

Discussion, Consideration & Possible Action On An Ordinance Prohibiting Travel Through City Streets of Vehicles Over 26,000 Pounds

CHIEF RUBIN

12 OCTOBER 2021

BLANCO CITY COUNCIL MEETING

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# Introduction

- The city received a complaint of large trucks using the bridge on Pecan.
- Research showed current ordinance was outdated.



# Current sign on bridge





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# Language of Current Ordinance

An ordinance was passed in 1986 that limited commercial vehicles with a <u>GVW of 10,000 lbs</u> or more on Elm between Fulcher and 3<sup>rd</sup> and Pecan between 3<sup>rd</sup> and 2<sup>nd</sup>.

Set a fine amount not to exceed \$100.00



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### Authority of the City

Texas Transportation Code Section 311.001 GENERAL AUTHORITY OF GENERAL-LAW MUNICIPALITY.

A general-law municipality has exclusive control over the highways, streets, and alleys of the municipality.

Texas Local Government Code Section 51.012.

The City has general authority to adopt an ordinance not inconsistent with state law, that is necessary for the government, interest, welfare, or good order of the municipality.



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### Proposed Ordinance

### Through truck traffic prohibited

<u>Vehicles having a combined gross weight over 26,000 pounds ("Heavy Vehicles") shall not travel within the municipal boundaries of the City of Blanco, except as may be allowed under the terms of this Ordinance.</u>

A vehicle subject to this Ordinance shall be equipped and maintained as required by Texas Transportation Code Sec. 725.021 to prevent loose material from escaping by blowing or spilling.



# Vehicles Allowed under Proposed Ordinance

### A. The limitations prescribed by this Ordinance shall not apply to:

- Heavy Vehicles traveling or operating upon any street designated as a United States or state highway;
- 2) Heavy Vehicles making delivery of goods and services within the City;
- 3) Fire trucks or other emergency vehicles or vehicles on emergency business involved in the saving of life or property;
- 4) Implements of husbandry incidentally moved upon a road;
- 5) Road repair, construction, or maintenance vehicles while involved in the repair, construction, or maintenance of roads within the City, or
- 6) Garbage service vehicles while involved in the provision of services to residents of the City.



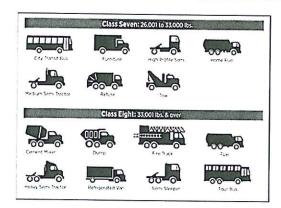
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### **Permitted Travel**

A Heavy Vehicle which would otherwise be restricted, is permitted to make pick-ups, deliveries, or service calls in the City but shall restrict its' traveling through City streets to a minimum. Said vehicle shall be driven in such a manner as to proceed to its destination or destinations in the City by the most direct route. Upon completion of the pick-ups, deliveries, or service calls, the vehicle shall leave the City by the most direct route. The section shall not be interpreted as permitting a vehicle otherwise restricted from entering or leaving the City.



# Vehicles that would be prohibited





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### How Does this Affect Blanco Residents?

Decreases large truck traffic on residential streets.

Reduction of vehicle noise.

Reduce potential motor vehicle vs motor vehicle or pedestrian accidents.

Increase life of City streets by decreasing weight of vehicles traveling on them.



# Recommendations and Fiscal Impact

Fiscal Impact – Should have long term positive fiscal impact by improving life of street surfaces.

Recommendation – Blanco City Council adopt proposed ordinance.



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Discussion, Consideration & Possible Action On An Ordinance Prohibiting Travel Through City Streets of Vehicles Over 26,000 Pounds

CHIEF RUBIN
12 OCTOBER 2021
BLANCO CITY COUNCIL MEETING

### ORDINANCE 2021-O-TBD

AN ORDINANCE OF THE CITY OF BLANCO CODE OF ORDINANCES OF THE CITY OF BLANCO, TEXAS; REGULATING THE WEIGHT LOAD OF VEHICLES TRAVELING ON CITY STREETS AND PUBLIC HIGHWAYS; MAKING FINDINGS OF FACT; PROHIBITING TRAVEL THROUGH CITY STREETS OF VEHICLES HAVING A COMBINED GROSS WEIGHT EXCEEDING 26,000 POUNDS; PROVIDING FOR EXCEPTIONS AND CONDITIONS TO SAME; PROVIDING A CRIMINAL FINE NOT TO EXCEED \$500 PER VIOLATION; PROVIDING FOR ENACTMENT, REPEALER, AND SEVERABILITY CLAUSE; PROVIDING FOR EFFECTIVE DATE AND POSTING OF SIGNS; FINDING PROPER NOTICE & MEETING.

WHEREAS, the City of Blanco is a Type A General Law City in the State of Texas; and

WHEREAS, pursuant to Texas Transportation Code Section 311.001, the City of Blanco ("City") has exclusive control over and under the streets, alleys, and public highways of the municipality (hereinafter, "streets"); and,

WHEREAS, pursuant to Texas Local Government Code Section 51.012, the City has general authority to adopt an ordinance not inconsistent with state law, that is necessary for the government, interest, welfare, or good order of the municipality; and,

WHEREAS, the City Council finds it necessary and proper for the government, interest, welfare, and good order of the City to regulate the streets within the City's boundaries by preventing heavy vehicles from disturbing communities and excessively damaging the City's streets; and,

WHEREAS, the City Council wishes to prevent vehicles, and other weighted items having a combined gross weight of more than 26,000 pounds (hereinafter, "Heavy Vehicles") from traveling through the City of Blanco; and,

WHEREAS, having carefully evaluated the streets and traffic situation in Blanco, the City Council finds that there are reasonably available alternate routes outside the City limits for Heavy Vehicles; and,

**WHEREAS,** pursuant to Texas Local Government Code Section 54.001, the City has general authority to impose a fine or penalty of up to \$500 for violation of an ordinance,

### NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLANCO, TEXAS:

**PART 1.** That the recitals contained in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

**PART 2.** The City Administrator is hereby authorized to procure and have erected appropriate traffic control signs as required by the law of the State of Texas, providing notice of the restrictions imposed by this Ordinance.

- PART 3. It shall be unlawful for any person, firm, or corporation to operate a vehicle in violation of this ordinance. Any person, firm or corporation violating any provision of this Ordinance of failing to observe any provision hereof shall upon conviction be guilty of a misdemeanor and shall be fined a sum not more than Five Hundred Dollars (\$500) and each and every day or fraction of a day in which this Ordinance or any part thereof shall be violated shall be deemed a separate offense and punished as such.
- **PART 4**. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance be severable, and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared invalid by judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance and the remainder of this ordinance shall be enforced as written.
- PART 5. That it is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.
- **PART 6.** This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.
- **PART 7.** The repeal or amendment of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue or as affecting any rights of the City of Blanco under any section or provisions of any ordinances in effect at the time of passage of this ordinance.
- **PART 8.** The provisions of this ordinance shall be cumulative of all ordinances not repealed by this ordinance and ordinances governing or regulating the same subject matter as that covered herein.

PASSED, APPROVED, and ADOPTED on first reading this \_\_\_\_\_ day of October 2021.

	Rachel Lumpee, Mayor
ATTEST:	APPROVED AS TO FORM:
Laurie Cassidy City Secretary	Brad Bullock., City Attorney

#### Exhibit A

### Through truck traffic prohibited

- A. <u>Vehicles having a combined gross weight over 26,000 pounds ("Heavy Vehicles") shall not travel within the municipal boundaries of the City of Blanco, except as may be allowed under the terms of this Ordinance.</u>
- B. <u>A vehicle subject to this Ordinance shall be equipped and maintained as required by Texas Transportation Code Sec. 725.021 to prevent loose material from escaping by blowing or spilling.</u>
- C. The limitations prescribed by this Ordinance shall not apply to:
  - 1) <u>Heavy Vehicles traveling or operating upon any street designated as a United States or state highway:</u>
  - 2) Heavy Vehicles making delivery of goods and services within the City:
  - 3) <u>Fire trucks or other emergency vehicles or vehicles on emergency business involved in the saving of life or property:</u>
  - 4) Implements of husbandry incidentally moved upon a road;
  - 5) Road repair, construction, or maintenance vehicles while involved in the repair, construction, or maintenance of roads within the City, or
  - 6) Garbage service vehicles while involved in the provision of services to residents of the City.
- D. A Heavy Vehicle which would otherwise be restricted, is permitted to make pick-ups, deliveries, or service calls in the City but shall restrict its' traveling through City streets to a minimum. Said vehicle shall be driven in such a manner as to proceed to its destination or destinations in the City by the most direct route. Upon completion of the pick-ups, deliveries, or service calls, the vehicle shall leave the City by the most direct route. The section shall not be interpreted as permitting a vehicle otherwise restricted from entering or leaving the City.



Discussion and Possible Action on Approval of Ordinance 2021-O-TBD Adopting and Enacting a New Code of Ordinances

LAURIE CASSIDY, CITY SECRETARY OCTOBER 12, 2021 BLANCO CITY COUNCIL MEETING

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### Discussion

The purpose of codification is to help identify inconsistent laws, duplicate laws, and ambiguous laws.

This codification Ordinance combines the current Unified Development Code (UDC) with all current City of Blanco Ordinances in an orderly form.

This process creates a uniform source that is easy for anyone to access.



# Recommendation & Fiscal Impact

Fiscal Impact — The actual price that the City paid to Franklin Publishing was \$1,290.00. It is difficult to measure the time savings to staff through codification but certainly this is a better and more efficient system.

Recommendation – This Ordinance combines the current Unified Development Code (UDC) with all current City of Blanco Ordinances. This will be extremely helpful to all residents of the City of Blanco and the City staff highly recommends approval of this ordinance.



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### New Look (sample)

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CHAPTER 2 ADMINISTRA	TION AND PERSON							
CHAPTER 3 AMMAL CON	TROL							
CHAPTER 4 BUILDING RE	GULATIONS							
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Article 2 01 Article 2 02 Division 1.	General Provinces: Offices and Employees Generally. City Administrator Records Management

#### ARTICLE 1.01 CODE OF ORDENANCES'

There is breely adopted the Code of Grammers of the City of Blanco, Texas, as compiled, edited and published by Frankin Legal Publishing, far (Ordanice adopting Code)

Sec. 1.01.002 Designation and citation of code

The endinances embraced in this chapter and the following chapters, articles and sections that consistee and be designated the "Code of Ordennees City of Blanco, Texas," and may be so cited (Ordennees slopting Code)

Sec. 1.01.003 Carchines of articles, distrions and sections

The earthlors of the several aradies, division and sections of this code are intended as more authorists to indicate the contents of the article, features or section and shall not be deemed or states to be taken from another common and sections, nor as any past of the article, divisions that to the content and sections, nor an any past of the article, divisions and sections, nor nailess expectly to provided, shall they be to deemed what any of such another, divisions, and sections undicate the certificians, are assembled or remarked. (Oshanov subspany Code)

brase law reference-Heating; of concer. V T.C.A., Generalist Code (ec. 311 024

Sec. 1.01,004 Definitions and rules of construction

In the committee of this code and of all ordinances and resolutions passed by the cay council, the following rules shall be observed, sudess such construction would be accomisted with the animalest unem of the care council.

Generally. Words shall be command in their common and innal ugminance unless the comman is clearly indicated.

City and young Each means the City of Blanco, Texas,

### Appendix A – Fee Schedule

### APPENDIX A

#### FEE SCHEDULE

ARTICLE A1,000 G	ENERAL PROVISIONS	
Sec. A1.001	Pumose	
ARTICLE A2 000 W	ATER, SEWER AND TRASH RATES AND CHARGES	
Sec. A2.001	Schedule of rates and charges	
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Sec. A11.002	Solicitor's permit	A.
Sec. A11.003	Permit for sale of fireworks	A.
ARTICLE A12,000 A	NIMAL CONTROL FEES	A
Sec. A12 001	Permit for keeping hypetock	

Bianco Code of Ordinance:

#### ARTICLE A1.000 GENERAL PROVISIONS

Sec. Al.001 Purpose

This fee schedule establishes the fees the city is authorized to collect for providing certain services or processing certain requests for approval. Certain fees shall be imposed by other ordinances or state law. The absence of any certain fee from this fee schedule shall not be interpreted to preclude assessment and collection by the city. (Ordinance 2019-009 adopted 11/12/19)

#### ARTICLE A2,000 WATER, SEWER AND TRASH RATES AND CHARGES

Sec. A2.001 Schedule of rates and charges

- (a) Garbage collection and disposal charges. The following monthly charges shall be made for the collection and disposal of residential garbage or trash in the city:
  - (1) Residential service: \$14.51 plus tax.
  - (2) Commercial rate: \$19.35 plus tax.

# Appendix B – Ordinance Disposition Table

#### APPENDIX B

#### ORDINANCE DISPOSITION TABLE

This table shows the location or gives the disposition of the ordinances within the Blanco Code of Ordinances. The abbreviation "NIC" means the ordinance is not included in this code, though not necessarily repealed. In the "Supp No." column, the letters "CA" indicate the ordinance was published in the original code as adopted. When an ordinance has been added as part of a code supplement, the supplement number will be added accordingly.

Ord, No.	Date	Description	Disposition	Supp.
1	3 9 39	Tax levy	NIC	No.
2	3 9 39	Occupation tax	Rold, by Ordinance adopting	CA
3	3/9/39	Discharge of fuework:	Code Rpld, by Ord, 215	223
4	3.9.39	Bicycling on sidewalk in business district	Superceded by Ord. 363	CA
5	5/3/39	Obstruction of streets	Superceded by Ota. 363	CA
6	5/3/39	Public infoxication	Sec. 10.01.001  Rpld. by Ordinance adopting  Code	CA
7	5/3/39	Traffic prdinance	Cont	
		Speed limit     Reckless driving     4. Skipped	Sec. 11.02.001(a) Sec. 11.02.002(a)	CA CA
		5. Parking Penalty	Sec. 11 03.002	CA
s		•	Secs. 11.02.001(b), 11.02.002(b), 11.03.001	CA
3	5/3/39	Disturbing peace	Rpld. by Ordinance adopting Code	CA

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Discussion and Possible Action on Approval of Ordinance 2021-O-TBD Adopting and Enacting a New Code of Ordinances

LAURIE CASSIDY, CITY SECRETARY
OCTOBER 12, 2021
BLANCO CITY COUNCIL MEETING

Q

AN ORDINANCE OF THE CITY OF BLANCO, TEXAS, ADOPTING AND ENACTING A NEW CODE OF ORDINANCES; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF NOT EXCEEDING \$500 GENERALLY OR NOT EXCEEDING \$2,000 FOR VIOLATIONS RELATING TO FIRE SAFETY, ZONING OR PUBLIC HEALTH AND SANITATION OR NOT EXCEEDING \$4,000 FOR VIOLATIONS RELATING TO DUMPING OF REFUSE; PROVIDING FOR THE AMENDMENT OF SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLANCO, TEXAS:

Section 1. That the Code of Ordinances of the City of Blanco, Texas, consisting of Chapters 1 through 12, each inclusive, and Appendices, is hereby adopted and enacted which shall supersede all other general and permanent ordinances of the City passed on or before May 11, 2021.

Section 2. All ordinances of a general and permanent nature enacted on or before May 11, 2021, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. The codification consists of all ordinances as codified therein and as may be revised pursuant to the ordinance codification process and as evidenced by the memorandum of understanding provided as a part of said process.

Section 4. The repeal provided for in Section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 5. Unless a differing penalty is expressly provided for within the Code, every person convicted of a general violation of any provision of the Code or any rule, ordinance, or police regulation of the City shall be punished by a fine not to exceed \$2,000.00 for violations of all such rules, ordinances and police regulations that govern fire safety, zoning, or public health and sanitation, not to exceed \$4,000.00 for violations of all such rules, ordinances and police regulations that govern the dumping of refuse, and not exceeding \$500.00 for all other violations. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the City may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

the intention of the City Council to make same a paincorporated into the Code, so that reference to tamendments.	art of the Code shall be deemed to be
Section 7. Ordinances adopted after May 11, 2021, have been codified in the Code shall be construe provisions of the Code.	that amend or refer to ordinances that ed as if they amend or refer to like
Section 8. This ordinance and the Code adopted her passage of this ordinance.	eby shall become effective upon final
ADOPTED AND APPROVED BY THE CITY BLANCO, TEXAS, ON THIS THE DAY OF	COUNCIL OF THE CITY OF, 2021.
A TTEST.	Mayor
ATTEST:  City Secretary	
· comment variables	



Discussion and Possible
Action on Amendment to
Fee Schedule Ordinance
2020-O-011, Appendix A
(Wastewater & Impact Fees)

KELLY KUENSTLER, CITY ADMINISTRATOR (INTERIM)
OCTOBER 12, 2021
BLANCO CITY COUNCIL MEETING

1

### Introduction

During the FY 2022 Budget Process, it became very apparent that the Enterprise Fund could not support itself.

Although a comprehensive analysis should be done to the fee schedule, the changes today are in line with surrounding cities.

The CPI last year showed a 2.2% increase; therefore, it is responsible to at least increase utility rates by this amount.

The Blanco City Council addressed water rates at their September meeting but sewer rates were not addressed.

The City of Blanco does not have impact fees, so at a minimum, they should be developed.

Impact fees are shown in this presentation for 3 nearby cities.



# Surrounding City's Impact Fees

MARBLE FALLS WATER		MARBLE FALLS WASTEWATER	
¾ inch meter (1)	2,761	¾ inch meter (1)	3,293
1" meter (1.67)	4,611	1" meter (1.67)	5,499
1 ½ meter (3.3)	9,193	1 ½ meter (3.3)	10,964
2" meter (5.3)	14,715	2" meter (5.3)	17,549
3" meter (10.0)	27,608	3" meter (10.0)	32,926
4" meter (16.7)	46,022	4" meter (16.7)	54,887
6" meter (33.3)	92,017	6" meter (33.3)	109,742
8" meter (53.3)	147,233	8" meter (53.3)	175.594



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# Surrounding City's Impact Fees

JOHNSON CITY WATER		JOHNSON CITY WASTEWATER		
5/8 inch meter	3,113	5/8 inch meter	4,134	
% inch meter	5,198	% inch meter	6,904	
1" meter	8,311	1" meter	11,039	
1 ½ meter	24,902	1 ½ meter	33,075	
2" meter	35,267	2" meter	46,843	
3" meter	72,620	3" meter (10.0)	96,456	
4" meter (16.7)	124,509	4" meter (16.7)	165,377	
6" meter (33.3)	249,019	6" meter (33.3)	330,754	
8" meter (53.3)	373,528	8" meter (53.3)	496,130	



# Blanco's Current Impact or Tap Fees

**BLANCO WATER** 

**BLANCO WASTEWATER** 

Tap Fee

1,200

Tap Fee

1,200



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# Surrounding City's Wastewater Rates

**BULVERDE** 

MARBLE FALLS

•5/8 meter

42.00

Minimum Monthly Charge

21.15

2,000-6,000 gallons used/\$3 per 1,000 gallons

Volume Rate 1,000 Gallons 4.74

Monthly Minimum Charge for Meter Size

•¾ meter

64.00

• 3/4 inch

12.98

8,000 - 24,000 gallons used/\$4.50 per 1,000 gallons

• 1 inch • 1½ inch 18.51

2 inch

33.16 57.30

•1" meter

108.00

3 inch

122.70

· 4 inch

217.24

7,000 - 21,000 gallons used/\$6.35 per 1,000 gallons

· 6 inch

384.50



# Surrounding City's Wastewater Rates

#### JOHNSON CITY

#### **BLANCO**

Residential Inside City limits

Any size

28.00

First 2000 gallons or part thereof \$20.41

Each additional 1000 gallons or part thereof \$4.71

\*Average residential consumer

Commercial Inside City Limits

First 2000 gallons or part thereof \$20.41

Each additional 1000 gallons or part thereof \$6.05

\*Average commercial consumer



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# Recommendation & Fiscal Impact

**Fiscal Impacts** — A wastewater rate increase would have a positive fiscal impact and is needed to meet the City of Blanco's financial obligations on the enterprise side. Infrastructure impact fees are extremely important so that the City begins to properly recuperate funds spent on providing infrastructure to users.

**Recommendation** – Adopt a 2%-3% increase in wastewater rates and adopt impact fees in the City of Blanco to fit in line with the market.





Discussion and Possible Action on Amendment to Fee Schedule Ordinance 2020-O-011, Appendix A (Wastewater & Impact Fees)

KELLY KUENSTLER, CITY ADMINISTRATOR (INTERIM)
OCTOBER 12, 2021
BLANCO CITY COUNCIL MEETING



Discussion, Consideration and Possible Action On the Approval of a Water & Sewer Extension Agreement Between the City of Blanco and Six-Wheeler, LLC

KELLY KUENSTLER
OCTOBER 12, 2021
BLANCO CITY COUNCIL MEETING

1

### Discussion

- Six Wheeler, LLC, constructed water and sewer lines on approximately 40.21 acres of land located within the City limits.
- Six Wheeler, LLC, sold a portion of this property to a private company.
- The private company believed that the land they purchased had running water and sewer lines serviced by the City.
- A Water & Sewer Line Extension Agreement is brought forward in an attempt to determine whether or not the City will tap into the infrastructure and how an agreement to do this can be constructed in a legal manner.



# Recommendation & Fiscal Impact

Fiscal Impact: The fiscal impact should be positive in the following ways:

- (1) Landowners will pay water & sewer fees dependent on use
- (2) Landowners will pay connect fees \$10.00
- (3) Landowners will pay \$50.00 for the Customer Service Inspection (CSI)
- (4) Developer will pay impact fee of \$ \_\_\_\_
- (5) City will receive water & sewer tap fees (\$1,200 plus meter deposit of \$148 for commercial businesses).
- (6) City will not have to pay maintenance fees on any of the lines for ten (10) to (20) years.

Recommendation:

Council Discretion



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Discussion, Consideration and Possible Action On the Approval of a Water & Sewer Extension Agreement Between the City of Blanco and Six-Wheeler, LLC

KELLY KUENSTLER

OCTOBER 12, 2021

BLANCO CITY COUNCIL MEETING