para llevar

a cabo la elección de bonos. Los jueces y funcionarios electorales serán designados en conformidad con el Convenio Electoral y el Código Electoral de Texas y sus enmiendas.

2. CONDUCCIÓN DE LA ELECCIÓN. Conforme lo autorizado por el Capítulo 31, Subcapítulo D, del Código Electoral de Texas, el Consejo Municipal nombra por el presente al Administrador de Elecciones del Condado de Burnet, Doug Ferguson, como funcionario electoral con el propósito de llevar a cabo la elección de bonos el 8 de noviembre de 2016. Este nombramiento incluye servicios tales como Oficial de Votación Anticipada para la Elección, Administrador de la Estación de Conteo, Juez Presidente de la Estación Central de Conteo y Supervisor de Tabulación.

Además, de acuerdo con el Capítulo 66 y el Capítulo 31 del Código Electoral de Texas, el Consejo Municipal nombra por el presente al Administrador de Elecciones del Condado de Burnet, Doug Ferguson, como agente para el Custodio de los Registros ("Agente") para la Elección de Bonos del 8 de noviembre de 2016, con el propósito de preservar las boletas de votación votadas y otros registros de la elección, conforme lo requiere el Código Electoral de Texas.

3. VOTACIÓN ANTICIPADA. La votación anticipada en persona en la elección se llevará a cabo en los horarios, las fechas y los lugares de votación determinados para la Elección General del Condado de Burnet, adjuntos a la presente como Anexo "B" de esta Ordenanza el cual se incorpora por referencia para todos los fines. El Anexo "B" será actualizado según sea necesario para reflejar los lugares de votación anticipada del condado finales. Doug Ferguson es el Oficial de Votación Anticipada para el Condado de Burnet. Las solicitudes de boletas de votación por correo para los votantes del Condado de Burnet debe ser enviadas a Doug Ferguson, Elections Administrator, Burnet County Elections, 220 South Pierce, Burnet, Texas 78611.

4. CONSEJO DE BOLETAS DE VOTACIÓN ANTICIPADA. Por medio del presente se crean consejos de boletas de votación anticipada para procesar los resultados de la votación anticipada, y el Juez Presidente de los consejos será designado por el Administrador de Elecciones del Condado de Burnet. El Juez Presidente designará un mínimo de dos residentes y un máximo de dieciocho (18) votantes habilitados para servir como miembros de los Consejos de Boletas de Votación Anticipada.

5. VOTANTES. Todos los votantes habilitados, residentes de la Ciudad, tendrán derecho a votar en la elección.

6. AVISO. Una copia substancial de esta Ordenanza, con tales omisiones que sean autorizadas por ley, servirá como aviso adecuado de la elección. Tal aviso, incluida una traducción al español del mismo, se colocará en el tablero de anuncios utilizado por la Ciudad para colocar avisos de asambleas y en City Hall no menos de los veintiún (21) días antes de la fecha de la elección y deberá permanecer colocado hasta el día de la elección. Además de lo expresado anteriormente, esta Ordenanza, incluida una traducción al español de la misma, se colocará (i) el día de elección y durante la votación anticipada en persona en un lugar prominente en cada lugar de votación; (ii) en tres (3) lugares públicos dentro de los límites de la Ciudad veintiún (21) días antes de la elección a más tardar; y (iii) en el sitio web de internet de la Ciudad durante los veintiún (21) días anteriores a la elección si la Ciudad mantiene un sitio web en internet.

Tal aviso, incluida una traducción al español del mismo, se publicará en el *The Highlander*, un periódico de circulación general en la Ciudad, el mismo día en dos semanas sucesivas siendo la primera publicación no antes del trigésimo (30.º) día ni más tarde el decimocuarto (14.º) día antes del día de la elección.

Por la presente, se autoriza e instruye al Secretario de la Ciudad a publicar y colocar los avisos requeridos de la manera y durante los períodos de tiempo que exige la ley.

7. APARATOS DE VOTACIÓN. En todos sus aspectos, la elección se llevará a cabo en conformidad con el Código Electoral de Texas y la Ley Federal Ayude a América a Votar. Cada lugar de votación utilizado en el Condado de Burnet para esta elección tendrá por lo menos un aparato de votación para personas discapacitadas tales como un aparato de votación electrónico de registro directo disponible para la votación el día de elección y durante la votación anticipada. El Registrador de Votantes del Condado de Burnet también puede utilizar una estación central de conteo de acuerdo con lo dispuesto por la Sección 127.000 y siguientes, y sus enmiendas, del Código Electoral de Texas. Se designará al juez presidente y al juez presidente alterno de la estación central de conteo en conformidad con el Convenio Electoral y el Código Electoral de Texas.

8. PROPOSICIÓN. En la elección se presentará la siguiente PROPOSICIÓN DE BONOS en conformidad con la ley:

#### PROPOSICIÓN

“¿Deberá el Consejo Municipal de la Ciudad de Granite Shoals, Texas, obtener autorización para emitir los bonos de la Ciudad, en una serie o emisión o más, por la cantidad total de capital de \$3,000,000 con los bonos de cada una de dichas series o emisiones, respectivamente, con vencimiento en serie sin superar los cuarenta años de su fecha, y para ser vendidos a ciertos precios y devengar interés a ciertas tasas, como se determinará a criterio del Consejo Municipal, de acuerdo a la ley en el momento de emisión, con el fin de construir, mejorar, extender, ampliar, actualizar y/o desarrollar Phillips Ranch Road, Prairie Creek Road y Valley View Lane, incluida la reubicación de servicios públicos, drenaje, aceras, mejoras de seguridad del tránsito y operativas relacionadas, la compra o adquisición de cualquier derecho de paso o servidumbre necesario, el drenaje relacionado y otros costos relacionados; y deberá dicho Consejo Municipal obtener autorización para imponer y causar la valuación y recaudación de impuestos ad valorem anuales sobre toda propiedad gravable en la Ciudad en una cantidad suficiente para pagar el interés anual de dichos bonos y proveer un fondo de amortización para pagar los bonos en su vencimiento?”

9. BOLETAS OFICIALES DE VOTACIÓN. La votación por la proposición en la elección será mediante el uso de boletas electrónicas o de papel, las cuales mostrarán la proposición en inglés y en español y cumplirán con los requisitos de la ley federal, incluyendo la Ley Ayude a América a Votar y el Código Electoral de Texas, y sus enmiendas. Las boletas de votación oficiales para la elección se prepararán en conformidad con el Código Electoral de Texas de manera que se permita a los votantes votar “A FAVOR” o “EN CONTRA” de la PROPOSICIÓN

expresada anteriormente y de manera que contengan dichas disposiciones, marcas y lenguaje de acuerdo con los requisitos de la ley, y con dicha PROPOSICIÓN expresada sustancialmente de la siguiente manera:

PROPOSICIÓN

A FAVOR                    [    ] LA EMISIÓN DE \$3,000,000 EN BONOS DE IMPUESTOS  
PARA MEJORAS EN PHILLIPS RANCH ROAD, PRAIRIE CREEK  
ROAD Y VALLEY VIEW LANE

EN CONTRA [    ]

10.    CONDUCCIÓN DE LA ELECCIÓN EN CONFORMIDAD CON LA LEY. En todos sus aspectos, la elección se llevará a cabo en conformidad con las leyes estatales y federales, las cuales incluyen el Código Electoral de Texas y la Ley Federal Ayude a América a Votar.

11.    SECCIÓN 3.009(b) DEL CÓDIGO ELECTORAL DE TEXAS. Solo a los efectos del cumplimiento con la Sección 3.009(b) del Código Electoral de Texas, en el Anexo "C" adjunto al presente documento, se halla la información requerida en un documento que ordene una elección de bonos de acuerdo con la Sección 3.009(b) del Código Electoral de Texas. El Anexo "C" se incorpora a la presente por referencia para todos los fines.

12.    RESULTADOS. El Registrador de Votantes del Condado de Burnet hará una tabulación no oficial de los resultados después de cerrar las casillas electorales el 8 de noviembre de 2016. El Consejo Municipal realizará el escrutinio y la tabulación oficiales de los resultados de la Elección Especial en una Asamblea Extraordinaria del Consejo en conformidad con el Código Electoral.

13.    DISPOSICIONES. Las disposiciones de esta Ordenanza son divisibles y, en caso de que una o más de las disposiciones de esta Ordenanza o la aplicación de las mismas a alguna persona o circunstancia se determinen inválidas, inconstitucionales o inefectivas para alguna persona o circunstancia, entonces el resto de esta Ordenanza será válida y la aplicación de dicha disposición inválida a personas o circunstancias además de aquellas que se determinen inválidas no se verán afectadas por éstas. Se autoriza e instruye al Alcalde y a la Secretaria de la Ciudad a tomar cualquier medida necesaria para llevar a cabo las disposiciones de esta Ordenanza.

LEÍDA, ACEPTADA Y ADOPTADA este día 22 de agosto de 2016.

\_\_\_\_\_  
Alcalde, Ciudad de Granite Shoals, Texas

ATESTIGUA:

\_\_\_\_\_  
Secretaria de la Ciudad,  
Ciudad de Granite Shoals, Texas  
\_\_\_\_\_

ANEXO A

VOTACIÓN EL DÍA DE ELECCIÓN

CIUDAD DE GRANITE SHOALS - Lugares de Votación del Día de Elección del Condado de Burnet

8 de noviembre de 2016 de 7:00 a.m. a 7:00 p.m.

Precinto 3 - Grace United Methodist Church  
Precinto 18 - Granite Shoals Fire Station

SUJETO A CAMBIOS

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ANEXO "B"

VOTACIÓN ANTICIPADA

CIUDAD DE GRANITE SHOALS - Lugares de Votación Anticipada en el Condado de Bumet

Ver horario adjunto

SUJETO A CAMBIOS

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**NOVEMBER 8, 2016**

*el 8 de noviembre de 2016*

**GENERAL AND LOCAL ELECTIONS**

*ELECCIONES GENERAL Y LOCALES*

**Burnet County, Texas**

*Condado de Burnet, Texas*

## **Early Voting Locations and Hours**

*Sitios y Horarios de Votación Adelante*

<b>Polling Place</b> <i>Sitio de Votación</i>		<b>Address</b> <i>Domicilio</i>		<b>City</b> <i>Ciudad</i>		
<b>Burnet County Courthouse</b>		<b>220 S. Pierce St.</b>		<b>Burnet, TX 78611</b>		
<b>Marble Falls Courthouse South Annex</b>		<b>810 Steve Hawkins Pkwy.</b>		<b>Marble Falls, TX 78654</b>		
<b>Sunday</b> <i>Domingo</i>	<b>Monday</b> <i>Lunes</i>	<b>Tuesday</b> <i>Martes</i>	<b>Wednesday</b> <i>Miércoles</i>	<b>Thursday</b> <i>Jueves</i>	<b>Friday</b> <i>Viernes</i>	<b>Saturday</b> <i>Sábado</i>
	<b>October 24</b> <i>el 24 de oct.</i>	<b>October 25</b> <i>el 25 de oct.</i>	<b>October 26</b> <i>el 26 de oct.</i>	<b>October 27</b> <i>el 27 de oct.</i>	<b>October 28</b> <i>el 28 de oct.</i>	<b>October 29</b> <i>el 29 de oct.</i>
	<b>8am-5pm</b>	<b>8am-5pm</b>	<b>8am-5pm</b>	<b>8am-5pm</b>	<b>8am-5pm</b>	<b>8am-5pm</b>
	<b>October 31</b> <i>el 31 de oct.</i>	<b>November 1</b> <i>el 1 de nov.</i>	<b>November 2</b> <i>el 2 de nov.</i>	<b>November 3</b> <i>el 3 de nov.</i>	<b>November 4</b> <i>el 4 de nov.</i>	
	<b>7am-7pm</b>	<b>7am-7pm</b>	<b>7am-7pm</b>	<b>7am-7pm</b>	<b>7am-7pm</b>	

ANEXO "C"

INFORMACIÓN REQUERIDA EN CONFORMIDAD CON  
LA SECCIÓN 3.009(b) DEL CÓDIGO ELECTORAL DE TEXAS<sup>2</sup>

De acuerdo con las disposiciones de la Sección 3.009(b) del Código Electoral de Texas, se halla y determina por la presente que:

(1) El lenguaje de la proposición que aparecerá en la boleta de votación se establece en la Sección 9 de esta Ordenanza.

(2) El propósito por el cual se han de autorizar los bonos se establece en la Sección 8 de esta Ordenanza.

(3) La cantidad del capital de los bonos que se ha de autorizar se establece en las Secciones 8 y 9 de esta Ordenanza.

(4) Como lo establecen las Secciones 8 y 9 de esta Ordenanza, si los votantes aprueban los bonos, se podrán imponer impuestos suficientes para pagar el capital y el interés anuales de los bonos, dentro de los límites estipulados por la ley.

(5) Según las condiciones del mercado bursátil en la fecha de adopción de esta Ordenanza, la tasa de interés máxima para cualquier serie de bonos autorizada por los votantes para la venta se estima en 4.9% como se calcula de acuerdo con la ley aplicable. Dicho cálculo estimado se basa en recomendaciones recibidas de los asesores financieros de la Ciudad, las cuales tienen en cuenta una serie de factores, que incluyen la elección del momento oportuno para la emisión de las obligaciones de deuda aprobadas por los votantes, el programa de vencimiento para las obligaciones de deuda emitidas por las Ciudad y las clasificaciones de crédito esperadas de las obligaciones de deuda propuestas. La tasa de interés máxima estimada se provee a título informativo, pero no es un límite sobre la tasa de interés a la que podrían venderse los bonos o cualquier serie de estos.

(6) Como se establece en la Sección 8 de esta Ordenanza, si los votantes aprueban los bonos, se podrán emitir los bonos en una serie o más, para vencer en serie en un periodo que no supere los 40 años.

(7) Al comienzo del año fiscal actual de la Ciudad (2015-2016), la cantidad total de capital pendiente de las obligaciones de deuda del impuesto ad valorem de la Ciudad es \$10,936,016.

(8) Al comienzo del año fiscal actual de la Ciudad (2015-2016), la cantidad total de interés pendiente de las obligaciones de deuda del impuesto ad valorem de la Ciudad es \$3,523,646.

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<sup>2</sup> Esta información se provee exclusivamente a los efectos del cumplimiento con la Sección 3.009(b) del Código Electoral de Texas y solo a título ilustrativo. La información no es una parte de la proposición sometida a votación y no crea un contrato con los votantes.

# Sample

*The Highlander  
Sample Ballot as in  
Printed 10-21-16 in*



22000040320055

Sample Ballot

## GENERAL ELECTION

*Elección General*

### BURNET COUNTY, TEXAS

*Condado de Burnet, Texas*

November 08, 2016 - 8 de Noviembre, 2016

#### BOND PROPOSITION

THE ISSUANCE OF \$3,000,000 TAX BONDS FOR IMPROVEMENTS TO PHILLIPS RANCH ROAD, PRAIRIE CREEK ROAD AND VALLEY VIEW LANE

Vote for none or one

#### PROPOSICIÓN DE BONOS

LA EMISIÓN DE \$3,000,000 EN BONOS DE IMPUESTOS PARA MEJORAS EN PHILLIPS RANCH ROAD, PRAIRIE CREEK ROAD Y VALLEY VIEW LANE

Vote por ninguno o uno

FOR

*A Favor*

AGAINST

*En Contra*

#### SPECIAL ELECTION, CITY OF GRANITE SHOALS, TEXAS

*ELECCIÓN ESPECIAL, CIUDAD DE GRANITE SHOALS, TEXAS*

#### REFERENDUM

Shall the City Code be amended to include Ordinance No. 680, "No Deer Feeding Ordinance," the effect of which would be: (1) to prohibit the feeding of deer in the city limits, which is an essential component of the city's comprehensive deer management program;

(2) to adopt a city policy that enforcement of deer-feeding regulations should occur first through education, then through warnings, then through the imposition of civil penalties, and then through the initiation of criminal proceedings only if all of the previous methods prove ineffective; and (3) to provide due process protections for persons accused of violating the ordinance?

Vote for none or one

REFERÉNDUM

#### CITY OF MARBLE FALLS

Charter Amendment

*CIUDAD DE MARBLE FALLS*

*TEXAS Elección de Carta*

Carta

#### PROPOSITION NO. 1

Shall Sec. 3.06 (a) (Vacancies Office, Filling Vacancies) and (b) (Term of Office) be amended to require that any Council member elected or re-elected Council Mayor must take the oath of office on the day of the election (i.e. the day the office will become vacant)?

Vote for none or one

#### PROPOSICIÓN NO. 1

¿Se enmendará la Sec. 3.06 (a) Exoneración del Cargo, Cargo Vacante (Sec. 10.05 (juramento oficial)) por los recién elegidos o reelegidos el Alcalde tomen juramento de oficio dentro de un periodo de 30 días de la elección (es decir, el escrutinio contrario el puesto quedará vacante)?

Vote por ninguno o uno

YES

*Sí*

NO

*No*

#### PROPOSITION NO. 2

Shall the third, fourth and fifth paragraphs of Section 3.13, Ordinances in General, of the City Charter be amended to change the requirements for two readings of an ordinance to one reading and one publication of two notices of ordinance to one reading and one publication of notice, except as otherwise required by State Law?

Vote for none or one

9000000463131



Vote for none or one

**REFERÉNDUM**

¿Debería modificarse el Código de la Ciudad para incluir la Ordenanza N° 680, "Ordenanza para no alimentar venados", cuyos efectos serían: (1) prohibir que se alimenten venados dentro de los límites de la ciudad, lo cual constituye un componente esencial del programa general de control de venados; (2) adoptar una política en la ciudad para que se cumplan los reglamentos sobre alimentar venados, primero por medio de campañas de información públicas, seguido por advertencias, y después por la aplicación de sanciones civiles; y finalmente, por procedimientos penales sólo en caso de que los métodos anteriores no sean eficaces; y, (3) establecer garantías procesales para las personas acusadas del incumplimiento de la ordenanza?

Vote por ninguno o uno

YES

Sí

NO

No

of notice, except as otherwise rec State Law?

Vote for none or one

**PROPOSICIÓN NO. 2**

¿Se enmendarán el tercer, cuarto párrafo de la Sección 3.13, Orden General, de la Carta para cambiar requisitos de dos lecturas de una la publicación de dos anuncios de ordenanza a una lectura y una pu la notificación, salvo si lo requiere estatal?

Vote por ninguno o uno

YES

Sí

NO

No

Ballots

Friday, October 21, 2016 Page 5B



City of Granite Shoals, Texas  
City Council Meeting  
Agenda Item Cover Memo  
October 25, 2016

**Agenda Item:** #6. Consent Agenda  
**Prepared By:** City Secretary  
**Department:** Administration  
**Submitted By:** City Secretary

**6. CONSENT AGENDA ITEMS**

*The items listed are considered to be routine and non-controversial by the City Council and will be approved by one motion, There will be no separate discussion of these items unless a Councilmember so requests, in which case the item will be removed from the Consent Agenda prior to a motion and vote. The item will be considered in its normal sequence of the regular agenda.*

- a. Approve October 11, 2016; Regular City Council meeting minutes.
- b. Approve Resolution #514 adopting FEMA Hazard Mitigation Plan update, as reviewed every five years.
- c. Approve Resolution #515 to update the signature cards for the city's bank accounts.
- d. Approve Resolution #516 to update the signature cards for the city's TEXPOOL accounts.
- e. Approve Resolution #517 to re-adopt the city's Investment Policy.
- f. Ratify the city's current Finance Policy / Finance Goals as originally passed as Resolution 446.

- a. self-explanatory
- b. Every five years, the FEMA Hazard Mitigation Plan is reviewed and re-adopted. The City of Granite Shoals participates with Burnet County to formulate this plan, which consists of 500+ pages. <http://www.graniteshoals.org/DocumentCenter/View/752> . If City Council approves this plan, city staff will notify the firm of Jeff Ward in Virginia. They are consultants who are assisting Burnet County to coordinate this adoption with FEMA. At this point, the cities of Granite Shoals, Meadowlakes and Highland Haven are the only cities in the county which have not yet approved the draft plan.
- c. Mr. Tanner's resigned; he was a signatory on city accounts at the city's bank. Council Member Holland has volunteered to serve as an authorized signer on these accounts.
- d. Mr. Tanner's resigned; he was a signatory on city accounts at TEXPOOL. Council Member Holland has volunteered to serve as an authorized signer on these accounts.
- e. Each year, the auditors assure that the Council has adopted the Investment Policy. It is given a new sequential Resolution #. This year, city staff recommends no changes. Resolution #502 is proposed to be re-adopted by City Council as Resolution #517, as is.
- f. Resolution #446 is the city's Finance Policy and Finance Goals. The auditors do not require this be adopted or re-adopted each year. However, city staff believes, and the policy states that the policy and goals are best reviewed each year. City staff request that the Council ratify Resolution #446 for FY 2016-2017 to be the continuing Finance Policy and Goals.



City Of Granite Shoals  
2221 N. Phillips Ranch Road  
Granite Shoals, TX 78654  
Phone (830) 598-2424 fax (830) 598-6538  
www.graniteshoals.org

MEETING MINUTES  
CITY OF GRANITE SHOALS, TX  
REGULAR CALLED CITY COUNCIL MEETING  
CITY HALL, 2<sup>ND</sup> FLOOR COUNCIL CHAMBER, GRANITE SHOALS, TX  
TUESDAY, OCTOBER 11, 2016  
6:00 PM

*The numbering below tracks that of the agenda, whereas the actual order of consideration may have varied.*

1. Mayor Brugger called the regular meeting of the City Council of the City Of Granite Shoals to order at 6:01 PM, Granite Shoals City Hall, Council Chamber, 2221 N. Phillips Ranch Road, Granite Shoals, Texas.

Present:

Carl Brugger, Mayor  
Tom Dillard, Mayor Pro Tem  
Anita Hisey, Council Member, Plc. 1  
Shirley King, Council Member, Plc. 2  
Todd Holland, Council Member, Plc. 5  
Mark Morren, Council Member, Plc 6

Absent:

Eric Tanner, Council Member, Plc. 3 (resigned 9-17-2016)

City Staff Present:

Ken Nickel, City Manager  
Peggy Smith, Assistant City Manager  
Brad Young, City Attorney  
Elaine Simpson, City Secretary

2. Mike Mitchell of the Granite Fellowship Church and the Granite Shoals Faith Alliance gave the invocation.

3. Pledge to the US and the Texas State Flags, respectively.

4. **Public comment and announcements and Items of Interest**

*At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting. No discussion or deliberation can occur. Comments regarding specific agenda items should occur when the item is called. Anyone wishing to*

Speak under this agenda item must complete a Comment Card and submit to the City Secretary prior to addressing the Council.

- **Fire Safety Week** – October 10<sup>th</sup> through the 14<sup>th</sup> – Fire Department/various activities and educational events.

Fire Safety posters are available at City Hall for the kids, while supplies last. The focus this year is on checking those smoke detectors.

- **Fall City-Wide Clean Up Day** – Saturday, October 15, 2016, City Hall campus 8 AM to 12 noon.

THIS YEAR INCLUDING SHRED MOBILE

Condor Document Services will be at City Hall parking lot from 8-11 AM to securely shred (and recycle) your personal documents. Fight Identity Theft! Securely shred your personal business documents that you no longer need.

Items that are NOT accepted at the Clean Up Day are household hazardous wastes and construction debris.

- **BBQ for Christmas Outreach** – Saturday, October 22 at Ryders 11AM to 3 PM  
Bring a new, unwrapped toy and get a dessert. Tickets are \$10.00 in advance and \$12.00 at the door.

- **Early Voting for Nov. 8<sup>th</sup> Elections** – Monday, October 24<sup>th</sup> – Friday, November 4<sup>th</sup>

- **Trunk OR Treat** – Highland Lakes Elementary School – Monday, October 24, 2016 at 6:30 PM. Volunteers are appreciated.

- **October 28, 2016; Friday – Public Safety Day at Highland Lakes Elementary School.**

The month of October has Fire Safety Week and Public Safety Day activities. First responders, and their vehicles / equipment **may be at the Elementary School doing presentations and demonstrations at any time of the month.** Please be mindful around emergency vehicles.

- **Fall Festival** – Presented by the Granite Shoals Faith Alliance – **updated location Veterans Park** – October 30, 2016. 1 PM – 5 PM

There will be an All-City Worship Service (similar to the one at the 50<sup>th</sup> Year Bash weekend) at 11:00 AM in the park. This is a full day of fellowship and fun for the entire family.

- **Veterans Celebration** – November 5, 2016; Saturday, Veterans Park at 11:00 AM. Annually, at this event the city will present the annual John Rinehart Memorial Award for Outstanding Community Service.

- **November 8, 2016 City of Granite Shoals Special Elections** – Election Day polling places will be open 7 AM to 7 PM.

- **December 2, 2016 Friday, Christmas By The Highway 'Lighting Ceremony'** 6 PM

Mayor Brugger thanked Mayor Pro Tem Dillard for chairing the previous meetings during Brugger's absence.

There were no citizen comments.

##### 5. **Presentations, Recognitions and Reports:**

*Make a Wish Foundation – Proclamation by Mayor Carl Brugger*

*Office of the Mayor City Of Granite Shoals*

*Proclamation*

*Expressing Thanks to the Make A Wish Foundation*

*WHEREAS, 'Wishes are good medicine for kids with life-threatening medical conditions'; this is the guiding principle behind the Make A Wish Foundation; and*  
*WHEREAS, every year, approximately 27,000 children are diagnosed with a medical condition that makes them eligible for a wish experience through Make A Wish America. In Fiscal Year 2015, they granted the wishes of nearly 14,800 kids; and*  
*WHEREAS, this year, our own 7 year old Alyssa Flores is a very special 'Wish Kid'; and*  
*WHEREAS, Alyssa has been a champion in fighting Acute Lymphoblastic Leukemia (ALL for short); and*  
*WHEREAS, her wish was to meet the talented singer/actress Selena Gomez and attend one of her concerts; and*  
*WHEREAS, Alyssa met and visited with Selena in Austin in June, attended her concert at the Frank Erwin Center and stayed in the fancy Hutto Hotel; and*  
*WHEREAS, Alyssa prepared for her visit with a shopping spree and a manicure, pedicure and general pampering at the nail salon; and*  
*WHEREAS, the Mayor and City Council wish to congratulate Alyssa for her perseverance in fighting ALL and congratulate her on an extraordinary wish experience; and*  
*WHEREAS, our community, Teri Brinson, Tommy Fogle, Karen Larsen and Lynn Smith from the Friends of Wishes Foundation, had a chance to help make Alyssa's wish come true, and now are honored to be a part of her family of support; and*  
*WHEREAS, the City would like to honor this expression of community coming together to be a part of Alyssa's wish experience;*  
*NOW, THEREFORE, I, MAYOR CARL BRUGGER, with and on behalf of the City Council, on this 11th day of October, 2016, further honor Alyssa and her fight with ALL, and thank her, the Make A Wish organization, Friends for Wishes, and the many volunteers and sponsors who participated in the Wish Experience of this precious young citizen.*

*Mayor Carl Brugger*

Mayor Brugger recognized Alyssa Flores and her family, and the representatives from the Make-A-Wish Foundation - Teri Brinson and Karen Larsen - and from the Friends for Wishes: Lynn Smith, Tommy Fogel , Brenda Weems. Chaille Voelkel, and Norman Walker.

Mayor Brugger introduced Alyssa to each Council member. He presented her with a small gift from the city, and her own copy of the Proclamation that recognized all her supporters.

## 6. MANAGEMENT REPORTS

### a.) **City Manager**

- Texas Parks and Wildlife Outdoor Recreation Grant application for Quarry Park. The application for this grant was submitted electronically and is now classified as in the queue. We will not hear a final decision on this application until after February 2017.

- **Development Agreements**

City staff sent two certified letters to request updated development agreements to the Metzger Family. The current development agreement expires December 29, 2016. This agreement that is being requested would annex 500 feet of their property in the city's Extraterritorial Jurisdiction

(ETJ), upon the submission of any plat or plans to develop such property. A bonus of this development agreement is that the city can treat the area included in a development agreement as city limits. Similar letters were sent to the Scarborough Family, who own property that is similarly situated.

- **City Hall Roof Repairs**

So far, the tile and mortar have been removed and repairs will begin. Hopefully this project will continue as it has, on schedule, and will be finished within two weeks.

- **TML Conference report:** Council Members King, Hisey and Dillard attended this educational conference October 5-7<sup>th</sup>. [Council Members reported briefly on the best information they received at their classes, respectively. Council Member Hisey wrote her report and it is attached as 'Attachment A' to these meeting minutes. Mayor Pro Tem explained that there was excellent information at this conference regarding the predicted legislative outlook for Texas cities. The items at issue might include revenue caps and possibly Short Term Rentals. Council Member Hisey reported on the sessions that she attended on roads, on annexation, on public speaking and also involving teens in civic life. Council Member King agreed with the other speakers and also noted that there was a helpful session about solar energy which she found interesting.]

**b.) Assistant City Manager**

- **City water sampling/sample testing update:** the lead and copper samples are taken on a regular schedule for surface water (every three years) this is our year to take samples. There were 20 houses included in the sampling this year. One house of the 20 showed a result over the actual limit for lead. This house is old and is known to have lead solder in the pipes.

**c.) City Secretary**

- **Elections Update**

The city website at [www.graniteshoals.org](http://www.graniteshoals.org) has information for voters regarding the two Special Elections which are on the November 8<sup>th</sup> ballot. This information is on the Elections page of the website.

Today in the Highlander News, the published notice for the Bond Election can be found in the legal section. Ordinance 680 will be published twice, within 2 weeks of the election.

**7. CONSENT AGENDA ITEMS**

*The items listed are considered to be routine and non-controversial by the City Council and will be approved by one motion, There will be no separate discussion of these items unless a Councilmember so requests, in which case the item will be removed from the Consent Agenda prior to a motion and vote. The item will be considered in its normal sequence of the regular agenda.*

- Approve September 27, 2016; Regular City Council meeting minutes.
- Approve Resolution #513 to name the *Highlander News* as the city's newspaper of record.
- Approve Ordinance #703 to re-authorize the Juvenile Curfew Ordinance for three more years, as required.

Mayor Pro Tem Tom Dillard motioned, and Council Member King seconded, to approve all items on the consent agenda, as presented, except one correction to Resolution #513, correcting the name of the newspaper from the Highlander News to The Highlander. Motion carried by a unanimous vote of 6-0.

8. **EXECUTIVE SESSION**: City Council will go into an executive (closed) session to receive information from City Attorney Brad Young as authorized by Texas Government Code Sections 551.071 (consultation with attorney).

9. a. Mayor Brugger announced that he would open agenda item 9.a., which is related to this Executive Session. Discuss, consider, interview applicants and possibly make an appointment to fill vacancy in City Council, Place # 3, for unexpired term. *(City Manager Ken Nickel)*

Mayor Brugger recessed the open meeting at 6:44 PM

Mayor Brugger adjourned the Exec. Session at 7:00 PM

Mayor Brugger reconvened the Open Meeting at 7:03 PM.

There was no formal action resulting from the Executive Session regarding agenda item 9.a.

9. **REGULAR AGENDA ITEMS**

a. Discuss, consider, interview applicants and possibly make an appointment to fill vacancy in City Council, Place # 3, for unexpired term. *(City Manager Ken Nickel)*

On August 23, 2016, Council Member Eric Tanner submitted his resignation from City Council, place #3. This created a vacancy on City Council for the unexpired term of Mr. Tanner (from September 17<sup>th</sup>, the effective date of the resignation, to May 2017). City Council determined a process that would be followed to appoint a qualified citizen to serve in Place #3. The application period started September 14, 2016 and ended September 30<sup>th</sup> at 3 PM.

There were four applications received. In date order of application: Jim Davant, Will Skinner, Arturo Rubio and Terry Scott.

These applications were reviewed by the City Secretary and the applicants were verified as qualified candidates, according to the City Charter requirements.

The City Council previously had decided to handle this appointment with the following procedure:

4. During City Council meeting on October 11th, all qualified candidate will be interviewed during the Council meeting.
5. At the end of the interviews, each council person will select their top two candidates by paper ballot. After all of the ballots are received, Elaine will read each ballot. The candidate with the highest score, will be first to be considered for the council position. The score will be calculated by giving 2 points for the top candidate and one point for the second choice.
6. Per our city charter, a vacancy in City Council, other than that of the Mayor, shall be filled within 30 days of the existence of the vacancy. This date is October 17, 2016. The Council must achieve an eighty (80%) percent vote of the remaining Council members to appoint a person for the position. Therefore, another vote from Council would be required. There must be 5 out of the 6 Council members vote to approve the appointment. If the top candidate cannot obtain the five votes, Council can consider other candidates. Any candidate must obtain 5 votes from Council to be selected for Mr. Tanner's Council position.
7. If a candidate is approved on October 11th, Elaine will administer the oath and required paperwork and the new Council Member will be seated at the dais on that date.

Mayor Brugger recognized the following speakers:

Susie Hardy, 412 Bluebonnet, Granite Shoals, TX 78654: Is Chair of the Streets and Water Advisory Group (SWAG). Jim Davant is a member of the SWAG. He has been valuable as a member of SWAG due to his professionalism, his knowledge and the fact he is a very solutions-oriented worker.

Mayor Brugger thanked the applicants for offering their service to the city by volunteering in this capacity. He explained that the Council would like to interview each candidate, in open session, and will give each gentleman six minutes to speak. Mayor called the applicants in the order in which they applied.

The Council members interviewed each applicant, but questions which were posed to all candidates included: 'What do you think makes a good Council Member?', 'Will you be willing to run for re-election in May?', 'Have you ever done work for the City of Granite Shoals for which you were paid money?', 'What are your thoughts about the deer management issue in Granite Shoals?', 'What is the most valuable thing you have learned from your service on \_\_\_ [respective committee]?' and 'What is your attitude about municipal debt?'

Each candidate introduced themselves and made initial remarks. All candidates essentially agreed that the city needs to grow and diversify the tax base. It was agreed that a good City Council member is a good listener who works well on a team and keeps the greater good in mind, keeps correct 'priorities'. Each candidate agreed that the deer overpopulation issue needs to be addressed. Almost all expressed support for improvements for the city's roads. All stated that if appointed tonight, they would run for re-election in May 2017.

Mr. Davant noted that he has been attending many city meetings, not only the SWAG and the City Council meetings, and he stays informed about the issues that City Council is addressing.

Mr. Skinner noted that his work with Kingsland Municipal Utility District provides him with a unique insight into the workings of a community and how to work with the public. He is also an active volunteer at the local elementary school in the parent teacher organization (PTO).

Mr. Rubio noted that he and his family run a construction business based in town. This gives him insight related to the experience of the business community in town. It was noted that his family's business has done work with the City of Granite Shoals and has a positive working relationship with the city.

Mr. Scott explained that he has excellent teamwork skills as an airline pilot for Delta. He works with his plane's crew every day. He is also a veteran with a long history of public service.

Each applicant noted how their Committee experience had provided valuable experience which they would, if appointed, use in their Council service.

There was a discussion on the City Council regarding the difficulty of choosing a replacement for Mr. Tanner when all four gentlemen are such strong candidates.

The voting was held according to the pre-determined procedure.

Mr. Davant received 10 points, Mr. Skinner 4 points and Mr. Rubio 4 points.

<b>Points</b> <b>1<sup>st</sup> Choice = 2 pts.</b> <b>2<sup>nd</sup> Choice = 1 pt.</b>	Davant	Skinner	Rubio	Scott	Pts.
Mayor Brugger	2		1		3
Anita Hisey	1	2			3
Shirley King	2	1			3
Tom Dillard	1	2			3
Todd Holland	1		2		3
Mark Morren	1		2		3
<b>Total</b>	<b>10</b>	<b>4</b>	<b>4</b>		

Mayor Brugger motioned, and Mayor Pro Tem Dillard seconded, to appoint Mr. Jim Davant to fill the un-expired term on the Granite Shoals City Council in place #3. Motion carried unanimously by a 6-0 vote.

Mayor Brugger called a recess at 7:59 PM.

Mayor Brugger reconvened the meeting at 8:12 PM.

City Secretary Simpson administrated the Oath of Office to Mr. Davant. Mr. Davant took his place at the Council dais.

b. Discuss, consider and possibly take action to determine recipient of the 2017 John Rinehart Award. *(City Manager Ken Nickel)*

The City Council passed Resolution 469 on January 20, 2015, establishing the John Rinehart Memorial Award for Outstanding Community Service.

Council awarded the first award to John Rinehart, posthumously. John Rinehart, Jr. accepted this award on behalf of his father on June 23, 2015. Last year, Donna Maier was awarded the John Rinehart award, and it was presented to her at the Veterans Celebration held Saturday, November 7, 2015.

This year, three nomination forms were submitted by the deadline of 5 PM on Sept. 30<sup>th</sup>. In order of date of receipt:

- 1.) Amber Campbell, nomination of Jonathon Curlee – 7-7-2016
- 2.) Shirley King, nomination of Meryl Nations – 9-26-2016
- 3.) Austin Stanphill, nomination of J.C. Huggins -9-30-2016

At the October 13, 2015 City Council Regular Meeting, the Council decided by consensus to direct City Secretary to bring 2 sets of paper ballots for use in initial balloting. When there is a plurality of votes, a motion can be made to present the award to that nominee.

Tonight, Council Member King will field any questions regarding her nominee and Fire Chief Austin Stanphill will field questions on the other two nominees, both of whom serve on the Volunteer Fire Department.

Mayor Brugger introduced this item by noting that all three nominees are worthy of this recognition.

Fire Chief Austin Stanphill noted that Jonathan Curlee has been with the department for 13 years and was promoted upon his (Stanphill's) recommendation. Stanphill needed him in a 'leadership role' in the department due to his many strengths and his excellent attitude. Jonathan Curlee has extensive training and is admired for his willingness and skill to pass knowledge on. He is an excellent leader and trainer. He is reliable, positive and dedicated. He has been awarded leadership awards within the department.

Council Member King read from her extensive nomination form to describe the merits of Meryl Nations. Meryl Nations is known as an active and valuable member of the Beautification Advisory Group (BAG), and as a former Council Member, but not everyone knows about the variety of roles that she has taken to improve our community. She has been involved with helping clean up the city, and was the person most responsible for establishing the regular 'City Wide Clean Up Days' that we have each year. She serves on many committees, including the 40<sup>th</sup> and 50<sup>th</sup> Anniversary Celebration committees. She was involved with the Veterans Celebration and parade from the beginning. She has donated an incredible amount of time and service to the city for the last 15 years.

Fire Chief Stanphill provided the report on his nomination of 'J.C.' Huggins. Huggins is a military veteran, Air Force / Viet Nam. He is married and has 2 sons. He volunteers his service cheerfully to Granite Shoals Fire Department, also to the VFW and the Marble Falls area Chamber of Commerce. He is best known for showing up when he is needed, even if it is 2 AM, he will still have a great attitude. He is dependable and serves as a role-model for the younger members of the Department. He is a humble person, and gives his service to the city in a spirit very much like the John Rinehart award describes.

The Council members voted for their choice of John Rinehart nominees on paper ballots.

Five Council members voted for Merilyn Nations: Hisey, King, Holland, Dillard and Morren. Mayor Brugger voted for JC Huggins.

Council Member Jim Davant abstained from the vote.

Mayor Pro Tem Dillard motioned, and Council Member Morren seconded, to award the 2017 John Rinehart Memorial Award for Outstanding Community Service to Merilyn Nations. The motion carried unanimously with a 7-0 vote.

c. Discuss, consider and possibly take action related to modifying the City Council meeting schedule for November and December 2016, to accommodate holiday schedules. *(City Secretary Elaine Simpson)*

There is an issue related to the Elections of November 8th. These must be canvassed during the time period of 11/16 to 11/22. With the schedule as it is, the first November meeting will be on Election Night, and the second November meeting will be the canvass held on the last day possible; November 22, 2016.

Currently in December, the regularly scheduled Council meetings would fall on December 13, 2016 and December 27, 2016.

Light Up Night for Christmas By The Highway is December 2, 2016. Last year the holiday meeting schedule changes were influenced by a desire to consider the Christmas Light Contest winners (to award them at the December Council meeting). This year, the Beautification Advisory Group (BAG) has indicated that they do not wish to conduct the House Lighting Contest, so there is no pressure to hold a December meeting at any particular time.

Mayor Brugger suggests:

Normal dates, Nov 8 & 22, Dec 13 & 27.

Suggested dates, Nov 8, Nov 16th or 17th (for Canvass Special Meeting) and November 29<sup>th</sup> or Dec 13.

Mayor Brugger motioned to reset the City Council meeting schedule for the rest of 2016 as thus: To meet on November 8, 2016 as a Regular Meeting, to meet on November 16<sup>th</sup> for a Special meeting to conduct the Election Canvass (only), and to meet for a Regular Meeting on Tuesday November 29<sup>th</sup>. Then, to meet only one time in December on Tuesday, December 13<sup>th</sup>, for a

Regular meeting. Mayor Pro Tem Dillard seconded the motion. Motion carried by a unanimous vote of 7-0.

d. Discuss, consider and possibly take action related to making appointments to Boards or Committees. *(City Secretary Elaine Simpson)*

City Secretary Simpson reported that she had received no applications for any of the available Committee vacancies.

Council Member Davant noted that he would consider taking the role of City Council 'Advisor' to the Streets and Water Advisory Group, now that he cannot serve as a voting member.

There was no formal action taken.

10. **EXECUTIVE SESSION:**

Executive (Closed) meeting as authorized by Texas Government Code. Executive session pursuant to section 551.071 of the Texas Open Meetings Act (Consultation with Attorney) to seek and receive legal advice from the city's legal counsel relating to SOAH DOCKET NO. 407-16-4527.F5, JP Wilson v. Granite Shoals Police Department, in the State Office of Administrative Hearings.

Any action resulting from Executive Session(s)

Mayor Brugger recessed the open meeting at 8:50 PM

Mayor Brugger adjourned the Exec. Session at 9:51 PM

Mayor Brugger reconvened the Open Meeting at 9:51 PM.

There was no action resulting from the Executive Session.

11. **FUTURE AGENDA ITEMS**

- o Review Agenda Calendar
- o Identification of future agenda items

12. **ADJOURNMENT**

With no further business, and no objections from Council, Mayor Brugger adjourned the meeting at 10:02 PM.

Approved by City Council on the 25th of October, 2016

By: \_\_\_\_\_  
Carl Brugger, Mayor

Attest:

\_\_\_\_\_  
Elaine Simpson, City Secretary

Anita Wisey

TML 2016 NOTES

Attachment 'A'  
10-11-16  
City Council minutes

Wednesday Sessions

Opening Session, we heard the Mayor of Austin speak all about how local government is facing hurdles like how the 2017 Legislature is cutting ½ the rollback tax in the upcoming year. 8% to 4%

National League of Cities speaker stated their PIE strategy for around the world. (PIE) Public Safety, Infrastructure, Economic Development.

Mike Walsh – CEO for Tomorrow Futurist and Global Strategist believes we need to pay attention not to the Millennials but to our next generation of 8 year olds. He said they are data driven and mobile centric. They will have the platform for new ideas. He showed examples all over the world. Ex. Key is into the cloud, Digital identity, humanize, Redesigning the workspace, social networking is at work, hipsters and the property developers are the future.

Awards – less than 25k population. Sulfur Springs – Excellence, Sachse – Code Enforcement for Happy Grams, Elsa – Management Innovation, Plainview – Public Safety, Prosper – Public Works

Over 25k Population. Tyler – Spirit, Leander – Communication Service, McKinney – Innovation Transparency, Arlington – Public Safety, Waco – Public Works

Texas Roads are crumbling under Weight of Heavy Trucks

There is an increase use of oversized and overweight OS/OW vehicles on the Texas roads and highways. As a result, roads that were built to last 30 yrs are deteriorating in 5 to 10 yrs. Legislation is pushing for heavier loads. A Bill was filed in January to make it state wide. In April US Department of Transportation filed with Congress, State and County. Congress voted 187 against 236 on this matter. Gross vehicle weight is 80k. Single axle weight is 20k. Tandem axle weight is 30k. Higher truck weights need permits. There are 27 permit types. Permit fees range annually from \$10 to \$4k. Important key is putting the trucks on the right roads. Learned about Exports and imports. Learned the impact of fracking and Oil movement. Containers are now 80k – 97k in weight. There were discussions on Natural gas and resins. Permit Fees, Road selection and routing. Better infrastructure. Industrial vs residential. Design features of the roads. The width of the lane. Load barriers. Funding has not been accommodated. It's an enforcement issue. Signs can be implemented. Texas user fees are higher than any other state and are not being used for local roads but rather state roads.

Why Annex?

Texas cities are amongst the fastest growing in the country. The State demographer projects the state's population will double by 2050. That equals 25 million more people. Cities face challenges of providing quality of life, safety, and services to those who move here. Annexation is a critical tool. We learned the proper and most effective ways of approaching this subject with any given population. We also learned what to consider in our Annexation Policy, Boundary Agreements, Legislative attacks.

Thursday Sessions

Public Finance: A primer for Non-Finance Officials and Managers

I learned about Funds and Fund Balances, Understanding Funds and Fund Types. Governmental funds: accounting for operations not normally found in business. General Funds, Special Revenue funds, Debt Service funds, Capital Project Funds, Special Assessment funds, Proprietary Funds, Enterprise Funds, Internal Service Funds, Fiduciary funds. Budget Basics. Results of good budgeting practices. Forms of revenue. It should be strategic, multi-year financial perspective and flexibility to managers to be efficient and effective. Also it is good practice to have a fund balance policy of 30% no less than 25%. Good practice to have a budget contingency plan. Chapter 26 of the Tax Code is a must read.

### **Public Speaking Presenting without losing your cool Speaker was Joe Sperio**

**Ethos (character)** Are you qualified, trustworthy, and is your message appropriate

**Pathos (emotion)** Is your imagery rich enough, helping the audience relate and care, always use authenticity with the audience.

**Logos (reason)** Is your message clear, credible, logical, factual and informational?

The Tulip acronym is used for speaking: Therapeutic, Unconventional, Lucid, Illustration and Passion

Always provide an Agenda List and Notice prior to meeting for both sides to have a chance to review and to be informed.

Always say something positive before a meeting. Engage and connect. Build a rapport.

Filters: People will offend but that has nothing to do with what your message is. Stay on topic. Never speak about yourself or be long winded. You will lose your audience. Fall on your sword and always be thankful.

### **Empowering Teens to Lead in your community.**

Teen Court KORT – Knights of the round table.

Started out with defendants and then progressed to a successful program.

Harker Heights is a military base community. The youth are often left unsupervised. One would expect military children to be disciplined but that's not always the case. They started by recruiting defendants, volunteers from the HS, staff members, counselors, career oriented students like debate and ROTC students. Community service are sometimes a requirement. Also reach out to your professional retirees who might want to be involved. They also asked a Judge and the younger attorneys in their city to join the program for training purposes. They meet only one night a month. Training is a different night. Process was challenging but well worth it. Applications, back ground checks, HR, City official volunteer packets, they are not a court record, defendants are protected and not disclosed. Imani Waweru is from Kenyon a young man who flew in from Washington DC to speak at this session who is an undergraduate law student. He was inspired by this program to pursue a career after being a defendant in this program. This program expanded. Students brainstormed, researched and presented other public service programs for their community like a job fairs, fun run, senior picnics and a back to school rally.

### **Active Shooter Preparedness – you can't go through it alone.**

City of Wylie planned for 6-7 months to prepare for a live drill at the City Hall.

Training is critical. Response is what defines us. Drill was expensive. Citizens expect officials to be prepared. Safety is High priority. Table training versus actual drills. Practice is absolutely necessary. All class training is taught by the police department. Run, Hide, Fight video is on any you tube. If nothing else, please take a look at this video. Discussed things like identifying multiple exits, communication, meeting points, account for everyone, police and fire roll play, realistic scenario, closing of a public building for half a day, posting notices and planning committee. Employees were not in on it. Recruited the drama class and videographer from the HS. Very effective! They had an anti-governmental father who came in looking for his daughter. They had observers placed all around the building. They had both Fire cross trained with Law enforcement. Equipped with a starter pistol and tactic vests. They had a incident command post, decompression and debriefing follow ups for the stressful and traumatic scenario for all departments. Learned strengths and weaknesses. Room by room is the old way of training that cost lives versus ALERRT and NIMS training. Expensive drill. 20k for equipment. 5yr life span. Overtime x 18 fire and law enforcement x 4hrs = \$4k not to mention the staff at the hall and closing the city hall. Training budgets included tactical medical training and firearm training. Moving shoot drills versus stand still targets.

### **Friday Session**

#### **Positive Interactions with Difficult people**

Words have power. Make an emotional connection. Back ground noise is our experiences. Why are people difficult? Low education, low self-esteem, lack of skill, language culture training, pain points, goals and priorities, low expectations, high expectations, you're unskilled unknowledgeable and unmotivated.

3 questions to remember: Who are you? What do you want? How are you going to get it?

We need to think in advance towards our relationships, environment, conversations, praise, expectations. Your perception and assumptions of me is a reflection of you.

E+R = O Event plus response equals outcome.

**RESOLUTION NO. 514**

**A RESOLUTION OF THE CITY OF GRANITE SHOALS, TEXAS  
APPROVING A COMPREHENSIVE HAZARD MITIGATION PLAN.**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANITE SHOALS, TEXAS, THAT:**

**WHEREAS**, Section 322 of the Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165) requires local governments to develop a hazardous mitigation plan as a condition for receiving certain types of non-emergency disaster assistance, including funding for mitigation projects; and

**WHEREAS**, the Code of Federal Regulations (C.F.R.) at Title 44, Chapter 1, Part 201, requires the City to prepare and adopt a local mitigation plan every five years; and

**WHEREAS**, a steering committee comprised of representatives from the City of Granite Shoals, the County, and other municipalities was convened in order to assess the risks of hazards facing the City and County and to make recommendations on actions to be taken to mitigate these hazards; and

**WHEREAS**, a request for proposals was issued through the Texas Colorado Regional Floodplain Coalition to hire an experienced consulting firm to update a comprehensive hazard mitigation plan; and

**WHEREAS**, the plan incorporates the comments, ideas, and concerns of the community and of the public in general, which the plan is designed to protect, as ascertained through a series of public meetings, publication of a draft plan, press releases, and other outreach activities;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANITE SHOALS, TEXAS:**

1. The 2016 Burnet County, Texas Hazard Mitigation Plan dated October 2016, a true and correct copy of which is attached hereto as Exhibit A and incorporated for all purposes, is hereby approved and adopted by the City Council.

2. The City shall take steps to execute the actions recommended by the plan.

**EFFECTIVE DATE.** This RESOLUTION shall be in full force and effect from and after its date of approval.

APPROVED: \_\_\_\_\_, 2016.

APPROVED:

\_\_\_\_\_  
Carl Brugger, Mayor

ATTEST:

\_\_\_\_\_  
Elaine Simpson, City Secretary

**RESOLUTION NO. 515 .**

**- AUTHORIZING BANK SIGNATURES -**

**WHEREAS**, The City of Granite Shoals has entered into banking relationships with First State Bank Central Texas and Anthem Bank and Trust; and

**WHEREAS**, First State Bank Central Texas and Anthem Bank and Trust require certain signatories to be specified; and

**WHEREAS**, The City Council desires to define procedures for signatories in relation to the amount of expenditure; and

**WHEREAS**, The following people are designated as officers or employees of the City and are authorized as those certain signatories on the specified accounts:

Carl Brugger, Mayor

Kenneth R. Nickel, City Manager

Tom Dillard, Mayor Pro-Tem

Elaine Simpson, City Secretary

Shirley King, Council member

Todd Holland, Council member

Transactions with a dollar amount of less than \$15,000 must have the signatures of one (1) Council member, as designated above, and the City Manager or the City Secretary.

Transactions with a dollar amount of \$15,000 or greater must have the signatures of two Council members, as designated above.

**PASSED AND APPROVED BY THE CITY COUNCIL** of the City of Granite Shoals, Texas, at a meeting on the **25<sup>th</sup> DAY OF OCTOBER, 2016** at which a quorum was present and for which due notice was given.

\_\_\_\_\_  
Carl Brugger, Mayor

ATTEST:

\_\_\_\_\_  
Elaine Simpson, City Secretary



# RESOLUTION NO. 516

## RESOLUTION AMENDING AUTHORIZED REPRESENTATIVES

WHEREAS, City of Granite Shoals (77208)  
(Participant Name & Location Number)

("Participant") is a local government of the State of Texas and is empowered to delegate to a public funds investment pool the authority to invest funds and to act as custodian of investments purchased with local investment funds; and

WHEREAS, it is in the best interest of the Participant to invest local funds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act; and

WHEREAS, the Texas Local Government Investment Pool ("TexPool/ Texpool Prime"), a public funds investment pool, were created on behalf of entities whose investment objective in order of priority are preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act.

NOW THEREFORE, be it resolved as follows:

- A. That the individuals, whose signatures appear in this Resolution, are Authorized Representatives of the Participant and are each hereby authorized to transmit funds for investment in TexPool / TexPool Prime and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.
- B. That an Authorized Representative of the Participant may be deleted by a written instrument signed by two remaining Authorized Representatives provided that the deleted Authorized Representative (1) is assigned job duties that no longer require access to the Participant's TexPool / TexPool Prime account or (2) is no longer employed by the Participant; and
- C. That the Participant may by Amending Resolution signed by the Participant add an Authorized Representative provided the additional Authorized Representative is an officer, employee, or agent of the Participant;

List the Authorized Representatives of the Participant. Any new individuals will be issued personal identification numbers to transact business with TexPool Participant Services.

1. Name: Carl Brugger Title: Mayor  
Phone/Fax/Email: 830-598-7014 830-598-6538 mayor@graniteshoals.org  
Signature: \_\_\_\_\_

2. Name: Tom Dillard Title: Mayor Pro-Tem  
Phone/Fax/Email: 830-637-0078 830-598-6538 council\_place4@graniteshoals.org  
Signature: \_\_\_\_\_

ORIGINAL SIGNATURE AND DOCUMENT REQUIRED TEX – REP

3. Name: Todd Holland Title: Councilmember  
Phone/Fax/Email: 512-798-8850 830-598-6538 council\_place5@graniteshoals.org  
Signature: \_\_\_\_\_

4. Name: Kenneth R. Nickel Title: City Manager  
Phone/Fax/Email: 830-598-2424 830-598-6538 citymanager@graniteshoals.org  
Signature: \_\_\_\_\_

List the name of the Authorized Representative listed above that will have primary responsibility for performing transactions and receiving confirmations and monthly statements under the Participation Agreement.

Name Kenneth R. Nickel

In addition and at the option of the Participant, one additional Authorized Representative can be designated to perform only inquiry of selected information. This limited representative cannot perform transactions. If the Participant desires to designate a representative with inquiry rights only, complete the following information.

5. Name: Wendy M. Gholson Title: Director of Finance  
Phone/Fax/Email: 830-598-2424 830-598-6538 finance@graniteshoals.org

D. That this Resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant, and until TexPool Participant Services receives a copy of any such amendment or revocation. This Resolution is hereby introduced and adopted by the Participant at its regular/special meeting held on the 25th day October, 20 16.

**Document is to be signed by your Board President, Mayor or County Judge and attested by your Board Secretary, City Secretary or County Clerk.**

NAME OF PARTICIPANT: City of Granite Shoals

SIGNED: \_\_\_\_\_  
Signature  
Carl Brugger  
Printed Name  
Mayor  
Title

ATTEST: \_\_\_\_\_  
Signature  
Elaine Simpson  
Printed Name  
City Secretary  
Title

**This document supersedes all prior Authorized Representative designations.**

ORIGINAL SIGNATURE AND DOCUMENT REQUIRED

TEX – REP

TexPool Participant Services • Federated Investors Inc  
1001 Texas Ave., Suite 1400 • Houston, TX 77002 • [www.texpool.com](http://www.texpool.com) • 1-866-839-7665

06/13

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## **RESOLUTION NO. 517**

### **A RESOLUTION OF THE CITY OF GRANITE SHOALS, TEXAS, TO REPEAL AND REPLACE RESOLUTION NO. 502 AND TO ADOPT THE CITY INVESTMENT POLICY.**

**WHEREAS**, the City Council of the City of Granite Shoals, Texas (“Council”) seeks to provide for the health, safety and welfare of its citizens; and

**WHEREAS**, it is the policy of the Council that the administration of city funds and the investment of those funds shall be handled as its highest public trust;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANITE SHOALS, TEXAS, THAT:**

#### **ARTICLE I – SCOPE**

All listed funds will be pooled for investment purposes. The strategy developed for this pooled fund group will address the varying needs, goals and objectives of each fund.

#### **ARTICLE II – OBJECTIVES AND STRATEGY**

The Investment Officer shall attend at least one Investment Training Session annually for a total of eight hours of training in each two year period. The City will encourage its Investment Officers to obtain professional credentials.

#### **ARTICLE III – ETHICS AND CONFLICTS OF INTEREST**

The Investment Officer shall disclose to the Texas Ethics Commission and the City Council, any personal business relationship or material financial interests with anyone attempting to sell an investment to the City.

#### **ARTICLE IV – AUTHORIZED FINANCIAL DEALERS AND INSTITUTIONS**

SECTION 1: Any Vendor with whom the City transacts investment transaction, including Brokers, Pools, Funds and Banks, must receive and review the City’s Policy and provide a certificate with acceptable language that the policy will be followed.

SECTION 2: Vendors will be selected by the procedure described in its Investment Policy, including the bidding process which may include vendors located outside of the city but within the state of Texas.

**ARTICLE V – INVESTMENT REPORTS**

Detail and summary reports will be prepared and presented to the City Council and the Mayor no less than quarterly. Reports will comply with Section 2256.023 of the PFIA at a minimum.

**ARTICLE VI – INVESTMENT POLICY ADOPTION**

This policy attached hereto as Exhibit A, which includes strategies for each fund, shall be reviewed and adopted by Resolution by the City Council of Granite Shoals, Texas annually. Any modifications made thereto must be approved formally by the City Council.

**ARTICLE VII – REPEAL**

Resolution No. 502 is hereby repealed and replaced in its entirety.

**EFFECTIVE DATE.** This RESOLUTION shall be in full force and effect from and after its date of approval.

PASSED AND APPROVED this 25th day of October, 2016.

\_\_\_\_\_  
Carl Brugger, Mayor

ATTEST:

\_\_\_\_\_  
Elaine Simpson, City Secretary

**Investment Policy**  
**City of Granite Shoals, Texas**  
Adopted October 25, 2016

**I. POLICY STATEMENT**

It is the policy of the City that the administration of its funds and the investment of those funds shall be handled as its highest public trust. Investments shall be made in a manner which will provide the maximum security of principal invested through limitations and diversification while meeting the daily cash flow needs of the City and conforming to all applicable state statutes governing the investment of public funds.

The receipt of a market rate of return will be secondary to the requirements for safety and liquidity. It is the intent of the City to be in complete compliance with local law and the Texas Public Funds Investment Act (the "Act"). The earnings from investments will be used in a manner that best serves the interests of the City.

**II. SCOPE**

This investment policy applied to all the financial assets and funds of the City. The City may commingle its funds into several investment funds for investment purposes for efficiency and maximum investment opportunity. These funds are defined in the City's Comprehensive Annual Financial Reports (CAFR) and include:

- Customer Deposit Funds
- General Funds
- Utility Funds
- Debt Service Funds

**III. OBJECTIVES AND STRATEGY**

It is the policy of the City that all funds shall be managed and invested with four primary objectives, listed in the order of their priority: safety, liquidity, diversification, and yield. Investments are to be chosen in a manner which promotes diversity by market sector, credit, and maturity. The choice of high-grade government instruments and high-grade money market instruments is designed to assure the marketability of those investments should liquidity needs arise. To match anticipated cash flow requirements, the maximum weighted average maturity of the overall portfolio may not exceed six months.

Safety of Principal

Safety of Principal is the foremost objective of the City. Investments of the City shall be undertaken in a manner that seeks to insure the preservation of capital in the overall portfolio.

### Liquidity

The City's investment portfolio will be based on a cash flow analysis of needs and will remain sufficiently liquid to enable it to meet all operating requirements which might be reasonably anticipated.

### Diversification

Diversification of the portfolio will include diversification by maturity and market sector and will include the use of a number of broker/dealers for diversification and market coverage. Competitive bidding will be used on each sale and purchase.

### Yield

The City's investment portfolio shall be designed with the objective of attaining a market rate of return, taking into account the City's risk constraints and the cash flow needs of the portfolio. "Market rate of return" may be defined as the average yield of the current six month Treasury Bill.

Effective cash flow management is recognized as essential to good fiscal management. Cash management is defined as the process of managing monies in order to ensure maximum cash availability. The City shall maintain a comprehensive cash management program which includes collection of accounts receivable, prudent investment of its available cash, and disbursement of payments in accordance with invoice terms and management of banking services.

## **IV. LEGAL LIMITATIONS, RESPONSIBILITIES, AND AUTHORITY**

Direct specific investment parameters for the investment of public funds in Texas are found in the Public Funds Investment Act, Chapter 2256, Texas Government Code, (The "Act"). The Public Funds Collateral Act, Chapter 2257, Texas Government Code, specifies collateral requirements for all public funds deposits. All investments will be made in accordance with these statutes.

## **V. DELEGATION OF INVESTMENT AUTHORITY**

The Director of Finance, acting on behalf of the City, is designated as the Investment Officer of the City and is responsible for investment management, decisions, and activities. The Director of Finance is also responsible for considering the quality and capability of staff, investment advisors, and consultants involved in investment management and procedures. All participants in the investment process shall seek to act responsibly as custodians of the public trust.

The Investment Officer shall develop and maintain written administrative procedures for the operation of the investment program which are consistent with this Investment Policy. Procedures will include reference to safekeeping, require and include the "Bond Market Master Repurchase Agreement (as applicable), wire transfer agreements, banking service contracts, and other investment related activities.

The Investment Officer shall be responsible for all transactions undertaken. The Investment Officer shall designate a staff person as a liaison/deputy in the event circumstances require timely action and the Investment Officer is not available.

No officer or designee may engage in an investment transaction except as provided under the terms of this Policy and the procedure established.

## **VI. PRUDENCE**

The standard of prudence to be used in the investment function shall be the “prudent person” standard and shall be applied in the contest of managing the overall portfolio. The standard states:

“Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the expected income to be derived.”

### Limitation of Personal Liability

The Investment Officer, when acting in accordance with the written procedures and this Policy and in accord with the Prudent Person Rule, shall be relieved of personal liability in the management of the portfolio provided that deviations from expectations for a specific security’s credit risk or market price change or portfolio shifts are reported in a timely manner and that appropriate actions is taken to control adverse market effects.

## **VII. INTERNAL CONTROLS**

The Investment Officer shall establish a system of written controls which will be reviewed annually with the independent auditor of the City. The controls shall be designed to prevent loss of public funds due to fraud, employee error, misrepresentation by third parties, unanticipated market changes, or imprudent actions by employees of the city.

## **VIII. AUTHORIZED INVESTMENTS**

Acceptable investments under this policy shall be limited to the instruments listed below and as further described by the Public Funds Investment Act.

- A. Obligations of the United States Government, it agencies and instrumentalities, and Government sponsoring enterprises not to exceed two years to stated maturity, excluding collateralized mortgage obligations (CMOs); and
- B. Fully insured or collateralized certificates of deposit from a bank doing business in the State of Texas and under terms of a written depository agreement with that bank, not to exceed one year to stated maturity; and

- C. No-load, SEC registered money market funds, each approved specifically before use by the City; and
- D. Constant dollar Texas Local Government Pools as defined by the Public Funds Investment Act; and
- E. FDIC insured or collateralized interest bearing and money market accounts from any approved FDIC insured bank in Texas.

If additional types of securities are approved for investment by public funds by state statute, they will not be eligible for investment by the City until this policy has been amended and the amended version approved by the City Council.

#### Competitive Bidding Requirement

All securities, including certificates of deposit, will be purchased or sold after three (3) offers/bids are taken to verify the City is receiving fair market value/price for the investment.

#### Delivery versus Payment

All security transactions entered into by the City shall be conducted on a delivery versus payment (DVP) basis.

### **IX. AUTHORIZED FINANCIAL DEALERS AND INSTITUTIONS**

All investments made by the City will be made through either the City's banking services bank or a primary dealer. A list of at least three broker/dealers will be maintained in order to assure competitive bidding.

Securities broker/dealers must meet certain criteria as determined by the Investment Officer. The following criteria must be met by those firms on the list:

- provision of an audited financial statement each year,
- proof of certification by the National Association of Security Dealers (NASD) and provision of CRD number,
- proof of current registration with the State Securities Commission; and
- completion of a City questionnaire.

### **X. SAFEKEEPING AND COLLATERALIZATION**

The laws of the State and prudent treasury management require that all purchased securities be bought on a delivery versus payment basis and be held in safekeeping by either the City, an independent third party financial institution, or the City's designated services depository.

All safekeeping arrangements shall be designated by the Investment Officer and an agreement of the terms executed in writing. The third party custodian shall be required to issue safekeeping receipts to the City listing each specific security, rate, description, maturity, cusip number, and other pertinent information. Each safekeeping receipt will be clearly marked that the security is held for the City or pledged to the City.

All securities pledged to the City for certificates of deposits or demand deposits shall be held by an independent third party bank doing business in Texas. The safekeeping bank may not be within the same holding company as the bank from whom the securities are pledged.

#### Collateralization

Collateralization on time and demand deposits over the FDIC insurance coverage of \$250,000, and repurchase agreements.

In order to anticipate market changes and provide a level of additional security for all funds, the collateralization level required will be 102% of the market value of the principal and accrued interest. Collateral will be held by an independent third party safekeeping agent.

### **XII. PERFORMANCE EVALUATION AND REPORTING**

The Investment Officer shall submit quarterly reports to the City Manager and to the City Council containing sufficient information to permit an informed outside reader to evaluate the performance of the investment program and consistent with statutory requirements. All reports shall be in compliance with the Act. Market prices for market evaluations will be obtained from an independent source.

### **XIII. DEPOSITORIES**

The City will designate one banking institution through a competitive process as its central banking services provider at least every five years. This institution will be used for normal banking services including disbursements, collections, and safekeeping of securities. Other banking institutions from which the City may purchase certificates of deposit will also be designated as a depository after the institution provides its latest audited financial statements to the City. The City may consider banking institutions located outside the City, but within the state of Texas in its competitive bidding process.

### **XIV. INVESTMENT POLICY ADOPTION**

This policy shall be reviewed and adopted by Resolution by the City Council annually. Any modifications made thereto must be formally approved by the Council.

**RESOLUTION NO. 446**

**A RESOLUTION OF THE CITY OF GRANITE SHOALS,  
TEXAS, ADOPTING FINANCIAL PERFORMANCE  
GOALS AND POLICIES FOR THE CITY**

**WHEREAS**, the City Council of the City of Granite Shoals, Texas ("Council") seeks to provide for the health, safety and welfare of its citizens; and

**WHEREAS**, Section 3.06 of the Granite Shoals City Charter provides that the Council shall determine all matters of City policy; and

**WHEREAS**, Article VII of the City Charter provides the Council with general authority to make decisions regarding the City's budget, capital program, borrowing, taxes, and other financial matters; and

**WHEREAS**, the Council finds that it is in the best interest of the City to adopt a set of financial performance goals and policies that will help to ensure prudent financial management and investment of the City's resources;

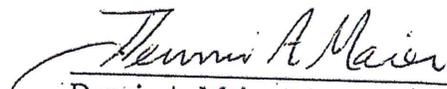
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANITE SHOALS, TEXAS, THAT:**

The Council hereby adopts the attached Exhibit A, "Financial Performance Goals and Policies," as the official financial goals and policies of the City.

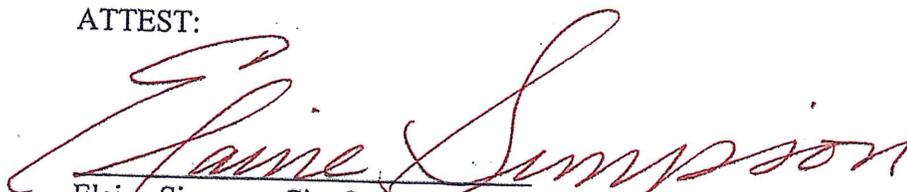
**EFFECTIVE DATE.** This RESOLUTION shall be in full force and effect from and after its date of approval.

**APPROVED:** this 13<sup>th</sup> day of May, 2014.

**APPROVED:**

  
Dennis A. Maier, Mayor

**ATTEST:**

  
Elaine Simpson, City Secretary

# FINANCIAL PERFORMANCE GOALS and POLICIES

## Annual Financial Performance Goals

1. The City Council shall adopt a structurally balanced budget for the ensuing fiscal year pursuant to the prevailing state and local law.
2. The City will maintain a general fund balance at a minimum reserve level of 25% and a maximum of 50% of budgeted operations and maintenance expenditures. The General Fund budget shall allow for annual growth in the fund balance until minimum reserve levels are reached.
3. The City will maintain a utility fund retained earnings balance at a minimum reserve level of 25% of budgeted operations and maintenance expenditures.
4. The City of Granite Shoals will be conservative rather than aggressive in its budgeting of revenues and expenditures.
5. The City Council shall not appropriate funds for any new programs or projects without a complete evaluation of current and future cost.
6. City services shall be reviewed annually in order to identify appropriate budget funding necessary for the City to perform in a professional and business-like manner.
7. City Council program priorities will be reviewed annually. These identified priorities will become the basis for funding in the annual budget.

# FINANCIAL POLICIES

## Budget Policies

1. The City Council shall adopt a structurally balanced budget for the ensuing fiscal year pursuant to the prevailing state and local law. A structurally balanced budget is defined as recurring revenues funding recurring expenditures and adherence to fund balance policies. Deferrals, short-term loans, or one-time sources will be avoided as budget balancing techniques.
2. The City shall use non-recurring resources and fund balances to fund non-recurring expenditures. Only recurring revenues shall be used to fund recurring expenditures.
3. All budget appropriations (except for capital expenditures and non-appropriated funds) lapse at fiscal year-end (September 30) to the extent it has not been expended or encumbered. Any funds not expended, disbursed or encumbered shall be deemed excess funds.
4. The City Manager is authorized to transfer budgeted amounts within a department. Any revisions that alter the total appropriations of any department or fund must be approved by the City Council.
5. The City Council may amend the adopted budget by ordinance and shall become an attachment to the original budget, but shall not delete or decrease appropriations required for debt service.

- 
6. Budgets of the Utility Fund shall be self-supporting (i.e. current revenues will equal or exceed current expenditures, excluding depreciation).
  7. Financial control systems shall be in place to monitor compliance with the adopted budget, including the use of monthly reporting and control of expenses at the line-item level.

## Capital Expenditure Policies

1. Any item costing \$5,000 or more and having an estimated useful life of at least 2 years will be classified as a capital outlay expenditure.

## FINANCIAL POLICIES

2. All capital assets shall be inventoried annually.
3. Computer software, regardless of cost, will not be capitalized.
4. The City Council may issue bonds, certificates of obligation, warrants, or other evidences of indebtedness for the purpose of buying or constructing capital assets.
5. All capital projects shall be financially monitored to ensure compliance with the approved budget for the project. Any changes to the total appropriation to a capital project budget will be approved by the City Council.

6. Capital assets will be depreciated using the straight line method over the following estimated useful lives:

<u>Asset</u>	<u>Years</u>
Infrastructure	20-40
Buildings	30
Improvements	30
Equipment	7
Vehicles	5

7. The City Manager shall submit a five-year capital program as an attachment to the annual budget. The program as submitted shall include:
  - a. A clear general summary of its contents;
  - b. A list of all capital improvements which are proposed to be undertaken during the five fiscal years succeeding the budget year, with appropriate supporting information as to the necessity for such improvements;
  - c. Cost estimates, method of financing and recommended time schedules for each improvement; and
  - d. The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

### Cash & Investment Policies

1. The City will enter into a depository agreement with one or more banks for a specified period of time and specified fees for banking services. The term of each depository agreement shall not exceed five years, unless otherwise approved by the City Council.

## FINANCIAL POLICIES

2. In accordance with the Public Funds Investment Act, the City Council shall adopt by ordinance a formal investment policy. Such policy shall be reviewed annually.

### Debt Policies

1. General Obligation Bonds payable from ad valorem taxes, other than refunding bonds, shall not be issued unless the bonds have been authorized by a majority vote at a City election held for that purpose. Certificates of Obligation and Tax Notes payable from ad valorem taxes may be issued at the direction of City Council.
2. The total tax supported debt of the City shall never exceed ten percent (10%) of the net taxable value of property on the tax rolls of the City.
3. Long-term debt shall not be incurred to finance current operations. Short-term debt may be used to fund purchases of machinery, equipment and vehicles.
4. When any debt is issued to finance capital improvements or assets, the City shall retire the debt within a period not to exceed the expected useful life of the asset or improvements being financed.

### Expenditure Policies

1. Use of Fund Balance/Working Capital/Retained Earnings: Fund Balance/Retained earnings should be used only for emergencies, non-recurring expenditures/expenses, or major capital purchases that cannot be accommodated through current year savings and must be authorized by City Council. Should such uses reduce balances below the level established as the objective for that fund, restoration recommendations will accompany the request/decision to utilize said balances.
2. Avoidance of Operating Deficits: The City shall take immediate corrective actions if at any time during the fiscal year expenditure and revenue re-estimates are such that an operating deficit is projected at year-end.

Corrective actions are not limited to, but may include any or all of the options listed below, and will be considered individually on a case by case basis:

- a. Deferral of capital purchases and capital maintenance
- b. Reduce non-personnel operating expenditures

## FINANCIAL POLICIES

- c. Hiring freezes
  - d. Freeze compensation adjustments
  - e. Use of other fund balances where allowable
  - f. Evaluate increased fees
  - g. Personnel restructuring
3. Provision shall be made in the annual operating budgets and in the appropriation ordinance for a contingency appropriation, to be used in the case of unforeseen items of expenditures. Appropriations for a contingency shall not exceed 3% of the total general fund expenditures. This appropriation shall be under the control of the City Manager and distributed by him/her only after prior approval by the City Council. The proceeds of the contingent appropriation shall be disbursed only by transfer to other departmental appropriation, the spending of which shall be charged to the departments or activities for which the appropriations are made.

## Purchasing Policies

1. The City Council may, by ordinance, give the City Manager general authority to contract for expenditures without further approval of the City Council or all budgeted items not exceeding limits set by the City Council within the ordinance.
2. The Director of Finance shall be responsible for maintaining written purchasing procedures. These administrative procedures must be approved by the City Manager and adopted by City Council.
3. Lease purchase agreements shall only be used to finance capital items with a useful life of at least three years.
4. Preference may be given to local businesses if the purchase meets Texas Local Government Code statutes. All purchases must adhere to the guidelines outlined in the written purchasing procedures.
5. The City will enter into inter-local agreements, when advantageous to the City, with entities such as the State of Texas Procurement and Supply Services (TPASS), Houston Galveston Area Council (HGAC), and the Texas Association of School Board (TASB BuyBoard).

# FINANCIAL POLICIES

## Reporting Policies

1. The budget will be prepared based upon recommended practices by GASB (Governmental Accounting Standards Board) and GFOA (Governmental Finance Officer's Association). Copies of the budget will be available for public viewing at City Hall and on the City's website.
2. Timely interim financial reports will be produced for department managers for internal purposes. Financial statements shall be prepared and submitted to the City Council on at least a quarterly basis.
3. Quarterly investment reports will be presented at City Council meetings.
4. An annual independent financial audit shall be performed by a properly licensed independent public accounting firm, and results of this audit will be presented to the City Council.
5. The City will issue requests for proposals to choose an auditor for a period not to exceed five years, unless otherwise approved by the City Council.

## Reserve Policies

1. The City will maintain the General Fund unreserved fund balance at a level sufficient to provide for emergency expenditures and unanticipated revenue shortfalls. The City will maintain a fund balance at a minimum reserve level of 25% and a maximum of 50% of budgeted operations and maintenance expenditures. The right is reserved by the City Council to change the targeted reserve level by resolution, ordinance or budget adoption. The General Fund budget shall allow for annual growth in the fund balance until minimum reserve levels are reached. When the reserve exceeds the maximum limits, opportunities should be identified to use the excess reserves to fund one-time expenses within the General Fund or may be used to "buy-down" future debt service payments.
2. The City will maintain the Utility Fund unreserved retained earnings balance at a level sufficient to provide for emergency expenditures and unanticipated revenue shortfalls. The targeted reserve level will be a minimum 25% of budgeted operations and maintenance expenditures. This amount is in addition to amounts that have been set

## FINANCIAL POLICIES

aside or are being accumulated for Capital Expenditures. The right is reserved by the City Council to change the targeted reserve level by resolution, ordinance or budget adoption. The Utility Fund budget shall allow for annual growth in the fund balance until minimum reserve levels are reached.

3. The City of Granite Shoals will set a debt service rate necessary to collect a full year's debt service payment on all outstanding and proposed debt. As a result, the Debt Service Fund will maintain a reserve equivalent to fund 25% of total annual debt requirements. When the reserve level exceeds the target amount, opportunities should be identified to use the excess reserves to fund capital expenses of the General Fund or may be used to "buy-down" future debt service payments.

### Revenue Policies

1. Annual estimates of revenue in both the General Fund and Proprietary (Utility) Fund shall be based on historical trends and a reasonable expectation of growth. A conservative approach shall be observed in estimating revenues in an effort that revenues not be overstated.
2. The City should endeavor to maintain a diversified and stable revenue base in order to prevent overall revenue shortfalls as a result of periodic fluctuations in any one revenue source.
3. Tax Rate:
  - a. In determining the City's debt service portion of the tax rate from year to year the City shall consider any applicable constitutional and state law requirements in addition to taking into consideration:
    - i. The amount of ad valorem tax debt coming due,
    - ii. Any ad valorem tax debt that is callable and economically feasible to redeem,
    - iii. Additional ad valorem tax debt projected to be issued (including particularly any voter authorized general obligation bonds remaining authorized but unissued),
    - iv. Existing debt service fund balance, and
    - v. Minimizing overall tax rate volatility.
  - b. The City of Granite Shoals will budget ad valorem tax revenue at 100% of the total amount of current taxes levied.

## FINANCIAL POLICIES

4. User charges and rates shall be established at a level related to the cost of providing the services. These charges and rates shall be reviewed periodically in order to determine the appropriate level of funding anticipated to support the various related activities.
5. Rates and fees for water activities shall be maintained at levels sufficient to ensure that annual revenues will be available to pay all direct and indirect costs of the enterprise activities, including costs of operation, capital improvements, maintenance, and principal and interest requirements on outstanding debt, and interest and sinking fund and reserve fund requirements.
6. The Utility Fund will pay to the General Fund a monthly charge for services. This transfer will incorporate a Franchise Fee, Payment in Lieu of Taxes, and reimbursement of General Fund expenses in support of the Utility Fund.
  - a. The Franchise Fee will equal 20% of the Utility Fund's operating revenues.
  - b. Payment in Lieu of Taxes (PILOT) will equal the value of the Utility Fund's assets multiplied by the City's tax rate.
  - c. General Fund expenses in support of the Utility Fund will be calculated each year using a cost allocation model.
7. Uncollectable Revenues:
  - a. The City will use its best effort to collect past due revenues. These efforts may include internal and external processes.
  - b. In the City's Utility Funds, revenues will be considered uncollectable and may be written-off as such after 12 months of delinquency. Outstanding receivables and write-offs will be adjusted at minimum one time per fiscal year.
  - c. In all other funds, uncollectable revenues will be considered on a case by case basis, and decisions related to write-offs will be made as deemed appropriate by city administration.

### Definitions

**Appropriation** – An authorization granted by a legislative body to make expenditures and to incur obligations for specific purposes. An appropriation is limited by the time it may be expended.

## FINANCIAL POLICIES

**Balanced Budget** – A budget adopted by the legislative body and authorized by ordinance where the proposed expenditures are equal to or less than the proposed revenues.

**Capital Equipment** – Equipment purchases that exceed \$5,000 and have a useful life of greater than two years.

**Encumbered** – To be committed by the City to use funds for a specific purpose. (i.e. A purchase order has been issued)

**Fund** – An accounting entity that has a set of self-balancing accounts and that records all financial transactions for specific activities or government functions. Commonly used funds in public accounting are: general fund, enterprise funds, special revenue funds, debt service funds, capital project funds, and internal service funds.

**Fund Balance** – The excess of assets over liabilities.

**General Fund** – Fund that accounts for most of the financial resources of the government. General Fund revenues include property taxes, licenses and permits, local taxes, service charges and other types of revenue. This fund usually includes most of the basic operating services, such as fire and police protection, finance, data processing, park and recreation, public works, and general administration.

**Proprietary Fund Types** – Also known as enterprise funds, the classification is used to account for a government's ongoing organizations and activities that are similar to those often found in the private sector. All assets, liabilities, equities, revenues, expenses and transfers relating to the government's business activities are accounted for through proprietary funds (such as water and sewer operations).



City of Granite Shoals, Texas  
City Council Regular Meeting  
Agenda Item Cover Memo  
Date: October 25, 2016

Agenda Item: #7.a. Adoption of updated Energy Conservation Codes  
Prepared/Submitted By: Peggy Smith, Assistant City Manager  
Department: Administration

**AGENDA CAPTION**

*7. a. Discuss, consider and possibly take action related to possible adoption of the 2015 International Residential Code (IRC), Chapter 11 and the 2015 International Energy Conservation Code (IECC). (Assistant City Manager Smith)*

**CORRESPONDING BUDGET YEAR PRIORITY(IES) (IF APPLICABLE)**

2016-2017 Priorities

4. Continue to provide a safe community
5. Facility Improvements
6. Increase Code Compliance activity by approximately 15% over 2015-2016 goals
8. Planning and Vision for the Future

**BACKGROUND**

*On June 16, 2015, House Bill 1736 was signed by Governor Abbott. This adopted the 2015 International Residential Code (IRC), Chapter 11 and the 2015 International Energy Conservation Code.*

*Effective date for IRC was September 1, 2016 for energy provisions as the Building Energy Efficiency Performance Standards for residential construction in Texas.*

*Effective date for establishing the 2015 IECC as the energy code for commercial construction in Texas is November 1, 2016.*

*As of the effective dates above, to achieve energy conservation in all residential, commercial, and industrial construction, the State of Texas is requiring all cities/counties to adopt the newly adopted codes. Currently, the City operates under the 2012 IECC.*

**OPTIONS**

*Council usually has several:*

- 1.) Adopt/Approve/Authorize agenda item, as requested or presented.
- 2.) Adopt/Approve/Authorize agenda item, with modifications.
- 3.) Deny approval of agenda item.
- 4.) Table the item.
- 5.) Other, as Council desires.

## RECOMMENDATION

***City Manager recommends adopting 2015 International Residential Code (IRC), Chapter 11 and 2015 International Energy Conservation Code.***

## ATTACHMENT(S): (IF APPROPRIATE)

***List of the items behind this cover sheet:***

- ***Fact sheet – 2015 IECC Commercial code from Department of Energy (DOE)***
- ***Fact sheet – 2015 IECC Residential code from DOE***
- ***Fact Sheet – Code Changes from DOE***
- ***Letter of Recommendation from Energy Systems Laboratory (ESL) to State Energy Conservation Office (SECO)***
- ***Letter of Review from ESL to SECO***
- ***House Bill No. 1736***
- ***Texas Health and Safety Code Chapter 388, including amended section 388.03 by House Bill No. 1736***

# Building Energy Codes Program

Building Energy Codes

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## Texas

**Current News:**

On June 16, 2015, Texas Governor Greg Abbott signed HB 1736 into Texas law. This moved the state's single-family residential code from 2009 code to the 2015 International Residential Code (IRC), Chapter 11. All local jurisdictions must comply with the new code by September 1, 2016. The new Texas code includes an Energy Rating Index compliance option. The Texas state legislature modified the 2015 IRC required Energy Rating Index scores to a set of scaled scores that increases in stringency over time. The required index scores in Texas are: Climate Zones 2 and 3 is 65 or lower from September 1, 2016 to August 31, 2019, a score of 63 or lower from September 1, 2019 to August 31 2022, 59 or lower score after September 1, 2022. In Climate Zone 4, a 69 or lower score from September 1, 2016 to August 31, 2019, a 67 or lower score from September 1, 2019 to August 31, 2022, and a score of 63 or lower after September 1, 2022.

## Popular Links

**Status of State Energy Codes**



**State Related Resources**

- [State Energy Conservation Office](#)
- [Texas A&M Energy Systems Laboratory](#)

**Program and Incentives**

**State Contacts**

**Primary Contact for State Adoption**

Fred Yebra, P.E.  
 State Energy Conservation Office  
 111 E. 17th Street  
 Austin, Texas 78774  
[fred.yebra@cpa.texas.gov](mailto:fred.yebra@cpa.texas.gov)  
 (512) 476-0753

**Secondary Contact for State Adoption**

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 Austin, Texas 78774  
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**State Agency Office Head**

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 State Energy Conservation Office  
 111 E. 17th Street  
 Austin, Texas 78774  
[dub.taylor@cpa.texas.gov](mailto:dub.taylor@cpa.texas.gov)

Commercial	Residential	Code Change
<b>Current Code:</b>	2015 IECC	
<b>Amendments / Additional State Code Information:</b>	N/A	
<b>Approved Compliance Tools:</b>	Can use COMcheck	
<b>Approximate Energy Efficiency:</b>	Equivalent to 2015 IECC	
<b>Effective Date:</b>	Nov. 01, 2016	
<b>Adoption Date:</b>	Jan. 01, 2016	
<b>Code Enforcement:</b>	Mandatory	
<b>DOE Determination:</b>	ASHRAE 90.1-2007: Yes ASHRAE 90.1-2010: Yes ASHRAE 90.1-2013: No	
	Energy cost savings for Texas resulting from the state updating its commercial and residential building energy codes in accordance with federal law are significant, estimated to be on the order of nearly \$1 billion annually by 2030.	
	<a href="#">Texas DOE Determination Letter, May 31, 2013</a>	
	<a href="#">Texas State Certification of Commercial Building Energy Codes</a>	
State Owned / Funded Buildings		

The Texas State Energy Conservation Office adopted by reference the ASHRAE/IESNA Standard 90.1-2010 for state-funded buildings. The code applies to new construction or major renovation projects, except low-rise residential buildings, with a design assignment made on or after September 1, 2011.

The residential chapter of the 2009 International Energy Conservation Code was adopted for state-funded new construction or major renovation projects of low-rise residential building with a design assignment made on or after June 1, 2011.

Texas requires state government departments to compare the cost of providing energy alternatives for new and reconstructed state government buildings and for certain construction or repair to energy systems and equipment. The governing body must determine economic feasibility for each function by comparing the estimated cost of providing energy for the function using conventional design practices and energy systems with the estimated cost of providing energy for the function using energy efficient architecture and design or alternative energy devices during the economic life of the building. If the use of alternative energy devices for a particular function (including space heating and cooling, water heating, electrical loads, and interior lighting) is economically feasible, then the use of alternative energy devices must be included in construction plans.

Alternative energy is defined to include solar, biomass, wind, and geothermal energy sources. This section of Texas law (Texas Government Code 2166.403) was originally put in place in 1995. It was amended in 2005 (S.B. 982) to add geothermal to the list of eligible resources and designate the Texas State Energy Conservation Office (SECO) as the authority for approving any methodology or electronic software used to make the required comparisons. As of April 2009, SECO accepts one software program (RETScreen) for this purpose. Further details are available on the program website. Texas Govt Code 2166.401.

#### Adoption Process

The Texas State Energy Conservation Office (SECO) by rule may choose to adopt the latest published editions of the energy efficiency provisions of the International Residential Code or the International Energy Conservation Code for residential or commercial buildings. When new ICC codes are published, Energy Systems Laboratory (ESL), a division of Texas A&M University, reviews the new editions to ensure stringency of the IRC and IECC compared to existing Texas energy codes. ESL then provides SECO a written recommendation based on analysis and public review. If ESL recommends adopting the new code, a stakeholder meeting is held to gain input and a draft of the new rule is published for public comment. After comments are reviewed, SECO then makes the decision whether to adopt the latest energy codes in Texas.

Local municipalities or counties may choose to adopt local amendments to the energy code provided that the amendments do not result in less stringent energy efficiency requirements than the adopted state-mandated energy codes.

For state-owned or -funded buildings, the provisions are adopted through the state's administrative process of publication, public comment, and hearings.

#### Enforcement Process

For state-owned or -funded buildings, the cognizant state agency enforces the code. For all other buildings, the cognizant local government enforces the code. If a jurisdiction adopts an energy code, the code is enforced through the permit/inspection process for new construction and additions. Depending on the size of the jurisdiction, the same individual may perform plan reviews and inspections.

#### Compliance Process

For state-owned or -funded buildings, the design professional submits a completed compliance statement and certification to the cognizant state agency that the design is in compliance with the Texas Design Standard or the MEC (as applicable based on the building type).

For all other buildings in jurisdictions that have adopted energy provisions, compliance is determined through the permit process. Typically, plans are submitted and reviewed and then buildings are inspected. After successful completion of this process, the building department issues a certificate of occupancy.

#### Background

##### Commercial and Residential Construction

Before 1999, except for state-owned buildings, Texas had no mandatory state-wide energy code for either residential or commercial buildings. No attempt had been made to adopt mandatory energy codes on a statewide basis. The state encouraged voluntary adoption of codes and provided training for code officials and home builders.

In June 2001, Texas adopted its first mandatory statewide energy code, based on the 2000 IECC including the 2001 supplement for residential, commercial, and industrial construction.

When ICC published the 2006 edition of the IECC, Texas opted not to adopt this latest edition based on the technical analysis and recommendation of Energy Systems Laboratory of Texas A&M University which determined the new edition was not as stringent as the current codes when applied in Texas.

On March 9, 2009, a bill was introduced in the Texas State Legislature that would adopt the latest energy efficiency editions of the IRC and the IECC. On April 1, 2011 the 2009 IECC became effective for all commercial and residential construction and on January 1, 2012 the energy efficiency chapter of the 2009 IRC became effective for all single-family residential construction.

##### State-Funded Buildings

For state-owned buildings, Texas originally adapted the ASHRAE/IES Standard 90.1-0989 into the Texas Design Standard. This standard, which originally went into effect in June 1989, was updated in February 1993. In 2002, Texas adopted ASHRAE 90.1 as the energy code for commercial and multi-family residential. Since 2002, Texas has continued to adopt the latest ASHRAE 90.1 Standard. On September 1, 2011 ASHRAE 90.1-2010 became the effective standard for state-funded buildings.

For state-owned residential buildings, Texas adopted the Texas Design Standard and later adopted the 1993 CABO

MEC. Pursuant to Texas Government Code 447.004, the State Energy Conservation Office adopted by reference the 2003 IECC effective September 1, 2005 and more recently updated the code to the 2009 IECC effective June 1, 2011.

[Contacts](#) [Web Site Policies](#) [U.S. Department of Energy](#) [USA.gov](#) [Compliance Evaluation Resources](#)  
Last Updated: Monday, September 25, 2015 - 3:17pm

# Building Energy Codes Program

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## Texas

### Current News:

On June 16, 2016, Texas Governor Greg Abbott signed HB 1736 into Texas law. This moved the state's single-family residential code from 2009 code to the 2015 International Residential Code (IRC), Chapter 11. All local jurisdictions must comply with the new code by September 1, 2016. The new Texas code includes an Energy Rating Index compliance option. The Texas state legislature modified the 2015 IRC required Energy Rating Index scores to a set of scaled scores that increases in stringency over time. The required index scores in Texas are: Climate Zones 2 and 3 is 65 or lower from September 1, 2016 to August 31, 2019, a score of 63 or lower from September 1, 2019 to August 31 2022, 59 or lower score after September 1, 2022. In Climate Zone 4, a 69 or lower score from September 1, 2016 to August 31, 2019, a 67 or lower score from September 1, 2019 to August 31, 2022, and a score of 63 or lower after September 1, 2022.

## Popular Links

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State Related Resources

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Program and Incentives

State Contacts

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 (512) 475-0753

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 Austin, Texas 78774  
 (512) 463-1875  
[eddy.trevino@cpa.texas.gov](mailto:eddy.trevino@cpa.texas.gov)

### State Agency Office Head

Dub Taylor  
 Director  
 State Energy Conservation Office  
 111 E. 17th Street  
 Austin, Texas 78774  
[dub.taylor@cpa.texas.gov](mailto:dub.taylor@cpa.texas.gov)

Commercial Residential Code Change

**Current Code:** 2015 IECC with Amendments

### Amendments / Additional State Code Information:

On June 16, 2015, Texas Governor Greg Abbott signed HB 1736 into Texas law. This moved the state's single-family residential code from 2009 code to the 2015 International Residential Code (IRC), Chapter 11. All local jurisdictions must comply with the new code by September 1, 2016. The new Texas code includes an Energy Rating Index compliance option. The Texas state legislature modified the 2015 IRC required Energy Rating Index scores to a set of scaled scores that increases in stringency over time. The required index scores in Texas are:

#### Climate Zones 2 & 3

- A 65 or lower score from September 1, 2016, to August 31, 2019
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#### Climate Zone 4

- A 69 or lower score from September 1, 2016, to August 31, 2019
- A 67 or lower score from September 1, 2019, to August 31, 2022
- A 63 or lower score after September 1, 2022

To view the new Texas energy code go to [2015 IECC and Energy Rating Index Option](#)

Note: The published 2015 IRC, Chapter 11 is identical to the 2015 IECC, Chapter 4, Residential Energy Efficiency (they do not include Texas state specific amendments).

<b>Approved Compliance Tools:</b>	Can use REScheck
<b>Approximate Energy Efficiency:</b>	Equivalent to 2015 IECC
<b>Effective Date:</b>	Sep. 01, 2016
<b>Adoption Date:</b>	Jun. 14, 2015
<b>Code Enforcement:</b>	Mandatory
<b>Jurisdictions:</b>	
<b>DOE Determination:</b>	2009 IECC: Yes 2012 IECC: No 2015 IECC: No

Energy cost savings for Texas resulting from the state updating its commercial and residential building energy codes in accordance with federal law are significant, estimated to be on the order of nearly \$1 billion annually by 2030.

[Texas DOE Determination Letter, May 31, 2013](#)

[Texas State Certification of Residential Building Energy Codes](#)

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Local municipalities or counties may choose to adopt local amendments to the energy code provided that the amendments do not result in less stringent energy efficiency requirements than the adopted state-mandated energy codes.

For state-owned or -funded buildings, the provisions are adopted through the state's administrative process of publication, public comment, and hearings.

**Enforcement Process**

For state-owned or -funded buildings, the cognizant state agency enforces the code. For all other buildings, the cognizant local government enforces the code. If a jurisdiction adopts an energy code, the code is enforced through the permit/inspection process for new construction and additions. Depending on the size of the jurisdiction, the same individual may perform plan reviews and inspections.

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## Background

### Commercial and Residential Construction

Before 1999, except for state-owned buildings, Texas had no mandatory state-wide energy code for either residential or commercial buildings. No attempt had been made to adopt mandatory energy codes on a statewide basis. The state encouraged voluntary adoption of codes and provided training for code officials and home builders.

In June 2001, Texas adopted its first mandatory statewide energy code, based on the 2000 IECC including the 2001 supplement for residential, commercial, and industrial construction.

When ICC published the 2006 edition of the IECC, Texas opted not to adopt this latest edition based on the technical analysis and recommendation of Energy Systems Laboratory of Texas A&M University which determined the new edition was not as stringent as the current codes when applied in Texas.

On March 9, 2009, a bill was introduced in the Texas State Legislature that would adopt the latest energy efficiency editions of the IRC and the IECC. On April 1, 2011 the 2009 IECC became effective for all commercial and residential construction and on January 1, 2012 the energy efficiency chapter of the 2009 IRC became effective for all single-family residential construction.

### State-Funded Buildings

For state-owned buildings, Texas originally adapted the ASHRAE/IES Standard 90.1-0989 into the Texas Design Standard. This standard, which originally went into effect in June 1989, was updated in February 1993. In 2002, Texas adopted ASHRAE 90.1 as the energy code for commercial and multi-family residential. Since 2002, Texas has continued to adopt the latest ASHRAE 90.1 Standard. On September 1, 2011 ASHRAE 90.1-2010 became the effective standard for state-funded buildings.

For state-owned residential buildings, Texas adopted the Texas Design Standard and later adopted the 1993 CABO MEC. Pursuant to Texas Government Code 447.004, the State Energy Conservation Office adopted by reference the 2003 IECC effective September 1, 2005 and more recently updated the code to the 2009 IECC effective June 1, 2011.

# Building Energy Codes Program

Building Energy Codes

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## Texas

**Current News:**

On June 16, 2015, Texas Governor Greg Abbott signed HB 1736 into Texas law. This moved the state's single-family residential code from 2009 code to the 2015 International Residential Code (IRC), Chapter 11. All local jurisdictions must comply with the new code by September 1, 2016. The new Texas code includes an Energy Rating Index compliance option. The Texas state legislature modified the 2015 IRC required Energy Rating Index scores to a set of scaled scores that increases in stringency over time. The required index scores in Texas are: Climate Zones 2 and 3 is 65 or lower from September 1, 2016 to August 31, 2019, a score of 63 or lower from September 1, 2019 to August 31 2022, 59 or lower score after September 1, 2022. In Climate Zone 4, a 69 or lower score from September 1, 2016 to August 31, 2019, a 67 or lower score from September 1, 2019 to August 31, 2022, and a score of 63 or lower after September 1, 2022.

Commercial Residential **Code Change**

**Code Change Process:** Both Regulatory and Legislative

**Code Change Cycle:** None

**State Owned / Funded Buildings**

The Texas State Energy Conservation Office adopted by reference the ASHRAE/IESNA Standard 90.1-2010 for state-funded buildings. The code applies to new construction or major renovation projects, except low-rise residential buildings, with a design assignment made on or after September 1, 2011.

The residential chapter of the 2009 International Energy Conservation Code was adopted for state-funded new construction or major renovation projects of low-rise residential building with a design assignment made on or after June 1, 2011.

Texas requires state government departments to compare the cost of providing energy alternatives for new and reconstructed state government buildings and for certain construction or repair to energy systems and equipment. The governing body must determine economic feasibility for each function by comparing the estimated cost of providing energy for the function using conventional design practices and energy systems with the estimated cost of providing energy for the function using energy efficient architecture and design or alternative energy devices during the economic life of the building. If the use of alternative energy devices for a particular function (including space heating and cooling, water heating, electrical loads, and interior lighting) is economically feasible, then the use of alternative energy devices must be included in construction plans.

Alternative energy is defined to include solar, biomass, wind, and geothermal energy sources. This section of Texas law (Texas Government Code 2166.403) was originally put in place in 1995. It was amended in 2005 (S.B. 982) to add

## Popular Links

Status of State Energy Codes

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State Related Resources

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[Texas A&M Energy Systems Laboratory](#)

Program and Incentives

State Contacts

Primary Contact for State Adoption

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State Agency Office Head

Dub Taylor  
Director  
State Energy Conservation Office  
111 E. 17th Street  
Austin, Texas 78774  
[dub.taylor@cpa.texas.gov](mailto:dub.taylor@cpa.texas.gov)

geothermal to the list of eligible resources and designate the Texas State Energy Conservation Office (SECO) as the authority for approving any methodology or electronic software used to make the required comparisons. As of April 2009, SECO accepts one software program (RETScreen) for this purpose. Further details are available on the program website. Texas Govt Code 2166.401.

#### Adoption Process

The Texas State Energy Conservation Office (SECO) by rule may choose to adopt the latest published editions of the energy efficiency provisions of the International Residential Code or the International Energy Conservation Code for residential or commercial buildings. When new ICC codes are published, Energy Systems Laboratory (ESL), a division of Texas A&M University, reviews the new editions to ensure stringency of the IRC and IECC compared to existing Texas energy codes. ESL then provides SECO a written recommendation based on analysis and public review. If ESL recommends adopting the new code, a stakeholder meeting is held to gain input and a draft of the new rule is published for public comment. After comments are reviewed, SECO then makes the decision whether to adopt the latest energy codes in Texas.

Local municipalities or counties may choose to adopt local amendments to the energy code provided that the amendments do not result in less stringent energy efficiency requirements than the adopted state-mandated energy codes.

For state-owned or -funded buildings, the provisions are adopted through the state's administrative process of publication, public comment, and hearings.

#### Enforcement Process

For state-owned or -funded buildings, the cognizant state agency enforces the code. For all other buildings, the cognizant local government enforces the code. If a jurisdiction adopts an energy code, the code is enforced through the permit/inspection process for new construction and additions. Depending on the size of the jurisdiction, the same individual may perform plan reviews and inspections.

#### Compliance Process

For state-owned or -funded buildings, the design professional submits a completed compliance statement and certification to the cognizant state agency that the design is in compliance with the Texas Design Standard or the MEC (as applicable based on the building type).

For all other buildings in jurisdictions that have adopted energy provisions, compliance is determined through the permit process. Typically, plans are submitted and reviewed and then buildings are inspected. After successful completion of this process, the building department issues a certificate of occupancy.

#### Background

##### Commercial and Residential Construction

Before 1999, except for state-owned buildings, Texas had no mandatory state-wide energy code for either residential or

commercial buildings. No attempt had been made to adopt mandatory energy codes on a statewide basis. The state encouraged voluntary adoption of codes and provided training for code officials and home builders.

In June 2001, Texas adopted its first mandatory statewide energy code, based on the 2000 IECC including the 2001 supplement for residential, commercial, and industrial construction.

When ICC published the 2006 edition of the IECC, Texas opted not to adopt this latest edition based on the technical analysis and recommendation of Energy Systems Laboratory of Texas A&M University which determined the new edition was not as stringent as the current codes when applied in Texas.

On March 9, 2009, a bill was introduced in the Texas State Legislature that would adopt the latest energy efficiency editions of the IRC and the IECC. On April 1, 2011 the 2009 IECC became effective for all commercial and residential construction and on January 1, 2012 the energy efficiency chapter of the 2009 IRC became effective for all single-family residential construction.

#### State-Funded Buildings

For state-owned buildings, Texas originally adapted the ASHRAE/IES Standard 90.1-0989 into the Texas Design Standard. This standard, which originally went into effect in June 1989, was updated in February 1993. In 2002, Texas adopted ASHRAE 90.1 as the energy code for commercial and multi-family residential. Since 2002, Texas has continued to adopt the latest ASHRAE 90.1 Standard. On September 1, 2011 ASHRAE 90.1-2010 became the effective standard for state-funded buildings.

For state-owned residential buildings, Texas adopted the Texas Design Standard and later adopted the 1993 CABO MEC. Pursuant to Texas Government Code 447.004, the State Energy Conservation Office adopted by reference the 2003 IECC effective September 1, 2005 and more recently updated the code to the 2009 IECC effective June 1, 2011.



TEXAS A&M ENGINEERING  
EXPERIMENT STATION

ENERGY SYSTEMS LABORATORY

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November 25, 2014

Mr. Dub Taylor, Director  
State Energy Conservation Office (SECO)  
Texas Comptroller of Public Accounts  
111 East 17th Street, #1118  
Austin, Texas 78774

**RE: ESL's final recommendation regarding the 2015 IRC (Chapter 11) and the 2015 IECC, based on a stringency analysis and the review of public comments.**

Dear Mr..Taylor:

In accordance with the Health and Safety Code Section 388.003, as amended, the Energy Systems Laboratory (Laboratory), as part of the rule-making process, has reviewed all comments received during the July 4-August 4, 2014 period, through the State Energy Conservation Office (SECO), and has completed the technical analysis regarding the comparison of the stringency and environmental impact of Chapter 11, 2015 International Residential Code (IRC) and the 2015 International Energy Conservation Code (IECC) versus the current Texas Building Energy Performance Standards (TBEPS), based on Chapter 11 of the 2009 IRC and the 2009 IECC.

**The Laboratory's Final Recommendations:**

Single-Family Residential Construction

The Laboratory recommends that SECO adopt Chapter 11 of the 2015 IRC, as published, as the new Texas Building Energy Performance Standards (TBEPS) for all residential construction, one- and two-family residences of three stories or less above grade.

Commercial and Residential Construction

The Laboratory recommends that SECO adopt the 2015 IECC, as published, as the new Texas Building Energy Performance Standards (TBEPS) for commercial, industrial and residential buildings over three stories (including R2, R3 and R4 residential buildings and excluding one- and two-family residences of three stories or less above grade).

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esl.tamu.edu

402 Harvey Mitchell Parkway South | 3581 TAMU | College Station, TX 77845778455

### Summary of Comments Received:

The Laboratory has considered all 2,314 comments collected by SECO from both individuals and large constituencies during the July 4-August 4, 2014 comment period. The comments include:

- 1,742 comments in favor of the adoption of the 2015 code.
- 539 comments in support of the adoption of the 2012 code. After the comment deadline, the person responsible for the initial call for the 539 letters informed SECO that the letters were meant to support the adoption of the 2015 code. However, we cannot verify the intentions of 539 individual submitters.
- 13 comments that advocate the adoption of 2015 IRC Appendix U: Solar Energy.
- 17 comments that support taking no action. Several of those represented large constituencies.
- 3 other comments, which include one (1) product endorsement and two (2) supporting documentation.

The Texas Association of Builders and eleven (11) regional builders associations recommended taking no action and remaining with the current TBEPS, and expressed concerns for increased construction costs without a reasonable payback period that would result from the adoption of the 2015 code. The analysis of this comment falls outside the Laboratory's legislative responsibilities, which is to determine the stringency of the energy efficiency provisions in the codes and the impact on air quality.

The Coalition for Fair Energy Codes, which is comprised of five wood and forestry trade associations, recommended taking no action and remaining with the current TBEPS, and expressed concerns regarding the economic impact and structural limitations of the 2015 code. Again, this comment falls outside the Laboratory's legislative responsibilities to determine the stringency of the energy efficiency provisions in the codes and the impact on air quality.

Among the seventeen (17) comments that support no action, two (2) comments included amendment packages for the 2015 code. The Laboratory analyzed the stringency of each individual amendment by comparing a 2015 code-compliant base-case house (with the suggested amendment) to the current Texas Building Energy Performance Standards (TBEPS) code-compliant base-case house. One (1) comment with an amendment package, representing a large constituency, included fourteen (14) proposed amendments to the 2015 code. One (1) of the fourteen (14) proposed amendments incorporates several components that were also submitted as individual amendments, and were analyzed individually. Six (6) of the suggested amendments were found to be as stringent as the current TBEPS, four (4) were found as stringent as the current TBEPS pending certain conditions, two (2) amendments were not relevant to Texas climate zones, and one (1) amendment met the annual energy cost performance requirement of the current TBEPS. The other comment with an amendment package included three (3) proposed amendments. Two (2) of the suggested amendments were found to be as stringent as the current TBEPS. The stringency of the third proposed amendment was undetermined, as insufficient information was provided for analysis.

Please see the attachments for a synopsis of all comments, the stringency analysis of the suggested amendments, and the complete list of comments and commenters.

**Summary of the Technical Stringency Analysis of the 2015 code vs. the Current TBEPS:**

The analysis has determined that the residential provisions of the 2015 IECC are more stringent than the current Texas Building Energy Performance Standards (TBEPS). The residential provisions in the 2015 IECC are identical to Chapter 11 of the 2015 International Residential Code (2015 IRC).

In the commercial provisions of the 2015 IECC, there are three paths to obtain compliance. The first path is to comply with the requirements of the ASHRAE Standard 90.1-2013. The second and third paths, prescriptive and performance, are to comply with the requirements put forth in Chapter 4 of the 2015 IECC, which includes the commercial provisions. The Laboratory's analysis has determined that the commercial provisions of the 2015 IECC are more stringent than the current Texas Building Energy Performance Standards (TBEPS) for all three paths.

**Additional Recommendations:**

The Laboratory recommends that SECO begin educating, training, and providing technical assistance for designers, builders, subcontractors and enforcement officials to enable statewide compliance immediately upon adoption.

Sincerely,



Jeff S. Haberl, Ph.D., P.E.<sup>inactive</sup>  
Associate Director



Bahman L. Yazdani, P.E.  
Associate Director

Copy: Alison Nathan, State Energy Conservation Office  
Eddy Trevino, P.E., CEM, State Energy Conservation Office  
Fred Yebra, P.E., State Energy Conservation Office  
David E. Claridge, Ph.D., P.E., Energy Systems Laboratory

**List of Attachments:**

- A. Synopsis of All Comments Received by SECO
- B. Complete List of Comments and Roster of Commenters
- C. Stringency Analysis of Suggested Amendments
- D. Summary of the Laboratory's Stringency Comparison Analysis: TBEPS (based on Chapter 11, 2009 IRC & 2009 IECC) Vs. 2015 Codes
- E. List of References



**ENERGY SYSTEMS LABORATORY**

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August 22, 2014

Dub Taylor, Director  
State Energy Conservation Office (SECO)  
Texas Comptroller of Public Accounts  
111 East 17th Street, #1118  
Austin, Texas 78774

Dear Mr. Taylor:

The Energy Systems Laboratory has performed a detailed technical analysis comparing the stringency of the Texas Building Energy Performance Standards (TBEPS), based on Chapter 11 of the 2009 International Residential Code (2009 IRC) for single-family residential construction and Chapter 5 of the 2009 International Energy Conservation Code (2009 IECC) for commercial construction, to the 2015 editions of the IRC and IECC.

The analysis has determined that the residential provisions of the 2015 IECC are more stringent than the Texas Building Energy Performance Standards (TBEPS). The residential provisions in the 2015 IECC are identical to Chapter 11 of the 2015 International Residential Code (2015 IRC).

In the commercial provisions of the 2015 IECC, there are three paths to obtain compliance. The first path is to comply with the requirements of the ASHRAE Standard 90.1-2013. The second and third paths, prescriptive and performance, are to comply with the requirements put forth in Chapter 4 of the 2015 IECC, which includes the commercial provisions. The Laboratory's analysis has determined that the commercial provisions of the 2015 IECC are more stringent than the Texas Building Energy Performance Standards (TBEPS) for all three paths.

The Laboratory will review and consider the comments received by SECO to provide the final recommendation.

Please contact us should you have any questions.

Sincerely,

Jeff S. Haberl, Ph.D., P.E.  
Associate Director

Bahman L. Yazdani, P.E.  
Associate Director

Copy: Eddy Trevino, P.E., CEM, State Energy Conservation Office  
Alison Nathan, State Energy Conservation Office

AN ACT

relating to building energy efficiency performance standards.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 388.003, Health and Safety Code, is amended by amending Subsections (a), (b), (b-2), (b-3), (d), and (i) and adding Subsections (j) and (k) to read as follows:

(a) To achieve energy conservation in single-family residential construction, the energy efficiency chapter of the International Residential Code, as it existed on May 1, 2001, is adopted as the energy code in this state for single-family residential construction. On September 1, 2016, the energy efficiency chapter of the International Residential Code, as it existed on May 1, 2015, is adopted as the energy code in this state for single-family residential construction. On or after September 1, 2021, the State Energy Conservation Office may adopt and substitute for that energy code the latest published edition of the energy efficiency chapter of the International Residential Code, based on written findings on the stringency of the chapter submitted by the laboratory under Subsection (b-3). The office:

(1) may not adopt an edition under this subsection more often than once every six years; and

(2) by rule shall establish an effective date for an adopted edition that is not earlier than nine months after the date of adoption.

1           (b) To achieve energy conservation in all other  
2 residential, commercial, and industrial construction, the  
3 International Energy Conservation Code as it existed on May 1,  
4 2001, is adopted as the energy code for use in this state for all  
5 other residential, commercial, and industrial construction. The  
6 State Energy Conservation Office may adopt and substitute for that  
7 energy code the latest published edition of the International  
8 Energy Conservation Code, based on written findings on the  
9 stringency of the edition submitted by the laboratory under  
10 Subsection (b-3). The office by rule shall establish an effective  
11 date for an adopted edition that is not earlier than nine months  
12 after the date of adoption.

13           (b-2) The State Energy Conservation Office by rule shall  
14 establish a procedure for persons who have an interest in the  
15 adoption of energy codes under Subsection (a) or (b) [~~(b-1)~~] to have  
16 an opportunity to comment on the codes under consideration. The  
17 office shall consider persons who have an interest in adoption of  
18 those codes to include:

19                   (1) commercial and residential builders, architects,  
20 and engineers;

21                   (2) municipal, county, and other local government  
22 authorities; [~~and~~]

23                   (3) environmental groups; and

24                   (4) manufacturers of building materials and products.

25           (b-3) The [~~In developing written recommendations under~~  
26 ~~Subsection (b-1), the]~~ laboratory shall:

27                   (1) submit to the State Energy Conservation Office

1 written findings on the stringency of the latest published edition  
2 of the International Residential Code energy efficiency provisions  
3 only if the date of the edition allows the office to adopt the  
4 edition under Subsection (a)(1);

5 (2) submit to the State Energy Conservation Office  
6 written findings on the stringency of the latest published edition  
7 of the International Energy Conservation Code not later than six  
8 months after publication of a new edition; and

9 (3) in developing the findings, consider the comments  
10 submitted under Subsection (b-2).

11 (d) A municipality [~~ex county~~] may establish procedures to  
12 adopt local amendments to the International Energy Conservation  
13 Code and the energy efficiency chapter of the International  
14 Residential Code. Notwithstanding the requirements of Subsection  
15 (e), a municipality located in an area defined by Section  
16 388.002(11) or in an affected county may establish procedures to  
17 adopt local amendments to the Energy Rating Index Compliance  
18 Alternative or subsequent alternative compliance path as described  
19 by Subsection (j).

20 (i) A building certified by a national, state, or local  
21 accredited energy efficiency program and determined by the  
22 laboratory to be in compliance with the energy efficiency  
23 requirements of this section may, at the option of the  
24 municipality, be considered in compliance. The United States  
25 Environmental Protection Agency's Energy Star Program  
26 certification of energy code equivalency shall be considered in  
27 compliance. The Energy Rating Index Compliance Alternative or

1 subsequent alternative compliance path as described by Subsection  
2 (j) shall be considered in compliance.

3 (j) For the purposes of this chapter, the Energy Rating  
4 Index Compliance Alternative or subsequent alternative compliance  
5 path used to measure compliance for single-family residential  
6 construction in an optional compliance path of the energy  
7 efficiency chapter of the International Residential Code that uses  
8 an energy rating index is as follows:

9 (1) for climate zone 2, an energy rating index of:

10 (A) 65 or lower from September 1, 2016, to August  
11 31, 2019;

12 (B) 63 or lower from September 1, 2019, to August  
13 31, 2022; and

14 (C) 59 or lower on or after September 1, 2022;

15 (2) for climate zone 3, an energy rating index of:

16 (A) 65 or lower from September 1, 2016, to August  
17 31, 2019;

18 (B) 63 or lower from September 1, 2019, to August  
19 31, 2022; and

20 (C) 59 or lower on or after September 1, 2022; and

21 (3) for climate zone 4, an energy rating index of:

22 (A) 69 or lower from September 1, 2016, to August  
23 31, 2019;

24 (B) 67 or lower from September 1, 2019, to August

25 31, 2022; and

26 (C) 63 or lower on or after September 1, 2022.

27 (k) This subsection and Subsection (j) expire September 1,

1 2025.

2 SECTION 2. The following provisions of the Health and  
3 Safety Code are repealed:

4 (1) Section 388.003(b-1), as added by Chapter 262  
5 (S.B. 12), Acts of the 80th Legislature, Regular Session, 2007; and

6 (2) Section 388.003(b-1), as added by Chapter 939  
7 (H.B. 3693), Acts of the 80th Legislature, Regular Session, 2007.

8 SECTION 3. This Act takes effect immediately if it receives  
9 a vote of two-thirds of all the members elected to each house, as  
10 provided by Section 39, Article III, Texas Constitution. If this  
11 Act does not receive the vote necessary for immediate effect, this  
12 Act takes effect September 1, 2015.

H.B. No. 1736

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I certify that H.B. No. 1736 was passed by the House on April 30, 2015, by the following vote: Yeas 123, Nays 16, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1736 on May 22, 2015, by the following vote: Yeas 111, Nays 18, 3 present, not voting.

\_\_\_\_\_  
Chief Clerk of the House

I certify that H.B. No. 1736 was passed by the Senate, with amendments, on May 20, 2015, by the following vote: Yeas 29, Nays 1.

\_\_\_\_\_  
Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

\_\_\_\_\_  
Governor

HEALTH AND SAFETY CODE

TITLE 5. SANITATION AND ENVIRONMENTAL QUALITY

SUBTITLE C. AIR QUALITY

CHAPTER 388. TEXAS BUILDING ENERGY PERFORMANCE STANDARDS

Sec. 388.001. LEGISLATIVE FINDINGS. (a) The legislature finds that an effective building energy code is essential to:

- (1) reducing the air pollutant emissions that are affecting the health of residents of this state;
- (2) moderating future peak electric power demand;
- (3) assuring the reliability of the electrical grid; and
- (4) controlling energy costs for residents and businesses in this state.

(b) The legislature further finds that this state has a number of unique climate types, all of which require more energy for cooling than for heating, and that there are many cost-effective measures that can reduce peak energy use and reduce cooling and other energy costs in buildings.

Added by Acts 2001, 77th Leg., ch. 967, Sec. 1(b), eff. Sept. 1, 2001.

Sec. 388.002. DEFINITIONS. In this chapter:

- (1) "Affected county" has the meaning assigned by Section 386.001.
- (2) "Building" has the meaning assigned by the International Building Code.
- (3) "Code official" means an individual employed by a local jurisdiction to review construction plans and other documents, inspect construction, or administer and enforce building standards under this chapter.
- (4) "Code-certified inspector" means an inspector who is certified by the International Code Council, the Building Officials and Code Administrators International, Inc., the International Conference of Building Officials, or the Southern Building Code

Congress International to have met minimum standards for interpretation and enforcement of requirements of the International Energy Conservation Code and the energy efficiency chapter of the International Residential Code.

(5) "Commission" means the Texas Natural Resource Conservation Commission.

(6) "International Residential Code" means the International Residential Code for One- and Two-Family Dwellings as adopted by the International Code Council.

(7) "International Energy Conservation Code" means the International Energy Conservation Code as adopted by the International Code Council.

(8) "Laboratory" means the Energy Systems Laboratory at the Texas Engineering Experiment Station of The Texas A&M University System.

(9) "Local jurisdiction" means the authority responsible for implementation and enforcement of local building codes.

(10) "Municipality" has the meaning assigned by Section 1.005, Local Government Code.

(11) "Nonattainment area" has the meaning assigned by Section 386.001.

(12) "Single-family residential" means having the character of a detached one- or two-family dwelling or a multiple single-family dwelling not more than three stories high with separate means of egress, including the accessory structures of the dwelling.

Added by Acts 2001, 77th Leg., ch. 967, Sec. 1(b), eff. Sept. 1, 2001.

For expiration of Subsections (j) and (k), see Subsection (k).

→ Sec. 388.003. ADOPTION OF BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS. (a) To achieve energy conservation in single-family residential construction, the energy efficiency chapter of the International Residential Code, as it existed on May 1, 2001, is adopted as the energy code in this state for single-family residential construction. On September 1, 2016, the energy efficiency chapter of the International Residential Code, as it existed on May 1, 2015, is adopted as the energy code in this state for single-

family residential construction. On or after September 1, 2021, the State Energy Conservation Office may adopt and substitute for that energy code the latest published edition of the energy efficiency chapter of the International Residential Code, based on written findings on the stringency of the chapter submitted by the laboratory under Subsection (b-3). The office:

(1) may not adopt an edition under this subsection more often than once every six years; and

(2) by rule shall establish an effective date for an adopted edition that is not earlier than nine months after the date of adoption.

(b) To achieve energy conservation in all other residential, commercial, and industrial construction, the International Energy Conservation Code as it existed on May 1, 2001, is adopted as the energy code for use in this state for all other residential, commercial, and industrial construction. The State Energy Conservation Office may adopt and substitute for that energy code the latest published edition of the International Energy Conservation Code, based on written findings on the stringency of the edition submitted by the laboratory under Subsection (b-3). The office by rule shall establish an effective date for an adopted edition that is not earlier than nine months after the date of adoption.

(b-1) Repealed by Acts 2015, 84th Leg., R.S., Ch. 541 , Sec. 2 (1), eff. June 16, 2015.

(b-1) Repealed by Acts 2015, 84th Leg., R.S., Ch. 541 , Sec. 2 (2), eff. June 16, 2015.

(b-2) The State Energy Conservation Office by rule shall establish a procedure for persons who have an interest in the adoption of energy codes under Subsection (a) or (b) to have an opportunity to comment on the codes under consideration. The office shall consider persons who have an interest in adoption of those codes to include:

(1) commercial and residential builders, architects, and engineers;

(2) municipal, county, and other local government authorities;

(3) environmental groups; and

(4) manufacturers of building materials and products.

(b-3) The laboratory shall:

(1) submit to the State Energy Conservation Office written findings on the stringency of the latest published edition of the International Residential Code energy efficiency provisions only if the date of the edition allows the office to adopt the edition under Subsection (a)(1);

(2) submit to the State Energy Conservation Office written findings on the stringency of the latest published edition of the International Energy Conservation Code not later than six months after publication of a new edition; and

(3) in developing the findings, consider the comments submitted under Subsection (b-2).

(c) A municipality shall establish procedures:

(1) for the administration and enforcement of the codes;

(2) to ensure that code-certified inspectors shall perform inspections and enforce the code in the inspectors' jurisdictions; and

(3) to track and report to the state energy conservation office on implementation of the codes.

(d) A municipality may establish procedures to adopt local amendments to the International Energy Conservation Code and the energy efficiency chapter of the International Residential Code. Notwithstanding the requirements of Subsection (e), a municipality located in an area defined by Section 388.002(11) or in an affected county may establish procedures to adopt local amendments to the Energy Rating Index Compliance Alternative or subsequent alternative compliance path as described by Subsection (j).

(e) Local amendments may not result in less stringent energy efficiency requirements in nonattainment areas and in affected counties than the energy efficiency chapter of the International Residential Code or International Energy Conservation Code. Local amendments must comply with the National Appliance Energy Conservation Act of 1987 (42 U.S.C. Sections 6291-6309), as amended. The laboratory, at the request of a municipality or county, shall determine the relative impact of proposed local amendments to an energy code, including whether proposed amendments are substantially equal to or less stringent than the unamended code. For the purpose of establishing uniform requirements throughout a region, and on

request of a council of governments, a county, or a municipality, the laboratory may recommend a climatically appropriate modification or a climate zone designation for a county or group of counties that is different from the climate zone designation in the unamended code. The laboratory shall:

(1) report its findings to the council, county, or municipality, including an estimate of any energy savings potential above the unamended code from local amendments; and

(2) annually submit a report to the commission:

(A) identifying the municipalities and counties whose codes are more stringent than the unamended code, and whose codes are equally stringent or less stringent than the unamended code; and

(B) quantifying energy savings and emissions reductions from this program for consideration in the state implementation plan for emissions reduction credit.

(f) Each municipality, and each county that has established procedures under Subsection (d), shall periodically review and consider revisions made by the International Code Council to the International Energy Conservation Code and the energy efficiency chapter of the International Residential Code adopted after May 1, 2001.

(g) The laboratory shall have the authority to set and collect fees to perform certain tasks in support of the requirements in Sections 388.004, 388.007, and 388.008.

(h) Within the boundaries of an airport operated by a joint board created under Subchapter D, Chapter 22, Transportation Code, the constituent agencies of which are populous home-rule municipalities, the powers of a municipality under this section are exclusively the powers of the joint board.

(i) A building certified by a national, state, or local accredited energy efficiency program and determined by the laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the municipality, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance. The Energy Rating Index Compliance Alternative or subsequent alternative compliance path as described by Subsection (j) shall be considered in compliance.

(j) For the purposes of this chapter, the Energy Rating Index Compliance Alternative or subsequent alternative compliance path used to measure compliance for single-family residential construction in an optional compliance path of the energy efficiency chapter of the International Residential Code that uses an energy rating index is as follows:

- (1) for climate zone 2, an energy rating index of:
  - (A) 65 or lower from September 1, 2016, to August 31, 2019;
  - (B) 63 or lower from September 1, 2019, to August 31, 2022; and
  - (C) 59 or lower on or after September 1, 2022;
- (2) for climate zone 3, an energy rating index of:
  - (A) 65 or lower from September 1, 2016, to August 31, 2019;
  - (B) 63 or lower from September 1, 2019, to August 31, 2022; and
  - (C) 59 or lower on or after September 1, 2022; and
- (3) for climate zone 4, an energy rating index of:
  - (A) 69 or lower from September 1, 2016, to August 31, 2019;
  - (B) 67 or lower from September 1, 2019, to August 31, 2022; and
  - (C) 63 or lower on or after September 1, 2022.

(k) This subsection and Subsection (j) expire September 1, 2025.

Added by Acts 2001, 77th Leg., ch. 967, Sec. 1(b), eff. Sept. 1, 2001. Amended by Acts 2003, 78th Leg., ch. 1331, Sec. 15, eff. June 20, 2003.

Amended by:

Acts 2005, 79th Leg., Ch. 1125 (H.B. 2481), Sec. 15, eff. September 1, 2005.

Acts 2007, 80th Leg., R.S., Ch. 262 (S.B. 12), Sec. 3.01, eff. June 8, 2007.

Acts 2007, 80th Leg., R.S., Ch. 939 (H.B. 3693), Sec. 11, eff. September 1, 2007.

Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. 1969), Sec. 12.013, eff. September 1, 2009.

Acts 2011, 82nd Leg., R.S., Ch. 937 (H.B. 51), Sec. 3, eff. September 1, 2011.

Acts 2015, 84th Leg., R.S., Ch. 541 (H.B. 1736), Sec. 1, eff. June 16, 2015.

Acts 2015, 84th Leg., R.S., Ch. 541 (H.B. 1736), Sec. 2(1), eff. June 16, 2015.

Acts 2015, 84th Leg., R.S., Ch. 541 (H.B. 1736), Sec. 2(2), eff. June 16, 2015.

Sec. 388.004. ENFORCEMENT OF ENERGY STANDARDS OUTSIDE OF MUNICIPALITY. (a) For construction outside of the local jurisdiction of a municipality:

(1) a building certified by a national, state, or local accredited energy efficiency program shall be considered in compliance;

(2) a building with inspections from private code-certified inspectors using the energy efficiency chapter of the International Residential Code or International Energy Conservation Code shall be considered in compliance; and

(3) a builder who does not have access to either of the above methods for a building shall certify compliance using a form provided by the laboratory, enumerating the code-compliance features of the building.

(b) A builder shall retain until the third anniversary of the date on which compliance is achieved the original copy of any documentation that establishes compliance under this section. The builder on receipt of any compliance documentation shall provide a copy to the owner of the building.

(c) A single-family residence built in the unincorporated area of a county the construction of which was completed on or after September 1, 2001, but not later than August 31, 2002, shall be considered in compliance.

Added by Acts 2001, 77th Leg., ch. 967, Sec. 1(b), eff. Sept. 1, 2001. Amended by Acts 2003, 78th Leg., ch. 1331, Sec. 16, eff. June 20, 2003.

Sec. 388.005. ENERGY EFFICIENCY PROGRAMS IN INSTITUTIONS OF HIGHER EDUCATION AND CERTAIN GOVERNMENTAL ENTITIES. (a) In this section:

(1) "Institution of higher education" includes an institution of higher education as defined by Section 61.003, Education Code, and a private institution of higher education that receives funding from the state.

(2) "Political subdivision" means:

(A) an affected county; or

(B) any political subdivision in a nonattainment area or in an affected county other than:

(i) a school district; or

(ii) a district as defined by Section 36.001 or 49.001, Water Code, that had a total annual electricity expense of less than \$200,000 in the previous fiscal year of the district.

(3) "State agency" means a department, commission, board, office, council, or other agency in the executive branch of state government that is created by the constitution or a statute of this state and has authority not limited to a geographical portion of the state.

(b) Each political subdivision, institution of higher education, or state agency shall implement all energy efficiency measures that meet the standards established for a contract for energy conservation measures under Section 302.004(b), Local Government Code, in order to reduce electricity consumption by the existing facilities of the entity.

(c) Each political subdivision, institution of higher education, or state agency shall establish a goal to reduce the electric consumption by the entity by at least five percent each state fiscal year for 10 years, beginning September 1, 2011.

(d) A political subdivision, institution of higher education, or state agency that does not attain the goals established under Subsection (c) must include in the report required by Subsection (e) justification that the entity has already implemented all available cost-effective measures. An entity that submits a report under this subsection indicating that the entity has reviewed its available options, has determined that no additional measures are cost-effective, and has already implemented all available cost-effective

measures is exempt from the annual reporting requirement of Subsection (e) if a subsequent report would indicate no change in status. An entity may be required to provide notice that it is exempt to the State Energy Conservation Office.

(e) A political subdivision, institution of higher education, or state agency annually shall report to the State Energy Conservation Office, on forms provided by that office, regarding the entity's goal, the entity's efforts to meet the goal, and progress the entity has made under this section. The State Energy Conservation Office shall provide assistance and information to the entity to help the entity meet goals established under this section. The office must develop and make available a standardized form for reporting purposes.

(f) This section does not apply to a state agency or an institution of higher education that the State Energy Conservation Office determines, before September 1, 2007, adopted a plan for conserving energy under which the agency or institution established a percentage goal for reducing the consumption of electricity. The exemption provided by this section applies only while the agency or institution has an energy conservation plan in effect and only if the agency or institution submits reports on the conservation plan each year to the governor, the Legislative Budget Board, and the State Energy Conservation Office.

(g) Except as provided by Subsection (h), this section does not apply to the electricity consumption of a district as defined by Section 36.001 or 49.001, Water Code, that relates to the operation and maintenance of facilities or improvements for:

- (1) wastewater collection and treatment;
- (2) water supply and distribution; or
- (3) storm water diversion, detention, or pumping.

(h) At least once every five years, a political subdivision that is a district as defined by Section 36.001 or 49.001, Water Code, shall for district facilities described by Subsection (g):

- (1) evaluate the consumption of electricity;
- (2) establish goals to reduce the consumption of electricity; and
- (3) identify and implement cost-effective energy efficiency measures to reduce the consumption of electricity.

Added by Acts 2001, 77th Leg., ch. 967, Sec. 1(b), eff. Sept. 1, 2001. Amended by Acts 2003, 78th Leg., ch. 248, Sec. 1, eff. June 18, 2003.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 262 (S.B. 12), Sec. 3.02, eff. June 8, 2007.

Acts 2007, 80th Leg., R.S., Ch. 939 (H.B. 3693), Sec. 12, eff. September 1, 2007.

Reenacted and amended by Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. 1969), Sec. 12.014, eff. September 1, 2009.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 637 (S.B. 898), Sec. 1, eff. September 1, 2011.

Acts 2011, 82nd Leg., R.S., Ch. 1049 (S.B. 5), Sec. 6.12, eff. June 17, 2011.

Acts 2013, 83rd Leg., R.S., Ch. 105 (S.B. 902), Sec. 1, eff. September 1, 2013.

Sec. 388.006. STATE ENERGY CONSERVATION OFFICE EVALUATION. The State Energy Conservation Office annually shall provide the commission and the laboratory with an evaluation of the effectiveness of state and political subdivision energy efficiency programs, including programs under this chapter. The laboratory shall calculate, based on the evaluation and the forms submitted to the office, the amount of energy savings and estimated reduction in pollution achieved as a result of the implementation of programs. The laboratory shall share the information with the commission, the United States Environmental Protection Agency, and the Electric Reliability Council of Texas to help with long-term forecasting and in estimating pollution reduction.

Added by Acts 2001, 77th Leg., ch. 967, Sec. 1(b), eff. Sept. 1, 2001.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 637 (S.B. 898), Sec. 2, eff. September 1, 2011.

Sec. 388.007. DISTRIBUTION OF INFORMATION AND TECHNICAL ASSISTANCE. (a) The laboratory shall make available to builders, designers, engineers, and architects code implementation materials that explain the requirements of the International Energy Conservation Code and the energy efficiency chapter of the International Residential Code and that describe methods of compliance acceptable to code officials.

(b) The materials may include software tools, simplified prescriptive options, and other materials as appropriate. The simplified materials may be designed for projects in which a design professional is not involved.

(c) The laboratory may provide local jurisdictions with technical assistance concerning implementation and enforcement of the International Energy Conservation Code and the energy efficiency chapter of the International Residential Code, including local amendments to those codes.

(d) The laboratory may conduct outreach to the real estate industry, including real estate agents, home builders, remodelers, appraisers, and financial institutions, on the value of energy code compliance and verified, above-code, high-performance construction.

Added by Acts 2001, 77th Leg., ch. 967, Sec. 1(b), eff. Sept. 1, 2001.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 937 (H.B. 51), Sec. 4, eff. September 1, 2011.

Sec. 388.008. DEVELOPMENT OF HOME ENERGY RATINGS. (a) The laboratory shall develop a standardized report format to be used by providers of home energy ratings. The laboratory may develop different report formats for rating newly constructed residences from those for existing residences. The form must be designed to give potential buyers information on a structure's energy performance, including:

- (1) insulation;
- (2) types of windows;
- (3) heating and cooling equipment;
- (4) water heating equipment;

- (5) additional energy conserving features, if any;
- (6) results of performance measurements of building tightness and forced air distribution; and
- (7) an overall rating of probable energy efficiency relative to the minimum requirements of the International Energy Conservation Code or the energy efficiency chapter of the International Residential Code, as appropriate.

(b) The laboratory shall establish a public information program to inform homeowners, sellers, buyers, and others regarding home energy ratings.

(c) The laboratory may cooperate with an industry organization or trade association to:

- (1) develop guidelines for home energy ratings;
- (2) provide training for individuals performing home energy ratings and providers of home energy ratings; and
- (3) provide a registry of completed ratings for newly constructed residences and residential improvement projects for the purpose of computing the energy savings and emissions reductions benefits of the home energy ratings program.

(d) The laboratory shall include information on the benefits attained from this program in an annual report to the commission.

Added by Acts 2001, 77th Leg., ch. 967, Sec. 1(b), eff. Sept. 1, 2001.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 939 (H.B. 3693), Sec. 13, eff. September 1, 2007.

Sec. 388.010. OUTREACH TO NEAR-NONATTAINMENT AREAS. The commission shall conduct outreach to near-nonattainment areas and affected counties on the benefits of implementing energy efficiency initiatives, including the promotion of energy-efficient building programs and urban heat island mitigation techniques, as a way to meet air quality attainment goals under the federal Clean Air Act (42 U.S.C. Section 7401 et seq.), as amended.

Added by Acts 2003, 78th Leg., ch. 1331, Sec. 17, eff. June 20, 2003.

Sec. 388.011. CERTIFICATION OF MUNICIPAL BUILDING INSPECTORS.

The laboratory shall develop and administer statewide a training program for municipal building inspectors seeking to become code-certified inspectors. The laboratory shall also work with national code organizations to assist participants in the certification program. The laboratory may collect reasonable fees from participants in the program to pay the costs of administering the program.

Acts 2003, 78th Leg., ch. 1148, Sec. 1.

Renumbered from Health and Safety Code, Section 388.009 by Acts 2005, 79th Leg., Ch. 728 (H.B. 2018), Sec. 23.001(50), eff. September 1, 2005.

Sec. 388.012. DEVELOPMENT OF ALTERNATIVE ENERGY-SAVING METHODS.

The laboratory shall develop at least three alternative methods for achieving a 15 percent greater potential energy savings in residential, commercial, and industrial construction than the potential energy savings of construction that is in minimum compliance with Section 388.003. The alternative methods:

(1) may include both prescriptive and performance-based approaches, such as the approach of the United States Environmental Protection Agency's Energy Star qualified new home labeling program; and

(2) must include an estimate of:

(A) the implementation costs and energy savings to consumers; and

(B) the related emissions reductions.

Added by Acts 2005, 79th Leg., Ch. 1095 (H.B. 2129), Sec. 4, eff. September 1, 2005.



**City of Granite Shoals, Texas  
City Council Meeting  
Agenda Item Cover Memo  
October 25, 2016**

**Agenda Item:** 7.b. Board and Committee Member Appointments  
**Prepared By:** City Secretary  
**Department:** Administration  
**Submitted By:** City Secretary

**AGENDA CAPTION**

Discuss, consider and possibly take action regarding making appointments Boards and Committees, if appropriate. *(City Secretary Elaine Simpson)*

**BACKGROUND**

The following Boards and Committees have vacancies:

Beautification Advisory Group (BAG) has 4 vacancies. No applications have been received for BAG at this time.

Wildlife Advisory Committee (WAC) has 1 vacancy. No applications have been received for WAC.

The Parks Advisory Committee received a resignation from Katie Logan and they accepted this resignation at their regular meeting October 6, 2016. No applications have been received for Parks Advisory Committee.

When Council Member Davant took the Oath of Office on October 11, 2016, he automatically resigned his place as a voting member of the Streets and Water Advisory Group. Council Member Davant has agreed to continue his relationship with SWAG, and so will be considered their Council Liaison. No applications have been received as yet for the open position on SWAG.



**City of Granite Shoals, Texas  
City Council Regular Meeting  
Agenda Item Cover Memo  
Date: October 25, 2016**

**Agenda Item: #7.c. Discussion of appointment process for city  
Boards and Committees**

**Prepared/Submitted By: Elaine Simpson, City Secretary**

**Department: Administration**

**AGENDA CAPTION**

7.c. Review information from staff and discuss policy related to Board and Committee appointments. *(City Secretary Elaine Simpson)*

**CORRESPONDING BUDGET YEAR PRIORITY(IES) (IF APPLICABLE)**

4. Continue to provide a safe community
5. Facility Improvements
7. Maintain and improve the City's Financial Stability
8. Planning and Vision for the Future
9. Hire and maintain a strong workforce
10. Maintain or improve citizen communications

**BACKGROUND**

***At the City Council meeting of September 27<sup>th</sup>, Council was briefed during the City Secretary's management report item on 'Information/Update on Board and Committee appointment procedures, per request of Council Member Holland'. information was included in the Council agenda packets regarding the procedures for filling vacancies on the city's committees. Each Granite Shoals Board and Committee is different. All have the 'hold over' feature for members, however. Historically, the city has had some difficulty keeping Boards and Committees fully staffed. Since the focus has been on staffing the Committees, making sure there were enough members to make a quorum, the city staff has not attempted a formal 'Board and Committee Appointment' project, asking all members to formally re-apply for re-appointment at a specific time of year.***

***Tonight, Council has agreed to open a discussion regarding the city's policy for process of filling vacancies on City Boards and Committees.***

***There are pros and cons to filling vacancies, as they present, and there are pros and cons to having a formal Board and Committee appointment period.***

***Having a formal Board and Committee Appointment time:***

***Pros:***

- *It is organized, and the advertising brings attention to the city's various volunteer opportunities.*
- *The rosters are easier to keep updated if volunteers submit new applications periodically.*
- *It allows the City Council to consider the contribution(s) made by the volunteers on a scheduled basis.*

**Cons:**

- *It is labor intensive for the city staff. (the city has 7 Boards and Committees at this time.)*
- *There is no guarantee that there will be volunteers to apply for all the openings that may be open at the time of appointment process.*
- *If someone is appointed to a Committee which only meets as needed (i.e. BOA), they might be appointed, sworn in, and take the Open Meetings training only to never be called for a meeting. It would be difficult to consider their contributions.*
- *The city has customarily established new Committees, and disbanded them, as needed – if the procedure is changed for the standing committees, will the 'ad hoc' committees be created/appointed at the same time, or will these committees continue to be established 'as needed'.*
- *Often the Board appointment period will either be at the first part of the calendar year, which is when city staff is working on May Election activities, or is held in June after the May Elections, and this is when city staff is working on preparations for Budget season.*

*When city staff polled some nearby cities, the City of Boerne and the City of Horseshoe Bay responded with information related to their processes, respectively. The City of Boerne sent a copy of the Resolution that was passed to make the appointment process uniform for all city Boards and Committees. The City of Horseshoe Bay submitted examples of their ads, appointment letters and etc.*

**OPTIONS**

*As this is a Discussion item, normally action is not taken.*

**RECOMMENDATION**

*City Manager has no input in matters related to the Council and their advisory committees.*

**ATTACHMENT(S): (IF APPROPRIATE)**

*List of the items behind this cover sheet:*

- *Current rosters*
- *Current spreadsheet (from September 27, 2016 City Council meeting), listing the Boards and Committees for Granite Shoals, and their current vacancy-filling procedures.*
- *Information from Boerne; an example of Resolution to establish more uniform procedures.*
- *Information from Horseshoe Bay, examples of letters and advertisements.*

NAME		PHYSICAL ADDRESS	DATE	DATE
			ELECTED/APPT	SWORN IN
<b>Board of Adjustment</b>				
1	Stephen Carter - VICE CHAIR	905 Belaire DR	11/18/2014	
2	Don Bryant	2824 Lakeview Dr.		
3	Bill Farr	6102 DIAMOND HEAD DR AUSTIN TX 78746-6310		
4	Dona L. Minor	904 Hill Circle West, GS	7/12/2016	
5	Larry Crochet	234 Lakewood Dr.		
6	Ted Gulden - CHAIR	730 Clear Cove DR	11/18/2014	
7	Arturo Rubio	1202 Viewcrest Drive, GS, TX 78654	7/12/2016	
<b>At Least Five Members and No more than Seven</b>				
<b>Planning and Zoning Commission</b>				
1	Shannon Wilson, Chair	1101 Belaire Dr.	10/9/2012	
2	Susie Hardy, Vice Chair	412 Bluebonnet Drive	10/9/2012	
3	Steven C. Dooley	127 W. Stonecastle Drive	3/22/2016	
4	Shawna Williams	121 S. Shorewood DR	10/28/2014	
5	Paul Fletcher	434 E. Castleshoals Drive	10/9/2012	
6	Claudine Gonzales	107 East Elm Drive	3/26/2013	
7	Terry Scott	809 N. Shorewood DR	1/27/2015	
<b>At Least 7 members - 4 is a quorum</b>				

<b>Airport Advisory Committee</b>		<b>Ord. 686</b>	<b>March 8, 2016</b>		
1	George Forster	902 W. Hill Circle			8-Mar-16
2	Neil Haverlah - Chair	612 E. Briarway DR			8-Mar-16
3	Sandra Buschhorn	219 Mallard Point			8-Mar-16
4	Jeffrey Hunt	1401 Green Forest			8-Mar-16
5	Barry Sylvester	704 Green Forest			8-Mar-16
6	David Dittmar	510 W. Castlehills Drive			8-Mar-16
7	Sheryl Gardner	902 Mystic Drive			8-Mar-16
	<b>No fewer than 5 or more than 7 - one Council advisor</b>	<b>4 members is a quorum</b>			
<b>Council Advisor Members is Council Member T. Dillard</b>					
<b>Beautification Advisory Group</b>		<b>Ord. 695, August 2016 amended 604</b>			
1	Donna Maier-Chair	545 Contour Dr.			
2	Carol Carter	905 Belaire Drive			10/1/2015
3	Rick Mills	250 Hill Drive			2/9/2016
4	Merilyn Nations	1606 Belaire DR, GS			appt. 4/2014
5	Julie A. Brugger	1111 N. Shorewood DR, GS			appt. 4/2014
6	Kitty Ann Gunn	306 E. Stonecastle			appt. 4/26/2016
	<b>No fewer than 3 nor more than 10 members</b>				
	<b>3 members, or 1/3 of the appointed membership is quorum, whichever is greater</b>				
<b>Parks Advisory Committee</b>		<b>City Code Art. III, Division IV</b>			
1	Cecila Escamilla	200 Tempe Drive			4/12/2016
2	Wolf S. Williams	115 W. Bluebriar Drive			appointed 4-28-2015
3	Seth Smith - Chair	2412 Belaire East Ln			
4	Brad Williams - Vice Chair	115 W. Bluebriar Drive			
5	Nelly Griffin	105 W. Castlewood ST			10/28/2014
6					
7	Will Skinner	1404 Kings Crest			5/24/2016
8	Diana Marichalar	146 W. Briarway			6/23/2015
9	Britany G. Dooley	127 W. Stonecastle Drive			3/22/2016
	<b>ADVISORY CAPACITY - Council Member Shirley King</b>	6521 West FM 1431			
	<b>Not Fewer than 4 members, no more than 9 and four is a quorum</b>				

	<b>Street and Water Advisory Group - Ord. 630 1-14-2014</b>								
1	Billy Cauley	303 Cotton Cloud	San Antonio, Tx	78260				7/14/2015	
2	Susie Hardy - Chair	412 Bluebonnet							
3	Claudine Gonzales	107 E Elm DR							
4	Charles R. Myers	902 Mockingbird Drive							
5									
6	Arturo Rubio	1202 Viewcrest Drive, GS,	TX	78654				6/14/2016	
7	George LaChance	109 Oakwood Drive,	Granite Shoals, TX					7/14/2015	830-637-1522 cell
CC	Jim Davant	310 South Shorewood							
	<b>Wildlife Committee</b>								
	<b>Ord. 639 adopted 3-11-2014</b>								
1	Robbie Boswell	113 E. Newcastle Drive						10/27/2015	
2	Jason Brady - Chair	102 Oakwood DR						5/13/2014	
3	Steve Hougén	1007 Moss Downs Drive						12/1/2015	
4									
5	Willie Pack - Secretary	1402 Northcrest						5/13/2014	
6	Tina Collier	1601 Valley West						6/14/2016	
7	Doug Ripple - Vice Chair	135 E. Newcastle						6/24/2014	
8	Sandra Campbell	118 Maple Drive						6/28/2016	
9	Mary Jane Waters	314 Cedarhill DR,	Granite Shoals					2/10/2015	
	ADVISORY CAPACITY - Council Member Todd Holland								
	At least 5 and no more than 9, quorum is 4 members								

**Board and Committees**

**Appointment / Membership processes**

**Granite Shoals, Texas Boards and Committees**

**BOARD      Enabling Legislation**

**Method of Appointment for Members**

Committee shall consist of no fewer than 5 and no more than 7 property owners or residents. Additionally, there may be one Council Member serve as an advisory member. The terms of all members shall commence upon appointment. Any and all members will serve for an indefinite period and at the discretion of City Council.

Airport      Ord. 686

The Beautification Advisory Group shall consist of no fewer than three and no more than 10 property owners, residents or volunteers who are appointed by City Council. No more than one member of City Council may serve (as Advisor, only, per charter), and no more than one member of the Planning and Zoning Commission may serve on BAG. (Ord. 604) Bag members appointed by City Council shall serve indefinite terms. The appointed members serve at the pleasure of City Council and may be appointed or removed at the discretion of City Council.

BAG      Ord. 695

Board shall consist of no fewer than five nor more than seven property owners or residents who are appointed by the city council to staggered terms. Three members will be appointed on odd-numbered years and no fewer than two nor more than four members will be appointed on even-numbered years. A term shall begin on June 1 and shall end on May 31 of the second year following. Upon expiration of a term, each commission member shall hold over into the subsequent term until such time that the city council either reappoints that member or appoints a replacement. In addition, the Council may appoint two alternate members of the Board, one in even number years and one in odd-number years. A term shall begin on June 1 and shall end on May 31 of the second year following. Upon expiration of a term, each commission member shall hold over into the subsequent term until such time that the city council either reappoints that member or removes members for cause upon written charges and after Public Hearing. Council fill vacancies for the expired or unexpired term of any member, whose position becomes vacant for any cause, in the same manner as the original appointment was made. Board members may be appointed to succeed themselves.

BOA      City Code, Section 2.63

Committee shall consist of no fewer than 4 and no more than 9 property owners, residents or volunteers who are appointed by the City Council. No more than one member of Council may serve [in Advisory capacity] and no more than one member of the Planning and Zoning commission may be appointed to the Parks Committee. Members appointed shall serve indefinite terms. The members serve at the pleasure of Council and may be appointed or removed at the discretion of the City Council.

Parks      City Code, Section 2-82.1

**BOARD**

**Enabling Legislation**

**Method of Appointment for Members**

Commission shall consist of at least seven members who shall be appointed by City Council. Any vacancy occurring during the unexpired term of a member shall be filled by City Council for the remainder of the unexpired term. Commission members will be appointed by city council to staggered terms in accordance with the existing zoning ordinance. Three members will be appointed on odd-numbered years, and four will be appointed during even numbered years. The council intends to appoint members that are a broad representation of the community. Members must be qualified city voters and shall serve for a term of two years. A member may be re-appointed as desired by city council. Any vacancy occurring during the unexpired term of a member will be filled by appointment by the city council for the remainder of the unexpired term. A term shall begin on June 1 and end on May 31 of the following year. Upon expiration of a term, each commission member shall hold over into the subsequent term until such time that the city council either re-appoints that member or appoints his replacement. In addition to the requirements in Charter section 9.01, the members of the planning and zoning commission shall be registered voters and citizens of the city on the date of their appointments.

P&Z City Code, Section 2-75

Street and Water Advisory Group (SWAG) shall be five to seven members. All members of the SWAG will be appointed by City Council. Any vacancy occurring during the unexpired term of a member shall be filled by the City Council for the remainder of the unexpired term. Members of SWAG may be removed, with or without cause, by an affirmative vote of the City Council. Members must be property owners or must reside in the City and shall serve a term of two (2) years. Up to two members of SWAG may serve simultaneously as members of P&Z. The Council may also appoint one Council member to serve as liaison in advisory capacity only. A term shall begin on June 1 and end on May 31 two years following. Upon the expiration of the term, each SWAG member shall hold over into the subsequent term until such time that the City Council either re-appoints that member or appoints a replacement. A member may be reappointed as desired by City Council. Any vacancy occurring during the unexpired term of a member will be filled by appointment by Council for the remainder of the unexpired term.

SWAG Ord. 630 - January 2014

Committee shall consist of no fewer than 5 and no more than 9 property owners or residents who are appointed by the City Council. No more than one member of the City Council may be appointed to the Wildlife Committee [as Council Advisor, non-voting position]. Members shall serve indefinite terms. The appointed members serve at the pleasure of Council and may be appointed or removed at the discretion of the City Council.

WAC Ord. 639

**Board and Committee membership is also governed by Charter:**

**ARTICLE VIII. - BOARDS AND COMMISSIONS**

Section 8.01. - Authority, Composition and Procedures.

The City Council shall create, establish or appoint, as may be required by the laws of the State of Texas or this Charter, or deemed desirable by the City Council, such boards, commissions and committees as it deems necessary to carry out the functions and obligations of the City. The City Council shall, by ordinance or resolution, prescribe the purpose, composition, function, duties, accountability and tenure of each board, commission and committee where such are not prescribed by law or this Charter.

Individuals who are property owners or reside in the City may be appointed by the City Council to serve on one (1) or more boards, commissions or committees. Such appointees shall serve at the pleasure of the City Council and may be removed at the discretion of the City Council. Except as otherwise provided in this Charter, members of any such board, commission or committee shall serve without compensation, but may be reimbursed for actual expenses as approved by the City Council.

All boards, commissions or committees of the City shall keep and maintain minutes of any proceedings held and shall submit a written report of such proceedings to the City Council no more than three (3) weeks following each meeting.

No officer or employee of the City, nor any person who holds a compensated appointive position with the City shall be appointed to any board, commission or committee created or established by this Charter other than in an advisory capacity.

Any member of a board, commission or committee who is absent from three (3) consecutive regular meetings, or twenty-five percent (25%) of regularly scheduled meetings during the twelve-month (12 month) period immediately preceding and including the absence in question, without explanation acceptable to a majority of the other members, shall forfeit the person's position on the board, commission or committee.

#### **Section 9.01. - Organization of Planning and Zoning Commission.**

There is hereby established a Planning and Zoning Commission (the "Commission") which shall consist of at least seven (7) members who shall be appointed by the City Council. Any vacancy occurring during the unexpired term of a member shall be filled by the City Council for the remainder of the unexpired term. The Commission shall elect from its members a Chairman, Vice Chairman, and Secretary to serve for two (2) years beginning in the month following the general City election in odd numbered years. Members of the Commission may be removed, with or without cause, by an affirmative vote of a majority of the full membership of the City Council.

#### **Section 9.05. - Board of Adjustment.**

The City Council shall by ordinance establish a Board of Adjustment (the "Board"), consistent with the Texas Local Government Code, that shall have the power to hear and determine appeals concerning the refusal of building permits, appeals resulting from administrative decisions and to permit exception to or variation from zoning regulations. Members of the Board shall hold no other City office and no former member of the City Council shall serve as a member of the Board until one (1) year after the completion of the former member's City council term.

The Board shall consist of no fewer than five (5) nor more than seven (7) property owners or residents of the City. The members of the Board shall be appointed by the City Council for a term of two (2) years or until their successors are appointed and qualified. The City Council may remove a Board Member for cause upon written charge and after a public hearing. Vacancies on the Board shall be filled for the unexpired term by the City Council. The Board shall elect a Presiding Officer from among its appointed members. Three-fourths of the appointed members shall constitute a quorum for the transaction of business.

**RESOLUTION NO. 2016-R48**

**A RESOLUTION RESCINDING RESOLUTION NO. 2014-R66 AND ESTABLISHING THE NUMBER OF TERMS, RESIDENCY REQUIREMENTS, AND ATTENDANCE OF THE VARIOUS BOARDS, COMMITTEES AND COMMISSIONS WHERE THE MAYOR AND CITY COUNCIL OF THE CITY OF BOERNE, TEXAS APPOINT THE MEMBERS, AND THE VARIOUS BOARDS, COMMITTEES, AND COMMISSIONS ARE ESTABLISHED BY STATE LAW, CITY ORDINANCE, AND BY LAWS OF OTHER ENTITIES**

**WHEREAS**, it is the responsibility of the Mayor and City Council of the City of Boerne, Texas to appoint members to various Boards, Committees, and Commissions; and

**WHEREAS**, the Board of Adjustments, the Historic Landmark Commission, Ethics Review Commission and the Planning and Zoning Commission are established by city ordinance and have established provisions for terms, meetings, appointment and removal; and

**WHEREAS**, it is the desire of the City Council to establish policy and to provide additional criteria for the appointments and service of the members to the various Boards, Committees, and Commissions;

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

That this resolution supersedes Resolution Nos. 2009-R54, 2009-R80, 2010-R16, 2011-R18, 2013-R18, 2013-R115, and 2014-R66 and the following criteria are established as policy for the number of terms, residency, and attendance of the following Boards, Committees, and Commissions:

**1. CITY OF BOERNE HISTORIC LANDMARK COMMISSION**

**TERM**

The term of office shall be for four (4) years. The Commission consists of nine (9) members. The Mayor shall appoint the Chairman and Vice Chairman. The term of office begins at the first meeting in June following the appointment. Eligible members must live within the City limits. Commission members are subject to the City of Boerne's Ethics Ordinance.

**MEETINGS**

The Historic Landmark Commission shall meet on a monthly basis, the **first Tuesday of each month at 5:30 PM**, as necessary and at any special meetings as called. Members missing three or more consecutive meetings or attending less than 75% of the posted meetings on a 12 month rolling average, are subject to removal.

**2. CITY OF BOERNE CONVENTION AND VISITOR'S BUREAU ADVISORY BOARD**

**TERM**

The Board consists of three (3) members, with two (2) staff member liaison. The Chairman and Vice Chairman are appointed by the Mayor. The term of office is two (2) years. Appointments are made at the first City Council meeting in January, to allow disbursement of funds for in the preceding budget year. Eligible members must either: (1) reside within the City limits; (2) reside within Kendall County; and/ or (3) own, operate, manage or control any hotel within the City limits. Members are subject to the City of Boerne's Ethics Ordinance. The Board shall comply with the Texas Open Meetings Act.

### **MEETINGS**

Regular and consistent attendance at the monthly Convention and Visitor's Bureau Advisory Board, at least once a quarter at **5:30 PM**, and any special meetings called as necessary to complete the review of funding applications and prepare a recommendation to the City Council. Members missing three or more consecutive meetings or attending less than 75% of the posted meetings on a 12 month rolling average, are subject to removal.

### **3. CITY OF BOERNE PLANNING AND ZONING COMMISSION**

#### **TERM**

The term of office shall be three (3) years. The Commission consists of nine (9) members. The Mayor shall appoint the Chairman. The term of office begins at the first meeting in June following the appointment. Eligible members must reside within the City limits or within the extraterritorial jurisdiction of the City of Boerne. Members are subject to the City of Boerne's Ethics Ordinance.

#### **MEETINGS**

Regular and consistent attendance at monthly Planning and Zoning meetings, the **first Monday of each month at 6:00 PM**, and any special meetings that may be called. Members missing three or more consecutive meetings or attending less than 75% of the posted meetings on a 12 month rolling average are subject to removal.

### **4. CITY OF BOERNE PUBLIC LIBRARY ADVISORY BOARD**

#### **TERM**

The Mayor appoints two (2) members to the board each year. The Board consists of eight (8) members. The term of each member shall be four (4) years. Additional terms may be served after a one (1) year interval. The term of office begins on June 1<sup>st</sup> of the year of appointment. The officers of the board shall be the Chairman, Vice Chairman and Secretary. Officers of the Board are elected by the Board. Eligible members must reside within the City limits or within Kendall County, Texas. Members are not subject to the City of Boerne's Ethics Ordinance.

#### **MEETINGS**

Regular and consistent attendance at the monthly Library Advisory Board meetings and at any special meetings called. Meetings are held every **second Thursday of the month at 6:00 PM**, or at any such date as designated by the board. Members missing three or more consecutive meetings or attending less than 75% of the posted meetings on a 12 month rolling average, are subject to removal.

### **5. CITY OF BOERNE ZONING BOARD OF ADJUSTMENT**

#### **TERM**

The Zoning Board of Adjustments consists of five (5) members and four (4) alternate members. All members, both regular and alternate shall serve for a term of two (2) years. The Mayor appoints the Chairman and Vice Chairman. The term of office begins at the first meeting in June following the appointment. Eligible members must reside within the City limits. Members are subject to the City of Boerne's Ethics Ordinance.

#### **MEETINGS**

Regular and consistent attendance at the monthly Zoning Board of Adjustment meetings, and any special meetings that may be called. Meetings are held on the **third Wednesday at 5:30 PM** as necessary, based upon receiving a variance request. Members missing three or more consecutive meetings or attending less than 75% of the posted meetings on a 12 month rolling average are subject to removal.

**6. PUBLIC HOUSING AUTHORITY**

**TERM**

The term of all commissioners is two (2) years. All commissioners except resident commissioners filling a "resident commissioner slot" may serve an unlimited number of consecutive terms. Resident commissioners may serve only two (2) consecutive terms. If the Public Housing Authority wants to keep a particular resident commissioner longer, the Mayor may appoint that person to a regular commissioner slot when one becomes vacant. The term of office begins at the first meeting in June following the appointment. Eligible members must reside within the City limits. Members are not subject to the City of Boerne's Ethics Ordinance.

**MEETINGS**

The Public Housing Authority shall meet four times annually. Meetings are held on a **Tuesday at 2:00 PM**, as posted at the Public Housing Authority Office and City Hall. Members missing three or more consecutive meetings or attending less than 75% of the posted meetings on a 12 month rolling average are subject to removal.

**7. KENDALL COUNTY ECONOMIC DEVELOPMENT CORPORATION**

**TERM**

The City of Boerne has the right to appoint two (2) directors of the Corporation. The term of office is for three (3) years. The officers, other than the President/CEO shall be elected from among the directors of the Corporation at their first meeting following the annual meeting of the members of the Corporation. The term office shall begin at or before the first annual meeting of the members in March. Eligible members must reside within the City limits. Members are not subject to the City of Boerne's Ethics Ordinance.

**MEETINGS**

Regular and consistent attendance at the monthly meetings which are held the **second Thursday, at 8:00 AM**. Quarterly investor meetings are held four times a year, with the annual meeting held the **third Thursday in March**. Special called meetings are called as necessary. Members missing three or more consecutive meetings or attending less than 75% of the posted meetings on a 12 month rolling average are subject to removal.

**8. KENDALL COUNTY APPRAISAL DISTRICT**

**TERM**

The City of Boerne is entitled to nominate a Board Member to the Kendall County Appraisal District's Board of Directors. The Board members are voted on by all of the taxing entities contracted with Kendall County Appraisal District. By statute, the term of office is for two (2) years, beginning January 1 of even numbered years. A member may become eligible for nomination and votes after a one (1) year interval, with City Council approval. Eligible members must reside within the City limits. Members are not subject to the City of Boerne's Ethics Ordinance.

**MEETINGS**

The Board must meet quarterly. Meetings are normally held on a **Wednesday, at 10:00 AM**, and as necessary. Special meetings are called as necessary. Members missing three or more consecutive meetings or attending less than 75% of the posted meetings on a 12 month rolling average are subject to removal.

**9. KENDALL COUNTY LIBRARY SYSTEM ADVISORY BOARD**

**TERM**

The term of office shall be for two (2) years. Terms of office commence on January 1. The City of Boerne is entitled to nominate two (2) Board Members to the Kendall County Library System Advisory Board. The Board members are confirmed by the Commissioners' Court of Kendall

County. Officers are elected by the Board. Eligible members must reside within the City limits. Members are not subject to the City of Boerne's Ethics Ordinance.

**MEETINGS**

The Advisory Board shall meet at least **four** times each year, including the January meeting at which officers are elected. Members missing three or more consecutive meetings or attending less than 75% of the posted meetings on a 12 month rolling average are subject to removal.

**10. ETHICS REVIEW COMMISSION**

**TERM**

The Commission consists of five (5) regular members and two alternates. The Mayor shall appoint five regular members serving three year terms, and two (2) alternates serving three (3) year terms. No person shall serve for more than six years or be appointed for more than two terms. The Commission shall elect a Chair, Vice-Chair and Secretary at its first meeting each year. The term of office begins on the first called meeting of the Commission following the appointment. Eligible members must reside within the City limits. Members of the Ethics Review Commission are subject to the Ethics Ordinance.

**MEETINGS**

Regular and consistent attendance at any of the special called meetings of the Ethics Review Commission. Members missing three or more consecutive meetings or attending less than 75% of the posted meetings on a 12 month rolling average are subject to removal.

**11. PUBLIC ART COMPETITION COMMITTEE**

**TERM**

The Committee consists of a Juror, two (2) members, with two (2) staff members. The term of office is two (2) years from the date of appointment. The term of office begins August 2016. Eligible members must reside within the City limits. Members are not subject to the City of Boerne's Ethics Ordinance.

**MEETINGS**

The Public Art Competition Committee shall meet as necessary.

**12. EFFECTIVE DATES OF APPLICATION OF PROVISIONS OF THIS RESOLUTION**

- A. Provisions herein regarding residency requirements shall not apply to a current member of a board and commission until on and after the date of that member's next appointment to the same board or commission.
- B. All other provisions contained in this Resolution shall become effective and apply immediately upon passage and approval.

PASSED and APPROVED this the 10<sup>th</sup> day of May, 2016.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

December 16, 2015

Mr. \_\_\_\_\_

Horseshoe Bay, Texas

RE: Parks Committee Appointment

Dear Charlie:

Congratulations, the City Council has confirmed your re-appointment to the Parks Committee at the December 15, 2015 Council meeting. It is our privilege to extend to you our congratulations and appreciation for your acceptance. Other members of the committee are Michael Widler, Patti Woolard, Carrie Foran and Bryan Pokluda.

Your willingness to donate your valuable time for this commitment is especially appreciated. Please contact City Manager Stan Farmer or me if you have questions.

Thank you for joining the team of citizens who are serving the City of Horseshoe Bay. You will make a positive difference by sharing your experience and perspective to benefit our community.

Sincerely,

Teresa L. Moore  
City Secretary

The City of Horseshoe Bay is asking for your assistance and time to serve on one of the City's boards, committees or commissions whose purpose is to guide, and advise community leaders. Board, commission, or committee members are made up of volunteers sharing their time, experience and knowledge.

Please take a few minutes to review the summaries of responsibilities while looking for a board that might spark your interest. Appointments are for one or two years depending on the board or committee and are based on a calendar year starting in January 2016.

**Planning and Zoning Commission** – The commission recommends boundaries of various districts and regulations to be enforced therein and hears and makes recommendations to the City Council on any matters relating to zoning, planning or subdivision control. It is now composed of five members serving for a term of two years. They normally meet the first Tuesday of each month, as needed. This committee has expanded from three to five members and will need a minimum of three new appointees, one of which will be appointed for a one-year term and two for two-year terms.

**Parks Advisory Committee** – This committee recommends policies and procedures for proper administration of the parks program of the city subject to approval of the City Council. This board also serves to encourage and facilitate establishment and maintenance of recreational facilities and programs, as well as acquisition of new areas for parks and recreation programs or expansion and improvement of current programs and facilities. This board consists of five members appointed for two-year terms with one member representing the HSB POA Board of Directors. They meet as needed and hope to begin construction on the Horseshoe Trail hiking area in the spring. This committee is in need of two new appointees to serve an initial one-year term to replace members that resigned mid-term.

**Fuchs' House Committee** – This committee serves as the entity responsible for the restoration and future use of the Fuchs' House. Until the City receives ownership of this property this committee is on hold; however, is still active since it is unknown when ownership will be received. This committee is in need of one new appointee to serve a two-year term.

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## APPLICATION TO SERVE ON CITY OF HORSESHOE BAY BOARDS, COMMITTEES AND COMMISSIONS

Date \_\_\_\_\_  
 Rec'd: \_\_\_\_\_  
 By: \_\_\_\_\_

If you are interested in serving on a board, committee or commission appointed by the City Council, please complete this application and return it to the City Secretary, City of Horseshoe Bay, P. O. Box 7765, 1 Community Drive, Horseshoe Bay, Texas 78657. **Please PRINT clearly.** Your application will be held for consideration for two years by the Council as appointments are required.

**Qualifications for Appointment:** The City has established certain qualifications that must be met by all members of any board or commission. In addition to any special qualification for a particular board or commission, you must:

- Be a citizen or resident in the City of Horseshoe Bay or a resident in the City's ETJ;
- Must not be in arrears in the payment of any taxes or other liability due to the City;
- Must have an active application on file with the City Secretary;
- Must meet any certain requirements as set out in State Statute; and
- May not hold any other public office, including other City Council appointments, except that of a Notary Public or as a member of the armed services or National Guard

<b>CHECK ONE</b> <input type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Miss <input type="checkbox"/> Ms.	<b>NAME:</b> x	<b>HOME TELEPHONE #</b> (    )
	<b>ADDRESS:</b> x	<b>WORK TELEPHONE #</b> (    )
	<b>CITY, STATE, ZIP</b> x	<b>MOBILE TELEPHONE #</b> (    )
<b>E-MAIL ADDRESS:</b>		

Please check the appropriate box for the boards, committees or commissions on which you are willing to serve – see the back of this application for a description of each board or commission.

- |  |   |
|--|---|
| <input type="checkbox"/> Planning and Zoning Commission<br><input type="checkbox"/> Parks Advisory Committee | <input type="checkbox"/> Fox House Advisory Committee<br><input type="checkbox"/> Other _____ |
|--|---|

EDUCATION

CURRENT EMPLOYMENT

TELL US A LITTLE ABOUT YOURSELF

Have you ever served on a board or commission in the City of Horseshoe Bay or any other city?

Yes     No    If yes, please describe: \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
**Applicant Signature**

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

*Some information supplied on this form is public information. If you would like to keep it confidential please complete the attached form and return with this application.*

## City of Horseshoe Bay Seeking Citizens Help

The City of Horseshoe Bay is asking for citizen and resident assistance and time to serve on one of the City's newly formed advisory committees whose purpose is to advise community leaders. At the January meeting, the City Council voted to form two new committees, a Long Range Planning Committee and a Communication Committee. Both are short-term single purpose committees whose purpose is to advise community leaders on certain specific items. Council plans to bring this back to the February 17, 2015 meeting in order to more fully determine the specific scope for each committee.

Applications can be found on the home page of the City website at [www.horseshoe-bay-tx.gov](http://www.horseshoe-bay-tx.gov). If you would be interested in serving on one of these new committees please submit your application no later than February 10, 2015 to Teresa Moore, City Secretary at [tmoore@horseshoe-bay-tx.gov](mailto:tmoore@horseshoe-bay-tx.gov), mail to PO Box 7765, Horseshoe Bay, TX 78657 or bring by City Hall at 1 Community Drive. Contact Teresa at 830-598-9943 if you have questions.

Also, the City Council is considering ideas for a "Mission Statement" for the City and is seeking your input. If you would like to submit one for Council consideration please email to [tmoore@horseshoe-bay-tx.gov](mailto:tmoore@horseshoe-bay-tx.gov) no later than February 10, 2015.



**City of Granite Shoals, Texas  
City Council Special Called Meeting  
Agenda Item Cover Memo  
October 25, 2016**

**Agenda Item:** Item 8. Executive Session  
**Prepared By:** City Secretary  
**Department:** Administration  
**Submitted By:** City Manager

**AGENDA CAPTION**

**8. EXECUTIVE SESSION:**

A. Executive session pursuant to sections 551.074 of the Texas Open Meetings Act (Personnel Matters): Discussion regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the following public employee: City Secretary Elaine Simpson.

B. Executive (Closed) meeting as authorized by Texas Government Code. Executive session pursuant to section 551.071 of the Texas Open Meetings Act (Consultation with Attorney) to receive legal advice from the city's legal counsel relating to SOAH DOCKET NO. 47-16-4527, *JP Wilson v. Granite Shoals Police Department*, in the State Office of Administrative Hearings, Cause No. C4820, *City of Granite Shoals v. Josh Patrick "JP" Wilson*, in the Burnet County Court at Law, and related matters.

Any action resulting from Executive Session(s)



**City of Granite Shoals, Texas  
City Council Meeting  
Agenda Item Cover Memo  
October 25, 2016**

**Agenda Item:** 9. Written Departmental Reports  
**Prepared By:** City Secretary  
**Department:** Administration

**AGENDA CAPTION**

**Written Reports**

- a. Code
- b. Fire
- c. Parks
- d. Police
- e. Streets

Monthly Report      sept 2016  
 Code Compliance Department

ACTUAL NUMBERS FOR FISCAL YEARS 2014 THRU 2015						
Violation Types Closed	Ordinance #	2014	2015	Open	% Increase/Decrease	
Junk Vehicles	605	29	36	4	124%	
Property Maintenance	511	43	63	4	147%	
House Numbers	409	31	16	2	52%	
Unsafe Structure/Building Removal	613	8	16	3	200%	
Misc. Zoning Infractions	Chapter 40	34	36	1	106%	
	<b>Totals</b>	<b>145</b>	<b>167</b>	<b>14</b>		
ACTUAL NUMBERS FOR FISCAL YEARS 2016 THRU 2015						
Violation Types Closed	Ord. #	2016 Goals	YTD	Open	%	
Junk Vehicles	605	41	42	10	102.44%	
Property Maintenance	511	72	72	7	99.38%	
House Numbers	409	18	16	2	86.96%	
Unsafe Structure/Building Removal	613	18	19	2	105.56%	
Misc. Zoning Infractions	Chapter 40	41	41	3	100.00%	
	<b>Totals</b>	<b>190</b>	<b>190</b>	<b>16</b>	<b>100.00%</b>	

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# CITY OF GRANITE SHOALS FIRE DEPARTMENT MONTHLY PROGRESS REPORT.



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## SEPTEMBER 2016 DEPARTMENT REPORT SUMMARY

### BURN BAN HAS BEEN LIFTED

---

Responded to a total of 123 Emergency and Response Calls  
(Increase of 24 from Previous Month)  
GSFD had an average of 2 firefighters responding to each incident.  
(No Change from Prior Month)  
GSFD had an average response time of 4 min 45 seconds per call.  
(Decrease of 2 min 02 seconds from previous month)  
GSFD logged 14 hours of training  
(Increase of 2 hours from previous month)  
GSFD accepted 2 new applications for membership.  
(No Change from Prior Month)  
GSFD had 0 Volunteer Member of the Fire Department Resign.  
(Decrease of 2 from Prior month)  
**Staff Levels: 1 Full Time Paid Chief**  
**1 Full Time Asst Chief (Shift Work)**  
**2 Full Time Paid Firefighters (Shift Work)**  
**4 Part Time Fire Fighters (Call in)**  
**14 Volunteer Fire Fighters**

### Response Statistics Summary:

#### **Type**

Fire/Rescue/Haz-Materials: 3 (Decrease of 1 call from Prior month)  
EMS/Medical Assist: 66 (Increase of 18 calls from Prior Month)  
Public Service/Good intent: 54 (Decrease of 7 calls from Prior Month)  
**Total** 123 Responses for Service  
(Increase of 24 Calls from Previous month)

*(Note: Service calls include Controlled burn investigations, false alarms and permit issuances)*

#### **Areas**

Granite Shoals: 99 (Increase of 33 Calls from Prior month)  
BCESD#3 Area: 13 (Decrease of 9 Calls from Prior month)  
Mutual Aid: 1 (Decrease of 1 call From Prior month)  
Lake LBJ Responses 0 (Decrease of 2 calls from prior month)  
Highland Haven: 6 (Increase of 3 calls From Prior month)  
**Total:** 123 Responses for Service

Green- improvement, Red- negative improvement, Blue-No Change

### Staff:

GSFD is working on improving SOP's for Volunteer requirements to encourage more attendance and participation.

### Training:

Fire Behavior	2.5
Business Meeting	1
Salvage and Overhaul	2

Brush Truck Drafting	1 Hr
May Day FF Safety	1 Hr
Fire Hose loads	4 hrs
Class B DL	1 hr
Engine Drafting	1.5 hrs

### Apparatus and Equipment:

New Squad 5252 is in Service  
New Engine 5220 in Service  
Reserve Engine 5220 has been put up for sale and awaiting a buyer.

### Grants and Major Purchases and Projects:

2016-2017 Budget has been approved and starting 10-1-2016 GSFD will add 1 additional Firefighter 8 hrs a day.

GSFD Applied for a PEC Grant for 2 new Lap top computers for our Fire trucks

### ESD News and Fire Contract News

Additional Fire Contracts for out of district residents are available at the Fire Station or at City Hall. They are also available online at [www.gsfd.us](http://www.gsfd.us) or online at [www.graniteshoals.org](http://www.graniteshoals.org)

### Auxiliary:

I have updated the website with pictures of the event at [www.gsfd.us](http://www.gsfd.us) .  
We also now have a Facebook Account, so be sure to "Friend us"

Thank you, Sincerely

*Austin Stanphill*

Austin Stanphill Fire Chief, City of Granite Shoals Fire Department

City of Granite Shoals  
 Park Report  
 Month ending September 2016

Actions	Park 1	Park 2	Park 3	Park 4	Park 5	Park 6	Park 7	Park 8	Park 9
Septic System treatment	1					1	0		
Mow and Weed	1	2	2		2	3	0	2	2
Paint Park Signs							0		
Clean Restrooms	10					10	0		
Furnish Toilet paper	10					10	0		
Emptied Trash	10		3	3	3	10	0	3	3
Pickup Ground and Shoreline	10	4	3	3	3	10	0	3	3
Trimmed trees							0		
Replaced Flags							0		
Community Center work							0		

Actions	Park 10	Park 11	Park 12	Park 13	Park 14	Park 15	Park 16	Park 17	Park 18	Park 19
Septic System treatment	1						1			
Mow and Weed	3	1	2	2	2	3	2	1	1	1
Paint Park Signs										
Clean Restrooms	10		10				10			
Furnish Toilet paper	10		10				10			
Emptied Trash	10		10	3	3	3	10	3	3	3
Pickup Ground and Shoreline	10	3	10	3	3	3	10	3	3	3
Trimmed trees										
Replaced Flags										
Safety Items and Repaires										

The Community Center started putting up the ceiling siding.

# CITY OF GRANITE SHOALS – POLICE DEPARTMENT

MONTHLY PROGRESS REPORT – SEPTEMBER 2016

GARY A. BOSHEARS, CHIEF OF POLICE



## SUMMARY

The police department responded to a total of 445 calls for service during the month of September a decrease of 11.5% from the month of August. Our most prevalent reported incidents during this month were traffic stops, animal calls, suspicious calls, traffic violations / complaints, citizen request assistance, violation of city ordinance, and lockin/lockout/peace/welfare. The average response time for calls for service during the month of September was 8 minutes and 25 seconds. During the month of September, the department received 10 reports of Uniform Crime Reporting (UCR) reportable offenses. The department cleared 20% of UCR reportable offenses during the month of September. Annually, we have cleared over 60% of UCR reportable offenses during 2016.

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## STAFF

Staff Levels: Eight of nine paid positions have been filled. We have extended a job offer for our open patrol officer position; this individual will be starting for us in mid-October. We have three non-paid reserve officers. These officers volunteer approximately 24 total hours per month.

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## VEHICLES AND EQUIPMENT

All patrol vehicles are in good working order. The Animal Control vehicle is in good working order, however, this vehicle is a 2003 model and has over 200,000 miles. The marine vessel is in good working order. We are working diligently to keep all vehicles in good working order while keeping maintenance costs as low as possible.

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## TRAINING

One officer attended a **FREE** training class hosted by the Texas Commission on Law Enforcement, receiving 6 hours of training. One officer attended an interview and interrogation class, receiving 16 hours of training. One officer attended a **FREE** motor vehicle operation class, receiving 8 hours of training. One officer attended a narcotic's interdiction class receiving 16 hours of training, the cost of this training was **FREE** as part of a grant. Two officers attended an internal investigations class, receiving 8 hours of training each.

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# CITY OF GRANITE SHOALS – POLICE DEPARTMENT

MONTHLY PROGRESS REPORT – SEPTEMBER 2016

GARY A. BOSHEARS, CHIEF OF POLICE



## GRANTS, MAJOR PURCHASES, AND PROJECTS

We completed our project of replacing uniforms for all of our patrol officers, the new uniforms are cooler, more comfortable, and present a more professional appearance. We made minor purchases to close out the fiscal year that were a part of the budget but not yet purchased. We are exploring areas for possible grant funding in the upcoming fiscal year.

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## COMMUNITY INVOLVEMENT

While not a complete list, we wished to provide some insight as to involvement with the community from our department during the month of September. This could best be described as the highlights for the month.

- Officers attended every Friday morning assembly at Highland Lakes Elementary School.
  - Chief Boshears participated with the Marble Falls ISD Health & Wellness group.
  - Chief Boshears attended the CAMPO meeting for the Wirtz Dam bridge project.
  - Officer Ortis and Chief Boshears attended the Rotary Club 9/11 Ceremony.
  - Sergeant Decker and Chief Boshears attended a Marble Falls ISD meeting to review emergency procedures.
  - Officer Ortis, Officer Edwards, Chief Boshears, and Assistant Chief Campbell from the Fire Department assisted with a lockdown drill at Highland Lakes Elementary.
  - Officer Kirkpatrick attended open house at Highland Lakes Elementary.
  - Officer Ortis attended a meeting for the Granite Shoals Christmas Outreach.
  - Chief Boshears attended all city council meetings during the month.
- 

## PROGRESS ON GOALS FOR SEPTEMBER 2016

- Increase community policing efforts through community outreach and involvement, particularly with the elementary school. – **Always Ongoing.**
- Maintain a UCR clearance rate at or above national average (approximately 38%). – **Currently over 60%.**
- Hire a highly qualified individual for the open patrol officer position. – **Job offer accepted, will start Mid-October.**
- Provide our staff with high quality training and professional development opportunities. – **Significant training during this month.**

# CITY OF GRANITE SHOALS – POLICE DEPARTMENT

MONTHLY PROGRESS REPORT – SEPTEMBER 2016

GARY A. BOSHEARS, CHIEF OF POLICE



## GOALS FOR OCTOBER 2016

- Increase community policing efforts through community outreach and involvement, particularly with the elementary school.
- Maintain a UCR clearance rate at or above national average (approximately 38%).
- Provide our staff with high quality training and professional development opportunities.
- Continue to monitor registered sex offenders residing in the city limits.
- Begin implementing a standardized physical fitness program for officers.

*Detailed Statistics – See Page 4*

Respectfully submitted,

A handwritten signature in black ink that reads "Gary A. Boshears".

Gary A. Boshears  
Chief of Police

# CITY OF GRANITE SHOALS – POLICE DEPARTMENT

MONTHLY PROGRESS REPORT – SEPTEMBER 2016

GARY A. BOSHEARS, CHIEF OF POLICE



## STATISTICS

Not Defined: 1	Mental Disorder: 2
Abuse/Abandon/Neglect: 1	Missing / Runaway / Found Person: 5
Administrative: 9	PR Events: 1
Alarms: 11	Psychiatric / Abnormal Behavior: 2
Animal: 52	Lockin / Lockout / Peace / Welfare: 21
Animal Bite: 1	Security Check: 2
Assault: 3	Sick Person: 3
Assist Other Agency: 22	Special Assignment: 3
Burglary: 9	Stroke: 1
Carcass Calls: 5	Supplemental: 21
Citizen Assist: 46	Suspicious: 33
Civil Problem: 4	Theft: 13
Close Patrol: 2	Traffic Stop: 73
Collision: 6	Traffic Violation / Complaint: 21
Damage: 2	Trespassing / Unwanted: 7
Disturbance / Nuisance: 34	Unconscious / Fainting: 1
Domestic Disturbance: 4	Unknown: 1
Drugs: 2	Mud / Parks / Utilities: 1
Driving Under Influence: 2	Violation of City Ordinance: 7
Fire: 1	Warrant Service: 4
Fraud / Deception: 2	Weapons / Firearms: 1
Harassment: 3	Total Calls for Service: 445

# CITY OF GRANITE SHOALS – POLICE DEPARTMENT

MONTHLY PROGRESS REPORT – SEPTEMBER 2016

GARY A. BOSHEARS, CHIEF OF POLICE



Note: These statistics represent reported 'Calls for Service' and not verified offenses. Offenses may be different from reported,

may have been Unfounded, or otherwise cleared.

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# **Street Department Monthly Report** **September 2016**

## **Street Repair**

Work at W Briarway the 400 block scrape the grass off the shoulders and swept street. Hauled 8 loads of granite gravel on Valley Way blade and rolled stree

## **Drainage Work and Pipe Installment**

Installed 15x30 drain pipe at Valley West and Kingsports.

Installed 12x30 drain pipe at Valley West and Kingspoint.

Installed 18x30 drain pipe at Valley West and Kingsport.

Worked at Hillcrest clean out ditch to installed 2 drain pipes when paid.

Clean ditch at 120 Oakhill and installed a 8x24 driveway drain pipe.

Work at Valley West and Kingscastle clean out ditch and flush drain pipe.

## **Other**

Patch, Mowed and cut brush.

*Utilities*

## September 2016 Work Orders

### In Town

Line Repair	1
3 Day "OFF"	1
Meter Info	1
3 Day "ON"	1
New Tap	2
CSI	2
Data Log	3
Routine Meter Repair	3
Line Mark	3
Mete Swap	4
Investigate Connection	4
Billing Complaint	5
Trouble Call	6
Occupant Change	10
Re-Read	15
Reconnect	20
Disconnect	24

Total Work Orders

### Hoover

New Tap	1
Routine Meter Repair	1
Meter Swap	1
Line Mark	1
Investigate Connection	1
Occupant Change	3
Reconnect	4
Re-Read	5
Disconnect	5

Total Work Orders

### Category Breakdown

#### Connect/Reconnect

Remove Hold	1
Connect/Reconnect	12
Reinstate	12

#### Cut Off

Cut Off/Disconnect	8
Cut Off Non Payment	21

Utilities

## October 2015 to September 2016 Work Order Totals

### In Town

October 2015	228
November 2015	150
December 2015	145
January 2016	124
February 2016	134
March 2016	106
April 2016	101
May 2016	98
June 2016	113
July 2016	82
August	119
September	105

Total Work Orders

### Hoover

October 2015	26
November 2015	18
December 2015	24
January 2016	27
February 2016	23
March 2016	19
April 2016	20
May 2016	20
June 2016	19
July 2016	23
August	31
September	22

Total Work Orders



**City of Granite Shoals, Texas  
City Council Regular Meeting  
Agenda Item Cover Memo  
October 25, 2016**

**Agenda Item: 10. Future Agenda Items**  
**Prepared By: City Secretary**  
**Department: Administration**

**AGENDA CAPTION**

**Future Meetings and Agenda Items**

- a.) Review Agenda Calendar
- b.) Identification of future agenda items

Future agenda items – a time where Mayor, Council members or City Manager may suggest items for future agendas and when the Agenda Calendar is reviewed.

## Agenda Calendar

*This is a planning tool only and all information is tentative until listed on an official agenda notice and posted in accordance with Texas Open Meeting law.*

**October 25, 2016**

**City Council Regular Meeting**

**14 days until Nov. 8<sup>th</sup> Special Elections--**

**Reception for Mr. Tanner at 5:00 PM**

Item #	Action	Subject	Requestor	Staff	Status
1-3		CTO/Invocation/Pledge			
		Citizens Comments			
	Hear	ACM/CS Reports			
	Consent	Meeting Minutes October 11, 2016; Reg. Meeting		Simpson	
	Consent	Resolution 514 FEMA Hazard Mitigation Plan update		Smith	Every 5 year review
	Consent	Resolution 515 to update the signatory cards for Bank Accounts		Gholson	
	Consent	Resolution 516 to update the signatory card for TEXPOOL accounts		Gholson	
	Consent	Res. 517 Investment Policy		Gholson	No changes, this is annual approval of policy.
	Consent	Ratify Finance Policy / Finance Goals without changes - Res. 446		Gholson	
	Consider	Hear report, discuss and consider adoption of select 2015 International Energy Conservation Codes	Staff – State Mandate	Smith	
	Consider	Board and Commission Appointments		Simpson	If applications rec'd.
	Discuss	Policy discussion related to holding annual Board and Committee Appointments in Summer	Holland	Simpson	As discussed 9-27-2016
	Exec. Session	Personnel – City Secretary		Simpson	
	Exec. Session	Pending Litigation – Consult with Attorney – Wilson v GSPD		Smith/Young	
		Written Reports			
		Future Agenda Items/Adjournment			

**November 8, 2016**  
**Regular City Council Meeting**  
**(this is also Election Night)**

Item #	Action	Subject	Requestor	Staff	Status
1-3		CTO/Invocation/Pledge			
		Citizens Comments			
	Hear	Presentation/Reports/Recognitions: Chair Jason Brady with 1 <sup>st</sup> report from WAC Chairman re: Pilot Program		Simpson	The update/report from Chair of WAC re: first month of data re: Deer Management

	Hear	Quarterly Report from Granite Shoals Municipal Court		Reilly Gholson	Municipal Judge Frank Reilly
	Hear	Municipal Courts Week -	Reilly	Reilly	Proclamation by Mayor Brugger
	Hear	Mayor's Award(s) – Mayor Brugger	Brugger	Simpson	
	Hear	CM/ACM/CS Reports			
	Consent	Meeting Minutes October 25, 2016 – Regular Meeting		Simpson	
	Discuss	Policy discussion related to reducing costs for water taps or other city services for non-profit entities.		Young	e.g.: Habitat for Humanity new home
	Consider	Annual review of the City Employees Personnel Manual.		Simpson	
	Discuss	Report/Presentation from P. Smith regarding water system GIS info. Grant applications for CDBGs. Future projects.			
	Consider	Board and Commission Appointments		Simpson	
		Future Agenda Items/Adjournment			

**November 16<sup>th</sup>, 2016**  
**Wednesday 6:00 PM**  
**Special Meeting to Canvass Election Results**

**November 29, 2016**  
**Regular City Council Meeting**

Item #	Action	Subject	Requestor	Staff	Status
1-3		CTO/Invocation/Pledge			
		Citizens Comments			
	Hear	CM/ACM/CS Reports			
	Consent	Meeting Minutes November 8, 2016 – Regular Meeting		Simpson	
	Workshp	'Lessons Learned' discussion related to recent Budget and Tax Rate meetings/processes.		Nickel	Priorities? Need for additional special workshops?
		YMCA ?	Morren	Nickel	
		Elm Creek Drainage / Plat Review			King and Young Plat review – Title search information
		Review franchise agreements – roll-off revenue (review Burnet, Texas Ord.)		Nickel	
	Discuss	Development Agreements		Nickel	
		Written reports			
	Consider	Board and Commission Appointments		Simpson	
		Future Agenda Items/Adjournment			

**December 13, 2016**  
**Regular City Council Meeting**

Item #	Action	Subject	Requestor	Staff	Status
1-3		CTO/Invocation/Pledge			
		Citizens Comments			
	Hear	CM/ACM/CS Reports			
	Consent	Meeting Minutes November 16 <sup>th</sup> and 29 <sup>th</sup> City Council meetings		Simpson	
	Workshop	Discussion/Review of state of the City's water system	Mayor B	Nickel / Smith	
		Written reports			
	Consider	Board and Commission Appointments		Simpson	
		Future Agenda Items/Adjournment			

**Future Agenda Items Not Scheduled: (for example – items tabled but not to a date certain)**

Requestor	Date Requested	Subject	Status
		No Engine Brake signs	
		Review, Revise and Update Zoning Ordinance	Marvin Townsend, originator , P&Z considering it at their meetings starting October 2013
Council		ETJ Annexation – Nobles Area	FY 2015-2016 ?
		Capital Assets Management Policy	For Water / WW Grants
??	Consider	Airport Advisory Committee – recommendation for re-classification of Granite Shoals Airport	Airport Advisory Committee Chair Neil Haverlah
	Action	Discuss and Consider possible methodology for selling City owned real property.	Property List – City Owned Property Discussed 3/11 briefly – sellable properties??
	Hear	Land Acquisition presentation related to City properties on FM 1431	Holland /Morren
Staff	Hear	Presentation by Dr. McBride related to Christ-Yoder Animal Shelter Services now known as Hill Country Humane Society	Council / Staff attend Open House 5/21/2016
Wrkshop		Procedure to evaluate City Property on 1431 for City to sell	Morren 7-28-2015 moved
	10/27/2015 Mayor	Annexation Plan – Scope of Plan	Annexation Discussion before giving P&Z Commissioners their charge for this project?
	Consider	Res. To establish audit policy/financial controls related to Texas Municipal Retirement Service (TMRS)	
	Consider	Board and Commission membership policies for city advisory Boards and Committees	Holland
	Consider	SWAG policy for trucks leaving debris	Morren

**Year-Round Overview Summary**

(for example: contacts which must be renewed annually, grant applications which must be made annually, statutory items which are done at a specific time of year, e.g. Election Canvass).

Month	Subject / Item
January	1. Contract with Burnet County to Conduct May General Election – City Sec. 2. Call the City Election – Simpson 3.Quarterly Municipal Court report by Municipal Judge.

February	1. Annual Racial Profiling Prevention Report – PD 2. Airport issues (2016). 3. Associate Judge contracts 2018.
March	Audit report of previous budget year – Finance Director, Proclamation from Mayor naming April as Child Abuse Prevention and Awareness Month. Contract with Assoc. Judges (2018)
April	Quarterly report on Municipal Court from Municipal Judge
May	1. Canvass of City General Election – City Sec. 2. Appointment of Mayor Pro Tem. 3. Review of Meeting schedule? 4. Council Pictures? 5. Calling Runoff Election if needed. 6. Board and Commission Members appointments. 7. Board and Comm. Appreciation Reception 8. Annual review of Personnel Manual?
June	1. Proposed Budget Calendar – City Manager. 2. City Manager contract 2016
July	1. Budget Workshop(s)? - City Manager / Finance Director / City Council 2. Personnel evaluations – City Manager and City Secretary 3. Quarterly Municipal Court report by Municipal Judge. 4. Accept Appraisal Roll from Tax Appraiser. Judge contract 2017.
August	Public Hearings for Tax Rate/Budget – City Manager/ Fin. Dir / City Sec., 2. Budget Workshop(s) - City Manager / Finance Dir. / City Sec. 3. City Managers Annual Review of Personnel Manual – any recommended modifications.
September	1. Adoption of Budget 2. Adoption of Tax Rate
October	1. Official Newspaper of Record Resolution – City Sec. 2. Council Meeting schedule for holiday season 3. Annual Review of Investment Policy, Finance Policy, Finance Goals. 4.) Juvenile Curfew Ord. (2019) 5.) Quarterly Municipal Court report by Municipal Judge. 6.) Consideration of the nominees for the John Rinehart Award
November	Every 4 years re-authorize sales tax for Streets (2019) prepare for May Election
December	