

HEARING

**Appeal of Vested Rights Determination
Vapor Genius**

ORDINANCE NO. 2022-O-003

AN ORDINANCE ESTABLISHING CERTAIN LOCATION RESTRICTIONS UPON THE SALE OF ADULT-ORIENTED PRODUCTS OR SERVICES, INCLUDING CERTAIN TOBACCO PRODUCTS, ELECTRONIC SMOKING DEVICES AND RELATED ACCESSORIES, AND PROVIDING FOR FINES AND OTHER PENALTIES, AND ENFORCEMENT BY ABATEMENT AND INJUNCTIVE RELIEF

WHEREAS, since 2014, e-cigarettes have been the most commonly used tobacco product among U.S. youths; in 2020, an estimated 3.6 million (13.1%) U.S. middle and high school students reported using e-cigarettes within the past 30 days (current use); and more than 80% of current users reported flavored e-cigarette use;

WHEREAS, in 2021, 11.3% of high school students (1.72 million) and 2.8% (320,000) of middle school students reported current e-cigarette use; among current e-cigarette users, 43.6% of high school students and 17.2% of middle school students reported using e-cigarettes on ≥ 20 of the past 30 days; with daily use at 27.6% among current high school e-cigarette users and 8.3% among current middle school e-cigarette users;

WHEREAS, approximately 2.06 million youths were estimated to be current e-cigarette users in 2021, and use of any tobacco products by youths in any form, including e-cigarettes, is unsafe and highly addictive, because tobacco products and most e-cigarettes contain nicotine, and nicotine exposure during adolescence can harm the developing brain;

WHEREAS, ongoing efforts to address youth e-cigarette use, including FDA's prioritized enforcement against certain unauthorized flavored, cartridge-based e-cigarettes in 2020, are critical, especially inasmuch as the tobacco product landscape continues to evolve, sustained implementation of comprehensive tobacco control and prevention strategies at the national, state, and local levels, coupled with FDA regulation, can reduce and prevent tobacco product initiation and use among youths;

WHEREAS, the foregoing facts are well established and enumerated in numerous studies and reports, as detailed in *E-Cigarette Use Among Middle and High School Students — National Youth Tobacco Survey*, Centers for Disease Control & Prevention (CDC), United States, October 2021;

WHEREAS, the City of Blanco wishes to respond to and support all such efforts to prevent tobacco, nicotine and e-cigarette usage generally, but especially among youth;

WHEREAS, the City has determined that adopting reasonable restrictions within the City to reduce exposure and use of these products generally, and especially among youth, are reasonably related to a recognized and legitimate public health and safety purpose; and

WHEREAS, the City is mindful and has considered that any such restrictions must be carefully and narrowly drawn so as to not improperly interfere with the rights of third parties, including any such rights to free speech and association;

THEREFORE, in consideration of these premises, BE IT ORDAINED that the City Council of the City of Blanco hereby adopts the following ordinance:

- a) **The sale or provision of adult-oriented business products or services in any location described herein, including but not limited to:**
 - 1) **a retail store used primarily and substantially for the sale of tobacco products and/or other products that contain nicotine, electronic smoking devices, and/or related accessories, in which the sale of other non-tobacco products is incidental, including vape shops or other establishments that sell electronic smoking devices; or**
 - 2) **a retail store that either devotes 25 percent or more of floor area or display area to, or derives 50 percent or more of gross sales receipts from, the sale or exchange of tobacco products and/or other products that contain nicotine, electronic smoking devices, and/or related accessories;**

is prohibited within 750 feet of a church, school, public park, daycare center, playground, or residential district.

- b) **Any retail store location described in paragraph a) above shall be located not less than one-half mile of any such other retail store location that meets the same criteria.**
- c) **The measurement of the distance between the location where the sale of such products or services are sold, and the church, school, public park, daycare center, playground, or residential district, or another location where such products or services are sold, shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections.**
- d) **Any retail stores or businesses that meet the criteria described hereinabove in paragraph a) are restricted to commercial zoned property, with special use permit (SUP), pursuant to Chapter 4 of the City's Unified Development Code (UDC). Accordingly, such restricted use shall be added to and listed in Table 4.2 of the City's UDC. Any special use permit issued pursuant to the procedures of the City's UDC shall operate as a variance described under paragraph e) of this ordinance.**
- e) **The City, upon recommendation of its Planning & Zoning Commission, and approval of the City Council, may grant a variance to this regulation upon a determination that enforcement in the specific instance is not in the best interest of the public, does not serve its intended purpose, is not effective or necessary, or for any other reason, all after consideration of the health, safety, and welfare of youth and the general public, and the equities of the situation, as determined in the best interest of the community.**

Any variance granted under this provision of this ordinance shall be deemed a special use permit granted under Chapter 4 of the City's UDC.

- f) The foregoing provisions of this ordinance are severable. Accordingly, if for any reason one or more provisions of this ordinance is deemed or ordered invalid, null, void, or of no effect, the remaining provisions shall remain in full force and effect.
- g) Enforcement.
 - 1) Causing, permitting, aiding, abetting, or concealing a violation of any provision of this ordinance shall constitute a violation of this ordinance.
 - 2) Any violation of this ordinance is hereby declared as a public nuisance.
 - 3) This ordinance may be enforced in accordance with Section 1.01.009 of the City's Code of Ordinances.
 - 4) In addition to other remedies provided by this ordinance, the City's Code, UDC, or by other law, any violation of this ordinance may be remedied by a civil action brought by the City, including but not limited to administrative or judicial nuisance abatement proceedings, civil or criminal code enforcement proceedings, and suits for injunctive relief. The remedies provided herein are cumulative and in addition to any other remedies available at law or in equity.
- h) This ordinance shall be effective immediately upon the date of adoption.

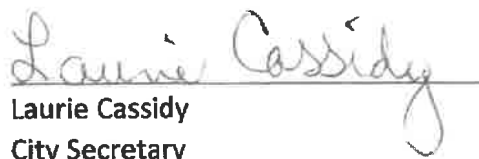
ADOPTED THE 14th DAY OF FEBRUARY 2022.

CERTIFIED BY MY HAND:



Rachel Lumpee
Mayor

ATTEST:


Laurie Cassidy
City Secretary



June 21, 2022

Via E-Mail: cityadmin@cityofblancotx.gov

Warren Escovy
City of Blanco
300 Pecan Street
Blanco, TX 78606

Re: Request for Vested Rights Determination

Dear Mr. Escovy:

My firm represents Mr. Paul Dunn, the owner-operator of Vapor Genius, a well-known vape and smoke shop in the Central Texas area. The purpose of this letter is to provide the City of Blanco with Mr. Dunn's application for a vested rights determination for the ongoing project at 48 Main Street in the City of Blanco. On November 29, 2021, Mr. Dunn submitted a commercial building permit application to finish out and remodel the existing building located at 48 Main Street, Suite B, Blanco, Texas. The project name listed under that permit is "Vapor Genius" and it was ultimately approved by the City of Blanco on January 5, 2022, under Permit No. 0152022.

Pursuant to Sec. 4.14 of the City of Blanco Code of Ordinances, Mr. Dunn is applying for a vested rights determination based on the building permit filing date of November 29, 2021. We have inquired with City Staff to request the form necessary to make such an application for recognition of vested rights; however they have stated that no such form exists. Accordingly, this letter represents Mr. Dunn's formal submittal of his application for a vested rights determination; the requisite permit application review fee of \$250 will arrive by check to your office in the mail.

Mr. Dunn is seeking a determination of his vested rights under Chapter 245 of the Texas Local Government Code for his building permit in order to be able to continue his project solely on the basis of any orders, regulations, ordinances, rules, expiration dates, or other properly adopted requirements in effect at the time of the filing date for "48 Main" – Permit No. 0152022. To that effect, if there is any other information that is required at this time, please let us know.

Sincerely,



Carly Barton
Attorney & Counselor



City of Blanco

P.O. Box 750 Blanco, Texas 78606
Office 830-833-4525 Fax 830-833-4121

July 11, 2022

VIA EMAIL @ cbarton@braunqresham.com
& FIRST-CLASS MAIL

Carly Barton, Esq.
Attorney & Counselor
Braun & Gresham
P. O. Box 1148
Dripping Springs, TX 78620

Re: Request for Determination of Vested Rights; "48 Main"—Permit No. 0152022

Dear Ms. Barton:

I am writing in response to your request for determination of vested rights, by your letter dated June 21, 2022. The related review fee of \$250 was received thereafter. After review and consulting with the City Attorney, City staff has determined that no vested rights exist in relation to City Ordinance No. 2022-O-003 (the "Ordinance"). We make this determination on two grounds: 1) the Ordinance is exempt from the provisions of Chapter 245 under Section 245.004 thereof; and alternately, 2) the permit application and related project information did not provide "fair notice" to the City under Chapter 245.

You may appeal this decision directly to City Council, as described in Section 4.14 of the City's Code of Ordinances. Alternately, the Ordinance specifically provides for a variance process. In any event, City staff would welcome the opportunity to discuss and possibly resolve this matter by agreement.

Please feel free to contact me at any time with questions or concerns.

Sincerely,

Warren Escovy
City Administrator

cc: Tim Tuggey, City Attorney (*via email*)

BRAUN & GRESHAM
ATTORNEYS AT LAW

July 26, 2022

**Via CERTIFIED MAIL: RRR: 7022 0410 0001 6702 7845 and
Via E-Mail:**

cityadmin@cityofblancotx.gov;
citysec@cityofblancotx.gov; and
tnt@timguggeylaw.com

Blanco City Council
300 Pecan Street
Blanco, TX 78606

Re: Appeal of Vested Rights Determination

Dear Blanco City Council:

Our client, Mr. Paul Dunn, is the owner-operator of Vapor Genius, a well-known vape and smoke shop in the Central Texas area. On November 29, 2021, Mr. Dunn submitted a commercial building permit application to finish out and remodel the existing building located at 48 Main Street, Suite B, in the City of Blanco (the “City”). The project name listed under that permit was “Vapor Genius” and it was ultimately approved by the City of Blanco on January 5, 2022, under Permit No. 0152022 (the “Permit”). Based on the Permit that Mr. Dunn received, Mr. Dunn spent a substantial amount of money getting the property ready for use as a retail outlet for Vapor Genius.

On February 14, 2022, the Blanco City Council adopted Ordinance No. 2022-O-003 (the “Ordinance”), which added stores that sell tobacco and vapor products to the list of “adult-oriented” businesses. Based on multiple conversations with your staff, the City seems intent on enforcing this ordinance against Vapor Genius, despite the clear fact that the Permit was filed for and approved prior to the City’s adoption of the Ordinance.

Reclassification of Mr. Dunn’s property as an adult-oriented business will require Mr. Dunn to restart the permitting process from scratch and seek a variance, in order to develop a site plan consistent with the requirements of a special use permit and to also go through a costly, multi-level public hearing process. ***This type of action is the very reason the state legislature adopted Chapter 245 to protect landowners who go through a City’s permitting process in good faith, only to have their projects stripped out from under their feet at the last minute.***

“The effect of vested rights under Chapter 245 of the Local Government Code is to ‘freeze’ the land use regulations as they existed at the time the first permit application was filed through completion of the ‘project;’ in other words, a project with vested rights is not subject to intervening regulations or changes after the vesting date.” *City of San Antonio*

v. Rogers Shavano Ranch, Ltd., 383 S.W.3d 234, 245 (Tex. App.—San Antonio 2012, pet. denied). Chapter 245 of the Local Government Code creates a system by which property developers can rely on a municipality's land-use regulations in effect at the time the original application for a permit had been filed. *Vill. of Tiki Island v. Premier Tierra Holdings, Inc. (Tiki Island I)*, 464 S.W.3d 435, 439 (Tex. App.—Houston [14th Dist.] 2015, no pet.). The protections of Chapter 245 also apply to municipal ordinances and to fair notice provisions that operate to impose additional requirements in order for development rights to vest. *City of San Antonio v. Greater San Antonio Builders Ass'n*, 419 S.W.3d 597, 603 (Tex. App.—San Antonio 2013, pet. denied)

In an effort to preserve Mr. Dunn's rights under his Permit, on July 21, 2022, Mr. Dunn sought a vested rights determination under Texas Local Government Code 245 and Blanco City Code of Ordinances, Chapter 9 Planning and Development Regulations, Section 4.14. In response to this request, the City Attorney decided that no vested rights existed because the Ordinance is exempted from § 245.004 or alternatively, Vapor Genius' Permit did not provide "fair notice" of the project.

Mr. Dunn appeals this decision for the following reasons:

1. *The Blanco Tobacco and Vapor Ordinance is not exempt under § 245.004 because it changes Mr. Dunn's property classification and the type of development permitted.*

Under 245.004(2), the Vested Rights Chapter does not apply to municipal zoning regulations that do not affect *landscaping or tree preservation, open space or park dedication, property classification, lot size, lot dimensions, lot coverage, or building size or that do not change development permitted by a restrictive covenant required by a municipality*. While this double negative is certainly confusing, the bottom line is clear. Property classifications and changes to types of permitted development are the kinds of projects from which development rights will vest.

The Blanco Tobacco and Vapor Ordinance changes Mr. Dunn's property classification because it requires Mr. Dunn to obtain a Special Use Permit to operate a vape shop based on the new classification of an "adult-oriented" business. Before its passage, no such requirement was necessary. Reclassification of properties in this nature is expressly prohibited under Sec. 245.004(2) of the Texas Local Government Code and violates the permitting process laid out in Sec. 245.002

In a case very similar to Mr. Dunn's, the Fort Worth Court of Appeals decided that the City of Frisco's change in their ordinance to prevent "Package Sales" of alcohol within 300 feet of a public school was not exempt under § 245.004(2). The permittee in that case had submitted and received approval, under the Frisco's zoning ordinance, to construct a convenience store and sell alcoholic beverages, which had been a permissible land use.

Subsequently, the City of Frisco adopted a series of ordinances that had the effect of prohibiting the convenient store from being constructed due to the store's proximity to a public school. The Fort Worth Court of Appeals determined that a municipal ordinance imposing a distance restriction on a land use—such as alcohol sales—was an “affect” to a “property classification” for the purposes of Ch. 245. The imposition of greater restrictions than had been in effect at the time of the filing of a permit was squarely within the purview of Chapter 245. “Having determined that a property's classification pertains to the larger district in which it is zoned...” the “imposing [of] additional restrictions on alcohol sales that had not been imposed” previously did not preclude Chapter 245 claims. *FLCT, Ltd. v. City of Frisco*, 493 S.W.3d 238, 269 (Tex. App.—Fort Worth 2016, pet. denied).

2. *The City of Blanco had “fair notice” of the Vapor Genius project.*

When Mr. Dunn submitted his “Commercial Building Permit Application” to remodel 48 Main Street, he listed “Vapor Genius” as the project name. Additionally, the site plans submitted as part of the application also noted “Vapor Genius” on them. The City then reviewed Mr. Dunn’s application and approved it. Mr. Dunn has never hidden the name or kind of business from the City of Blanco. Moreover, there was no formal “fair notice” application or process proscribed by the City that Mr. Dunn failed to comply with, and even if there were, the weight of case law suggests the illegality of such a requirement, being an additional restriction for the vesting of a development right.

On February 14, 2022, the City of Blanco had on its agenda for “consideration, discussion, and take action on approval of Ordinance 2022-O-003 Establishing Certain Location Restrictions Upon the Sale of Adult Oriented Product or Services.” The following is from the official minutes:

First, during Public Comment:

- Laurie Cassidy, City Secretary, read comments from multiple Blanco residents regarding their concerns over the opening of a vape store in Blanco near the Methodist Church (Vapor Genius, 48 Main Street).

Then, from the vote:

- 3. Consideration, Discussion, and Take Action on Approval of Ordinance 2022-O-003 Establishing Certain Location Restrictions Upon the Sale of Adult-Oriented Products or Services (Warren Escovy). Warren spoke saying the only permit pulled at this time was for a remodel. No one has pulled a permit to open any type of business referenced in this ordinance. Attorney Tuggey spoke saying he slightly revised heading, and added statutory language, effective immediately upon passing of ordinance. All referenced language, done by CDC, the most narrow, reasonable rights of City and residents. This ordinance pertaining to the primary business purpose, convenience stores are not affected. Display area includes entire store. Mayor Pro-Tem Saucedo asked about City liability. A motion was made by Council Member Smith to approve Ordinance No. 2022-O-003 Establishing Certain Location Restriction Upon the Sale of Adult-Oriented Products or Services, with modification to section a)2) to read "Is prohibited within 750 feet of a church, school, public park, daycare center, playground, or residential district", seconded by Council Member Divine, all in favor, motion carried 4-1 with Mayor Pro-Tem Saucedo opposed.**

Clearly, Blanco City Council was aware of Vapor Genius and its use before passing the ordinance. Multiple residents expressed concerns over the opening of Vapor Genius specifically during Public Comment. Then, when the Ordinance was taken up, Mr. Warren Escovy noted that there had already been a permit pulled for a remodel, which referred to Vapor Genius.

Courts have consistently held that preliminary applications, as well as subsequent applications or permits related to the original project, are only required to give fair notice that the project included uses consistent with the permissible uses which it sought its permit for.¹ In other words, as long as the project still falls under the original permit under the applicable land-use regulations at the time, the city has fair notice. "It is this identification of the contemplated development as "commercial" in nature that defines the nature and scope of the "project," not narrower descriptive terms or labels that all parties agree had no legal effect at the time. *Harper Park Two, LP v. City of Austin*, 359 S.W.3d 247, 257 (Tex. App.—Austin 2011, pet. denied)

Ultimately, the City Council has two options – it can acknowledge that Mr. Dunn has vested rights under his building permit to continue his project, Vapor Genius, and not have to comply with the Tobacco and Vapor Ordinance, or it can continue on this misguided and clearly illegal path, inviting further litigation. Under § 245.006, Mr. Dunn

¹ *Harper Park Two, LP v. City of Austin*, 359 S.W.3d 247, 257 (Tex. App.—Austin 2011, pet. denied); *FLCT, Ltd. v. City of Frisco*, 493 S.W.3d 238, 270 (Tex. App.—Fort Worth 2016, pet. denied); *City of San Antonio v. Rogers Shavano Ranch, Ltd.*, 383 S.W.3d 234, 246 (Tex. App.—San Antonio 2012, pet. denied)

July 26, 2022
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may protect his vested rights by suing the City of Blanco “through mandamus or declaratory or injunctive relief” of which the City is not immune from lawsuit. Furthermore, the Court can award, and Mr. Dunn will be seeking, court costs and reasonable and necessary attorney's fees from any lawsuit that the City forces Mr. Dunn to pursue.

There is still an opportunity for the City to avoid needless waste of taxpayer funds by fighting a legal battle involving a textbook Ch. 245 case. We hope that the City will see the error in its ways and will not continue to illegally and wrongfully enforce its Tobacco and Vapor Ordinance against my client.

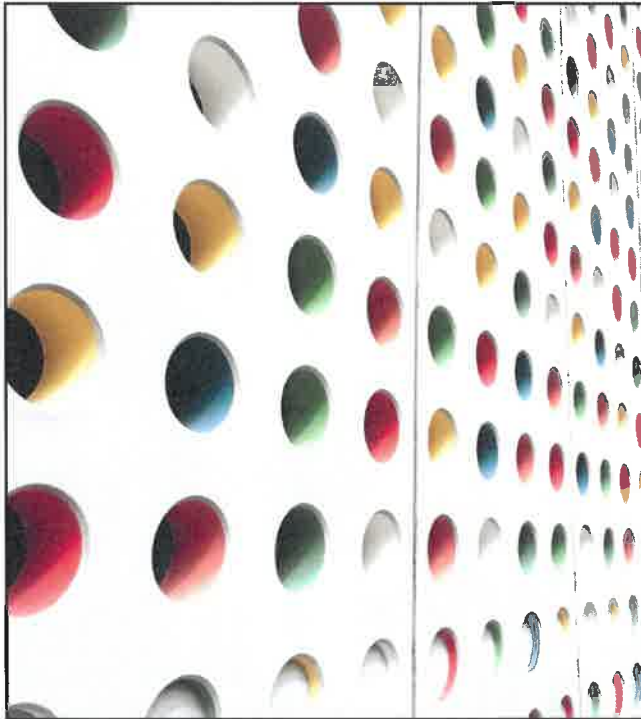
Sincerely,

A handwritten signature in cursive script that reads "Carly Barton".

Carly Barton
Attorney & Counselor

CC: Blanco City Attorney, Tim Tuggey,
Blanco City Administrator, Warren Escovy
Blanco City Secretary, Laurie Cassidy
Paul Dunn
Eric L. Gomez

PRESENTATION 1



Presentation, Discussion & Possible Action on the Creation of a Public Improvement District (PID), a Tax Increment Reinvestment Zone (TIRZ) or Another Economic Development Tool with the City of Blanco for the Development Seven Oaks

MATT HERDEN
SEVEN OAKS
AUGUST 9, 2022

1



Land Titled Lots 25 and 26 in the City of Blanco has been Owned by Matt and Martha Herden Since 1995

2

What is Seven Oaks?

A planned multi use development which includes:

- 2 plus acre City Park (to include a Veterans' Park)
- 1 acre for a planned City Hall
- Remaining acreage includes 33 single family homes, small retail spaces & 14-20 Townhomes.
- The project will be done in Phases
- Phase 1 will be the 33 single family homes



3

What Makes Seven Oaks Accessible for Development?

Direct Access to City Streets - Easily accessed by Elm & Mesquite Street

Water & Sewer Lines - Infrastructure for water & sewer lines are already in place on both Elm & Mesquite Street

Great Location - Close proximity to Schools, US 281, Downtown, State Park



4



What is the Goal of Seven Oaks?

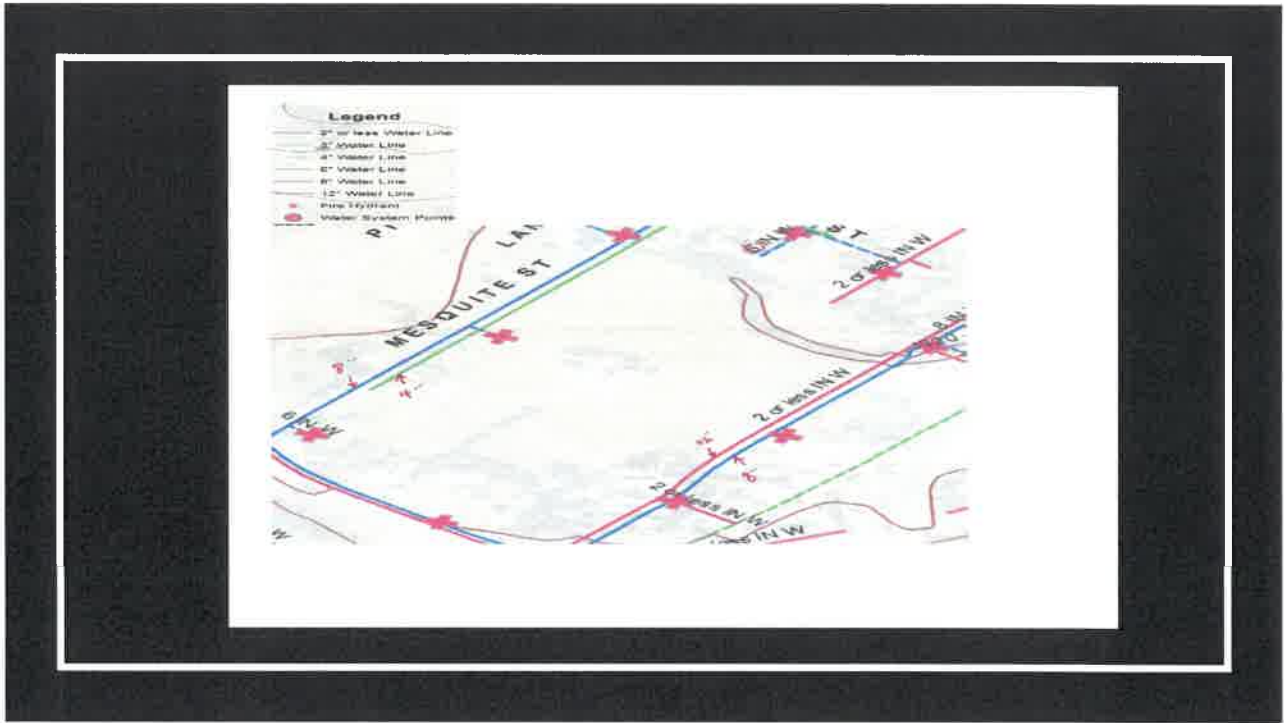


To Develop a Multi Use Property with Moderately Priced Housing, a Park for Residents to Own with Pride, Walking Trails for all to Enjoy, a City Hall Blanco can Showcase and a Retail Space for Easy Access

5



6



7

What Would PID Funds, TIRZ Funds, Economic Development Funds Finance?

1. CITY ROADS
2. CITY UTILITIES
3. ADMINISTRATIVE COSTS

8



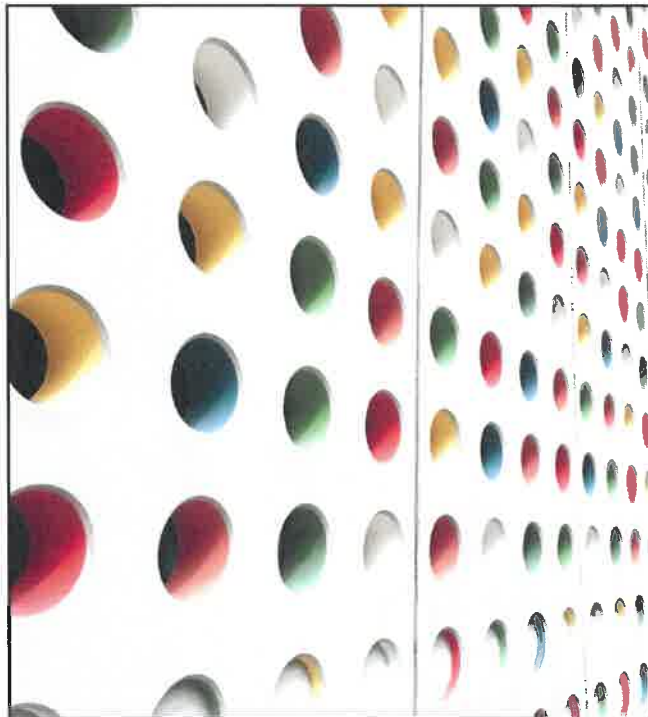
Where Do We Go From Here?

Seven Oaks Respectfully Requests that the Blanco City Council Consider an Economic Development package with this Impending Development

For this Evening's Meeting, Seven Oaks asks that the Blanco City Council Simply Direct the City Administrator & the City Attorney to Enter into PID Negotiations, TIRZ Negotiations or Economic Development Negotiations so that a Plan can be Presented to the Citizens and the Council for Further Consideration

These Negotiations are not Binding but Rather a Starting Point

9



Presentation, Discussion & Possible Action on the Creation of a Public Improvement District (PID), a Tax Increment Reinvestment Zone (TIRZ) or Another Economic Development Tool with the City of Blanco for the Development Seven Oaks

MATT HERDEN

SEVEN OAKS

AUGUST 9, 2022

10

PRESENTATION 2

STAFF
CITY HALL

**STAFF
POLICE
DEPARTMENT**

BLANCO POLICE DEPARTMENT MONTHLY STATISTICS 2022



January	February	March	April	May	June	July	August	September	October	November	December
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Crime Statistics												YTD	
Major Crimes													
Assaults	2	0	2	0	2	3	1						10
Sexual Offenses	0	0	0	0	1	0	0						1
Other	0	0	0	0	0	0	0						0
Burglaries													
Residence	0	0	0	0	0	0	0						0
Vehicle	0	0	0	0	1	0	0						1
Business	0	0	0	0	0	0	0						0
Theft	2	4	2	0	3	4	2						17
Criminal Mischief	0	2	3	2	2	3	2						14
Alcohol Violations	1	3	0	2	8	4	3						21
Narcotics Violations	5	8	2	1	9	3	0						28
Arrests													
Individuals	10	4	6	6	9	10	4						49
Adult	10	4	1	5	8	10	4						42
Juvenile	0	0	5	1	1	0	0						7
Offenses	17	6	5	6	16	17	6						73
Felony	12	4	0	2	7	5	0						30
Misdemeanor	5	2	5	4	9	12	6						43
Filed by CID	0	4	10	3	6	2	9						34
Calls for Service													
Total Calls for Service	237	238	324	287	312	258	259						1915
Assist EMS	17	9	15	6	13	12	17						89
Assist Fire	17	5	8	8	3	5	4						50
Assist Other Agency	18	7	25	21	16	20	27						134
Assist Public	2	11	9	7	13	6	2						50
Accidents	6	4	1	11	5	8	9						44
Disturbances	8	2	5	6	6	4	5						36
Suspicious Activity	13	14	30	28	24	13	14						136
Alarms	19	7	2	5	14	8	4						59
Animal Calls	1	7	9	7	6	6	9						45
City Ordinance Viol.	1	5	2	3	0	3	3						17
Traffic Enforcement													
Citations	40	25	32	54	58	51	56						316
Warnings	84	106	84	123	143	147	95						782
Speeding	19	7	21	21	25	26	29						148
D.L. Violations	7	1	2	6	12	13	13						54
Registration	5	2	4	8	11	10	11						51
Insurance	0	3	1	7	4	7	7						29
Stop Sign/Light	3	1	1	7	1	2	0						15
Equipment	0	0	0	0	6	2	1						9
Other	6	11	3	5	10	5	4						44
													0
Other													
Time Out of City	32	15	27	31	34	40	30						209
Record Requests	15	16	18	12	11	11	16						99
Golf Cart Permits	0	0	0	1	0	0	0						1
Home Watches	82	81	115	108	110	68	93						657

CONSENT
ITEM #1

**BUDGET WORKSHOP
OF THE GOVERNING BODY OF
THE CITY OF BLANCO**

**Meeting Minutes
July 12, 2022, 3:00 pm**

A budget workshop of the City Council, City of Blanco, Texas was held on July 12, 2022, at 3:00 pm at the Byars Building, 308 Pecan Street, Blanco, Texas.

The meeting was called to order at 3:01 pm by Mayor Rachel Lumpee, followed by roll call (Laurie Cassidy) announcing a quorum was present. The Pledge of Allegiance was led by Mayor Lumpee. Council members present: Mayor Lumpee, Mayor Pro-Tem Barron, and Council Members Smith, Thraikill, and Divine. Council Member McClellan was absent.

City staff present: Warren Escovy, Laurie Cassidy, Sasha Ricks, and Chief Scott Rubin.

Mayor Lumpee made the following announcements: City Council Meeting tonight at 6:00 pm.

Public Comments:

- None

BUDGET WORKSHOP #1

- Warren Escovy, City Administrator and Sasha Ricks, Finance Director went over review of the General Fund draft budget.

Adjournment:

A motion was made by Council Member Divine to adjourn the meeting, seconded by Council Member Smith, all in favor.

Meeting was adjourned at 4:50 pm.

Respectfully submitted,

Rachel Lumpee, Mayor

ATTEST:

Laurie A. Cassidy, City Secretary

These minutes were approved on the _____ day of _____, 2022.

CONSENT
ITEM #2

**REGULAR MEETING
OF THE GOVERNING BODY OF
THE CITY OF BLANCO**

**Meeting Minutes
July 12, 2022, 6:00 pm**

A regular meeting of the City Council, City of Blanco, Texas was held on July 12, 2022, at 6:00 pm at the Gem of the Hills, 2233 US 281, Blanco, Texas.

The meeting was called to order at 6:01 pm by Mayor Rachel Lumpee, followed by roll call (Laurie Cassidy) announcing a quorum was present. The Pledge of Allegiance was led by Mayor Lumpee. Council members present: Mayor Lumpee, Mayor Pro-Tem Barron, and Council Members Smith, Thrailkill, and Divine. Council Member McClellan was absent.

City staff present: Warren Escovy, Laurie Cassidy, Sasha Ricks, and Chief Scott Rubin.

Mayor Lumpee made the following announcements: Summertime is upon us, and the heat has arrived. I wanted to let citizens know that the Blanco Library provides a cool place for people to escape the heat. It is open Monday through Friday from 10-6 and Saturday from 10-2; Family Eldercare Fan Drive is going on through August 31; contact the CRC for more information; A ribbon-cutting ceremony for the Ranch: Smokehouse Deli will be held on Thursday, July 14 at 4; Blanco Market Days will take place this Saturday, July 16 from 9-4 on the Courthouse lawn; Good Sam's Open Market Day is on Saturday, July 16 from 10-2; A Town Hall regarding HWY 281 updates will take place next Tuesday, July 19 at 6 at Gem of the Hills; Gem of the Hills has a new program called Passport to Longevity and the kickoff event will be on July 20 from 5-6:30; Blanco County burn ban remains in effect until noon on July 26; Yett Park work day is scheduled for 7 am on Saturday July 30; The City and Chamber have partnered together to begin planning a community event which is tentatively scheduled for Saturday, August 13. We will share more information when things are finalized; The 33rd annual Blanco Classic Car Show will be held on Sept. 17 at the Blanco State Park; Lastly, our Historic Preservation Officer, Mr. Rudy Nino, will be stepping down from this role at the end of the month. I would like to express my sincere appreciation for all the hard work he's contributed over the past five years as our Historic Preservation Officer.

Public Comments:

- Amy Arnold, spoke on the Short-Term Rental Ordinance. She said there is a large variance in the fee tier from \$300 to \$1,000, Council needs to address fees for owners with multiple rental properties. Also, violation clause of \$300 per day seems excessive. She questioned the definition of adverse as it applies to application granted if not adverse effect to other property. Lastly, she commented City still needs to do a better job of assisting public with easy way to access form and pay hotel occupancy taxes.

STAFF PRESENTATIONS:

- City Hall, Warren Escovy shared City has begun having budget workshops, first one today, next one scheduled for August 2, continuing to work on budget for next fiscal year. City Hall has hired a part time code officer, 20-hours per week. He will begin working on bandit signs, high grass, compliance issues first. The City is currently under Stage 2 water restrictions.
- Police Department, Chief Rubin presented the June 2022 Monthly Statistics Report.
- Inframark, Damon Berryman, presented update to water and wastewater services. They are working with Capital Improvement Committee to help better capture leak repairs and sewer jetting needs to understand what infrastructure is most critical for repair. Pittsburgh lift station is fully operational, new pumps installed in June. Main Lift Station Pump #1 flow decreased 50%, indicating need for replacement, new pump was installed in June, main lift station is fully operational. Inframark is now fully established with Aquatech Labs and has increased sampling at the WWTP to once a week instead of monthly. South irrigation field has been plowed and planted. This should help with absorption of the wastewater effluent being irrigated. They have been working to clean up City equipment and facilities. Irrigation operations, Lazy Creek sewer line, council approved to replace the line. After review, purchased root cutting bit, quarterly maintenance is ongoing. Replacement of line is not necessary at this time. Personnel, Ben Escobedo has been hired full-time, Zach Dorris obtained his Class B certification for wastewater treatment operator, and Damon Berryman attended a class on dam safety.

Closed Regular Meeting at 6:20 pm and convened Into Public Hearing.

PUBLIC HEARING:

1. 1725 S. US Hwy 281, ABS A0002 Survey 24H, Eggleston, Acres .69; Variance Request: Wooden Deck 10' Side Yard Setback and 20' Real Setback, (Owner: Second Echo, LLC).

No public comments

Closed Public Hearing at 6:21 and returned to Regular Meeting.

Consent Agenda: *The following items may be acted upon in one motion.* No separate discussion or action is necessary unless requested by the Mayor or a Council Member, in which those items will be pulled for separate consideration.

1. Approval of Revision to Minutes from the April 12, 2022, Regular City Council Meeting and Public Hearing.
2. Approval of Minutes from the June 14, 2022, Regular City Council Meeting.
3. Approval of Disbursement Of Tuition Reimbursement to Victoria McMMain in the Amount of \$1,214.00 (Chief Rubin).
4. Consideration, Discussion, and Take Action on Approval of Selection of CIAMAC Members to Include: Frank LeBlanc, Heinz Roesch and David Behrends, for a Two-Year Term.

5. Approval of Amendment to Ordinance 2016-O-002 (Fireworks).

A motion was made by Council Member Smith to approve items one through five on the consent agenda as presented, seconded by Council Member Divine , all in favor, motion carried unanimously.

Old Business: Consider, discuss, and take appropriate action on the following:

1. Consideration, Discussion, and Take Action on Approval of Amendment to Ordinance 2022-O-005 Regulating Short Term Rentals and Imposing a Related Permit Fee and Penalties (including a fine) for Noncompliance. **A motion was made by Council Member Smith to approve the posted amendments to Ordinance 2022-O-005 regulating short-term rentals with the following changes: Page 2, Section 1A add definition of dwelling unit, to be defined as any permanent structure or part thereof designed and used for habitation by one or more individuals; Page 5, item 6, change 10% to 15%, substitute word dwelling units; Page 7, item 7, require a floor plan, bedroom sizes , delete from ordinance; item b1, owner occupied property, items 2, 3, and 4 strike all rate tier and change b to read applicant shall submit the permit application fee of \$300 and a required payment of an annual renewal fee of \$300; Page 10, item c any advertisement, delete item, seconded by Council Member Thraikill. Council Member Smith moved to amend motion Page 5, item 6, keep percentage at 10%, keep the rest of the motion the same, seconded by Council Member Thraikill, vote carried 3-1 with Council Member Divine opposed.**
2. Consideration, Discussion and Take Action on Approval of Financial Investments Contract Between Texas CLASS and the City of Blanco. **A motion was made by Council Member Smith to approve the financial investments contract between Texas CLASS and the City of Blanco, seconded by Mayor Pro-Tem Barron, all in favor, motion carried unanimously.**
3. Consideration and Discuss Update (No Action) on Possible Economic Development Agreement and Possible PID Between Palmco, Inc./Palmer Enterprises, Inc., and the City of Blanco. Rick Rosenberg, Managing Principal, DPGF presented financing options. He explained the Public Improvement District (PID) basics and explained this is an economic development tool created by the State to finance the construction of public improvements. He went on to show PID benefits and a proposed financing structure. He ended the presentation with a proposed financing schedule. **No Action Taken.**
4. Consideration, Discussion, and Take Action on the Revision of Schedule for Sale of Bulk Water at the City of Blanco. Council briefly discussed at the last meeting. Warren Escovy said we are currently making approximately \$9,500 from bulk water sales. Current cost is a \$1,500 deposit \$336.50 monthly fee and a water rate of \$7.00 per 1,000 gallons. This is really cheap. Spoke about an automated system, cost would be \$63,000. Hydrant meters are out, will restock in November/December. Hydrant meter needs back flow device, and deposit should be increased to \$2,500.00. No comps at this time. Rate Code 7, which is commercial outside City is currently at \$15.00 per 1,000 gallons. Rate Study is currently underway. Recommend using hydrant meters, raise rates. **No action taken.**

5. Consideration, Discussion, and Take Action on Avenu Insights & Analytics Consultant Services Agreement (Warren Escovy, City Administrator). Brandi Sanner spoke explaining the process. 1) SUTA would be at 35% contingency fee basis of newly found revenue, for a period of 24 months, 2) franchise fees, compliance review, contingency fee, has 2 options, 3) STR full administrative services. Work with City to augment staff, highest filing, user friendly payment portal to be completed by taxpayer, follow up on delinquencies, software monitoring, identify properties not on tax roll. \$195.00 per property per year fee for hot taxes. **A motion was made by Council Member Smith to authorize City Administrator to negotiate contract agreement with Avenu Insights & Analytics, seconded by Mayor Pro-Tem Barron, motion carried 3-2, Council Members Divine and Thrailkill opposed, Mayor Lumpee voted in favor.**

New Business: Consider, discuss, and take appropriate action on the following:

1. Consideration, Discussion and Take Action on Approval of Variance Request at 1725 S. US Hwy 281, ABS A0002 Survey 24H, Eggleston, Acres .69; Wooden Deck 10' Side Yard Setback and 20' Rear Setback, (Owner: Second Echo, LLC). Susan Moore with Planning & Zoning said they recommended approval. **A motion was made by Council Member Smith to approve the variance request at 1725 S. US Hwy. 281, ABS A0002 Survey 24H, Eggleston, Acres .69 wooden deck 10' side yard setback and 20' rear setback, seconded by Mayor Pro-Tem Barron, all in favor, motion carried unanimously.**
2. Consideration, Discussion, and Take Action on approval of RFQ for Gateway signs and/or Placement of a sign on City ROW. Mayor met with small group of volunteers in June. It is believed that our town so deserves a gateway monument that reflects our character and heritage. Core development committee will be formed if Council is interested in moving forward. Best practice is for City staff to process RFQ or RFP. Currently two (2) signs needed, one north and one south of City. **A motion was made by Mayor Pro-Tem Barron to have City Administrator proceed with developing an RFP for gateway signs, seconded by Council Member Divine, all in favor, motion carried unanimously.**
3. Consideration, Discussion, and Take Action on Approval of Amendment 1 to Task Order 10 to Extend the Water and Wastewater PIF. The work was completed, overbudget without prior approval by Council. Warren to meet with Freeland Turk to bring all work to a close. This Amendment will Increase the Contract by \$4,487.50 (Tom Turk, Freeland Turk, City Engineer). **A motion was made by Council Member Smith to table item until Warren Escovy, City Administrator has met to transition, seconded by Council Member Divine, all in favor, motion carried unanimously.**

Closed Regular Meeting at 7:42 pm and convened Into Executive Session.

Executive Session in accordance with Texas Government Code: in accordance with the authority contained in the Texas Government Code, Sections 551.071, 551.072, and 551.074.

1. Texas Government Code Section 551.071 (Consultation with City Attorney), Section 1.05, Texas Disciplinary Rules of Professional Conduct and 551.072 (Real Estate): to wit, Discussion with legal counsel to obtain legal advice related to possible reclaimed water contract between City and Chamaco Mio Investments, LLC.
2. Texas Government Code Section 551.071 (Consultation with City Attorney), Section 1.05, Texas Disciplinary Rules of Professional Conduct: to wit, Discussion with legal counsel re: Ordinance 2022-O-005 Regulating Short Term Rentals and Imposing a Related Permit Fee and Penalties (including a fine) for Noncompliance.
3. Texas Government Code Sections 551.071 (Consultation with City Attorney), 551.072 (Real Estate) and Section 1.05, Texas Disciplinary Rules of Professional Conduct, Confer with City Attorney regarding Proposed Public Improvement District (PID), Palmco, Inc.
4. Texas Government Code Sections 551.071 (Consultation with City Attorney), 551.072 (Real Estate) and Section 1.05, Texas Disciplinary Rules of Professional Conduct; Confer with City Attorney regarding Pharr Paradise Utility Easement Agreement.
5. Texas Government Code Section 551.071 (Consultation with City Attorney) and Section 1.05, Texas Disciplinary Rules of Professional Conduct and 551.072 (Real Estate). Confer with City Attorney regarding Canyon Lake Water SC (CLWSC); Water Valuation with West Water, City's interest undivided interest.
6. Texas Government Code Section 551.071 (Consultation with City Attorney) and Section 1.05, Texas Disciplinary Rules of Professional Conduct and 551.072 (Real Estate). Confer with City Attorney regarding City Property Evaluations at Blanco Vista Estates, Lot 3 (9.43 Acres) and 202 Cherry Street (0.44 Acres), City's interest.
7. Texas Government Code Section 551.074 (Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of City Administrator.

Take any action as a result of Executive Session.

Closed Executive Session at 8:53 pm and reconvened Into Regular Meeting.

Items 1-7: No action taken.

Adjournment:

A motion was made by Council Member Smith to adjourn the meeting, seconded by Mayor Pro-Tem Barron, all in favor.

Meeting was adjourned at 8:53 pm.

Respectfully submitted,

Rachel Lumpee, Mayor

ATTEST:

Laurie A. Cassidy, City Secretary

These minutes were approved on the _____ day of _____, 2022.

CONSENT
ITEM #3

**CITY OF BLANCO
RESOLUTION NO. 2022-R-004**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLANCO, TEXAS,
ADOPTING A CAPITALIZATION POLICY AND SEVERABILITY CLAUSE.**

WHEREAS, it is required that the City of Blanco, Texas has a capitalization policy;

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

1. Purpose

This accounting policy establishes the minimum cost (capitalization amount) that shall be used to determine the capital assets that are to be recorded in City of Blanco's annual financial statements (or books).

2. Capital Asset definition

A "Capital Asset" is defined as a unit of property that: (1) has an economic useful life that extends beyond 12 months; and (2) was acquired or produced for a cost of \$5000 or more. Capital Assets must be capitalized and depreciated for financial statement (or bookkeeping) purposes.

3. Capitalization thresholds

City of Blanco establishes \$5000 as the threshold amount for minimum capitalization. Any items costing below this amount should be expensed in City of Blanco's financial statements (or books).

4. Capitalization method and procedure

All Capital Assets are recorded at historical cost as of the date acquired.

Tangible assets costing below the aforementioned threshold amount are recorded as an expense for City of Blanco's annual financial statements. Alternatively, assets with an economic useful life of 12 months or less are required to be expensed for financial statement purposes, regardless of the acquisition or production cost.

5. Recordkeeping

Invoice substantiating an acquisition cost of each unit of property shall be retained for a minimum of four years.

SEVERABILITY: If any clause, or portion of a clause, in this resolution is considered invalid under state or other law, it shall be regarded as stricken while the remainder of this resolution shall continue to be in full effect.

PASSED AND APPROVED this the _____ day of August 2022.

THE CITY OF BLANCO, TEXAS

Rachel Lumpee, Mayor

ATTEST:

Laurie Cassidy, City Secretary

CONSENT
ITEM #4

ANNUAL FINANCIAL REPORT

of the

CITY OF BLANCO, TEXAS

**For the Year Ended
September 30, 2021**

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CITY OF BLANCO, TEXAS

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INDEPENDENT AUDITORS' REPORT

To the Honorable Mayor and
City Council Members of the
City of Blanco, Texas:

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Blanco, Texas (the "City"), as of and for the year ended September 30, 2021, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

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

Auditors' Responsibility

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

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

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

Opinions

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

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis, budgetary comparison information, schedules of changes in net pension and total other postemployment benefits liability and related ratios, and schedule of contributions, identified as Required Supplementary Information on the table of contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the Required Supplementary Information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The combining statements are presented for purposes of additional analysis and are not required parts of the basic financial statements.

The combining statements are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining statements are fairly stated in all material respects in relation to the basic financial statements as a whole.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report July 29, 2022 on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.

BELT HARRIS PECHACEK, LLLP

Belt Harris Pechacek, LLLP
Certified Public Accountants
Houston, Texas
July 29, 2022

CONSENT
ITEM #5



Engagement Letter - Single Audit

July 21, 2022

The Honorable Rachel Lumpee, Mayor
City of Blanco, Texas
300 Pecan Street
Blanco, Texas 78606

We are pleased to confirm our understanding of the services we are to provide for the City of Blanco (the "City") for the years ended September 30, 2021 through 2025.

Audit Scope and Objectives

We will audit the financial statements of the governmental activities, the business-type activities, the major fund, the aggregate remaining fund information, and the disclosures, which collectively comprise the basic financial statements of the City as of and for the years ended September 30, 2021 through 2025.

Accounting standards generally accepted in the United States of America (GAAS) provide for certain Required Supplementary Information (RSI), such as Management's Discussion and Analysis (MD&A), to supplement the City's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City's RSI in accordance with GAAS. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by U.S. generally accepted accounting principles (GAAP) and will be subjected to certain limited procedures, but will not be audited:

1. Management's Discussion and Analysis
2. Budgetary Comparison Schedule(s)
3. Pension Schedule(s) as applicable
4. OPEB Schedule(s) as applicable

We have also been engaged to report on supplementary information other than RSI that accompanies the City's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with GAAS, and we will provide an opinion on it in relation to the financial statements as a whole in a report combined with our auditors' report on the financial statements:

1. Combining Statement(s) and Schedule(s)
2. Schedule of Expenditures of Federal Awards

The objectives of our audit are to obtain reasonable assurance as to whether the financial statements as a whole are free from material misstatement, whether due to fraud or error; issue an auditors' report that includes our opinion about whether your financial statements are fairly presented, in all material respects, in conformity with GAAP; and report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Reasonable assurance is a high level of assurance but is not absolute assurance and, therefore, is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment of a reasonable user made based on the financial statements. The objective also includes reporting on---

1. Internal control over financial reporting and compliance with the provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
2. Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (the "Uniform Guidance").

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will include a paragraph that states that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The Uniform Guidance report on internal control over compliance will include a paragraph that states that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of accounting records, a determination of major program(s) in accordance with the Uniform Guidance, and other procedures we consider necessary to enable us to express such an opinion.

Auditors' Responsibilities for the Audit of the Financial Statements

We will conduct our audit in accordance with GAAS and will include tests of your accounting records and other procedures we consider necessary to enable us to express such opinions. As part of an audit in accordance with GAAS, we exercise professional judgment and maintain professional skepticism throughout the audit.

We will evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management. We will also evaluate the overall presentation of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is an avoidable risk that some material misstatements may not be detected by us, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial

misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform the appropriate level of management of any material errors, fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the government's ability to continue as a going concern for a reasonable period of time.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain assets and liabilities by correspondence with selected creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry.

Audit Procedures-Internal Control

We will obtain an understanding of the government and its environment, including internal control relevant to the audit, sufficient to identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and to design and perform audit procedures responsive to those risks and obtain evidence that is sufficient and appropriate to provide a basis for our opinions. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control. An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses in internal control. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and the Uniform Guidance.

Audit Procedures-Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of our audit will not be to provide an opinion on overall compliance, and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with federal statutes, regulations, and the terms and conditions of federal awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the City's major programs. The purpose of these procedures will be to express an opinion on the City's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Other Services

We will also assist in preparing the financial statements, schedule of expenditures of federal awards, and related disclosures of the City in conformity with GAAP and the Uniform Guidance based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*.

We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statements, schedule of expenditures of federal awards, and related disclosures services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

Nonaudit Services

In connection with the engagement, we will perform services unrelated to our attest function. The additional services we will provide include:

1. **Preparation of Documents**
We will assist in preparing the financial statements and related notes of the City in conformity with GAAP based on information provided by the City.
2. **Advisory Services**
We will provide routine advisory services through phone calls, conferences, or otherwise, in connection with incidental matters arising during the year. We encourage open lines of communication throughout the year as part of our services.
3. **Correspondence**
We will handle all normal correspondence from grantor, regulatory, or oversight agencies related to the audit.
4. **Professional Proofing**
To ensure documents issued in connection with the audit engagement are professional in appearance, we will submit both client-prepared information, as well as documents created entirely by the auditor, to an independent professional proofreader for a cover-to-cover inspection. This review will include consistent formatting, grammar, logic, and any other items that may detract from the document. This process is over and above technical reviews performed.
5. **Printing and Binding**
All final hard copy documents will be printed on a 1200 dpi or better resolution copier and bright white report paper. Reports will be bound with GBC-brand plastic combs with 30 mil oversized covers. We will manually inspect each page from one document and spot check remaining reports for printing errors. Our reports will be centered, properly aligned, and free of smudges and other detracting elements.
6. **Electronic Adobe Searchable PDF**
In addition to providing hard copy documents, we will also provide all final documents in electronic image files in Adobe PDF format, suitable for posting in electronic agenda packages, posting on websites, or transmitting by email to regulatory agencies.
7. **Client Portal - Auditbox**
We will provide the City access to our proprietary AuditBox online site to provide a central repository where both the City's personnel and audit team members can see documents being exchanged during the process to eliminate duplicate requests from audit team members. Both the City's documents, as well as final audit documents, will be hosted on the site providing an archive of information that new personnel may access in subsequent years, if information is needed regarding what was provided for a prior year audit or a copy of audit documents issued.

Responsibilities of Management for the Financial Statements

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for (1) designing, implementing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including internal controls over federal awards, and for monitoring ongoing activities to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management is reliable and financial information is reliable and properly reported. Management is also responsible

for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; and for the preparation and fair presentation of the financial statements, schedule of expenditures of federal awards, and all accompanying information in conformity with GAAP; and for compliance with applicable laws and regulations (including federal statutes) and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

Management is also responsible for making drafts of financial statements, all financial records and related information available to us and for the accuracy and completeness of that information (including information from outside of the general and subsidiary ledgers). You are also responsible for providing us with (1) access to all information of which we are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters; (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance; (3) additional information that we may request for the purpose of the audit; and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence. At the conclusion of our audit, we will require certain written representations from you about the financial statements and related matters.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements of each opinion unit as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. Management is also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements, or abuse that we report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan. The summary schedule of prior audit findings should be available for our review prior to the beginning of our audit fieldwork.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal awards. You also agree to make the audited financial statements readily available to intended users of the schedule of expenditures of federal awards no later than the date the schedule of expenditures of federal awards is issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal awards, including its form and content, is stated fairly in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, on which we have been engaged to report, in conformity with GAAP. You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Your responsibilities include acknowledging to us in the representation letter that (1) you are

responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

You agree to assume all management responsibilities for the financial statements preparation, schedule of expenditures of federal awards, related disclosures, and any other nonattest services we provide; oversee the services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to electronically submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and corrective action plan) along with the Data Collection Form to the Federal Audit Clearinghouse. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be submitted within the earlier of 30 calendar days after receipt of the auditors' reports or nine months after the end of the audit period.

We will provide copies of our reports to the City; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Belt Harris Pechacek, LLLP and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to any oversight agency or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Belt Harris Pechacek, LLLP personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the oversight agency. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Fees for our services are based on the actual time spent at our standard hourly rates, plus travel and other out-of-pocket costs such as report production, word processing, postage, etc. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Items that likely will increase the fee estimate include:

1. Assistance with addressing matters that were designated as management's responsibility, which include closing schedules and closing entries.

2. Submission of audit data within 60 days of a client requested completion date or filing deadline, requiring overtime hours to meet the deadline.
3. Changes in accounting pronouncements, professional standards, laws, and regulations not known to us as of the date of this letter that have a significant impact on time requirements.
4. Changes in the operations and significant matters that materially change the audit scope such as evaluation of the impact of joint ventures, debt issuance/refunding/advance extinguishment, forbearance agreements, notice of material events, enforcement actions, required corrective actions, self-insurance, environmental liabilities, going concern, and/or other postemployment benefits.
5. Significant increases in State or Federal funding requiring State and/or Federal Single Audits and/or increases to the number of grants classified as major programs by Office of Management and Budget (OMB) or State requirements.
6. Follow up on allegations or discovery of a) noncompliance with laws, regulations, and policies; b) fraud, waste, and abuse; c) significant deficiencies in internal control; d) nepotism; and e) related party transactions.

As customary in the industry, the price quoted is an estimate. In accordance with rules of the State Board of Public Accountancy, we cannot be bound to provide the audit for the amount estimated. However, in practice, we honor our fee quotes unless adverse conditions such as those described above are encountered.

Fee Estimates

	2021	2022	2023	2024	2025
Financial Statement Audit	\$ 32,500				
Single Audit - Base Fee	\$ 10,300	<i>(see below for fiscal years 2022 - 2025)</i>			
Single Audit - Per Major Program	\$ 6,520				

Our fee estimates for the 2021 fiscal year will be the base fee. Fees for subsequent years' audits will be the base fee plus an increase calculated using the Consumer Price Index (the "CPI Index") as published by the U.S. Bureau of Labor and Statistics from the date of the signed engagement letter to the date of the last invoice issued for the fiscal year under audit.

GASB Statement 87

Governmental Accounting Standards Board Statement 87, *Leases* ("GASB 87") takes effect this year. GASB 87 essentially requires that all leases that finance the right to use an underlying asset should be reported on the balance sheet for both the lessor and lessee. Unlike other accounting standards changes, GASB 87 will require management to evaluate the impact, plan for the impact, and make necessary changes in business processes. Implementation of GASB 87 will generally require centralized lease document management; in-depth review of lease documents; recording and tracking of multiple data points per lease, which may necessitate new software based on the volume of leases; and development of new controls, reconciliations, and policies and procedures. Management needs to begin making initial assessments immediately to determine the lead time and resources needed. Management needs to identify all leases as both the lessor (leasing to someone-landlord-receivable) and lessee (leasing from someone-tenant-payable) in which the term initially exceeded 12 months. Based on the aggregate value of leases and materiality, management should determine a cutoff for exclusion of insignificant leases. Management should establish the goal of being fully implemented at the earlier of interim audit procedures or 60 days prior to year end to provide for a sufficient buffer to safeguard against delay in issuing the financial statements. If management is not prepared by the regularly scheduled start date for the audit, the options will be to receive a modified audit opinion, for us to withdraw from the engagement, or to reschedule the engagement to the end of the government audit season, April 2023. The number of leases that an organization has will likely be grossly underestimated and the time requirement to assemble and evaluate documents understated. Accordingly, **it is imperative to begin the GASB 87 lease process early to avoid negative impact.**

Our fee estimate does not include any additional time to prepare required data and disclosures or to perform audit procedures as the number and types of leases varies significantly by organization. Time associated with GASB 87

will be tracked and billed separately. It is imperative that the GASB 87 work be fully completed prior to the interim audit, which typically occurs during the summer.

Federal Single Audit Engagement

A federal single audit is required by the OMB's Uniform Guidance when federal funds over \$750,000 are expended. Federal single audit fees vary based on the number of major programs as defined by OMB. Accordingly, the federal single audit fee consists of a 'Federal Single Audit-Base Fee' to cover basic fixed amounts and the 'Federal Single Audit-Per Major Program Fee', which is the scalable portion dependent on the actual number of major programs. The number of major programs is established by OMB criteria. If a federal single audit is required, there will be at least one major program. Prior year federal single audit reports will help plan for the number of major programs, but they will vary from year to year based on the level of federal funding. Should you not exceed OMB's federal single audit threshold, a federal single audit will not be required. If you anticipate exceeding the federal single audit threshold, please contact us as far in advance as possible so that we can begin doing preliminary federal single audit work.

Non-State Single Audit Engagement

A state single audit is required when grant funds that originated from the State of Texas (this does not include federal monies passed through the State) over \$750,000 are expended. State single audit fees vary based on the number of major programs as defined by the *State of Texas Single Audit Circular*. The additional technical verbiage that is necessary when a state single audit is required is not included within this engagement letter, nor does the proposed engagement fee include additional fees related to a state single audit. Should you exceed the state single audit threshold, a new engagement letter will be required.

Billing Protocol

Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. Generally, 40 percent will be billed and payable upon completion of interim audit procedures (normally one to four months before year end) and 60 percent after a draft of the financial statements is issued. Accordingly, the fee will be split 40/60 between budget years. In accordance with our firm policies, work may be suspended if your account becomes 30 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

Required Attachments

Government Auditing Standards require that we provide you with a copy of our most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of the contract. Our 2018 peer review accompanies this letter.

Reporting

We will issue a written report upon completion of our audit of the City's financial statements. Our report will be addressed to those charged with governance of the City. Circumstances may arise in which our report may differ from its expected form and content based on the results of the audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions or add an emphasis of matter or other matter paragraph to our auditors' report or, if necessary, withdraw from this engagement. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or withdraw from the engagement.

Foreign Terrorists Organizations

Pursuant to Chapter 2252, Texas Government Code, we represent and certify that, at the time of execution of this letter, neither we nor any wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of the same (i) engages in business with Iran, Sudan, or any foreign terrorist organization as described in Chapters 806 or 807 of the Texas Government Code or Subchapter F of Chapter 2252 of the Texas Government Code or (ii) is a company listed by the Texas Comptroller of Public Accounts under Sections 806.051, 807.051, or 2252.153 of the Texas Government Code. The term 'foreign terrorist organization' in this paragraph has the meaning assigned to such term in Section 2252.151 of the Texas Government Code.

Vendor Representation Regarding Israel

Pursuant to Chapter 2271, Texas Government Code, we represent that we do not boycott Israel and will not boycott Israel during the term of the contract. The term 'boycott Israel' shall have the meaning ascribed to this term in Section 808.001 of the Texas Government Code.

Required Non-Appropriation Clause

Notwithstanding anything contained in this engagement to the contrary, in the event no funds or insufficient funds are appropriated and budgeted or are otherwise unavailable in any fiscal period for fees due under this engagement agreement, the City will immediately notify us in writing of such occurrence and this agreement shall terminate on the last day of the fiscal period for which appropriations have been received or made.

Authorization of CPA's Disclosure

Any client certified public accountant involved with assisting us shall not be prohibited from disclosure of information required to be made available by the standards of the public accounting profession in reporting on the examination of financial statements. Management understands and provides permission to staff certificate or registration holders as required under the Rules of Professional Conduct, Texas Administrative Code, Title 22, Part 22, Chapter 501, Subchapter C, Section 501.75.

We appreciate the opportunity to be of service to the City and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Sincerely,

Belt Harris Pechacek, LLLP
Certified Public Accountants

Authorized by:



Robert Belt, CPA, CGMA
Managing Partner

RESPONSE:

This letter correctly sets forth the understanding of City of Blanco.



The Honorable Rachel Lumpee, Mayor

Date



CPAs • Tax • Audit & Accounting

Empowering Peace of Mind

Report on the Firm's System of Quality Control

To the Partners of Belt Harris Pechacek, LLLP
And the Peer Review Committee of the Texas Society of Certified Public Accountants

We have reviewed the system of quality control for the accounting and auditing practice of Belt Harris Pechacek, LLLP (the firm) in effect for the year ended June 30, 2018. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at www.aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review.

Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards*, including compliance audits under the Single Audit Act;

As part of our review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Belt Harris Pechacek, LLLP in effect for the year ended June 30, 2018, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Belt Harris Pechacek, LLLP has received a peer review rating of *pass*.

BUMGARDNER, MORRISON & COMPANY, LLP
December 14, 2018

Bumgardner, Morrison & Company, LLP
Certified Public Accountants

Members: American Institute of Certified Public Accountants
Texas Society of Certified Public Accountants
AICPA Private Companies Practice Section
AICPA Employee Benefit Plan Audit Quality Center
AICPA Government Audit Quality Center

1501 E Mockingbird Lane, Suite 300
PO Box 3750
Victoria, Texas 77903-3750
Phone: 361.575.0271
Fax: 361.578.0880
Website: BMCcpa.com

CONSENT

ITEM #6

CITY COUNCIL PRESENTATION
CITY OF BLANCO
August 9, 2022

AGENDA TOPIC: Authorization of expenditure of Court Technology Funds

DATE: August 9, 2022

DEPARTMENT: Police

PRESENTED BY: Chief Rubin

INTRODUCTION/BACKGROUND:

Art. 102.0172. MUNICIPAL COURT TECHNOLOGY FUND.

(a) The municipal court technology fund is a fund in the municipal treasury. The fund consists of money allocated to the fund under Section 134.103, Local Government Code.

(b) Money in a municipal court technology fund may be used only to finance the purchase of or to maintain technological enhancements for a municipal court or municipal court of record, including:

- (1) computer systems;
- (2) computer networks;
- (3) computer hardware;
- (4) computer software;
- (5) imaging systems;
- (6) electronic kiosks;
- (7) electronic ticket writers; and
- (8) docket management systems.

(c) The municipal court technology fund shall be administered by or under the direction of the governing body of the municipality.

The Blanco Police Department currently does not have Electronic Ticket Writer capability. As the City of Blanco Transitions to the Fundview platform it provides the potential for the Police Department to utilize electronic ticket writers. The Police Department has received a quote from Tyler Technologies to purchase electronic ticket writers which will interface with the new court case management system. This interface will not only reduce the amount of time required by the officer to complete the warning/citation but will greatly reduce the amount of time it takes the court to enter citation information. The Police Department is requesting \$27,600. of the balance currently in court technology fund of \$62216.10

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

The implementation of an electronic ticket writing solution will enable the Blanco Police Department to operate in a more efficient manner by providing a means to more effectively complete warnings/citations, provide a better tracking mechanism for traffic enforcement data, streamline the work of the court clerk by reducing the need for manual entry of warning/citation data into the court case management system.

LONG-TERM FINANCIAL & BUDGET IMPACT:

The authorization of a onetime payment of \$27,600 from our current Court Technology Fund balance of \$62216.10 will have a positive impact on future budgets by negating the need to budget for these necessary items. The Annual recurring fees are \$1,626

LEGAL ANALYSIS:

N/A

RECOMMENDATION/PROPOSED MOTION:

I move that the City of Blanco City Council approve the expenditure of \$27,600 from the Court Technology Fund to purchase electronic ticket writers and associated equipment and software.

NEW BUSINESS

ITEM #1

NEW BUSINESS

ITEM #2

Public Improvement District Policy

A Public Improvement District (“PID”) in accordance with Texas Local Government Code Chapter 372, provides the City of Blanco (“the City”) an economic development tool for financing the costs of public improvements that benefit a definable part of the City or its extraterritorial jurisdiction (“ETJ”). A PID may be located either within the City’s corporate limits or within its ETJ. PIDs allow the costs of public improvements to be borne by those who receive special benefits from the improvements.

The purpose of this PID policy is to outline the policies and procedures the City will use to consider whether creation of a PID, the levy of PID assessments, and issuance of PID bonds is in the best interest of the City. Any aspect not specifically addressed by this policy will be considered on an individual project basis.

The City may, on a case-by-case project basis, waive a requirement of this policy if it does not conflict with Texas or federal law. Any requirement(s) waived shall be noted in the resolution approving the PID petition, or other relevant document, and must include a finding that the waiver is in the best interest of the City.

Except for the approval and issuance of special assessment revenue bonds or the approval of a reimbursement agreement, the City will not incur any financial responsibility for PID improvements undertaken by a PID owner/developer.

PID Location

The City will consider a petition for formation of a PID only within the City’s corporate limits or within its ETJ provided that the ETJ property owners voluntarily agree to the City’s annexation of such property into the City’s corporate limits.

Property owned by the City or that is intended to be conveyed or dedicated to the City and that is located in the boundaries of the proposed PID shall not be subject to any PID assessment.

The minimum size for a PID shall be _____ acres, and the maximum size for a PID shall be considered on a case by case basis with the best interest of the City as the prevailing consideration.

PID Petition Requirements

Each PID petition or application shall include:

1. Signatures from property owners of more than 50% of property within the proposed PID that have been gathered within six months prior to the submission of the petition. Priority will be given to PIDs with the support of 100% of the owners within the proposed PID.
2. Payment of a non-refundable application fee of \$[20,000] at the time a petition is filed.
3. A current certified tax roll of all property within the proposed PID.
4. A map acceptable to City staff and a metes and bounds description of the property included in the proposed PID.
5. A detailed description that clearly identifies the benefit of the proposed PID to the affected property owners and to the City as a whole and also evidence of insurance.
6. Previous experience developing similar scale and type of project.
7. The proposed “not to exceed” maximum tax rate equivalent.
8. A sunset clause, and a pre-executed petition to dissolve the PID by the landowner in case the SAP is not approved, and assessments levied for either reimbursement or bond issuance within three years of the date of the Development Agreement.
9. An independently prepared market analysis or feasibility study to be prepared and submitted prior to the public hearing. The market analysis or feasibility study will assess the

reasonableness of the public improvements and overall development plan in light of market conditions. The costs of the third-party market analysis provider (the “Market Study Analysis Provider”) will be paid by the PID petitioner, and the City will order the study.

Reimbursement for PID Costs and Expenses

If the City determines it is in its best interest to establish a proposed PID and accepts a PID Petition, a Reimbursement Agreement will be entered into with the developer. The Reimbursement Agreement will require the developer to initially deposit funds in an amount not less than \$[_____] to pay for (a) the City’s costs for staff including the City Attorney, City Engineer and City Planning staff, and (b) professional fees and expenses of third party consultants and advisors including, but not limited to, Bond Counsel, Financial Advisor, PID Administrator, Trustee, Underwriter, Appraiser, and Market Study Analysts.

[An additional \$ _____ deposit will be required to be deposited by the developer when the deposit balance reaches \$ _____. The unused balance will be returned to the developer. The developer may recover deposit for City costs and professional fees and expenses at bond closing.]

PID Development Standards and Preferential Factors

Subject to the requirements of Chapter 372 of the Texas Local Government Code, the City will be more likely to approve PID petitions if the proposed project includes one or more of the following:

1. The project includes improvements that enhance the City’s master plan, including the City’s thoroughfare plan and water and wastewater plans (improvements must exceed current subdivision regulations) and advance the City’s trail and park plans.
2. Any improvements that are offsite or are part of the City’s

master plans have obtained approval from the City Engineer prior to being included in the PID.

3. Preference will be given to high quality projects that exceed the City's subdivision requirements for overall design, building standards and amenities with enhanced landscaping and appealing architecture throughout.
4. Preference will be given to mixed use projects that include a mix of residential and commercial uses.
5. Preference will be given to projects where an average home price is expected to exceed other surrounding new home community pricing by _____ %, except in the case of a proposed project for affordable housing.
6. Preference will be given to projects within the ETJ that voluntarily annex into the City's corporate limits.
7. Preference will be given to projects that provide enhanced benefits to improve the public roadway network in the City.
8. Preference will be given to projects that provide enhanced water and wastewater infrastructure in the City.
9. Preference will be given to projects that generate economic development benefits to the City beyond what a normal development would and satisfy the goals of the City's Economic Development Strategic Plan.
10. Preference will be given to projects that provide for improvements in the public right-of-way that create new or enhanced public roads and streets and that enhance and create opportunities to redevelop older or underutilized areas of the City, e.g., entryways, gateways, landscaping, street trees, fountains, specialty lighting, art, decorative and landscaped streets and sidewalks, bike lanes, multi-use trails, signage, terminating vistas, decorative pedestrian lighting, pedestrian safety elements, ADA accessibility, underground utilities, etc.
11. Preference will be given to projects that meet community needs, e.g., enhanced drainage improvements, land and infrastructure for re-irrigation of treated wastewater, off-street public parking facilities, pedestrian and trail

connectivity, mobility enhancements and housing for veterans, first responders, teachers, health care workers and other service industry employees.

12. Preference will be given to projects that exceed development requirements of the City, including in particular enhanced architectural standards, enhanced landscaping, low impact development (LID) features, impervious cover limitations, parking lot shading, floorplan variety, and which provide for a superior design of lots or buildings including systems for energy efficiency.
13. Preference will be given to projects that provide for increased recreation and open space opportunities for public use.
14. Preference will be given to projects that protect and preserve natural amenities and environmental assets such as the rivers, lakes, trees, creeks, ponds, floodplains, slopes, hills, viewscapes, aquifer recharge and/or contributing zones, and wildlife habitats;
15. Preference will be given to projects that protect and preserve existing historical buildings, structures, features or places and preserve the rural and community amenities or features that further the look and feel of the City or would otherwise be of special benefit to the property users or community; or which establish a unified architectural or design theme throughout the development that complements the community's character and heritage.
16. Preference will be given to projects that are associated with property located within the city limits of the City.
17. Preference will be given to projects when the City is provided with access to records thereby enabling the City to perform its due diligence on the developer's ability and financial capacity to deliver the project as proposed.

Requirements for Development Agreement

A Development Agreement shall be in place before the PID is created. The Development Agreement shall include, but not be limited to, the following provisions, as the same may be applicable to the type of PID proposed:

1. A development plan that outlines, at a minimum, land use and thoroughfare connections and is consistent with the City's master plan as amended from time to time.
2. The proposed PID will contribute to funding the expansion of arterial streets, major collector roadways, and trunk line utility infrastructure, as applicable when necessary to address the projected demand for services and impacts of the development.
3. The proposed PID will be located within the City's existing Water and Wastewater Certificate of Convenience or Necessity ("CCN") or expanded CCNs facilitated by the developer if, in the City's discretion, such expansion is feasible.
4. Plans for the proposed PID shall be prepared and reviewed by the City in compliance with the City's development regulations as relates to land use, infrastructure design, permitting, and inspections and applicants shall seek City development approvals prior to the commencement of any construction.

Collection of PID Assessments

Prior to the levy of assessments, the City use its best efforts to enter into an agreement with Blanco County to include the annual PID installments on the Blanco County Tax Bill of each property owner within the PID.

PID Disclosure to Homeowners

To satisfy disclosure to homeowners, the City will require the developer to comply with the following:

1. Signage at major entryways and exits indicating the existence of the PID.
2. Signage and information flyers (which will be updated at least annually to reflect any changes in such information) in any sales centers within the PID that include:
 - a) Frequently Asked Questions
 - b) Total Assessment
 - c) Average Annual Installment
 - d) Equivalent Tax Rate
4. Homebuyer disclosure documents in accordance with Section 5.014 of the Texas Property Code, as may be amended, to be signed both at contract signing and at closing with such agreements maintained on file by each homebuilder and available for inspection by the City.
5. Developer contracts with homebuilders must require the homebuilder to disclose the PID on any MLS listing.

City Advisors and Consultants

The City will independently select a Bond Counsel, Financial Advisor, PID Administrator, Trustee and the Market Study Analysis Provider. With input by the developer, the City will select an Underwriter and Appraiser. The City's PID Administrator, in conjunction with the developer's PID Consultant, if any, will draft the Service and Assessment Plan and prepare all annual updates.

Maximum PID Assessment

The annual PID assessment shall be the lesser of (1) (for example) \$0.____ per \$100 of assessed value, or (2) the rate per \$100 of assessed value such that the combined PID assessment rate and the City's aggregate property tax rate (I&S plus M&O) do not exceed (for example) \$____.

A true-up calculation will be performed prior to each bond issuance and upon filing of a final plat to ensure that the maximum assessment is not exceeded, which may result in a reduction in the size of any proposed issuance of PID bonds.

PID Assessment Term/Bond Term

The maximum term for a PID and related PID assessment is [20, 25, 30, 35] years and the assessment term must equal the bond term.

PID Bonds; Financial Limitations and Performance Standards

The following minimum performance standards shall apply to PID bonds. Preference will be given to proposed PIDs that exceed these minimum performance standards:

1. For the initial PID bond issue, a minimum appraised value to lien ratio of 3:1 for the proposed PID project, and a minimum appraised value to lien ratio of ___:1 for each proposed lot within the PID.
2. All improvements to be funded with PID bonds must be fully engineered and competitively bid. A competitive bidding process with at least three bids will be required.
3. Developer is required to demonstrate committed capital in the form of cash deposit, proof of bank financing and/or equity capital, or letter of credit to the City with an amount confirmed by an engineer's opinion acceptable to the City of probable cost, which represents the difference between budgeted cost to complete the public improvements assumed to be complete in the appraisal and the net proceeds of the PID bonds. The form of committed capital (cash deposit, letter of credit or bank/equity commitment) will be determined by the City on a case-by-case basis with input from its Bond Counsel and Financial Advisor.
4. All PID bonds issued by the City shall be approved by the Texas Attorney General and registered by the Comptroller

- of Public Accounts of the State of Texas.
5. The developer shall be current on all taxes, assessments, fees and obligations to the City including without limitation payment of assessments.
 6. The developer shall not in default under any existing PID financing agreement or, with respect to the property within the PID, any other agreement to which developer and the City are parties.
 7. No outstanding PID bonds are in default and no reserve funds established for outstanding PID Bonds have been drawn upon that have not been replenished.
 8. If the applicable portion of authorized improvements, as allowed by Chapter 372 of the Texas Local Government Code, as may be amended, has not already been constructed and to the extent PID bond proceeds are insufficient to fund such authorized improvement costs, the developer shall, concurrently with the closing a PID bond issue, fund or cause the funding of the difference between the authorized improvement costs and the PID bond proceeds available to fund such authorized improvement costs related to the applicable authorized improvement (without limiting any other provision, in the event developer does not or cannot provide such funding, the City shall not be required to sell such PID bonds, and developer shall reimburse the City for all expenses and liabilities incurred by the City in connection with the proposed issuance of the PID Bonds).
 9. No information regarding the City, including without limitation financial information, shall be included in any offering document relating to PID Bonds without the consent of the City.

Dissolution Agreement

A dissolution agreement must be entered into at the time the City considers creation of the PID authorizing dissolution of the PID if

assessments are not levied within three years after the creation of the PID.

Applicability

This PID Policy shall apply to PID applications filed after _____, 2022.

CITY OF BLANCO, TEXAS

By: _____

Mayor

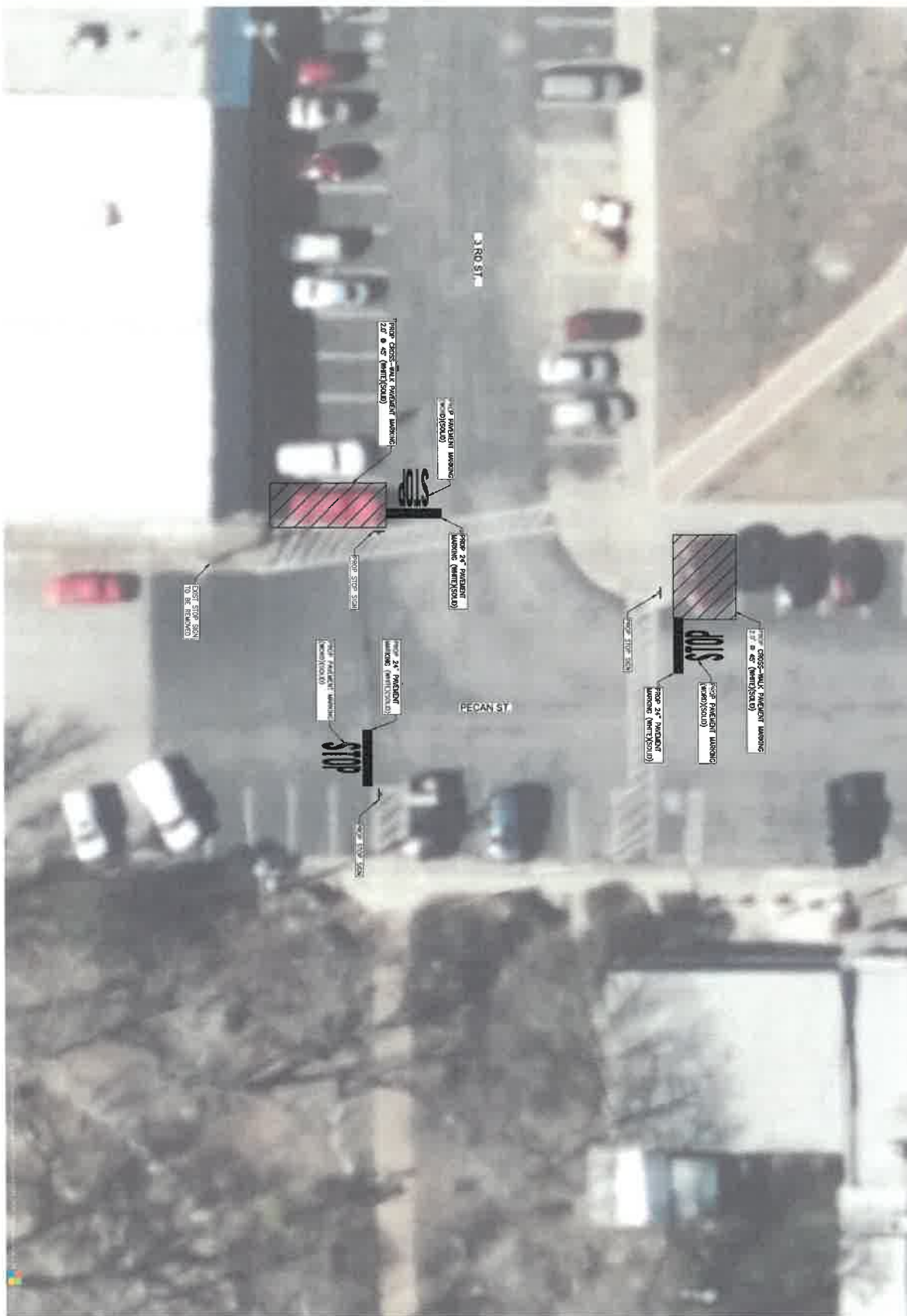
Date: _____

ATTEST:

_____, City Secretary

NEW BUSINESS

ITEM #3



[Handwritten signature]

DATE: 5/28/2022

BY: BJS

CHECKED BY: BJS

DESIGNED BY: BJS

CONTRACT NO:

ARDURRA
 COLLEAGUES. GOALS. GREAT.

9714 Tesson Dr., Suite 400
 San Antonio, Texas 78217
 Phone: (214) 825-5224
 www.Ardurra.com

Engineering License: PF-19025
 Ardurra Group, Inc.
 Recycling From 1st Places

CITY OF BLANCO, TEXAS

**3 RD ST. AND PECAN ST.
 INTERSECTION IMPROVEMENTS**

ISSUES / REVISIONS

DATE	NO.	DESCRIPTION	BY

THIS DOCUMENT IS FOR REVIEW ONLY AND IS NOT INTENDED FOR CONSTRUCTION. BEFORE, PHONE OR OTHER UNAUTHORIZED PERSONS THESE DOCUMENTS/PLANS WERE AUTHORIZED TO BE RELEASED.

BY: BYRON G. SANDERFER, P.E.
 LICENSE NO.: 56251 DATE: 5/28/2022

NEW BUSINESS

ITEM #4



City of Blanco

P.O. Box 750 Blanco, Texas 78606

Office 830-833-4525 Fax 830-833-4121

8-9-22

STAFF REPORT: Los Altos Subdivision Phase 1

DESCRIPTION:

A subdivision of 10 single-family lots and 1 one opens space and utility lot on 1.94 acres north of 11th Street and Mesquite Streets. This action is for Final Plat Approval.

ANALYSIS:

A Planned Development District was approved in June of 2020 along with the concept plan that outlined the development and is a preliminary plat of the property. Section 1 is the east half of the property on Mesquite. The developer has met all of the requirements of the Final Plat, PDD, and has approved plans.

FISCAL IMPACT:

10 single family homes and an open space area for nearby residents will be constructed.

RECOMMENDATION:

P&Z recommendation to City Council is to approve the Final Plat conditioned on two issues being addressed. A general note needs to be added that states that utilities will be placed on the east side of Greenlawn Parkway. A general note needs to state the size of the sidewalk that agrees with the PDD.

City of Blanco Application for Plat

300 Pecan Street P.O. Box 575

Blanco, TX 78060

830-833-4525

Utilities@cityofblanco.com

Water Development Plat
 Final Plat
 Preliminary Plat
 Utility Plat
 Amendment Plat
 Development Plat
 Conveyance Plat

- Name of Subdivision: Los Altos Subdivision, Phase 1 Unit No. _____
Location Description/Nearest Intersection: 11th Street and Mesquite
- Owner/Applicant: Hugo Elizondo, Jr.
Address: 299 High Country Road, Blanco, Texas 78606 Email: hugo@cuatroconsultants.com
Telephone: (512) 312-5040 Fax: _____ Mobile: (512) 565-9040
Note: If applicant is person other than owner, a letter of authorization must be provided from owner.
- Licensed Engineer/Surveyor (technical contact): Hugo Elizondo, Jr., P.E.
Address: 3601 Kyle Crossing, Suite A, Kyle, Texas 78640 Email: hugo@cuatroconsultants.com
Telephone: _____ Fax: _____ Mobile: (512) 565-9040
- Property Details:

City Limits:	<input checked="" type="checkbox"/> In Out (ETJ)	Water Source:	<u>City of Blanco</u>
Commercial:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Sewage Treatment:	<u>City of Blanco</u>
Residential:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	TxDOT Frontage:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
No. of Lots:	<u>11</u>	100-Year Floodplain:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Total Acreage without floodplain:	<u>1.94 acres</u>	Edwards Aquifer Zone:	<input type="checkbox"/> Recharge <input type="checkbox"/> Contributing
Density Class:	_____		
Zoning Class:	<u>PDD</u>		
- Waiver:
 - I have attached the notarized 30-day waiver signed by the owner waving my rights to sec 212.009 of the Local Government Code, allowing the City more time to properly review the application
 - I am opting out of the 30-day waiver acknowledging my application will be reviewed as is.

The undersigned agrees to comply with all platting and subdivision requirements of the City of Blanco, and hereby authorizes the surveyor/engineer to record the approved final plat. The undersigned agrees to pay the appropriate fees and agrees to pay fees for any additional review requiring consultation with City Consultants, including involvement of a contract engineer in a predevelopment conference. To the extent possible, City Staff will provide the Owner/Applicant with an estimate of fees should outside consultation be required.

Signature of Owner/Applicant _____

Date 3/11/22

FEE PLUS THE COST OF ENGINEERING REVIEW WHICH WILL BE BILLED TO THE APPLICANT. PLAT WILL NOT BE APPROVED UNTIL FINAL INVOICE IS SETTLED

Plat submittals should include one (1) hard copy of each required submittal document, as well as digital PDF versions of each required document, including application.

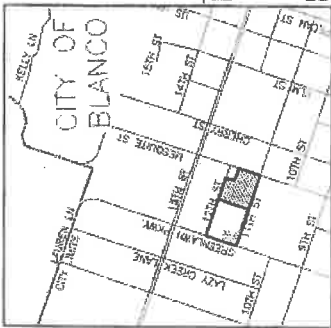
LOS ALTOS SUBDIVISION: PHASE 1

1.94 ACRES
CITY OF BLANCO, BLANCO COUNTY, TEXAS
BEING A

RE-PLAT OF LOTS 2 AND 3 OF
BECKMANN SUBDIVISION
BOOK 1, PAGE 230

AND

BLOCK L3 AND L4 OF
CAGE AND BOON ADDITION
VOLUME 9, PAGE 376



LOCATION MAP
1" = 1,000'

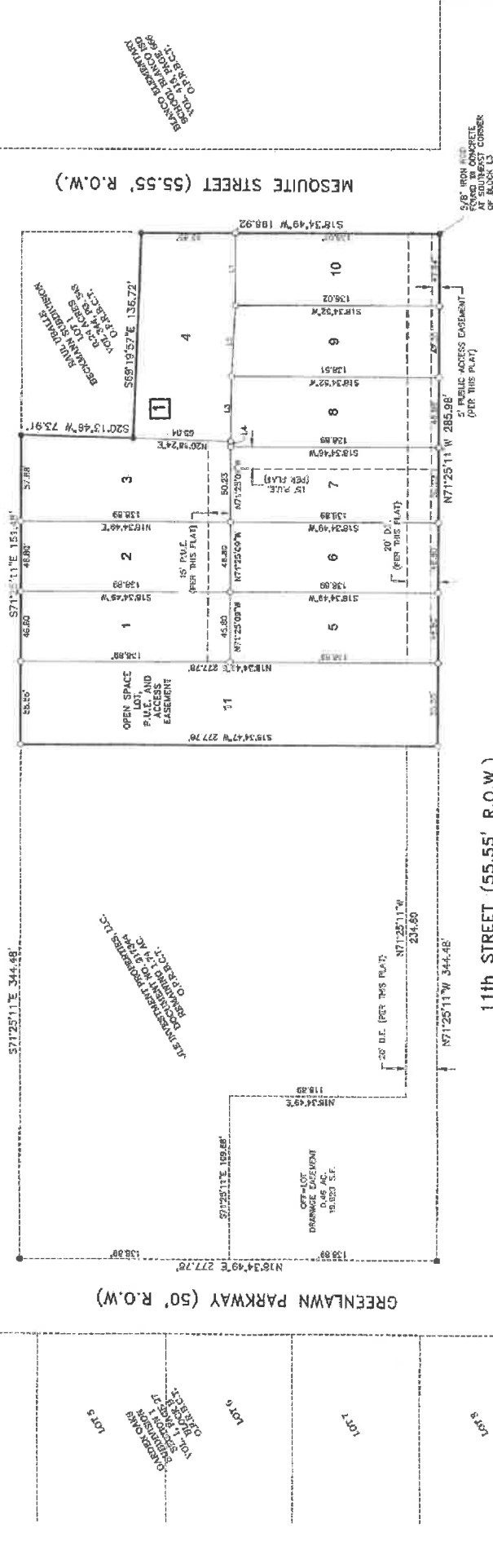
DATE: NOV 14, 2018
DRAWN BY: J. L. HARRIS
CHECKED BY: J. L. HARRIS
SCALE: 1" = 100'

BM(1) = 3" LORA ALUMINUM DISK IN CONCRETE
STAMPED "NS04" LOCATED AT
35°08'58.947" N LATITUDE. 98°24'53.255" W
ELEVATION = 1377.35'

TEXAS LAMBERT GRID,
CENTRAL ZONE, NAD 83

- LEGEND**
- DENOTES BENCHMARK
 - DENOTES 1/2" IRON ROD SET
 - DENOTES 1/2" IRON ROD FOUND
 - PUBLIC UTILITY EASEMENT
 - DRAINAGE EASEMENT
 - BLOCK NUMBER
 - PROPERTY LINE
 - LOT LINE
 - EASEMENT LINE
 - OFF LOT EASEMENT LINE
 - OFFICIAL PUBLIC RECORDS OF BLANCO COUNTY, TEXAS
 - OPEN PRECINCT
 - 1
 - P.U.E.
 - D.E.
 - 1

12th STREET (55.55' R.O.W.)



11th STREET (55.55' R.O.W.)

CEDAR STREET (NOT OPEN)

CEDAR STREET (NOT OPEN)

PHASE 1 LOT TABLE

Parcel #	Area
1	6,500 SF
2	6,200 SF
3	7,758 SF
4	8,837 SF
5	6,000 SF
6	6,978 SF
8	6,501 SF
9	6,800 SF

LINE TABLE

LINE #	LENGTH	DIRECTION
L1	47.88'	N71°25'11" W 50' R.O.W.
L2	45.02'	N86°24'00" W
L3	43.25'	N72°50'33" W
L4	13.73'	N71°25'09" W

LOS ALTOS SUBDIVISION: PHASE 1
 1.94 ACRES
 CITY OF BLANCO, BLANCO COUNTY, TEXAS
 BEING A
**RE-PLAT OF LOTS 2 AND 3 OF
 BECKMANN SUBDIVISION
 BOOK 1, PAGE 230
 AND
 BLOCK L3 AND L4 OF
 CAGE AND BOON ADDITION
 VOLUME 9, PAGE 376**

STATE OF TEXAS,
 COUNTY OF BLANCO,
 I, LAURA WALKER, COUNTY CLERK OF SAID COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE PLAT OF "LOS ALTOS SUBDIVISION, PHASE 1" HAS BEEN APPROVED BY THE CITY, AND IS FOR RECORDING.
 WITNESSED MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2022.

STATE OF TEXAS,
 COUNTY OF BLANCO,
 I, LAURA WALKER, COUNTY CLERK OF SAID COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF APPLICATION WAS FILED FOR RECORD IN MY OFFICE ON THIS _____ DAY OF _____, A.D., 2022, AT _____ O'CLOCK, _____ IN THE PLAT RECORDS OF BLANCO COUNTY, TEXAS IN BOOK _____ PAGE _____.

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 COUNTY OF BLANCO,
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 COUNTY OF BLANCO,
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PLAT NOTES:

- NO PORTION OF THIS TRACT LIES WITHIN THE BOUNDARIES OF A 100 YEAR FLOODPLAIN AS INDICATED ON THE NATIONAL FLOOD INSURANCE ADMINISTRATION FIRM PANEL # 4831C 010C DATED FEBRUARY 5, 1981, BLANCO COUNTY, TEXAS.
- THE SUBDIVISION LIES WITHIN THE BLANCO INDEPENDENT SCHOOL DISTRICT BOUNDARY.
- RESERVING LOTS ARE LIMITED TO ONE SINGLE FAMILY RESERVANCE PER LOT.
- THIS FRAGMENT LIES WITHIN THE CITY OF BLANCO CORPORATE LIMITS.
- THE FOLLOWING EASEMENTS ARE HEREBY DESIGNATED: FRONT - 15' PILE OR AS SHOWN ON PLAT.
- BUILDING SETBACK LINES SHALL CONFORM WITH THE PER ZONING DISTRICT REQUIREMENTS.
 FRONT: 20 FEET
 SIDE: 5 FEET
 REAR: 10 FEET
- THE FULLY PAID ORDER CONVEYANED FROM WATER SERVICE FOR THE 100 YEAR STORM AND THE 100 YEAR RESERVATORY FLOODPLAIN SHALL BE OBTAINED WITHIN 60 DAYS OF RECORDING.
- UTILITY PROVIDERS: BLANCO WASTEWATER, CITY OF BLANCO ELECTRICITY: FERRERALES ELECTRIC COOPERATIVE TELEPHONE: FRONTIER SOUTHWEST, ET.
- THIS PROPERTY IS SUBJECT TO CEMETANCE FDC-2020-0-012-001, LOC 4205 SUBDIVISION, AS APPROVED BY THE BLANCO CITY COUNCIL ON JUNE 9, 2020.
- ALL CHANGE IMPROVEMENTS WHICH THE OFF-LOT DRAINAGE EASEMENT SHALL BE PROXIMATE HIGHLIGHTED.
- LOT 11 IS HEREBY DESIGNATED AS AN OPEN SPACE LOT WITH CERTAIN AGREEMENTS AS DESCRIBED IN THE FDC CEMETANCE 2020-0-012-001. ALL IMPROVEMENTS/IMPROVEMENTS IN OPEN SPACE LOT SHALL BE PROXIMATE HIGHLIGHTED.
- ALL STRUCTURES/RESTRICTIONS ARE PROHIBITED IN THE DRAINAGE EASEMENTS

STATE OF TEXAS,
 COUNTY OF BLANCO,
 I, LAURA WALKER, COUNTY CLERK OF SAID COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF APPLICATION WAS FILED FOR RECORD IN MY OFFICE ON THIS _____ DAY OF _____, A.D., 2022, AT _____ O'CLOCK, _____ IN THE PLAT RECORDS OF BLANCO COUNTY, TEXAS IN BOOK _____ PAGE _____.

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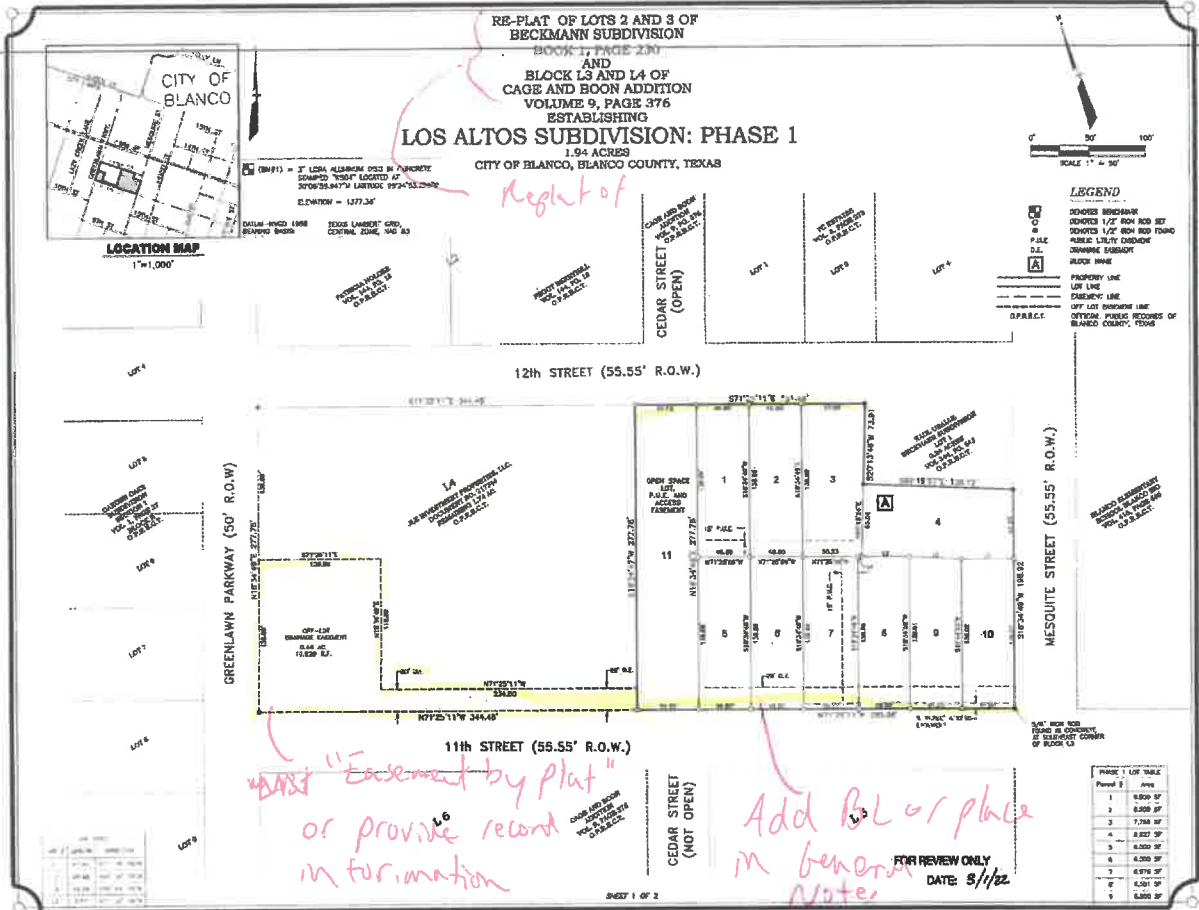
STATE OF TEXAS,
 COUNTY OF BLANCO,
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STATE OF TEXAS,
 COUNTY OF BLANCO,
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STATE OF TEXAS,
 COUNTY OF BLANCO,
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FOR REVIEW ONLY
 DATE: 7-15-22



RE-PLAT OF LOTS 2 AND 3 OF BECKMANN SUBDIVISION
BOOK 1, PAGE 230
AND
BLOCK L3 AND L4 OF CAGE AND BOON ADDITION
VOLUME 9, PAGE 376
ESTABLISHING
LOS ALTOS SUBDIVISION: PHASE 1
 1.94 ACRES
 CITY OF BLANCO, BLANCO COUNTY, TEXAS

Replat of...

Benya

We hereby Certify

Mayor of Ricketts Lumber

STATE OF TEXAS
 COUNTY OF BLANCO

I, **HEATHER LYNN CROFT**, a resident of the County of Blanco, State of Texas, do hereby certify that the above and foregoing plat of the Los Altos Subdivision, Phase 1, has been approved by the City of Blanco, Blanco County, Texas, and is approved for recording.

DATED THIS _____ DAY OF _____, 2022.

HEATHER LYNN CROFT, CITY SECRETARY

STATE OF TEXAS
 COUNTY OF BLANCO

I, **LUISA WALLA**, County Clerk of Blanco County, Texas, do hereby certify that the foregoing instrument of writing with its certificate of application has been filed for recording in my office on this _____ day of _____, A.D., 2022, at _____ o'clock _____ in the Plant Records of Blanco County, Texas in Book _____, Page _____.

WITNESSES MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2022.

LUISA WALLA, COUNTY CLERK
 BLANCO COUNTY, TEXAS

FOR REVIEW ONLY
DATE: 3/1/22

SHEET 2 OF 2

NEW BUSINESS

ITEM #5

RESOLUTION NO. 2022- R-0xx

**RESOLUTION AUTHORIZING THE CREATION OF A HIGHWAY 281 TASK FORCE
AND THE DEVELOPMENT OF A RELATED DRAFT COMMUNICATIONS,
OUTREACH, AND ENGAGEMENT STRATEGY AND PLAN**

WHEREAS, the existence and operation of State Highway 281 by TXDOT significantly affects and impacts the public welfare, health, and safety of all residents of the City of Blanco, Blanco County, and the surrounding region;

WHEREAS, the City of Blanco City Council is informed that TXDOT is engaged in feasibility studies and related developmental work intended to significantly expand the capacity of Highway 281 throughout Blanco County and the entire Highway 281 corridor; and such studies include a relief route for existing and projected traffic in the City of Blanco;

WHEREAS, the City of Blanco and its entire community and stakeholders must develop plans and act promptly on TXDOT's work and any resulting development;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF BLANCO that:

1. A "Highway 281 Task Force" is created to commence action related to the further and possible expansion and development of Highway 281;
2. The Task Force shall initially be chaired by the Mayor, and shall be composed of all members of City Council, the City Administrator, City Attorney, City Engineer, and other individual representatives of community stakeholders as Council may appoint;
3. The Task Force, working initially through a subcommittee of selected members of Council, the City Administrator and City Attorney, shall develop an initial and draft communications, outreach and engagement strategy and plan, which shall be presented for consideration to Council at its next regularly scheduled public meeting.

RESOLVED AND ADOPTED this ___ day of August 2022.

Rachel Lumpee, Mayor

ATTEST:

Laurie Cassidy, City Secretary