



**NOTICE OF MEETING  
GOVERNING BODY OF MARBLE FALLS, TEXAS  
Tuesday, April 5, 2016 – 6:00 pm**

A quorum of the Marble Falls Economic Development Corporation  
and the Planning & Zoning Commission may be present

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Notice is hereby given that on the 5<sup>th</sup> day of April, 2016 the Marble Falls City Council will meet in regular session at 6:00 pm in the City Hall Council Chambers located at 800 3<sup>rd</sup> Street, Marble Falls, Texas, at which time the following subjects will be discussed:

1. **CALL TO ORDER AND ANNOUNCE QUORUM IS PRESENT**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES AND TO THE TEXAS FLAG.** *“Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”*
4. **UPDATES, PRESENTATIONS AND RECOGNITIONS**
  - Update from Burnet Central Appraisal District. ***Stan Hemphill***
  - [Proclamation](#) – Child Abuse Prevention and Awareness Month April 2016
  - [Proclamation](#) – Children’s Day April 16, 2016
  - [Proclamation](#) – Public Safety Telecommunicators Week April 10-16, 2016
5. **CITIZEN COMMENTS.** *This is an opportunity for citizens to address the City Council concerning an issue of community interest that is not on the agenda. Comments on a specific agenda item must be made when the agenda item comes before the Council. The Mayor may place a time limit on all comments. Any deliberation of an issue raised during Citizen Comments is limited to a proposal to place it on the agenda for a later meeting.*
6. **CONSENT AGENDA.** *The items listed are considered to be routine and non-controversial by the Council and will be approved by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which case the item will be removed from the Consent Agenda prior to a motion and vote. The item will be considered in its normal sequence on the Regular Agenda.*
  - (a) Approval of the [minutes](#) of the March 1, 2016 regular meeting and the March 28, 2016 special meeting. ***Christina McDonald, City Secretary***

7. **REGULAR AGENDA.** *Council will individually consider and possibly take action on any or all of the following items:*

- (a) Public Hearing, Discussion and First Reading of [Ordinance 2016-O-04B](#) amending the 2015/2016 Budget of the General Fund, Proprietary Fund, Economic Development Corporation Fund, Special Revenue Funds and the Capital Project Funds. ***Margie Cardenas, Finance Director***
- (b) Public Hearing, Discussion, and Action on the first reading of [Ordinance 2016-O-04C](#) and waiving the second reading regarding a variance request to Section 602 (Restriction of age of structure moved into any district) District Regulations, Appendix B (Land Use Regulations), City of Marble Falls Code of Ordinances, to allow for a historic structure built in 1904 to be relocated within the Single-Family Base District (R-1), for residential use on Lot 3-A, Block 36, Marble Falls Original Township, City of Marble Falls, Burnet County, Texas, municipally addressed as 604 Avenue F. ***Randy Rudman, Applicant and Owner***
- (c) Public Hearing, Discussion, and Action on the first reading of [Ordinance 2016-O-04D](#) and waiving the second reading regarding a rezoning request from Mobile Home Park Base District (MH-2) to Single-Family Base District (R-1) for Lots 9-A and 12-A, K & B Addition, City of Marble Falls, Burnet County, Texas, municipally addressed as 904 McDonald Drive and 900 McDonald Drive. ***Steven Tomlinson, Applicant and Owner***
- (d) Discussion and Action on a [Professional Services Agreement](#) between Halff Associates, Inc. and the City of Marble Falls for the Park, Recreation and Open Space Master Plan Update and authorizing the City Manager to execute the Agreement. ***Robert Moss, Parks and Recreation Director***

8. **CITY MANAGER'S REPORT**

- Johnson Park Lone Star Legacy Designation
- Scenic City Application Update
- Keep Marble Falls Beautiful Program

9. **EXECUTIVE SESSION**

**CLOSE OPEN SESSION AND CONVENE EXECUTIVE SESSION Pursuant to §551.071 (Private Consultation between the Council and its Attorney), Pursuant to §551.087 (Deliberation Regarding Economic Development Negotiations), and Pursuant to §551.072 (Deliberation Regarding the Purchase, Exchange, Lease or Value of Real Property) of the Open Meetings Act. Tex. Gov't Code, Council will meet in Executive Session to discuss the following:**

- Discussion regarding economic development projects associated with development of EDC owned and City owned property, including public right-of-way and easements.

**10. RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ITEMS DISCUSSED IN EXECUTIVE SESSION.**

**11. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS.**

**12. ADJOURNMENT.**

*“The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by the Texas Government Code, including, but not limited to, Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development), 418.183 (Deliberations about Homeland Security Issues) and as authorized by the Texas Tax Code, including, but not limited to, Section 321.3022 (Sales Tax Information).”*

*In compliance with the Americans with Disabilities Act, the City of Marble Falls will provide for reasonable accommodations for persons attending City Council Meetings. To better serve you, requests should be received 24 hours prior to the meeting. Please contact Ms. Christina McDonald, City Secretary at (830) 693-3615.*

**Certificate of Posting**

I, Christina McDonald, City Secretary for the City of Marble Falls, Texas, do certify that this Notice of Meeting was posting at City Hall, in a place readily accessible to the general public at all times, on the 31<sup>st</sup> day of at March, 2016 at 11:00 am and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

*/s/ Christina McDonald*  
Christina McDonald, TRMC  
City Secretary

**P R O C L A M A T I O N**  
**Child Abuse Awareness and Prevention Month**  
**April 2016**

- WHEREAS:** The City of Marble Falls prides itself on giving back to our communities, contributing to the quality of life among our citizens; and
- WHEREAS:** The Burnet County Child Welfare Board and Texas Department of Family and Protective Services provide assistance and services for abused and neglected children and has the cooperation of other agencies such as CASA and the Hill Country Children's Advocacy Center.
- WHEREAS:** Burnet County has an extraordinary number of children who suffer some form of abuse or neglect year; and
- WHEREAS:** Through a national effort, Marble Falls community members are encouraged to join together to raise awareness for those children fallen victim to abuse and neglect throughout the month of April; and
- WHEREAS:** This effort will give abused and neglected children in our county, and around the country, a chance for a safe and positive future.

**NOW, THEREFORE,** I, John Packer, Mayor of the City of Marble Falls, by virtue of the authority vested in me, do hereby proclaim April 2016 as BURNET COUNTY CHILD ABUSE PREVENTION AND AWARENESS MONTH.

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John Packer, Mayor

**PROCLAMATION**  
***Children's Day Celebration***  
***April 16, 2016***

WHEREAS, *The City Council of Marble Falls recognizes that our children of the Highland Lakes are our greatest asset and represent the future of our community; and*

WHEREAS, *It is appropriate to salute our children, and take the time to bond with them and let them know that they play a very important role in all our lives; and*

WHEREAS, *Ms. Ely Banuet Rodriguez and the Executive Committee of Children's Day Celebration have asked the City of Marble Falls to set aside April 16, 2016 for a gathering in our parks, to celebrate our greatest blessing, which is the children of our community and the very essence of youth and life and future dreams; and*

WHEREAS, *the entire community has joined hands in putting together this event; and*

WHEREAS, *the Sixteenth Annual Children's Day Celebration will be held on April 16, 2016 in Johnson Park; and*

WHEREAS, *Children's Day Celebration will offer children a free day of learning, activities, food, sports and entertainment.*

*NOW, THEREFORE, I John Packer, Mayor of the City of Marble Falls, Texas, do hereby proclaim Saturday, April 16, 2016 "CHILDREN'S DAY" in Marble Falls and urge all citizens to share in the enthusiasm and efforts to make this year's event a great success.*

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*John Packer, Mayor*

PROCLAMATION

Public Safety Telecommunicators Week  
April 10-16, 2016

WHEREAS, the City of Marble Falls and the Emergency Communications Division of the Marble Falls Police Department are committed to providing high-quality emergency communications to the citizens of the City of Marble Falls; and

WHEREAS, the City of Marble Falls recognizes the professional and unending service of the Telecommunicators who answer 9-1-1 and Non-Emergency calls on a daily basis; and

WHEREAS, the Telecommunicators are the link between people calling for help in an emergency situation and the emergency response agencies who arrive on the scene; and

WHEREAS, the Telecommunicators are the true backbone of the 9-1-1 system; and

WHEREAS, the President of the United States has historically acknowledged the second week of April as National Telecommunicators Week, and

THEREFORE, be it resolved, I, John Packer, Mayor of the City of Marble Falls, do hereby recognize the Public Safety Telecommunicators of the Marble Falls Police Department for their many dedicated hours and steadfast work on behalf and support of our City and so proudly proclaim the week of April 10-16, 2016 as "Public Safety Telecommunicator Week" in the City of Marble Falls, and encourage our citizens to congratulate and recognize the Telecommunicators of the Marble Falls Police Department for their service.

In witness whereof I have affixed my signature on this 5<sup>th</sup> day of April 2016

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John Packer, Mayor

**April 5, 2016**

**6. CONSENT AGENDA**

- (a) Approval of the minutes of the March 1, 2016 regular meeting and the March 28, 2016 special meeting. ***Christina McDonald, City Secretary***
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Background information is attached as follows:

[March 1, 2016 regular meeting minutes](#)

[March 28, 2016 special meeting minutes](#)

STATE OF TEXAS  
COUNTY OF BURNET  
CITY OF MARBLE FALLS

On this the 1<sup>st</sup> day of March, 2016 the Council of the City of Marble Falls convened in regular session at 6:00 pm at the City Hall Council Chambers located at 800 Third Street, Marble Falls, Texas, with notice of meeting giving time, place, date, and subject having been posted as described in Chapter 551 of the Texas Government Code.

**PRESENT:**

John Packer	Mayor
Jane Marie Hurst	Mayor Pro-Tem
Richard Lewis	Councilmember
Ryan Nash	Councilmember
Reed Norman	Councilmember
Richard Westerman	Councilmember

**ABSENT:**

Rachel Austin-Cook	Councilmember
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**STAFF:**

Mike Hodge	City Manager
Patty Akers	City Attorney
Christina McDonald	City Secretary
Mark Whitacre	Police Chief
Caleb Kraenzel	Director of Development Services
Ted Young	Police Captain
Eric Belaj	City Engineer
Margie Cardenas	Finance Director
Christian Fletcher	EDC Executive Director
Midge Dockery	EDC Business Development Coordinator
James Kennedy	Asst. Public Works Director

**VISITORS:** Steve Dyer (LCRA), BJ Wagner (ATMOS Energy), Tony Plumlee (Willis Engineering), Jeff Ford (Ford and Crew True Value), Mary Ann Raesener (Mayor City of Meadowlakes), Glynis Smith (The Highlander), Bill Bray, Tom Martin (CIP Committee), Jim Weber, Noelle Bray (Estes-Bray LLC), Dr. Chris Allen (MFISD Superintendent), Dale Seabaugh, Chris Pruitt (Pattillo, Brown and Hill), Chris Ekrut (NewGen Strategies and Solutions)

1. **CALL TO ORDER AND ANNOUNCE QUORUM IS PRESENT.** Mayor Packer called the meeting to order and announced the presence of a quorum.
2. **INVOCATION.** Councilmember Norman gave the invocation.
3. **PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES AND TO THE TEXAS FLAG.** Councilmember Nash led the pledges.

#### **4. UPDATES, PRESENTATIONS AND RECOGNITIONS**

- **Update from ATMOS Energy.** BJ Wagner gave an update.
- **Update from the Marble Falls Independent School District.** Dr. Chris Allen gave the update regarding recent MFISD activities.
- **Presentation on LCRA Steps Forward Program.** Parks and Recreation Supervisor Lewis Fincher introduced LCRA representative Steve Dyer who gave the presentation. Mr. Fincher continued the presentation inviting Council to participate in the April 1 event.

**5. CITIZEN COMMENTS.** There were no citizen comments.

#### **6. CONSENT AGENDA.**

- (a) **Approval of the minutes of the February 16, 2016 regular meeting.**
- (b) **Approval of the First Quarter Investment Report for the period October 1, 2015 through December 31, 2015.**
- (c) **Approval of the Budget Calendar for Fiscal Year 2016/2017.**
- (d) **Approval of Resolution 2016-R-03B supporting Citizens for Scenic Highways 2016/2017 beautification project Central Texas-Gateway to the Hill Country Burnet County – Texas Highway 281 and 71 Intersection.**
- (e) **Approval of Resolution 2016-R-03A authorizing the submission of a grant application to the Office of the Governor for FY 2016 State Homeland Security Program Grant.**
- (f) **Approval of the cancellation of the March 15, 2016 regular meeting.**

Mayor Pro-Tem Hurst made a motion to approve the Consent Agenda. Councilmember Westerman seconded the motion. The motion carried by a unanimous vote (6-0).

#### **7. REGULAR AGENDA.**

- (a) **Discussion and Action on the acceptance of the FY 2014/15 Comprehensive Annual Financial Audit.** Margie Cardenas, Finance Director introduced Chris Pruitt with Pattillo, Brown and Hill. Mr. Pruitt presented the comprehensive annual financial audit for year ending September 30, 2015. After the presentation and some discussion, Councilmember Lewis made a motion to approve the audit as presented. Councilmember Norman seconded the motion. The motion carried by a vote of 6-0.
- (b) **Discussion and Action on the 2016 Hazard Mitigation Plan Update.** Eric Belaj, City Engineer addressed Council. Councilmember Nash made a motion to approve the 2016

Hazard Mitigation Plan Update. Mayor Pro-Tem Hurst seconded the motion. The motion carried by a vote of 6-0.

**6:53 pm - At the request of Council, Council convened to Executive Session Pursuant to §551.071 (Private Consultation between the Council and its Attorney) of the Open Meetings Act. Tex. Gov't Code to consult with the City Attorney regarding the authority of the City to manage the closure of Avenue N.**

**7:34 pm – Returned to Open Session**

- (c) **Discussion and update regarding the current Capital Improvement Plan.** Eric Belaj, City Engineer gave a presentation on the water and wastewater plant upgrades and the Avenue N realignment project. After the presentation Jeff Ford (Ford and Crew True Value) spoke regarding his concern about the Avenue N realignment project and the affect the road closure will have on his business. Mr. Ford requested that the City keep the current Avenue N open until the new Avenue N is complete. Mr. Bernie Sacs (owner of Mustang Lube located on FM 1431) stated he would not be directly affected by the Avenue N road closure, however he suffered loss of business and is still struggling on getting his customer base back when he relocated his business from the north side of FM 1431 to the current location on FM 1431. Mr. Sacs stated he concurred with Mr. Ford that his business will suffer losses if Avenue N is closed before the new Avenue N is opened. Mr. Sacs suggested that the City and the Developer should agree to cover Ford and Crews' losses and that the project should not cost the business any loss of revenues.
- (d) **Discussion regarding a Transportation Utility Fund.** Chris Ekrut (NewGen Strategies and Solutions) gave a presentation on the concept of a transportation utility fund. No action was taken.
- (e) **Receipt and Acceptance of the Certification of Unopposed Candidates for the May 7, 2016 General Election as certified by the City Secretary.** Christina McDonald, City Secretary addressed Council. Ms. McDonald stated that Place 1 (Craig Magerkurth), Place 3 (Reed Norman) and Place 5 (Richard Westerman) are all unopposed. Mayor Pro-Tem Hurst made a motion to accept the Certification of Unopposed Candidates as presented. Councilmember Nash seconded the motion. The motion carried by a unanimous vote (6-0).
- (f) **Discussion and Action on Ordinance 2016-O-03A cancelling the May 7, 2016 General Election and declaring each unopposed candidate elected to office.** Christina McDonald, City Secretary addressed Council. Councilmember Nash made a motion to approve Ordinance 2016-O-03A. Mayor Pro-Tem Hurst seconded the motion. The motion carried by a vote of 6-0.
8. **CITY MANAGER'S REPORT.** City Manager Mike Hodge gave an update on the CARTS building located on Highway 281, the new Public Safety building and the Wayfinding signs.

**9. EXECUTIVE SESSION**

Close Open Session and Convene Executive Session Pursuant to §551.071 (Private Consultation between the Council and its Attorney) and pursuant to §551.072 (Deliberation Regarding the Purchase, Exchange, Lease or Value of Real Property) of the Open Meetings Act. Tex. Gov't Code, Council will meet in Executive Session to discuss the following:

- Consultation with City Attorney regarding the authority of the City to manage the closure of Avenue N.
- Discuss economic development projects associated with development of EDC owned and City owned property.

8:50 pm Convened to Executive Session

9:53 pm Returned to Open Session

**10. RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ITEMS DISCUSSED IN EXECUTIVE SESSION.** No action was taken on items discussed in executive session.

**11. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS.** Items for the April 7 agenda were reviewed.

**12. ADJOURNMENT.** There being no further business to discuss, Mayor Pro-Tem Hurst made a motion to adjourn. Councilmember Nash seconded the motion. The meeting was adjourned at 10:01 pm.

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**John Packer, Mayor**

**ATTEST:**

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**Christina McDonald, TRMC  
City Secretary**

STATE OF TEXAS  
COUNTY OF BURNET  
CITY OF MARBLE FALLS

On this the 28<sup>th</sup> day of March, 2016 the Council of the City of Marble Falls convened in special session at noon at the City Hall Council Chambers located at 800 Third Street, Marble Falls, Texas, with notice of meeting giving time, place, date, and subject having been posted as described in Chapter 551 of the Texas Government Code.

<b><u>PRESENT:</u></b>	John Packer	Mayor
	Jane Marie Hurst	Mayor Pro-Tem
	Ryan Nash	Councilmember
	Reed Norman	Councilmember
	Richard Westerman	Councilmember
<b><u>ABSENT:</u></b>	Rachel Austin-Cook	Councilmember
	Richard Lewis	Councilmember
<b><u>STAFF:</u></b>	Mike Hodge	City Manager
	Patty Akers	City Attorney
	Christina McDonald	City Secretary
	Caleb Kraenzel	Director of Development Services
	Perry Malkemus	Director of Public Works
	Eric Belaj	City Engineer

**VISITORS:** Bill Bray, Noelle Bray

1. **CALL TO ORDER AND ANNOUNCE QUORUM IS PRESENT.** Mayor Packer called the special meeting to order and announced the presence of a quorum.
2. **EXECUTIVE SESSION**  
**CLOSE OPEN SESSION AND CONVENE EXECUTIVE SESSION Pursuant to §551.071 (Private Consultation between the Council and its Attorney) of the Open Meetings Act. Tex. Gov't Code, Council will meet in Executive Session to discuss the following:**
  - Consultation with City Attorney regarding the City's permitting requirements and development regulations.

12:01 pm Council convened to Executive Session

1:11 pm Council returned to Open Session

3. **RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ITEMS DISCUSSED IN EXECUTIVE SESSION.** No action was taken.

4. **ADJOURNMENT.** There being no further business to discuss, Councilmember Norman made a motion to adjourn. The motion was seconded by Councilmember Westerman. The meeting was adjourned at 1:12 pm.

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**John Packer, Mayor**

**ATTEST:**

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**Christina McDonald, TRMC  
City Secretary**

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**April 5, 2016**

**7. REGULAR AGENDA**

- (a) Public Hearing, Discussion and First Reading of Ordinance 2016-O-04B amending the 2015/2016 Budget of the General Fund, Proprietary Fund, Economic Development Corporation Fund, Special Revenue Funds and the Capital Project Funds. ***Margie Cardenas, Finance Director***
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Background information is attached as follows:

[Cover Memo and Supporting Documentation](#)



**Council Agenda Item Cover Memo**  
**April 5, 2016**

**Agenda Item No.:** 7(a)  
**Presenter:** Margie Cardenas, Director of Finance  
**Department:** Finance Department  
**Legal Review:**  Not Applicable

**AGENDA CAPTION**

Public Hearing, Discussion and First Reading of Ordinance 2016-O-04B amending the 2015/2016 Budget of the General Fund, Proprietary Fund, Economic Development Corporation Fund, Special Revenue Funds and the Capital Project Funds.

**BACKGROUND INFORMATION**

Budget amendments are required to reflect revised estimates or actual amounts of expenses and revenues since the adoption of the annual budget. Amending the budget at mid-year is a common practice for the City of Marble Falls; most cities amend their budget at least once a year.

The notice on the public hearing has been published on March 29 and April 1 as required by our Charter.

[Exhibit A](#)- summarizes the financial impact of the budget amendments by fund and will be discussed at the council meeting.

**ORDINANCE NO. 2016-O-04B**

**AN ORDINANCE AMENDING THE 2015/2016 BUDGET,  
BY ALTERING REVENUES AND EXPENDITURES FOR  
THE GENERAL FUND, PROPRIETARY FUND,  
ECONOMIC DEVELOPMENT CORPORATION FUND,  
SPECIAL REVENUE FUNDS AND THE CAPITAL  
PROJECT FUNDS**

**WHEREAS,** the City of Marble Falls adopted the City Budget for fiscal year 2015/2016 at a regular meeting of the Council held on September 15, 2015; and

**WHEREAS,** the Council has published notice of the intent to amend the budget on March 29, 2016 and April 1, 2016 as required by the City Charter; and

**WHEREAS,** the Council held a first reading and public hearing on April 5, 2016 and second reading on April 19, 2016 as required by the City Charter; and

**WHEREAS,** the City Council has determined that passage of this amendment is in the best interest of the City of Marble Falls and its residents:

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARBLE FALLS, TEXAS:**

1. The following amendments are approved: (See Exhibit A attached)
2. If any provision, section, subsection, sentence, clause, or phrase of this ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this ordinance shall not be affected thereby, it being the intent of the City Council in adopting this ordinance that no portion thereof, or provisions or regulations contained herein, shall become inoperative or fail by reason of any unconstitutionality of any other portion thereof, and all provisions of this ordinance are declared severable for that purpose.

**PUBLIC HEARING AND FIRST READING APRIL 5, 2016**

**SECOND READING, APPROVED AND SIGNED APRIL 19, 2016**

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John Packer, Mayor

Attest:

Approved as to Form:

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Christina McDonald, City Secretary

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Patty Akers, City Attorney

BUDGET AMENDMENTS  
SUMMARY BY FUND  
FOR FY 2015-16

EXHIBIT A

FUND NAME	General Fund -01	Water & Wastewater Fund -02	Hotel/ Motel Tax Fund -03	Debt Service Fund -04	MF Trunked Radio System Fund -12	Economic Develop. Corp Fund -20	Utility Improvements Fund -45	Park Improvements Fund -52	General Improvements Fund -68	Amy Young Grant Fund -73
Beginning Fund Balance @ 10/01/15	\$1,458,733	\$227,324	\$407,351	\$70,234	\$9,109	\$2,089,025	\$1,551,770	\$13,714	\$4,347,811	(\$18,399)
Revenues:										
Budget 2015-16	8,964,809	4,518,698	515,050	3,370,724	64,060	1,931,717	6,000	0	50	67,600
Amendment	147,490	18,000	0	4,000	1,056	68,224	0	0	155,713	4,189
	9,112,299	4,536,698	515,050	3,374,724	65,116	1,999,941	6,000	0	155,763	71,789
Expenditures:										
Budget 2015-16	8,960,204	4,518,407	464,674	3,365,502	63,744	2,571,186	1,835,400	0	3,908,900	67,600
Amendment	136,500	31,982	50,500	7,372	1,372	65,617	(43,180)	13,714	260,735	(14,210)
	9,096,704	4,550,389	515,174	3,372,874	65,116	2,636,803	1,792,220	13,714	4,169,635	53,390
Estimated Ending Fund Balance @ 9/30/16	\$1,474,328	\$213,633	\$407,227	\$72,084	\$9,109	\$1,452,163	(\$234,450)	\$0	\$333,939	\$0

**BUDGET AMENDMENTS - GENERAL FUND**

01 -GENERAL FUND

		2015-2016	2015-2016		
		CURRENT	REVISED		
REVENUES		BUDGET	BUDGET	ADJUSTMENT	
4418	RADIO COMM. UPGRADE - GRANT	0	75,000	75,000	RECEIVED GRANT
4420	TRAINING REGISTRATION FEES	0	17,600	17,600	HOSTED INCODE TRAINING AT PAVILION
4517	DONATIONS FIRE DEPT.	0	500	500	DONATION FROM COLDSRING
4523	COUNCIL OF GOVERNMENT- POLICE DEPT	0	1,000	1,000	RECEIVED GRANT
4530	COMMERCIAL NPS	10,000	6,000	(4,000)	REVISE BUDGET ESTIMATE IN PROPER ACCOUNT
4531	RESIDENTIAL NPS	0	4,000	4,000	REVISE BUDGET ESTIMATE IN PROPER ACCOUNT
4921	TRANSFER IN FROM FUND 73 AMY YOUNG	0	53,390	53,390	AMY YOUNG GRANT REVENUE RECEIVED
<b>TOTAL REVENUES</b>				<b>147,490</b>	

**EXPENDITURES**

ADMINISTRATION

**SUPPLIES**

542-5354	ELECTION SUPPLIES & EXPENSES	3,000	500	(2,500)	ELECTION CANCELLED
<b>TOTAL SUPPLIES</b>				<b>(2,500)</b>	

**MAINTENANCE**

542-5401	BUILDING MAINTENANCE	6,500	16,500	10,000	RENOVATION WORK AT CITY HALL
542-5408.01	LIBRARY MAINTENANCE	10,000	7,500	(2,500)	REVISED BUDGET ESTIMATE
<b>TOTAL MAINTENANCE</b>				<b>7,500</b>	

**SERVICES**

542-5514	LEGAL SRVICES -CONTRACT	85,000	70,000	(15,000)	REVISED BUDGET ESTIMATE
542-5520	PROFESSIONAL SERVICES	12,000	18,000	6,000	WORK PERFORMED BY ADJUSTERS INTERNATIONAL
542-5520.05	PROF. SVCS- COMPUTER SUPPORT	22,000	30,000	8,000	EMAIL MIGRATION & NEW EMAIL DOMAIN
<b>TOTAL SERVICES</b>				<b>(1,000)</b>	

**OTHER**

542-5626	PROFESSIONAL DEVELOPMENT	18,500	28,500	6,500	LEADERSHIP TRAINING
<b>TOTAL OTHER</b>				<b>6,500</b>	

**TOTAL ADMINISTRATION**

**10,500**

FINANCE DEPARTMENT

**PERSONNEL SERVICES**

545-5105	SALARIES (NON-EXEMPT)	105,524	100,524	(5,000)	REDUCE BUDGET DUE TO TEMP WORKER
545-5135	SEASONAL & HOURLY EMPLOYEE	0	6,000	6,000	BUDGET FOR TEMP WORKER IN THE FALL
545-5175	RETIREMENT	11,913	10,913	(1,000)	REDUCTION, DUE TO TEMP WORKER
<b>TOTAL PERSONNEL SERVICES</b>				<b>0</b>	

**SUPPLIES**

	2,000	1,000	(1,000)	REVISED BUDGET ESTIMATE
	2015-2016	2015-2016		
	CURRENT	REVISED	ADJUSTMENT	
	BUDGET	BUDGET		
545-5314 COMPUTER EQUIPMENT				
	200	1,200	1,000	NEW FURNITURE IN PAYROLL OFFICE
<b>TOTAL OTHER</b>			<b>0</b>	
<b>TOTAL FINANCE DEPARTMENT</b>			<b>0</b>	
<b><u>HUMAN RESOURCES DEPARTMENT</u></b>				
<b>OTHER</b>				
546-5630 TRAINING SUPPLIES	0	5,700	5,700	EXPENSES RELATED TO INCODE TRAINING AT PAVILIOI
546-5667 EMPLOYEE RECOGNITION	11,000	12,200	1,200	EMPLOYEE HOLIDAY FUNCTIONS
546-5700 EMPLOYEE HEALTH & WELLNESS	5,000	3,800	(1,200)	REVISED BUDGET ESTIMATE
<b>TOTAL OTHER</b>			<b>5,700</b>	
<b>TOTAL HUMAN RESOURCES DEPARTMENT</b>			<b>5,700</b>	
<b>POLICE DEPARTMENT</b>				
<b>CAPITAL</b>				
552-5825 EQUIPMENT GRANT- RADIOS	0	75,000	75,000	GRANT FUNDING FOR RADIOS UPGRADE
<b>TOTAL CAPITAL</b>			<b>75,000</b>	
<b>TOTAL POLICE DEPARTMENT</b>			<b>75,000</b>	
<b><u>FIRE DEPARTMENT</u></b>				
<b>PERSONNEL SERVICES</b>				
553-5100 SALARIES (EXEMPT)	89,095	138,500	49,405	INCLUDE FIRE CHIEF AND FIRE POSITIONS
553-5105 SALARIES (NON EXEMPT)	698,928	649,523	(49,405)	RECLASS FIRE MARSHALL TO EXEMPT STATUS
<b>TOTAL PERSONNEL SERVICES</b>			<b>0</b>	
<b>SUPPLIES</b>				
553-5314 COMPUTER EQUIPMENT	3,000	2,000	(1,000)	REVISED BUDGET ESTIMATE
553-5330 GAS, OIL, & NEW TIRES	22,000	19,000	(3,000)	REVISED BUDGET ESTIMATE
553-5360 UNIFORMS	10,700	13,700	3,000	REVISED BUDGET ESTIMATE
553-5365 SAFETY CLOTHING/EQUIPMENT	23,800	26,600	2,800	REVISED BUDGET ESTIMATE
553-5399.01 MISC. SUPPLIES- DONATED	0	500	500	DONATION FROM COLDSPRINGS
<b>TOTAL SUPPLIES</b>			<b>2,300</b>	
<b>SERVICES</b>				
553-5501 MEDICAL SERVICES	9,300	8,300	(1,000)	REVISED BUDGET ESTIMATE
<b>TOTAL SERVICES</b>			<b>(1,000)</b>	
<b>OTHER</b>				
553-5610 DUES	2,075	2,575	500	CIVIC ORGANIZATION DUES FOR NEW FIRE CHIEF
553-5626 PROFESSIONAL DEVELOPMENT	14,000	19,000	5,000	ADDITIONAL TRAINING FOR DEPARTMENT

	2015-2016 CURRENT BUDGET	2015-2016 REVISED BUDGET	ADJUSTMENT	
<b>TOTAL OTHER</b>				<b>5,500</b>
<b>TOTAL FIRE DEPARTMENT</b>				<b>6,800</b>
<b>DEVELOPMENT SERVICES DEPARTMENT</b>				
<b>PERSONNEL SERVICES</b>				
553-5100 SALARIES (EXEMPT)	212,901	220,401	7,500	ACM POSITION EFFECTIVE 5/1/16
<b>TOTAL PERSONNEL SERVICES</b>			<b>7,500</b>	
<b>SERVICES</b>				
555-5520 PROFESSIONAL SERVICES	4,500	10,500	6,000	REPLAT SERVICES AND AERIAL PHOTOGRAPHY
555-5520.01 ZONING ORDINANCE UPDATE	0	25,000	25,000	
<b>TOTAL SERVICES</b>			<b>31,000</b>	
<b>TOTAL DEVELOPMENT SERVICES</b>				<b>38,500</b>
<b>PARKS &amp; RECREATION DEPARTMENT</b>				
<b>SUPPLIES</b>				
565-5330 GAS, OIL, & NEW TIRES	16,000	10,000	(6,000)	REDUCTION IN BUDGET, LOWER GAS PRICES
565-5333 COMPUTER SUPPLIES/SOFTWARE	2,000	3550	1,550	PURCHASED ADDITIONAL SOFTWARE
<b>TOTAL SUPPLIES</b>			<b>(4,450)</b>	
<b>MAINTENANCE</b>				
565-5420.02 GENERAL PARK MAINTENANCE	24,000	26,950	2,950	REVISED BUDGET ESTIMATE
<b>TOTAL SERVICES</b>			<b>2,950</b>	
<b>CAPITAL</b>				
565-5816.03 BUILDING IMPROV. WESTSIDE PARK	0	1,500	1,500	RENOVATIONS TO BUILDING AT WESTSIDE PARK
<b>TOTAL CAPITAL</b>			<b>1,500</b>	
<b>TOTAL PARKS &amp; RECREATION DEPARTMENT</b>				<b>0</b>
<b>TOTAL EXPENDITURES</b>				<b>136,500</b>
<b>EXCESS OF REVENUES OVER EXPENDITURES</b>				<b>\$10,990</b>

**BUDGET AMENDMENTS - WATER & WASTEWATER FUND**

02 -WATER & WASTEWATER FUND

	2015-2016 CURRENT BUDGET	2015-2016 REVISED BUDGET	ADJUSTMENT	
<b>REVENUES</b>				
460-4566 ACCRUED BOND INTEREST	0	18,000	18,000	INTEREST ON BOND REFUNDING ISSUE
<b>TOTAL REVENUES</b>			<b>18,000</b>	
<hr/> <b>EXPENDITURES</b> <hr/>				
<u>WATER SERVICES</u>				
<b>CAPITAL</b>				
560-5451 LINE EXTENSIONS & UPGRADES	60,000	20,000	(40,000)	TRANSFER TO WATER LINE UPGRADE AT FAITH ACADEMY
560-5802.01 ENGINEERING SERVICES	0	55,300	55,300	CARRYFORWARD BAL. WATER & WWTR MODELING STUDY
560-5847.05 WATER LINE - FAITH ACADEMY	0	40,000	40,000	COST PARTICIPATION FOR WATER LINE UPGRADE
<b>TOTAL CAPITAL</b>			<b>55,300</b>	
<b>TOTAL WATER SERVICES</b>			<b>55,300</b>	
 <u>WATER PLANT</u>				
<b>SUPPLIES</b>				
561-5348 LCRA/RAW WATER	200,000	228,800	28,800	REFLECT ACTUAL COSTS
<b>TOTAL SUPPLIES</b>			<b>28,800</b>	
<b>TOTAL WATER PLANT</b>			<b>28,800</b>	
 <u>DEBT SERVICE</u>				
<b>PRINCIPAL AND INTEREST</b>				
570-5901.16 PRIN. REFUNDING SERIES 2015	0	110,000	110,000	SET UP NEW ACCOUNT FOR REFUNDING SERIES 2015
571-5902.10 C.O. SERIES 2007	329,235	76,250	(252,985)	RECLASS TO NEW ACCOUNT FOR REFUNDING SERIES 2015
571-5902.16 INT. REFUNDING SERIES 2015	0	89,467	89,467	SET UP NEW ACCOUNT FOR REFUNDING SERIES 2015
571-5980 BOND AGENT FEES	0	1,400	1,400	SET UP NEW ACCOUNT FOR REFUNDING SERIES 2015
<b>TOTAL PRINCIPAL AND INTEREST</b>			<b>(52,118)</b>	
<b>TOTAL DEBT SERVICE</b>			<b>(52,118)</b>	
<b>TOTAL EXPENDITURES</b>			<b>31,982</b>	
<b>EXCESS OF REVENUES OVER EXPENDITURES</b>			<u><u>(\$13,982)</u></u>	

**BUDGET AMENDMENTS - HOTEL MOTEL TAX FUND**

03 -HOTEL/MOTEL TAX FUND

	<u>2015-2016 CURRENT BUDGET</u>	<u>2015-2016 REVISED BUDGET</u>	<u>ADJUSTMENTS</u>	
<b>EXPENDITURES</b>				
<b>SERVICES</b>				
570-5520 PROFESSIONAL SERVICES	0	5,000	5,000	DUES CENTRAL TX. WATER COALITION
570-5595 TRANS TO CHAMBER OF COMMERCE	<u>139,120</u>	<u>154,620</u>	<u>15,500</u>	SOCIAL MEDIA/DIGITAL COORDINATOR
<b>TOTAL SERVICES</b>			<b><u>20,500</u></b>	
<b>LOCAL ASSISTANCE</b>				
570-5756.25 101 HIGHLAND LAKES	0	18,000	18,000	APPROVED BY COUNCIL 10/20/15
570-5765.26 FLOYD TILLMAN STATUE PROJECT	<u>0</u>	<u>12,000</u>	<u>12,000</u>	APPROVED BY COUNCIL 10/20/15
<b>TOTAL LOCAL ASSISTANCE</b>			<b><u>30,000</u></b>	
<b>TOTAL EXPENDITURES</b>			<b><u>50,500</u></b>	
EXCESS OF REVENUES OVER EXPENDITURES			<u><u>(\$50,500)</u></u>	

**BUDGET AMENDMENTS - DEBT SERVICE FUND**

04 -DEBT SERVICE FUND

	<u>2015-2016 CURRENT BUDGET</u>	<u>2015-2016 REVISED BUDGET</u>	<u>ADJUSTMENT</u>	
<b>REVENUES</b>				
4574 ACCRUED BOND INTEREST	<u>0</u>	<u>4,000</u>	<u>4,000</u>	INTEREST ON BOND REFUNDING ISSUE
<b>TOTAL REVENUES</b>			<b>4,000</b>	
<hr/>				
<b>EXPENDITURES</b>				
<b>DEBT SERVICE</b>				
<b>PRINCIPAL AND INTEREST</b>				
505-5901.24 PRIN. REFUNDING SERIES 2015	0	80,000	80,000	SET UP NEW ACCOUNT FOR REFUNDING SERIES 2015
506-5902.12 C.O. SERIES 2007	249,103	116,103	(133,000)	RECLASS TO NEW ACCOUNT FOR REFUNDING SERIES 2007
506-5902.24 INTEREST REFUNDING SERIES 2015	<u>0</u>	<u>60,372</u>	<u>60,372</u>	SET UP NEW ACCOUNT FOR REFUNDING SERIES 2015
<b>TOTAL PRINCIPAL AND INTEREST</b>			<b>7,372</b>	
<b>TOTAL DEBT SERVICE</b>			<b>7,372</b>	
<b>TOTAL EXPENDITURES</b>			<b>7,372</b>	
<hr/>				
EXCESS OF REVENUES OVER EXPENDITURES			<u><u>(\$3,372)</u></u>	

**BUDGET AMENDMENTS - MF TRUNKED RADIO SYSTEM FUND**

12 -MF TRUNKED RADIO SYSTEM FUND

		2015-2016 CURRENT BUDGET	2015-2016 REVISED BUDGET	ADJUSTMENT	
<b>REVENUES</b>					
4500	SUBSCRIPTION REV.- GRANITE SHOALS	8,832	9,984	1,152	REVISED BUDGET ESTIMATE
4503	SUBSCRIPTION REV.- HS BAY PD	6,048	6,528	480	REVISED BUDGET ESTIMATE
4504	SUBSCRIPTION REV.- HS BAY FIRE	0	6,144	6,144	SET UP NEW ACCOUNT
4505	SUBSCRIPTION REV.- MFEMS	<u>12,480</u>	<u>5,760</u>	<u>(6,720)</u>	REVISED BUDGET ESTIMATE
<b>TOTAL REVENUES</b>				<b>1,056</b>	
<hr/> <b>EXPENDITURES</b> <hr/>					
<b>MAINTENANCE</b>					
552-5412.03	MF PSAP RADIO SYSTEM EXPENSES	<u>63,744</u>	<u>65,116</u>	<u>1,372</u>	REVISED BUDGET ESTIMATE
<b>TOTAL MAINTENANCE</b>				<b>1,372</b>	
<b>TOTAL EXPENDITURES</b>				<b>1,372</b>	
<hr/>					
EXCESS OF REVENUES OVER EXPENDITURES				<u><u>(\$316)</u></u>	

**BUDGET AMENDMENTS - ECONOMIC DEVELOPMENT CORPORATION**

20 -ECON. DEVELOPMENT CORPORATION

		2015-2016 CURRENT BUDGET	2015-2016 REVISED BUDGET	ADJUSTMENTS	
<b>REVENUES</b>					
4005	SALES TAX	1,796,252	1,859,042	62,790	ESTIMATE BASED ON ACTUAL FOR 2014/15
4550	LAND SALES & LEASES	76,765	82,199	5,434	COLT CIRCLE AND CARA CASA
<b>TOTAL REVENUES</b>				<b>68,224</b>	
<hr/>					
<b>EXPENDITURES</b>					
<b>PERSONNEL SERVICES</b>					
520-5100	SALARIES (EXEMPT)	107,500	156,500	49,000	TO ADD BUS. COORDINATOR POSITION EXEMPT STATUS
520-5105	SALARIES (NON EXEMPT)	45,000	2,100	(42,900)	REFLECT ACTUAL EXPENSES & RECLASS BUS. COORD.
<b>TOTAL PERSONNEL SERVICES</b>				<b>6,100</b>	
<b>SERVICES</b>					
520-5518.01	CONSULTING SERVICES	15,000	44,500	29,500	PARTICIPATION IN COMP PLAN UPDATE
<b>TOTAL SERVICES</b>				<b>29,500</b>	
<b>OTHER</b>					
520-5600.05	TRAVEL	6,000	7,000	1,000	REVISE ESTIMATE TO INCLUDE BUS. COORDINATOR
520-5600.06	PROF. CONFERENCE REGISTRATION	5,000	6,000	1,000	REVISE ESTIMATE TO INCLUDE BUS. COORDINATOR
<b>TOTAL OTHER</b>				<b>2,000</b>	
<b>CAPITAL</b>					
520-5802.07	CONSTRUCTION- DOWNTOWN	536,178	564,195	28,017	REVISE BUDGET ESTIMATE
<b>TOTAL CAPITAL</b>				<b>28,017</b>	
<b>TOTAL EXPENDITURES</b>				<b>65,617</b>	
<hr/>					
<b>EXCESS OF REVENUES OVER EXPENDITURES</b>				<b>\$2,607</b>	

**BUDGET AMENDMENTS - UTILITY IMPROVEMENTS SERIES 2007**

45 -UTILITY IMPROVEMENTS SERIES 2007-2014

	<u>2015-2016 CURRENT BUDGET</u>	<u>2015-2016 REVISED BUDGET</u>	<u>ADJUSTMENT</u>	
<b>EXPENDITURES</b>				
<b>CAPITAL</b>				
535-5802.19 ENG - WASTEWATER PLANT	80,000	217,400	137,400	CARRYFORWARD BAL. FROM LAST YR
535-5851.03 WATER PLANT CONST. PHASE 3	<u>1,395,400</u>	<u>1,214,820</u>	<u>(180,580)</u>	REVISED BUDGET ESTIMATE
<b>TOTAL CAPITAL</b>			<b>(43,180)</b>	
<b>TOTAL EXPENDITURES</b>			<b>(43,180)</b>	
<hr/>				
<b>EXCESS OF REVENUES OVER EXPENDITURES</b>			<u><u>\$43,180</u></u>	

**BUDGET AMENDMENTS - PARKS IMPROVEMENT FUND**

52 -PARKS IMPROVEMENT FUND

<b>EXPENDITURES</b>	<u>2015-2016 CURRENT BUDGET</u>	<u>2015-2016 REVISED BUDGET</u>	<u>ADJUSTMENT</u>	
<b>CAPITAL</b>				
549-5816.42 SPORTS FACILITY IMPROVEMENTS	0	3,900	3,900	BAL. FROM PRIOR YEAR, SOCCER FIELDS
549-5816.48 WESTSIDE PARK IMPROVMENTS	0	9,814	9,814	BAL. FROM PRIOR YEAR, PARKING LOT
<b>TOTAL CAPITAL</b>			<b>13,714</b>	
 <b>TOTAL EXPENDITURES</b>			<b>13,714</b>	
<hr/>				
 EXCESS OF REVENUES OVER EXPENDITURES			<u><u>(\$13,714)</u></u>	

**BUDGET AMENDMENTS - GENERAL IMPROVEMENTS SERIES 2007**

68 -GENERAL IMPROVEMENTS SERIES 2007-2014

		2014-2015 CURRENT BUDGET	2014-2015 REVISED BUDGET	ADJUSTMENT	
<b>REVENUES</b>					
4573	CONTRIBUTION - BRAY	0	131,713	131,713	CONTRIB. FROM DEVELOPER
4575	CONTRIBUTION - MAYFIELD BUILDERS	0	24,000	24,000	CONTRIB. FROM DEVELOPER
<b>TOTAL REVENUES</b>				<b>155,713</b>	
<hr/>					
<b>EXPENDITURES</b>					
<b>SERVICES</b>					
528-5520.08	PARKS & REC. MASTER PLAN	0	47,000	47,000	ESTIMATE ON MASTER PLAN
<b>TOTAL SERVICES</b>				<b>47,000</b>	
<b>CAPITAL</b>					
528-5800.01	STREET IMPROVEMENTS	530,000	727,510	197,510	AVE N REVISED ESTIMATE+DEV. CONTR.
528-5820.11	ROCKY ROAD IMPROVMENTS	0	16,225	16,225	CARRYFORWARD BALANCE
<b>TOTAL CAPITAL</b>				<b>213,735</b>	
<b>TOTAL EXPENDITURES</b>				<b>260,735</b>	
<hr/>					
EXCESS OF REVENUES OVER EXPENDITURES				<u><u>(\$105,022)</u></u>	

**BUDGET AMENDMENTS - AMY YOUNG GRANT FUND**

73 - AMY YOUNG GRANT FUND

<b>REVENUES</b>		2015-2016 CURRENT BUDGET	2015-2016 REVISED BUDGET	ADJUSTMENT	
4900	AMY YOUNG GRANT REVENUE	67,600	0	(67,600)	REDUCE BUDGET, NO APPLICANTS
4901	USDA REVENUE	<u>0</u>	<u>71,789</u>	<u>71,789</u>	BALANCE OWED FROM PRIOR YEAR
<b>TOTAL REVENUES</b>				<b>4,189</b>	
<hr/>					
<b>EXPENDITURES</b>					
<b>SERVICES</b>					
573-5520	PROFESSIONAL SERVICES	<u>7,600</u>	<u>0</u>	<u>(7,600)</u>	REDUCE BUDGET, NO APPLICANTS
<b>TOTAL SERVICES</b>				<b>(7,600)</b>	
<b>CAPITAL</b>					
573-5804	HOME IMPROVEMENT	<u>60,000</u>	<u>0</u>	<u>(60,000)</u>	REDUCE BUDGET, NO APPLICANTS
<b>TOTAL CAPITAL</b>				<b>(60,000)</b>	
<b>TRANSFERS</b>					
573-6100	TRANSFER TO GENERAL FUND	<u>0</u>	<u>53,667</u>	<u>53,390</u>	PAY BACK GENERAL FUND
<b>TOTAL TRANSFERS</b>				<b>53,390</b>	
<b>TOTAL EXPENDITURES</b>				<b>(14,210)</b>	
<hr/>					
<b>EXCESS OF REVENUES OVER EXPENDITURES</b>				<u><u>(\$10,021)</u></u>	

**April 5, 2016**

**7. REGULAR AGENDA**

- (b) Public Hearing, Discussion, and Action on the first reading of Ordinance 2016-O-04C and waiving the second reading regarding a variance request to Section 602 (Restriction of age of structure moved into any district) District Regulations, Appendix B (Land Use Regulations), City of Marble Falls Code of Ordinances, to allow for a historic structure built in 1904 to be relocated within the Single-Family Base District (R-1), for residential use on Lot 3-A, Block 36, Marble Falls Original Township, City of Marble Falls, Burnet County, Texas, municipally addressed as 604 Avenue F. ***Randy Rudman, Applicant and Owner***
- 

Background information is attached as follows:

[Cover Memo and Supporting Documentation](#)



**Council Agenda Item Cover Memo**  
**April 5, 2016**

**Agenda Item No.:** 7(b)  
**Presenter:** Caleb Kraenzel, Director of Development Services  
**Department:** Development Services  
**Legal Review:**

**AGENDA CAPTION**

Public Hearing, Discussion, and Action on the first reading of Ordinance 2016-O-04C and waiving the second reading regarding a variance request to Section 602. Restriction of age of structure moved into any district, District Regulations, Appendix B. Land Use Regulations, City of Marble Falls Code of Ordinances, to allow for a historic structure built in 1904 to be relocated within the Single-Family Base District (R-1), for residential use on Lot 3-A, Block 36, Marble Falls Original Township, City of Marble Falls, Burnet County, Texas, municipally addressed as 604 Avenue F.

**BACKGROUND INFORMATION**

At the March 3, 2016 regular meeting of the Planning and Zoning Commission, the Commission recommended approval (7-0) of the variance request as presented.

This item is regarding a variance request to Section 602 of the District Regulations for the City of Marble Falls, Texas. Section 602 states that "No structure more than five (5) years of age may be moved into any district established in the Land Use Regulations". The applicant's variance request is to allow for the relocation of a historic structure built in 1904 from the Mixed Use Base District (MU-1) to a site within the Single-Family Base District (R-1).

The historic structure is currently located at 911 Seventh Street, near the intersection of Main Street and Seventh Street. The structure was the original parsonage of the First Baptist Church of Marble Falls and was slated for demolition on January 1, 2016 in order to clear the current site for commercial use and to eliminate liability to the current land owners. The applicant became aware of the demolition and, after conducting several inspections, obtained liability insurance and the rights to possession and removal from the current owner, Dr. David Jones of Caliche Investments LTD.

The applicant is proposing to move the structure four (4) blocks from its current site, through a professional moving company from Austin known as Brown and Sons House Movers. The proposed site, henceforth referred to as the Subject Area, is Lot 3-A, Block No. 36, of the Marble Falls Original Township Subdivision, municipally addressed as 604 Avenue F. The Subject Area is currently a vacant lot owned by the applicant, 0.197 acres in size, sixty feet (60') wide and one hundred and forty feet (140') deep. The Subject Area is adequately served by City water and wastewater services, and is not located within the 100-year floodplain. The Subject Area and all adjacent lots on Avenue F are zoned Single-Family Base District (R-1). Surrounding land uses include residential single-family along Avenue F and east of the Subject Area, and a mixture of retail-neighborhood, office-neighborhood, and residential uses to the west of the Subject Area along Avenue G.

The applicant would like to relocate the historic structure to the Subject Area to preserve the historic value of the structure and the historic character of the neighborhood. The structure and Subject Area will be used as a single-family residence and comply with all R-1 zoning regulations. The proposed site plan for the Subject Area can be found on page 16. The site plan features the existing footprint of the 1904 structure, along with the building footprint of two proposed additions, being a single story addition to the rear of the structure (on the west elevation), and a portico/deck addition on the side of the structure (on the north elevation). The structure and additions meet setbacks, maximum height requirements, minimum living area requirements, and impervious cover regulations. The floorplan of the existing structure, along with photography of the existing façade, can be found on pages 17-18. The proposed floorplan of the renovations can be found on page 19.

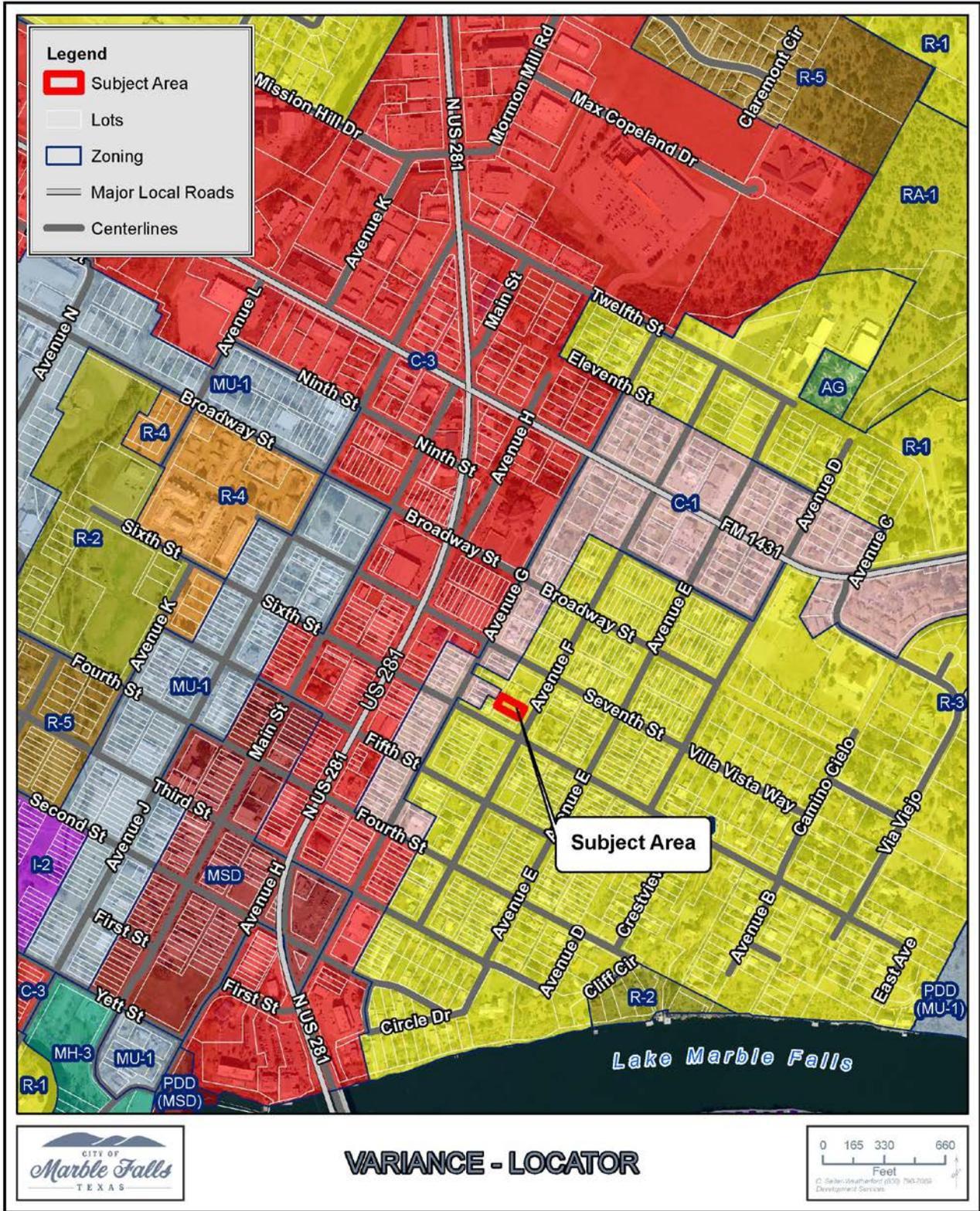
A total of 11 adjacent property owners within two hundred feet (200') of the Subject Area were mailed notification letters, including the public hearing dates and a pre-paid comment card for response supporting/opposing the proposed variance. At the time of packet distribution seven (7) cards were returned, two (2) against the variance request and five (5) in support.

## RECOMMENDATION

Due to consistency with the Comprehensive Plan, the surrounding zoning compatibility and the proposed use not posing an incompatibility with surrounding properties or land uses, Staff recommends approval of the variance request for Lot 3-A, Block No. 36, Marble Falls Original Township.

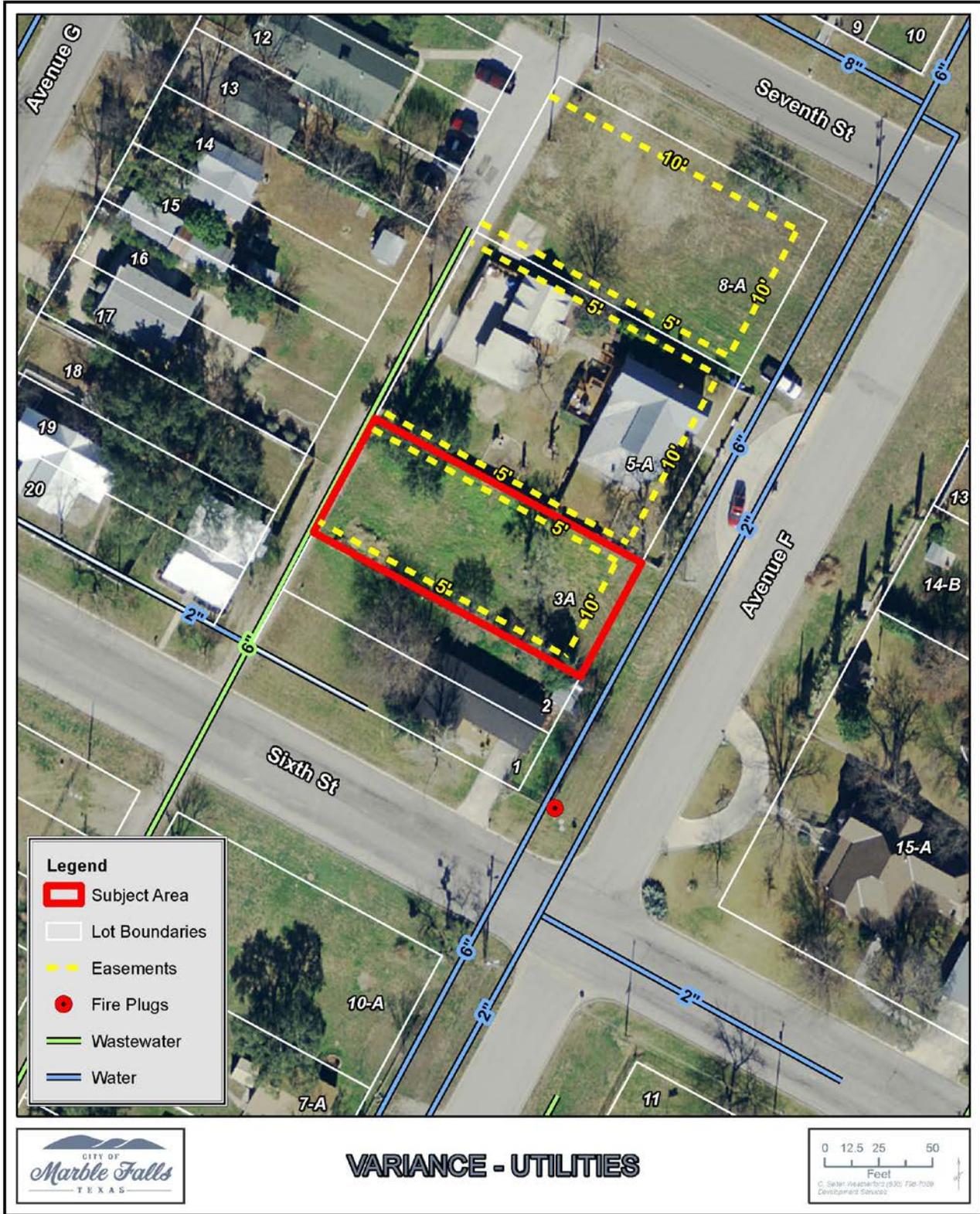
### **Memo Contents:**

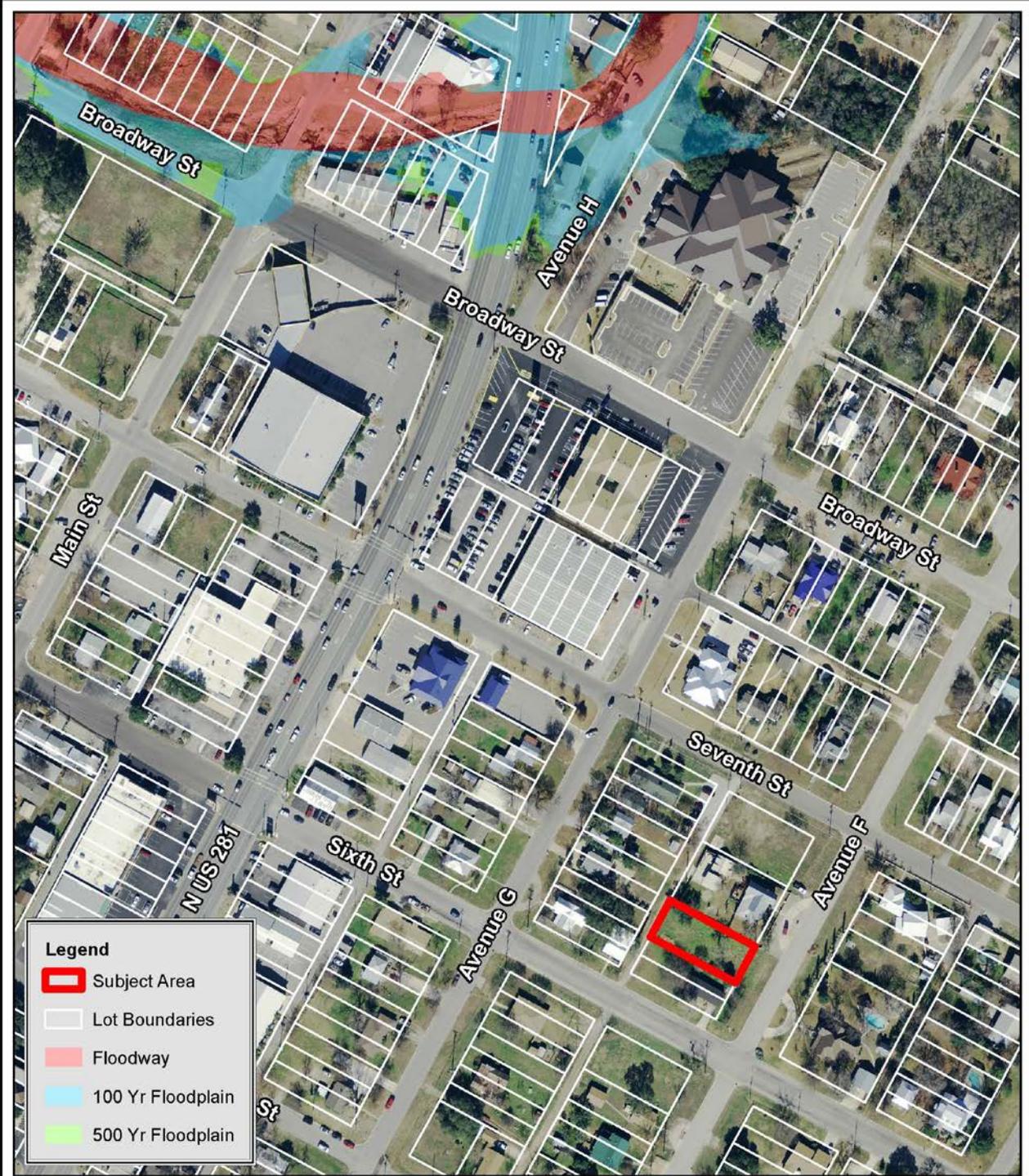
- |  |                      |
|--|----------------------|
| • Informational maps produced by City Staff: | <b>Pages 4 - 11</b>  |
| • Applicant Statement:                       | <b>Page 12</b>       |
| • Liability Insurance:                       | <b>Page 13</b>       |
| • Rights to Possession and Removal:          | <b>Page 14</b>       |
| • House Moving Contract:                     | <b>Page 15</b>       |
| • Site Plan:                                 | <b>Page 16</b>       |
| • Existing Floor Plan and Proposed Additions | <b>Page 17</b>       |
| • Existing Facade:                           | <b>Page 18</b>       |
| • Proposed Floorplan:                        | <b>Page 19</b>       |
| • Ordinance 2016-O-04C                       | <b>Pages 20 - 23</b> |









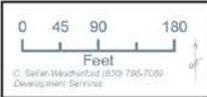


**Legend**

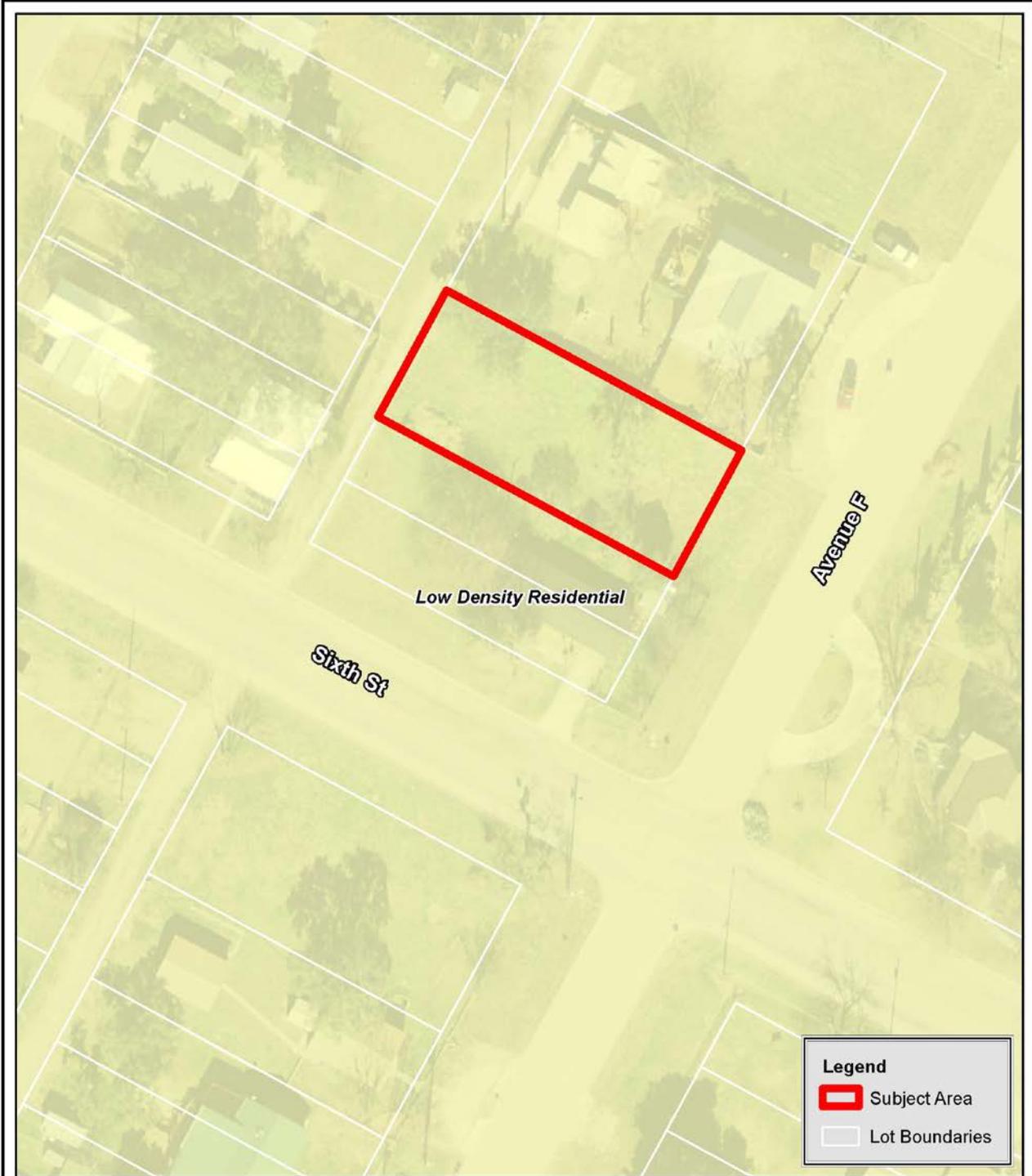
- Subject Area
- Lot Boundaries
- Floodway
- 100 Yr Floodplain
- 500 Yr Floodplain



**VARIANCE - FLOODPLAIN**

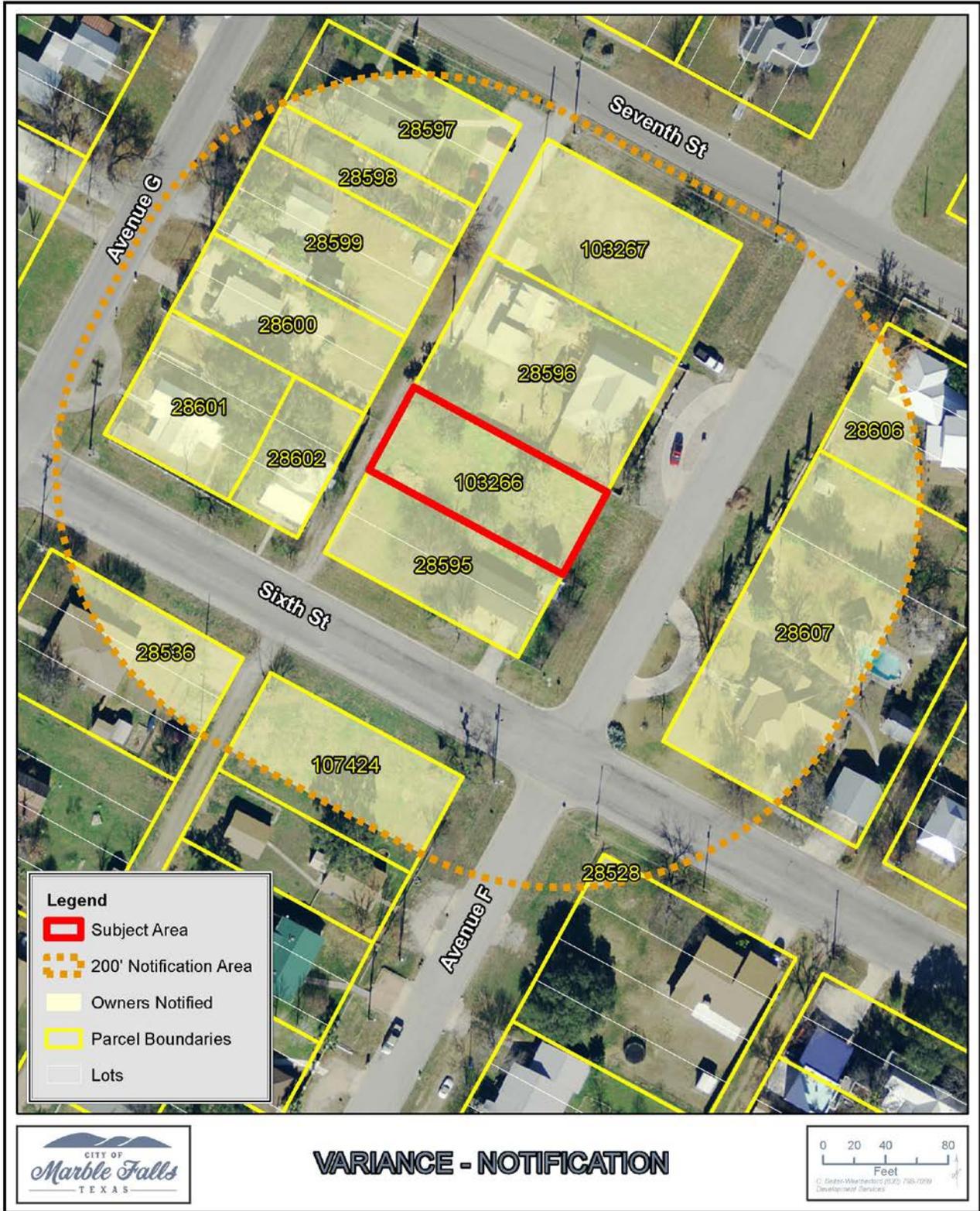






**VARIANCE - FUTURE LAND USE**





## Applicant Statement

### Statement of Proposed Use

Randy and Lori Rudman, Owners of the property located at 604 Avenue F (lot 3A, Block 36) in Marble Falls are proposing a variance to the City Ordinances in order to relocate a historic home from within the city limits to the property at 604 Avenue F.

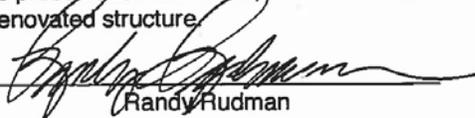
The structure, which is located at 911 7th Street, is the original parsonage of the First Baptist Church of Marble Falls. The structure was slated for demolition on January 1, 2016 in order to clear the current block for commercial use and to eliminate liability to the current landowners.

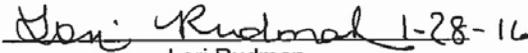
Randy and Lori were informed of the fate of this historic structure, and after several initial inspections, found the house to be both sound and moveable and have secured the necessary liability insurance to bind the property (see attachment A) and have obtained the rights to possession and removal (see attachment B) from the current owner and seller, Dr. David Jones of Caliche Investments LTD.

The house will be moved 4 blocks from its current site by a professional house moving company from Austin, Brown and Sons House Movers (see attachment C). The necessary utility companies have been contacted and have sent or are scheduling field representatives to the location(s) to coordinate the necessary logistics of the transition between the current and proposed locations.

The new property will serve as a single family residence, will meet the R1 zoning restrictions, and will preserve the historic value of both the existing structure and the historic neighborhood that the structure will relocate to. This will also be of significant value to the City of Marble Falls as the combined tax value of the land and the newly renovated structure will be significantly higher than either one alone now represents. The new site plan and the architects renderings will be available for both the P&Z and City Council as digital files.

Thank you for your consideration of this variance proposal, and your careful consideration of what this preservation will mean, both for the community and for the occupants of the newly renovated structure.

  
Randy Rudman 1/20/16

  
Lori Rudman 1-28-16

# Liability Insurance

1/13/2016  
7/05/2016

01 1296745 CPASMI GCN

INSURED COPY

## Comprehensive Personal Liability Policy Change Summary



— **GERMANIA** INSURANCE COMPANY  
P.O. BOX 645 BRENHAM, TX 77834-0645

**AGENT:** 414 PH: 830-693-2900  
WHITMAN INSURANCE AGENCY  
1008 AVENUE J  
MARBLE FALLS TX 78654-5128

**INSURED:** 000040183801 PH: 830-693-2753  
RANDALL L RUDMAN  
LORI ANN RUDMAN  
PO BOX 1163  
MARBLE FALLS TX 78654-1163

RANDALL L RUDMAN  
LORI ANN RUDMAN  
PO BOX 1163  
MARBLE FALLS TX 78654-1163

**POLICY NUMBERS**  
1 100 1296745

**POLICY PERIOD**  
7/05/2015 to 7/05/2016  
(12:01 AM Standard Time at the  
location of the residence premises)

**CHANGES EFFECTIVE**

**01/12/2016**

This is a summary of the changes made to the referenced policy. This Change Summary does not form a part of the referenced policy. It is intended as a quick reference for informational purposes only. For absolute verification of changes made to your policy, please refer to the enclosed endorsed declarations page. If you have questions, please contact your agent.

### ADDED LOCATION

ADDITIONAL RESIDENCE - 911 7TH ST, MARBLE FALLS, TX 78654  
PL 24 05 ADDITIONAL RESIDENCE PREMISES

## Rights to Possession and Removal

ATTACH (B)

### AGREEMENT

This agreement is made by and between Randy Rudman - Contractor, and Dr. David Jones, Caliche Investments, LTD - Owner.

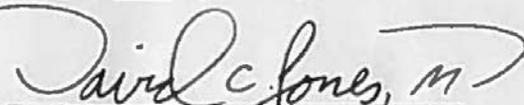
### RECITALS

Dr. David Jones, Caliche Investments, LTD is the record title owner of real property in Marble Falls, Texas described as Lots 1-7, Block 52, City of Marble Falls, Burnet County, Texas (the Property). There is a house located on this property that Owner wishes to have removed. Contractor is willing to remove the house from Owner's real property. Owner and Contractor have agreed that the consideration for Contractor's removal of the house shall be transfer of ownership of the house from Owner to Contractor. Contractor has agreed to provide insurance on the house, and providing the insurance shall be further consideration for this agreement.

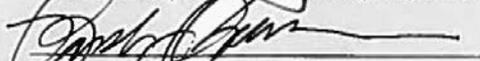
Now therefore, Owner agrees to permit Contractor to enter the Property and to remove the house located thereon. Upon the completion of the work contemplated by this Agreement, Owner shall deliver a bill of sale for the house to Contractor transferring legal title to the house as personal property.

Contractor agrees to remove the house from Owner's property. Contractor shall insure the house from the date of this contract. Contractor shall maintain insurance on the house while it is being moved from Owner's real property to Contractor's real property. Contractor shall indemnify owner from any and all liability arising from the removal of the house from Owner's property, from the moving of the house, and from the resetting of the house on Contractor's real property. Contractor shall deliver proof of insurance to owner upon the execution of this contract. Contractor shall have the right to begin removing certain parts of the house in preparation for moving, and shall further have the right to remove any other obstructions (other than the one large oak tree located immediately to the North of the house) necessary to remove the house from Owner's real property. Contractor understands and agrees that a condition of this agreement is that the pad site of the house shall be left clean and free of obstructions or any remaining objects or materials that could in any way be a hazard to public safety and in a condition that meets any and all applicable city requirements without further modification by the property owner.

Signed this 27 day of January, 2016.



Dr. David Jones, Caliche Investments, LTD, Owner

  
Randy Rudman, Contractor

House Moving Contract

ATTACH (C)

Brown & Sons House Movers
P.O. Box 1242
Del Valle, Texas 78617
Business (512-247-3901)
Fax (512-247-3222)

HOUSE MOVING CONTRACT

CONTRACT OF AGREEMENT between W.A. BROWN, JR., Moving Contractor, and
Randy Rudman Owner of house to be moved from the
present location of in Marble Falls
to a new location at in Marble Falls

Cost of Moving House \$ 25000.00
Building Foundation \$ -
Cutting House \$ -
Replacing Beams \$ -

TOTAL: \$ 25,000.00

Contractor does no work other than that is specified in contract. Contractor is not responsible for
damage to sheetrock or plumbing, nor any damage caused by fire or by Acts of GOD, such as
lighting, rain, or storms, ect.

Contractor does not clean lots; not connect gas, water, or electricity.

Foundation will consist of Owner will provide

Owner will contractor in 3 payments \$8000 when The Job is started
\$8000 when The House is Ready To move
\$9000 when The House is on New Location

EXECUTED this the 3 day of Feb, 2016

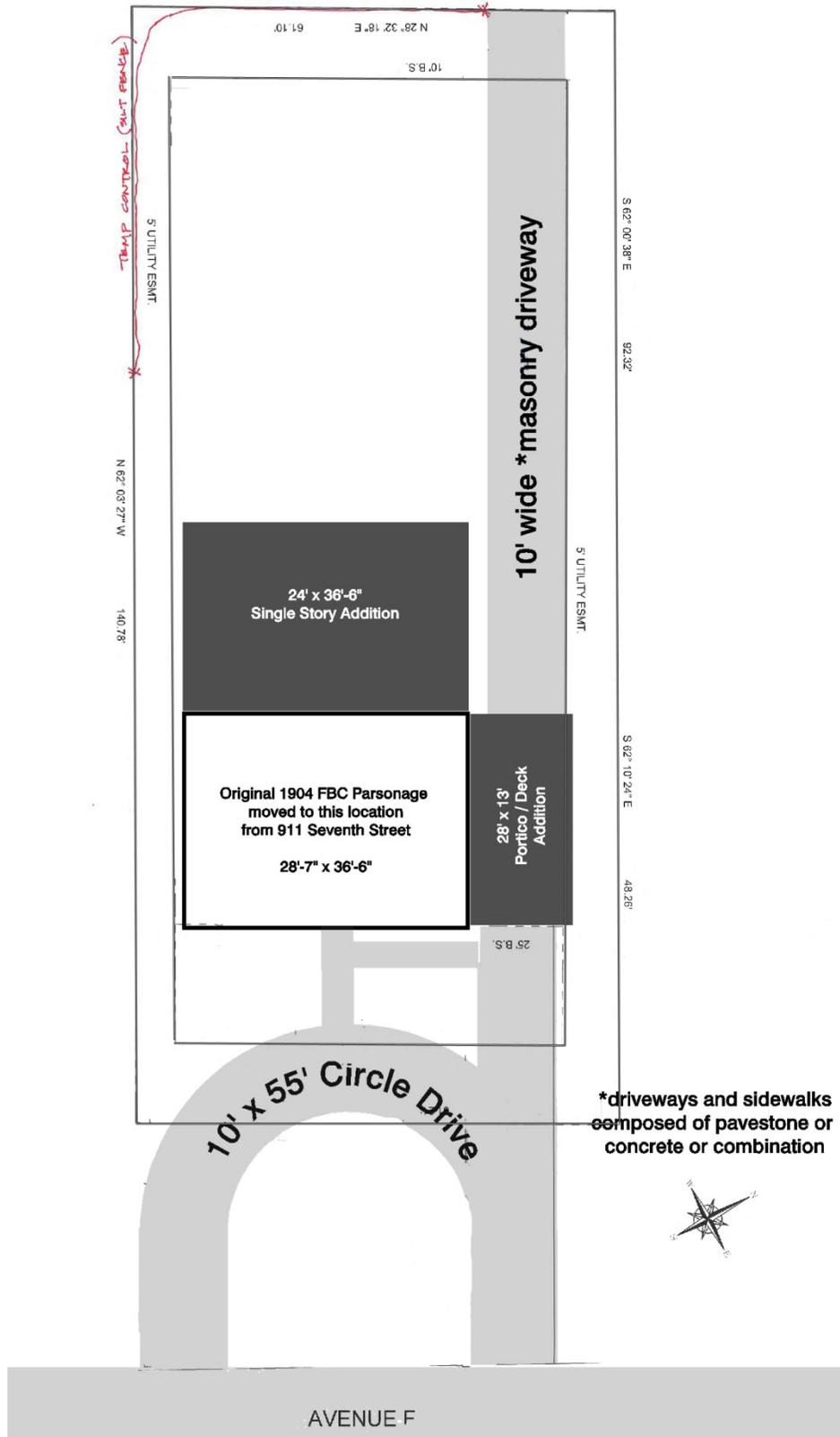
ACCEPTED:

W.A. BROWN, JR., OWNER

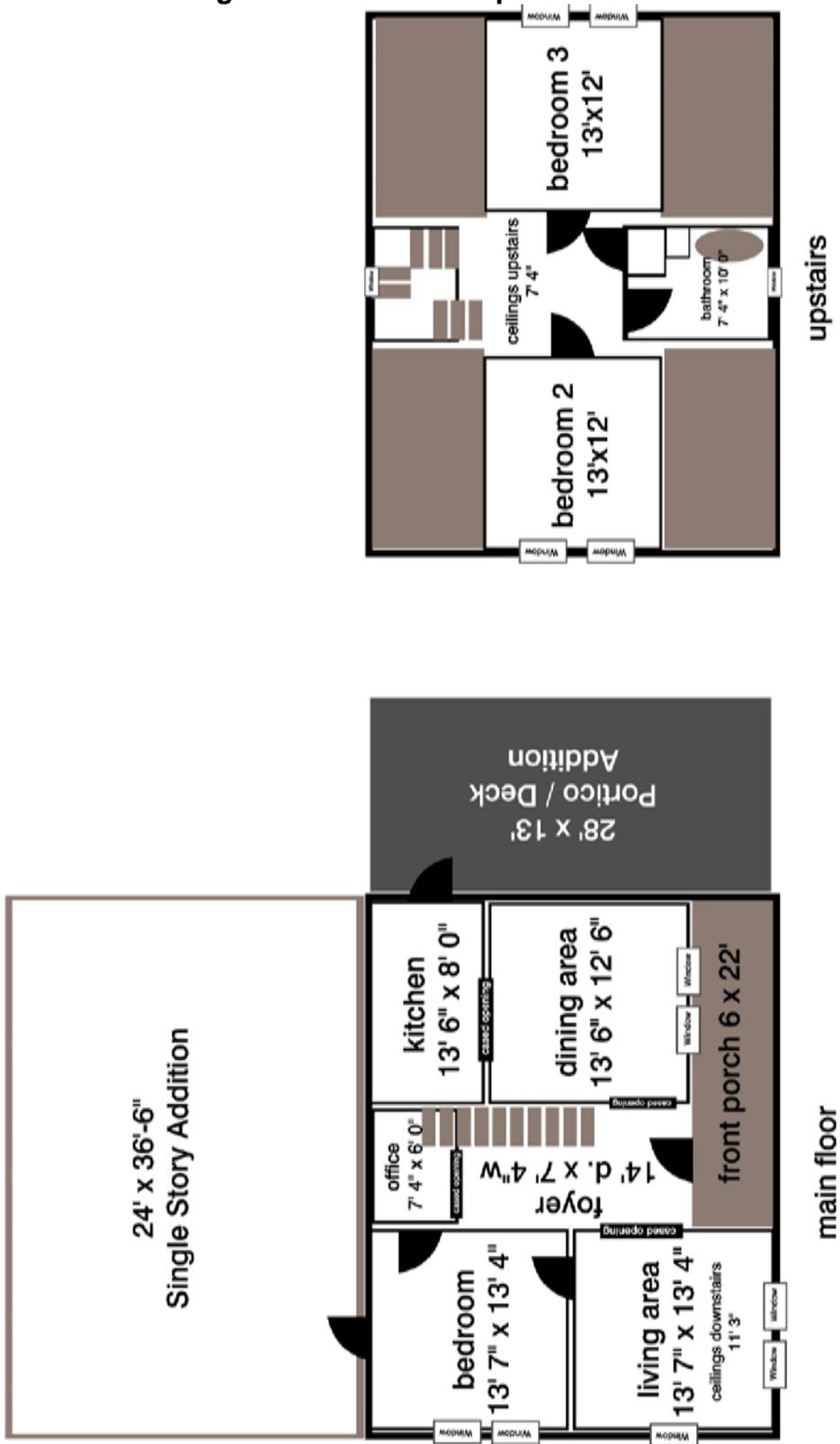
by [Signature]

by W.A. Brown
Owner

# Site Plan



Existing Floor Plan and Proposed Additions



Existing Façade



Proposed Floorplan



1/8" ATTIC BEDROOMS/BA/BATH

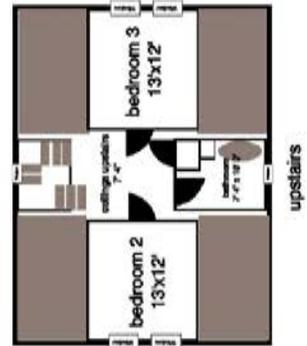
proposed



south elevation



north elevation



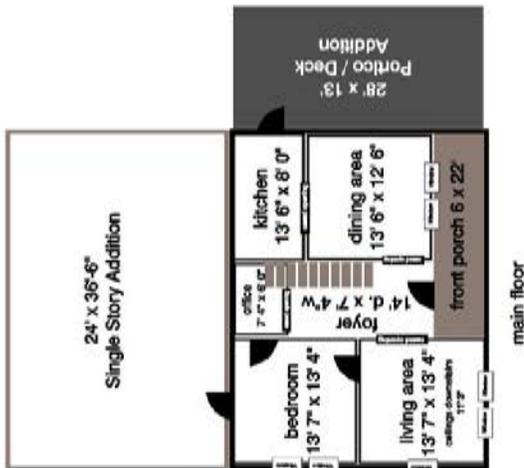
upstairs



east elevation



west elevation



main floor

existing

## **ORDINANCE NO. 2016-O-04C**

**AN ORDINANCE GRANTING A VARIANCE TO THE CODE OF ORDINANCES OF THE CITY OF MARBLE FALLS, APPENDIX B. LAND USE REGULATIONS, DISTRICT REGULATIONS, SECTION 602. RESTRICTION OF AGE OF STRUCTURE MOVED INTO ANY DISTRICT, TO AUTHORIZE RELOCATION OF A STRUCTURE BUILT IN 1904 INTO THE SINGLE-FAMILY BASE DISTRICT (R-1) FOR RESIDENTIAL USE ON LOT 3-A, BLOCK NO. 36, MARBLE FALLS ORIGINAL TOWNSHIP, CITY OF MARBLE FALLS, BURNET COUNTY, TEXAS; PROVIDING FOR CERTAIN CONDITIONS; AND PROVIDING FOR FINDINGS OF FACT; SEVERABILITY; REPEALER; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.**

**WHEREAS**, the owners of the structure and the property owners of Lot 3-A, Block No. 36, Marble Falls Original Township, City of Marble Falls, Burnet County, Texas, have requested a variance to the existing district regulations regarding the restriction of age of structures moved into any district; and,

**WHEREAS**, the Planning & Zoning Commission of the City of Marble Falls held a public hearing on this request on March 3, 2016, in order to receive public input and make a recommendation to the City Council as prescribed by the Land Use Regulations, recommendation which was to approve the request for the variance; and,

**WHEREAS**, the City Council of the City of Marble Falls held a public hearing on this request on April 5, 2016, in order to receive public input, as prescribed by the Marble Falls Code of Ordinances; and,

**WHEREAS**, the City Council seeks to promote responsible and sustainable growth consistent with the Comprehensive Plan; and,

**WHEREAS**, the City Council of Marble Falls has considered the request for a variance to Section 602 (District Regulations), Appendix B (Land Use Regulations) of the Code of Ordinances of the City of Marble Falls; and,

**WHEREAS**, the City Council has considered the matter at a public hearing, and determined with respect to special circumstances of the relocation, which deprive these particular homeowners of privileges enjoyed by other property in the vicinity and under identical zoning classification and has ensured that adjustments hereby authorized do not constitute a granting of special privilege inconsistent with the limitations upon other properties in the vicinity and the district in which such property is situated; and further granting the variance is not contrary to the public interest and due to the special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARBLE FALLS, TEXAS, THAT:**

**SECTION I. PREAMBLE.** All of the above premises are hereby found to be true

and correct legislative and factual findings of the City of Marble Falls and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

**SECTION II. VARIANCE.**

1. That a variance to the restriction of age of structure moved into any district., Section 602 (District Regulations), Appendix B (Land Use Regulations) of the Code of Ordinances of the City of Marble Falls, Texas, is hereby granted to authorize relocation of a structure built in 1904 into the Single-Family Base District (R-1) for residential use on Lot 3-A, Block No. 36, Marble Falls Original Township, City of Marble Falls, Burnet County, Texas, as shown on the attached Exhibit "A".

**SECTION III. PROVIDING FOR A SAVINGS CLAUSE.** The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this ordinance.

**SECTION IV. PROVIDING FOR SEVERABILITY CLAUSE.** If any provision, section, sentence, clause or phrase of this ordinance, or the application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remaining portions of this ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council of the City of Marble Falls in adopting, and of the Mayor in approving this ordinance, that no portion thereof or provision or regulation contained herein shall be come inoperative or fail by reason of any unconstitutionality or invalidity of any portion, provision or regulation.

**SECTION V. REPEALER CLAUSE.** The provisions of this ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein, provided, however, that all prior ordinance or parts of ordinances inconsistent or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent that such inconsistency is apparent. This ordinance shall not be construed to require or allow any act which is prohibited by any other ordinance.

**SECTION VI. EFFECTIVE DATE.** This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

**SECTION VII. NOTICE AND MEETING CLAUSE.** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**PUBLIC HEARING AND 1<sup>ST</sup> READING OF THIS ORDINANCE:** April 5, 2016.  
**SECOND READING:** Waived.

**APPROVED:**

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John Packer  
Mayor, City of Marble Falls

**ATTEST:**

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Christina McDonald, City Secretary  
City of Marble Falls

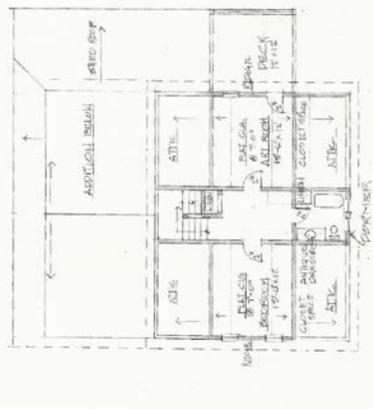
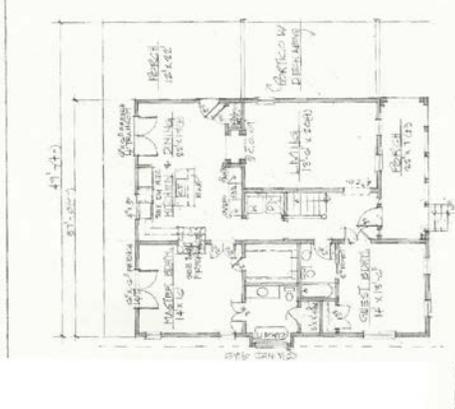
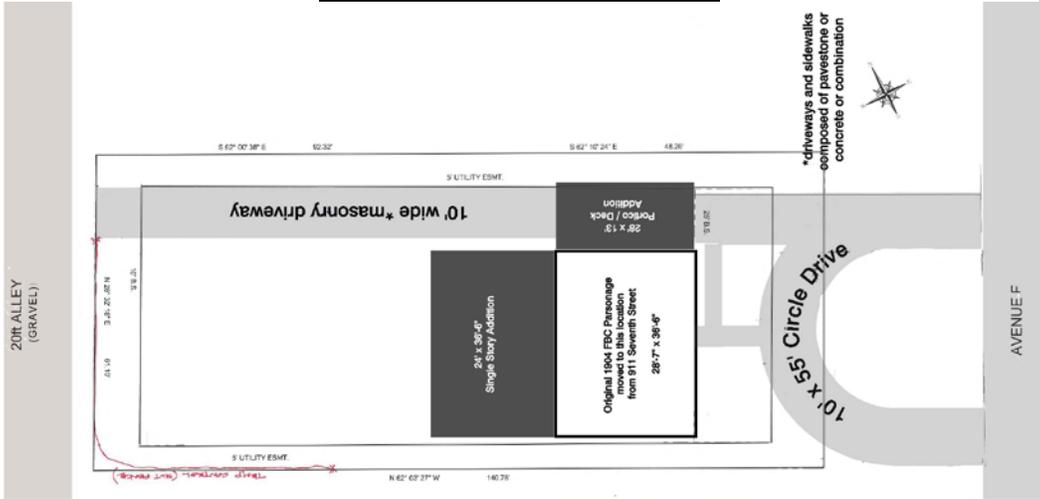
(Seal)

**APPROVED AS TO FORM:**

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Patty L. Akers, City Attorney  
City of Marble Falls

# EXHIBIT "A" - Site Plan



proposed



south elevation



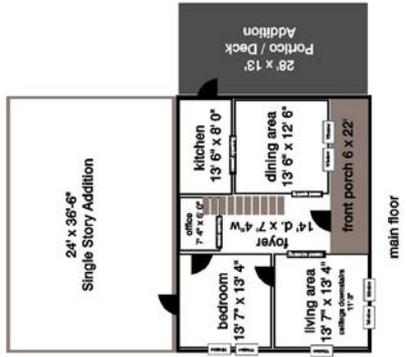
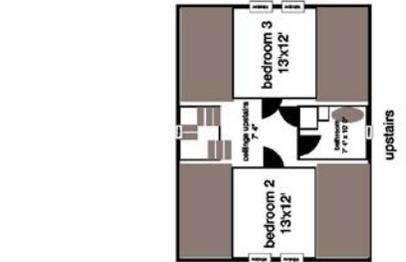
north elevation



east elevation



west elevation



existing

**April 5, 2016**

**7. REGULAR AGENDA**

- (c) Public Hearing, Discussion, and Action on the first reading of Ordinance 2016-O-04D and waiving the second reading regarding a rezoning request from Mobile Home Park Base District (MH-2) to Single-Family Base District (R-1) for Lots 9-A and 12-A, K & B Addition, City of Marble Falls, Burnet County, Texas, municipally addressed as 904 McDonald Drive and 900 McDonald Drive. *Steven Tomlinson, Applicant and Owner*
- 

Background information is attached as follows:

[Cover Memo and Supporting Documentation](#)



**Council Agenda Item Cover Memo**  
**April 5, 2016**

**Agenda Item No.:** 7(c)  
**Presenter:** Caleb Kraenzel, Director of Development Services  
**Department:** Development Services  
**Legal Review:**  N/A

**AGENDA CAPTION**

Public Hearing, Discussion, and Action on the first reading of Ordinance 2016-O-04D and waiving the second reading regarding a rezoning request from Mobile Home Park Base District (MH-2) to Single-Family Base District (R-1) for Lots 9-A and 12-A, K & B Addition, City of Marble Falls, Burnet County, Texas, municipally addressed as 904 McDonald Drive and 900 McDonald Drive.

**BACKGROUND INFORMATION**

At the March 3, 2016 regular meeting of the Planning and Zoning Commission, the Commission recommended approval (7-0) of the rezoning request as presented.

This item is regarding a rezoning request for Lot Nos. 9-A and 12-A of the K&B Addition Subdivision, in order to rezone from Mobile Home Park Base District (MH-2) to Single-Family Base District (R-1)

Lot Nos. 9-A and 12-A, herein referred to as the Subject Area, are each approximately 0.20 acres in size, encompassing a total of approximately 0.40 acres. Lot 9-A, municipally addressed as 904 McDonald Drive, is home to a vacant mobile home structure. Lot 12-A, municipally addressed as 900 McDonald Drive, is home to an existing one-story single-family detached frame house. Current owners, Steven Paul and Shirley Elaine Tomlinson, purchased the Subject Area (both lots) in August 2015. Homes in the MH-2 zoning district are restricted to be mobile homes as defined by the Department of Housing and Urban Development. Because the existing house on Lot 12-A is not a mobile home as defined by the Department of Housing and Urban Development, the existing home on Lot 12-A would be classified as a nonconforming structure under the adopted Land Use Regulations. The applicant/owners are requesting to rezone the Subject Area into R-1, in order to make the existing single-family house on Lot 12-A

a compliant structure, and to remove the existing mobile home structure from Lot 9-A. Once the mobile home structure is removed, the owners wish to replat their property into one single lot, in conformance with their ownership boundaries, and apply for a building permit to construct a detached accessory structure in conformance with R-1 zoning standards. Current zoning would not allow for approval of such a replat, due to the MH-2 minimum lot requirements.

The Subject Area is adequately served by both water and wastewater utilities, and no portion of the Subject Area is within the 100 year floodplain.

The proposed use of the Subject Area is to remain as Single-Family Residential Detached. Existing zoning surrounding the Subject Area include MH-2 to the west and south, and R-1 to the east and north. The proposed rezoning would simply move the existing R-1 zoning boundary to the west, across Lake Shore Drive, in order to encompass the 2 lots on the corner of McDonald Drive and Lake Shore Drive. The rezoning request is proposing an expansion of the existing abutting R-1 district and not the introduction of a new district that would cause compatibility issues in the area.

Site plan approval is not required for this rezoning due to the applicant seeking to rezone to a zoning district in conformance with the Comprehensive Plan and because the Subject Area encompasses existing development compatible with surrounding or abutting zoning, with no substantial development proposed. The Comprehensive Plan Future Land Use Plan (FLUP) module for the Subject Area is Low Density Residential.

A total of seventeen (17) adjacent property owners within two hundred feet (200') of the Subject Area were mailed notification letters, including the public hearing dates and a pre-paid comment card for response supporting/opposing the proposed rezoning. At the time of packet distribution ten (10) property owners submitted a response in favor of the rezoning.

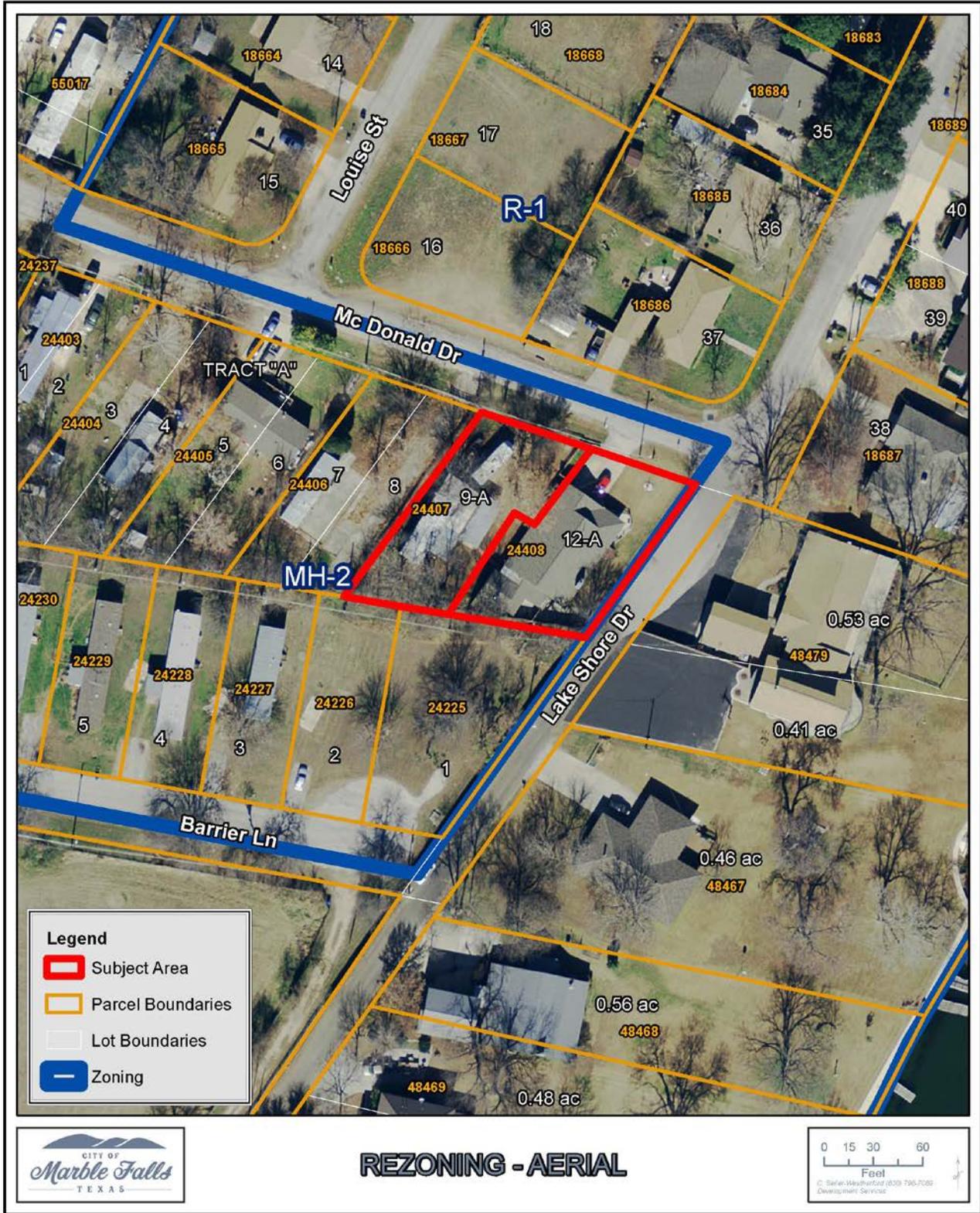
## **RECOMMENDATION**

Due to conformance with the Comprehensive Plan and the compatibility with surrounding zoning and existing land uses, City Staff recommends approval of the rezoning from MH-2 to R-1.

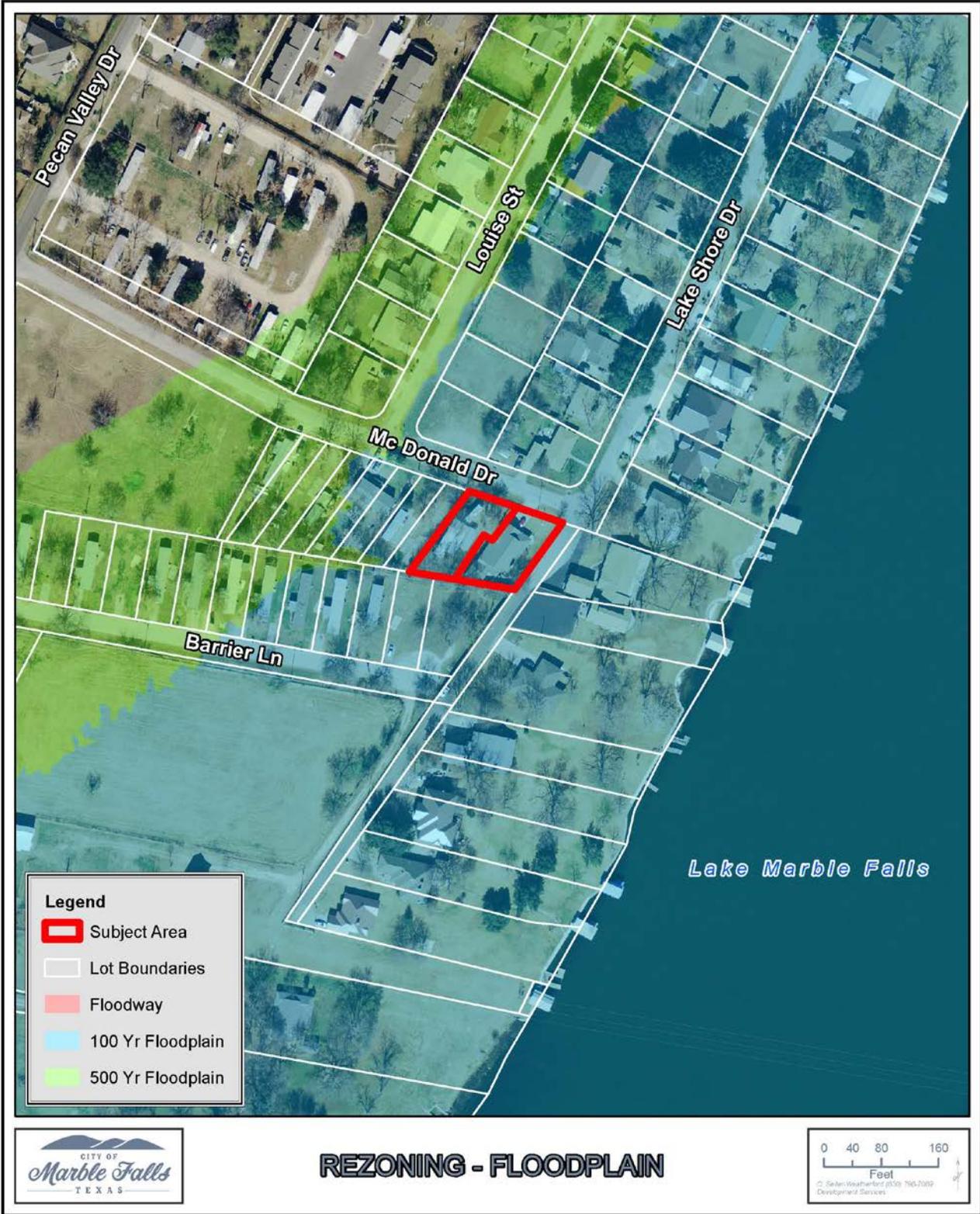
### **Memo Contents:**

- |   |   |
|---|---|
| <ul style="list-style-type: none"><li>• Informational maps produced by City Staff:</li><li>• Survey of Existing Single-Family Home:</li><li>• Ordinance 2016-O-04D:</li></ul> | <p><b>Pages 3 - 9</b></p> <p><b>Page 10</b></p> <p><b>Pages 11 - 14</b></p> |
|---|---|

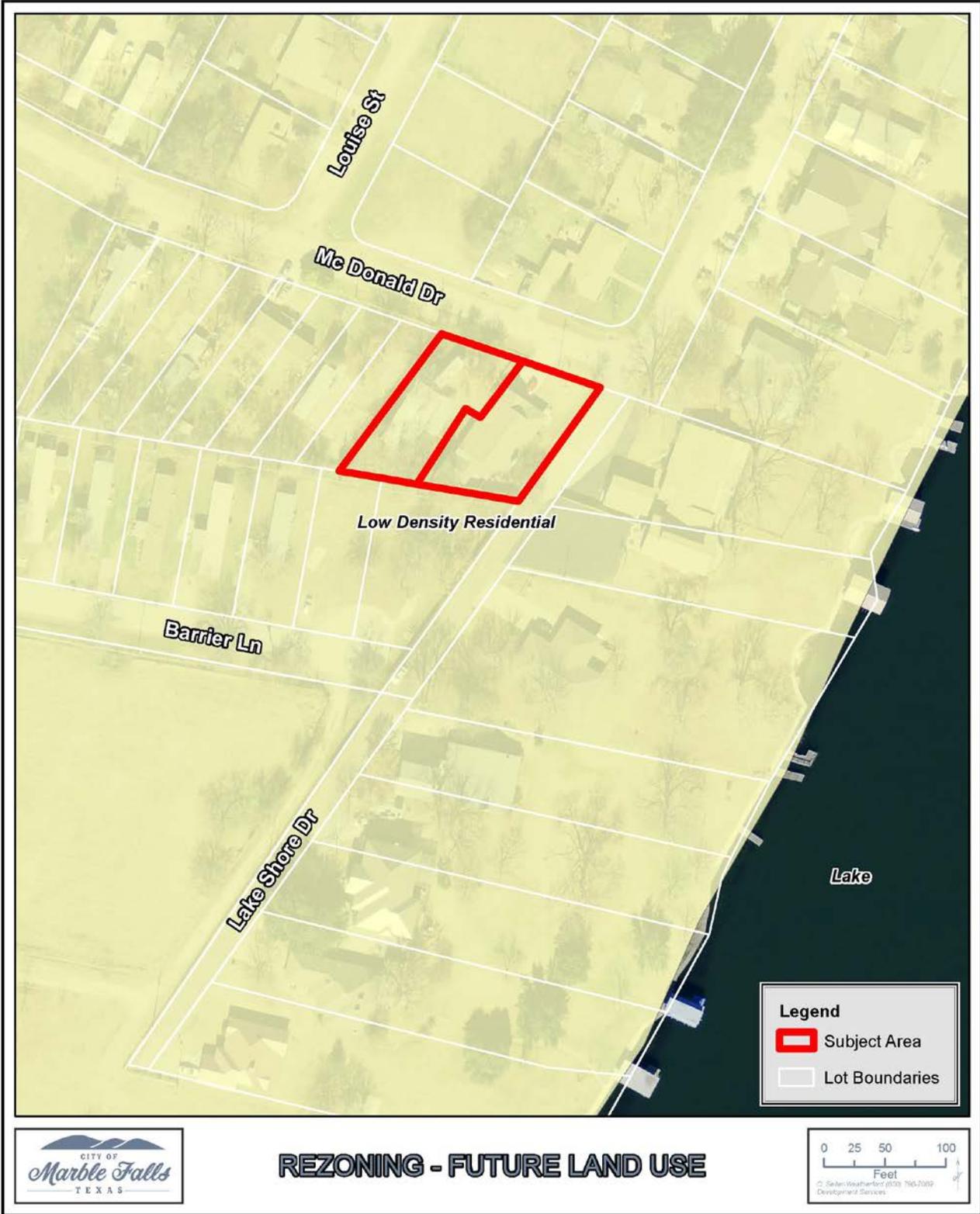














**REZONING - NOTIFICATION**





## ORDINANCE NO. 2016-O-04D

**AN ORDINANCE OF THE CITY OF MARBLE FALLS, TEXAS AMENDING THE ZONING OF LOTS 9-A AND 12-A, K & B ADDITION, CITY OF MARBLE FALLS, BURNET COUNTY, TEXAS; FROM MOBILE HOME PARK BASE DISTRICT (MH-2) TO SINGLE-FAMILY BASE DISTRICT (R-1) AND AS MORE PARTICULARLY DESCRIBED WITHIN EXHIBIT "A" ATTACHED HERETO; AND PROVIDING FOR A SAVINGS CLAUSE, SEVERABILITY, REPEALER, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.**

**WHEREAS** the City of Marble Falls is legally empowered to regulate development in the community through the legitimate use of its police powers; **AND,**

**WHEREAS,** the City Council seeks to promote responsible and sustainable growth consistent with the City of Marble Falls' Comprehensive Plan and future amendments; **AND,**

**WHEREAS,** the Planning & Zoning Commission recommended the proposed rezoning of the property described herein during a public hearing on Thursday, March 3, 2016, **AND,**

**WHEREAS,** the City Council thereby seeks to ensure conformance with the Future Land Use Plan of the Comprehensive Plan for the City of Marble Falls, **AND;**

**WHEREAS,** the City Council for the City of Marble Falls has considered the matter at a public hearing and deems it appropriate to rezone the property described herein to the classification specified in this ordinance, finding the zoning changes are in conformance with the Future Land Use Plan of the Comprehensive Plan.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARBLE FALLS, TEXAS, THAT:**

**SECTION I. PREAMBLE.** All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Marble Falls and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

**SECTION II. ZONING.** That the following real property be rezoned to the zoning classification described below:

- A. From Mobile Home Park Base District (MH-2) to Single-Family Base District (R-1) for Lots 9-A and 12-A of the K & B Addition Subdivision, City of Marble Falls, Burnet County, Texas, and as more particularly described on Exhibit "A", attached and incorporated for all purposes.

**SECTION III. OFFICIAL ZONING MAP.** The City Secretary is hereby authorized and directed to make the necessary changes so as to reflect the provisions of this Ordinance on the Official Zoning Map of the City of Marble Falls, Texas, which bears the name of the Mayor and is attested by the City Secretary and is kept at City Hall, in Marble Falls, Texas.

**SECTION IV. SAVINGS CLAUSE.** The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any



ATTEST:

---

Christina McDonald, City Secretary  
City of Marble Falls

(Seal)

APPROVED AS TO FORM:

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Patty L. Akers, City Attorney  
City of Marble Falls

EXHIBIT "A"

02140

SCALE: 1" = 30'

LEGEND:  
 ○ 1/4" = 10' BOUNDARY  
 ○ 1/4" = 1/2" BOUNDARY  
 ○ 1/4" = 1/4" BOUNDARY  
 ○ 1/4" = 1/8" BOUNDARY  
 ○ 1/4" = 1/16" BOUNDARY  
 ○ 1/4" = 1/32" BOUNDARY  
 ○ 1/4" = 1/64" BOUNDARY  
 ○ 1/4" = 1/128" BOUNDARY  
 ○ 1/4" = 1/256" BOUNDARY  
 ○ 1/4" = 1/512" BOUNDARY  
 ○ 1/4" = 1/1024" BOUNDARY  
 ○ 1/4" = 1/2048" BOUNDARY  
 ○ 1/4" = 1/4096" BOUNDARY  
 ○ 1/4" = 1/8192" BOUNDARY  
 ○ 1/4" = 1/16384" BOUNDARY  
 ○ 1/4" = 1/32768" BOUNDARY  
 ○ 1/4" = 1/65536" BOUNDARY  
 ○ 1/4" = 1/131072" BOUNDARY  
 ○ 1/4" = 1/262144" BOUNDARY  
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 ○ 1/4" = 1/1048576" BOUNDARY  
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**April 5, 2016**

**7. REGULAR AGENDA**

- (d) Discussion and Action on a Professional Services Agreement between Halff Associates, Inc. and the City of Marble Falls for the Park, Recreation and Open Space Master Plan Update and authorizing the City Manager to execute the Agreement. ***Robert Moss, Parks and Recreation Director***
- 

Background information is attached as follows:

[Cover Memo and Supporting Documentation](#)



**City of Marble Falls, Texas  
Council Agenda Item Cover Memo  
April 5, 2016**

**Agenda Item: 7(d)  
Prepared By: Robert W. Moss  
Department: Parks and Recreation  
Submitted By: Robert W. Moss**

**AGENDA CAPTION**

Discussion and Action on a Professional Services Agreement between Halff Associates, Inc. and the City of Marble Falls; for the Park, Recreation, and Open Space Master Plan Update; and, authorizing the City Manager to execute the Agreement.

**BACKGROUND**

In January 2012, City Council approved the 2012 Park, Recreation, and Open Space Master Plan (Master Plan). Master Plans are general updated every 5 to 7 years in order to qualify for grant funding sources; therefore our existing Master Plan is due for an update within the next year or two.

While the existing Master Plan is good until at least 2017 under existing conditions; the EDC's announcement of plans for a public/private partnership to build a convention center and hotel adjacent to Lake Marble Falls in Downtown Marble Falls has great potential for significantly changing the conditions in and around the proposed development site; including the core of our park system - Falls Creek, Johnson, Lakeside, and Hays Addition Parks (downtown parks). The new development will drive a need for updating and possible relocation of existing facilities. These changes will likely cause a cascading effect on the parks in our community; therefore pressing forward the need to update our existing Master Plan at this time.

Since Halff Associates, Inc. is currently working on an update to our Comprehensive Plan, they were asked for a proposal to update the Parks Master Plan. Halff's proposal (see attachment) includes a full update to the existing Master Plan; as well as more detailed concepts plans for our downtown parks. The update process will take 9 months with approval scheduled for January 2017.

Request for Qualifications (RFQ) were not solicited and accepted from other consulting firms. Staff felt that the fact that Halff is currently working on the Comp Plan Update likely makes them more qualified than any other firm at this time due to their knowledge

and recent experiences in our City. The Comp Plan team from Halff is also the same team that worked on our Sports Complex Feasibility Study back in 2012. Their recent and past experience provides them with a comprehensive understanding of our City and park system.

Because the details of the EDC's development project were not available during the last budget process, funding was not identified and allocated at that time. The EDC recently approved \$28,000 for the Master Plan Update; with the balance of \$47,000 to come from CIP fund balances.

This agenda Item is to request approval of a Professional Services Agreement between Halff Associates, Inc. and the City of Marble Falls; for the Park, Recreation, and Open Space Master Plan Update at a lump sum cost of \$75,000; and, authorize the City Manager to execute the Agreement.

[Professional Services Agreement](#)

# PROFESSIONAL SERVICES AGREEMENT

THIS PROFESSIONAL SERVICES AGREEMENT (this "Agreement") is made and entered into as of the \_\_\_ day of \_\_\_\_\_, 2016 by and between the City of Marble Falls ("City") and Half Associates, Inc. ("Contractor").

In consideration of the mutual premises, covenants and Agreements herein contained, the parties agree as follows:

**Section 1.** City hereby engages "Contractor", and "Contractor" hereby accepts such engagement, to provide professional planning and engineering services to the City as specified in Attachment "A" (the "Services"). "Contractor" shall perform the Services for the benefit of the City upon the terms and conditions contained in this Agreement.

## Section 2. Term and Termination.

(a) **Term.** The term of Contractor's engagement by City hereunder (the "Term") shall commence on the date of this Agreement and will continue in effect until completion of the Services, unless it is earlier terminated in accordance with this Section. The Services are anticipated to be performed by the Contractor within nine months from notice to proceed from the City, as set out in Attachment "C." Assuming that the Notice to Proceed occurs in April of 2016, it is anticipated that work would be completed by the end of January 2017.

(b) **Termination.** This Agreement may be terminated prior to the end of the Term upon 10 days notice by either party for any or no reason. Such termination shall be effective 10 days following delivery and receipt, by the terminating party to the other party, of written notice of such termination. The City shall pay Contractor for services rendered and obligations incurred to date of termination and Contractor shall submit to the City all Project documents prepared to that point.

## Section 3. Services.

(a) **Scope of Services.** The Services shall include those items listed on Attachment A which is incorporated herein by reference for all purposes. In order for the "Contractor" to perform the Services, the City's obligation for providing information and support is also described in Attachment A. Attachment "A" describes all phases of the Services anticipated to be provided by the Contractor, including the work in the notice to proceed under the initial phase of services to be performed by Contractor, and the subsequent work that would be authorized by amendment to this contract.

(b) **Performance.** The Services, and other duties of "Contractor" hereunder shall be performed promptly upon request by City. Contractor shall provide to the City, prior to commencing with the work a task-by-task schedule of the Services to be performed, and will submit monthly updates to the schedule to the City to indicate progress on conducting the Services and adjustments to the work schedule.

(c) **Additional Services.** If "Contractor" determines that services outside the scope of Attachment "A" ("Additional Services") are required or recommended, or that "Contractor" is being asked by City to perform services not covered by Attachment "A", "Contractor" shall notify City that such services are Additional Services, and the cost associated with their performance and receive approval to perform such Additional Services prior to undertaking them. Additional Services shall be performed at the professional rates listed in Attachment "B", or for a lump sum amount as agreed between the parties.

(d) **Contractor Responsibility.** Acceptance and approval of the work performed by Contractor or acceptance and approval of any report, document, or computer program by the City shall not constitute nor be deemed a release of the responsibilities and liability of Contractor for the accuracy and competency of Contractor's work products, computer programs, or other documents, and services prepared/performed under this Agreement. No approvals or acceptances by or in behalf of the City shall be deemed to be an assumption of such responsibility by the City for any defect, error or omission in said work products, computer programs or other documents and services as prepared/performed by Contractor.

Contractor further agrees to correct documents or re-execute services as may be required when such documents or services required to be produced under this Agreement are found to be in error or contain defects or omissions at no additional costs to the City.

## Section 4. Compensation.

(a) **Fee.** In exchange for "Contractor's" ongoing performance of the Services associated with Attachment "A" and the other duties and obligations under this Agreement, City shall pay to Contractor a fee (the "Fee") not to exceed \$75,000.00. The Fee shall be the sole compensation due "Contractor" in connection with its rendition of the Services identified in Attachment "A". The Fee is to be paid on a lump sum basis, in accordance to the schedule of values included in Attachment "B", to include any and all expenses that may be incurred by Contractor in the performance of the Services associated with this Agreement. City shall not be obligated to reimburse "Contractor" for any additional expenses incurred by "Contractor" in connection with "Contractor's" performance of such Services except in accordance with Section 3c of this contract. Subsequent amendments to this Contract may be executed by the City to authorize additional fees for the Contractor to provide the remainder of the Services in Attachment "A" that are not included in the initial Notice to Proceed, the schedule of value for which is shown in Attachment "B".

(b) **Taxes.** "Contractor", and not City, shall be solely responsible for paying all required federal, state and local taxes related to any amounts received by "Contractor" pursuant to this Agreement. City shall not withhold OASDI, Medicare or any federal, state or local income or other tax, make unemployment insurance contributions or obtain workers' compensation insurance on behalf of "Contractor".

(c) Payments on account of "Contractor's" Services shall be made to "Contractor" at its billing address indicated on the invoice, 30 days after invoice is received and approved for payment. Invoices for payment of Services shall not be submitted to City more frequently than once per month. Billing shall include documentation of cost of Services rendered during the previous month. Interest shall accrue on undisputed amounts which have not been and are past due, in accordance with the provisions of Section 2251.021 of the Texas Government Code, unless delay in payment is due to the fault of "Contractor".

**Section 5. Independent Contractor.** "Contractor" shall at all times be an independent Contractor and nothing in this Agreement shall at any time be construed so as to create the relationship of employer and employee, principal and agent, partnership or joint venture as between "Contractor" and City. "Contractor" shall have the entire charge, control and supervision of its performance of the Services. "Contractor" will not have any authority to incur any obligation or bind or commit City to any Agreement, contract, or commitment or to waive, modify, or amend any rights of City under any Agreement, contract, or commitment, except as expressly authorized in writing by City. City shall not in any manner be answerable or accountable for: (i) any violation by "Contractor" of any federal, state or local laws, regulations, ordinances, rules or orders; or (ii) for any injury, loss or damage arising from or out of any act or omission of "Contractor".

**Section 6. Governing Law.** This Agreement and the respective rights and obligations of the parties hereto shall be governed by and construed in accordance with the laws of the State of Texas, without regard to its conflicts of laws provisions. Venue and performance of this Agreement shall be in Burnet County Texas.

**Section 7. Successors and Assigns.** This Agreement and the terms, covenants, provisions and conditions hereof shall be binding upon, and shall inure to the benefit of, the respective heirs, successors and assigns of the parties hereto; provided, however, that "Contractor" may not subcontract or assign this Agreement without the prior approval of City.

**Section 8. Severability and Waiver.** If any provision of this Agreement is held to be invalid or unenforceable for any reason, such provision shall be conformed to prevailing law rather than voided, if possible, in order to achieve the intent of the parties and, in any event, the remaining provisions of this Agreement shall remain in full force and effect and shall be binding upon the parties hereto.

No failure or delay by either the City or Contractor in enforcing any provision of this Agreement shall operate as a waiver.

**Section 9. Limitation of Damages.** UNDER NO CIRCUMSTANCES WILL CITY BE LIABLE TO "CONTRACTOR" FOR ANY SPECIAL, INDIRECT, CONSEQUENTIAL, EXEMPLARY OR PUNITIVE DAMAGES. In no case shall either party be liable to the other for special, indirect, consequential, exemplary, or punitive damages for any damages, losses, costs or expenses under or in connection with this Agreement, whether for breach of contract, tort, or otherwise in excess of the party's insurance coverage

**Section 10. Compliance with Law.** "Contractor" agrees that it shall at all times fully comply with all laws, statutes, ordinances, rules, regulations and to the extent that Contractor has actual knowledge as provided by the City, those orders applicable to the Services or this Agreement.

**Section 11 Insurance.** "Contractor" agrees to carry and maintain insurance in the following types and amounts for the duration of this Agreement.

(a) Workers' Compensation and Employers' Liability coverage for employees of "Contractor", if any, with limits consistent with statutory benefits outlined in the Texas Workers' Compensation Act (Chapter 401, Texas Labor Code) and minimum policy limits for Employers Liability of \$100,000 bodily injury per accident, \$500,000 bodily injury disease policy limit and \$100,000 per disease per employee.

(b) Commercial General Liability with a minimum combined bodily injury and property damages per occurrence with a limit of \$500,000 for coverages A & B. The policy shall contain the following provisions:

1. Blanket contractual liability coverage for liability assumed under the Agreement and for all subcontracts.
2. City listed as an additional insured, endorsement CG 2010.
3. Thirty (30) day Notice of Cancellation in favor of the City, endorsement CG 0205.
4. Waiver of Transfer of Rights of Recovery Against Others in favor of the City, endorsement CG 2404.

(c) Automobile Liability Insurance for all owned, non-owned and hired vehicles with a minimum combined single limit of \$500,000 per occurrence for bodily injury and property damage. Alternate acceptable limits are \$250,000 bodily injury per person, \$500,000 bodily injury per occurrence and at least \$100,000 property damage liability per accident. The policy shall contain the following endorsements in favor of City:

1. Waiver of Subrogation endorsement TE 2046A.
2. Thirty (30)-day Notice of Cancellation, endorsement TE 0202A.
3. Additional Insured, endorsement TE 9901B.

**Section 12 Indemnity.**

"Contractor" hereby expressly agrees to indemnify and hold harmless the City and the City's officers, agents and employees, from and against all expenses, claims, demands, costs, and causes of action, including reasonable attorney's fees for the defense of all claims and demands (collectively, "Costs"), to the extent arising directly from, or directly connected with, the negligent performance of Services in connection with this Agreement by "Contractor", its officers, agents, employees and parties with whom it contracts, including Sub-Contractors, and from all Costs in connection with injury or property damages arising from the negligent performance of Services under this Agreement by "Contractor", its employees, agents, representatives and parties with whom it contracts, including Sub-Contractors.

**Section 13 Confidentiality.**

Contractor covenants and agrees that it shall not, at any time, directly or indirectly, divulge or disclose for any purpose whatsoever, confidential and proprietary information concerning the City that has been developed by the City, or obtained by Contractor from the City or disclosed to the Contractor by the City, as a result of the performance of the Contractor's work, duties and obligations under this

Agreement. The parties stipulate that, as between them, the aforementioned matters are important, material, and confidential and gravely affect the effective and successful conduct of the business of the City and its goodwill, and that any breach of the terms of this section is a material breach of this Agreement. The parties further stipulate that no adequate remedy at law exists for a violation of this Section by Contractor and that therefore the City shall be entitled to injunctive relief against Contractor for such a violation. "Confidential and proprietary information" of the City shall include, but not be limited to, costs and pricing financial and technical information, ideas, designs, specifications, techniques, models, data, programs, documentation, processes, know-how, customer lists, marketing plans, and information discussed at any meetings in which the City is present. "Confidential Information" shall also include any individually identifiable information of Participants.

It is agreed that the provisions of this Section 13 shall be applicable and enforceable unless the terms and conditions of this Section 13 are expressly waived on behalf of the City and reduced to an instrument in writing signed by the City.

**Section 14. Ownership and Use of Documents**

Contractor agrees that items such as plans, drawings, photos, designs, studies, specifications, data, computer programs, schedules, technical reports, or other work products which is/are specified to be delivered under this Agreement, and which is/are paid for by the City, is/are subject to the rights of the City in effect on the date of execution of this Agreement. Subject to the last sentence in this section, these rights include the right to use, duplicate and disclose such items, in whole or in part, in any manner and for whatever purpose; and, to have others do so. If an item produced by Contractor is copyrightable, Contractor may copyright it, subject to the rights of the City. The City reserves a royalty-free, non-exclusive and irrevocable license to reproduce, publish, modify and use such items and to authorize others to do so. Contractor shall mark all confidential or proprietary information as such prior to furnishing it to the City. Notwithstanding anything to the contrary contained herein, the City agrees that all rights and licenses afforded to the City in this section are limited to the use by the City exclusively for the City and not commercially or with an intent to profit from such information, and the City agrees to keep such information confidential from all parties not directly involved in the permitted use of such information unless required to release the information pursuant to the Texas Public Information Act, Chapter 552, Texas Government Code.

**Section 15. Entire Agreement.** This Agreement embodies the entire Agreement and understanding of the parties hereto with respect to the subject matter hereof and supersedes all prior and contemporaneous Agreements and understandings, oral or written, relating to said subject matter. This Agreement may not be amended or modified in any manner except by a written Agreement signed by each of the parties hereto.

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

**CITY OF MARBLE FALLS:**

By: \_\_\_\_\_  
Mike Hodge, City Manager

**CONTRACTOR:**

By:  \_\_\_\_\_  
Tim Bargainer, Vice President

**EXHIBIT 'A'**  
**SCOPE OF SERVICES**

**City Marble Falls Parks, Recreation & Open Space Master Plan Update &  
Concept Plans  
Marble Falls, Texas**

The following is the scope of services to be provided by Halff Associates, Inc. for the City of Marble Falls, Texas. This scope includes a comprehensive update to the City's existing parks master plan document and specific concept plans for five parks (a consolidated concept plan for the four parks in the downtown area and one additional concept plan for an undeveloped park). In this scope of work, City staff and elected officials are referred to as "Staff." Halff Associates Inc. is referred to as Halff.

**PLANNING PROCESS ASSUMPTIONS**

The scope of services for this proposal has been prepared using the following assumptions as a basis for its preparation:

1. The City's 2012 Park, Recreation, and Open Space Master Plan [hereafter "Parks Master Plan"] will be used as a starting point for this planning effort. The Update will be prepared as a supplement to the Comprehensive Plan.
2. The City of Marble Falls will provide the most recently available base data and mapping for each park in CADD and/or GIS shape file format.
3. The City of Marble Falls will provide electronic and printed copies, as available, of all previously prepared background information, studies and data that is appropriate for a comprehensive park planning effort such as this.
4. The City of Marble Falls will be responsible for advertising all notices and announcements for public meetings or events conducted as part of this process, including postings on the City website, press releases to area newspapers and mass media, and legal notifications and postings where necessary. Halff will assist by preparing electronic files for up to 11" x 17" flyers/posters (as may be necessary) and email notifications that can be distributed by City staff conducting media interviews to publicize events.
5. The City staff will coordinate and schedule all meetings and presentations to Boards and the Council that may be required as part of this process.
6. Because of the graphic nature of the park elements and ideas suggested as part of this plan, the draft and final report documents will be prepared in original Adobe "In-Design" format. Report documents will be provided to City of Marble Falls in PDF format suitable for distribution electronically and posting to the City website.
7. Tasks prepared as part of this planning effort may occur concurrently where appropriate, or in some cases may deviate from the sequence shown in this scope of work.
8. Cost projections prepared as part of this effort, if applicable, are understood to be at a planning level, and are prepared prior to any detailed design for individual projects. These cost projections will use professional judgment and are at an order-of-magnitude level. Such cost projections will vary as more detailed design occurs and as inflationary influences occur.

9. Upon completing projected costs, consultant will include suggested funding sources.
10. Stakeholder and planning meetings will be scheduled on concurrent days and evenings for greater project efficiency.
11. Any additional meetings beyond those shown in this scope of work will be considered an additional service and are not included in this scope of services.
12. The final deliverable will include a comprehensive update (per the scope of services set out below) to the City's existing 2012 Park, Recreation, and Open Space Master Plan (hereafter called "Parks Master Plan"), a "concept plan" for the consolidated downtown parks (one consolidated concept plan for all four parks), and a "concept plan" for the undeveloped park in the northern part of the City. The two "concept plans" would be prepared as an appendix to the overall Citywide Parks Master Plan.
13. A maximum of up to 10 printed copies of the Parks Master Plan and concept plans will be provided to the City; all other information will be submitted digitally as set out within this scope of services.

## SCOPE OF WORK

The planning effort scope of work is as follows:

### **1.00 Project Initiation/Management, Pre-Planning & Existing Conditions**

#### **1.01 Project Initiation and Project Management**

- a. **Project Initiation Teleconference** – Teleconference or WebEx videoconference project initiation and coordination meeting with City staff to finalize project goals, establish lines of longer-term communication, and determine the final public involvement strategy, including the use and composition of a broad-based ad-hoc advisory committee.
- b. **Park Master Plan Template** – As part of the project initiation, a project template will be developed to guide the branding of the public outreach and document materials.
- c. **Project Management** – During the course of the project, coordination regarding scheduling of meetings and deliverables, and invoicing and progress reports will be prepared to ensure that the project is managed and proceeds according to the professional services agreement and this scope of services.

#### **1.02 Pre-Planning and Background Information**

- a. **Assemble list of requested files and information** – Submit list of required information to City staff, including demographic data, usage data, and summaries of existing facilities in each park, and other applicable previous or ongoing studies and GIS information. GIS information provided should include most recent aerial photography of overall downtown area and for each park site and acquisition of plans for the downtown development area adjacent to the City's downtown parkland areas. (Coordination with the City's potential private development partner will an important function throughout the process).

- b. Develop base mapping** – Use background base data provided by the City to prepare an updated base map of the City’s park system which includes areas within the City’s limits and extraterritorial jurisdiction.
- c. Demographic profile** – Halff will incorporate demographic and socioeconomic data and population projections developed during the Comprehensive Plan process into the Parks Master Plan document.
- d. Site conditions and connectivity assessment** – Using base mapping and an on-site analysis of conditions and connectivity, develop an understanding of the opportunities and constraints of such things as, but not limited to, infrastructure, pedestrian and vehicular connectivity, natural and cultural resources, and land uses.
- e. History of past improvements to each park within the downtown area** – Incorporate outline summary of actions, both physical and fiscal, conducted by the City and/or other entities at each site over the past 10 to 20 years.
- f. Current and recent park visitation data** – Using data provided by City Parks staff, prepare trends showing recent visitation, facility usage, and revenue generation at each park site. Provide trend tables also using area visitation information provided by other area entities such as the Marble Falls/ Lake LBJ, Texas Visitor Center. As feasible, track trends from five to 10 years previously.

**Product by Halff** – Obtain background data and base files from City staff, develop base mapping for the City’s overall park system and areas designated for concept planning. Except as stated herein, Halff is not responsible for increasing the accuracy and precision or otherwise improving data received from the City. Establish specific project boundaries for the two areas designated for concept planning.

**Task Components by City Staff** – The City shall provide digital copy of applicable background plans, documents, and base inventory and GIS data (as may be available) as requested by Halff so that Halff has the necessary resources to undertake the project.

## 2.00 Public Engagement

### 2.01 Staff Kick-off Meetings, Key Person Interviews, and Parks Site Tour (Visit # 1)

- a. Conduct kickoff meeting with City staff** – Review project schedule, objectives of the effort, public input process and major milestones.
- b. Key person interviews** – Meet individually with key City officials, Economic Development, staff and the City’s private development partner for the downtown area to discuss their concerns, goals and ideas for the concept planning effort.
- c. Conduct review of existing park and recreation facilities** – Coordinate City staff to conduct a driving tour the City’s park and open space system to get a first-hand perspective of the issues, challenges, and opportunities facing the City.

**Product by Halff** – Attend and facilitate project kick-off meetings with City staff.

**Task Components by City Staff** – Organize and attend initial meeting and meetings with key City officials, review draft goals and objectives and comment as appropriate.

## **2.02 Stakeholder Focus Groups (Visit # 1)**

**a. Facilitate three 1-hour focus group meetings with key stakeholder groups** – On the same day as the staff kick-off meetings, Halff will conduct three one-hour focus group meetings with key stakeholders. These three small-group listening sessions should be comprised of 15-20 people per meeting and are intended to identify important community issues and their recommendations for the future of the City’s park and open space system. One of the three stakeholder groups will be focused on identifying issues and recommendations specifically for the downtown park properties. Meetings with the following potential stakeholders are suggested, but may be altered based on suggestions by City staff and officials:

1. Elected and appointed officials;
2. City staff including Economic Development;
3. LCRA officials;
4. Downtown business and land owners;
5. Convention and Visitor Bureau representatives;
6. Potential park user groups and other affected individuals;
7. Youth / school groups;
8. Representatives from the entity chosen to be part of the downtown public-private partnership tasked with developing the convention center; and
9. Neighborhood groups, if applicable.

**Product by Halff** – Prepare list of stakeholder questions, facilitate discussion with stakeholder focus groups, document with notes that are to be incorporated into final Parks Master Plan document.

**Task Components by City Staff** – Prepare list of key entities or individuals for focus group meetings, organize and schedule meetings, notify and RSVP with attendees, attend meetings to provide local context, and provide basic refreshments.

## **2.03 Parks Advisory Committee (PAC)**

**a. Committee purpose and composition** – In order to ensure the City’s overall parks and open space system is developed / redeveloped, maintained, and operated in accordance with the long-term vision and needs of the community, it is recommended to use the Marble Falls Parks and Recreation Board as an advisory committee. In order to ensure the downtown park properties (and the large, undeveloped property) are planned and designed in a cohesive manner with the City’s other downtown public-private economic development initiatives (e.g., the convention center), it is recommended that the advisory committee composition be expanded by four individuals. These include the EDC Director or one representative from the EDC Board, one representative from City Council, one representative from the Planning and Zoning Commission, and one representative from the entity that has been selected to be part of the downtown public-private partnership tasked with developing the convention center. The purpose of the Parks Advisory Committee (PAC) will be to provide a balanced opinion on

important City issues, provide comprehensive input on the vision for the future, and respond to draft deliverables and plan sections.

- b. Conduct a series of meetings with PAC** – As part of the plan development and vetting process, the Halff will meet with the PAC at three key points during the process, including:
1. **Project Kick-off (Visit # 1)** – As part of the project kick-off held during Visit # 1, Halff will hold a three-hour night meeting to present an overview of the Parks Master Planning process, an overview of the proposed public and private initiatives that are already underway, and a summary of the existing site conditions of the properties that are designated for concept planning. Halff will facilitate discussions regarding opportunities, constraints, connectivity and other relevant issues pertinent to these properties. A maps and markers exercise, and other exercises, will be conducted with the PAC in order to determine plan principles, goals, and objectives of these important properties.
  2. **Overview of Early Public Engagement / Preliminary Recommendations (Visit # 2)** – As part of Visit # 2, Halff will meet with the PAC to present an overview of the preliminary plan elements (see later in scope) which includes a summary of early public engagement and key recommendations to move forward. It is intended that the PAC will provide feedback and a recommendation on preliminary plan concepts, cost estimates, findings, recommendations, prioritization, and other information so that Halff can prepare a draft refined plan document and refined concept plans which will be presented and vetted by the greater community at an open house public workshop scheduled during Visit # 3.
  3. **Plan Recommendation (Visit # 4)** – As part of Visit # 4, Halff will meet with the PAC to present an overview of the draft final plan and refined concept plans (incorporating comments received from the previous PAC meetings and open house public workshop) so that an official recommendation could be made by the PAC to the City Council.

**Product by Halff** – Suggest agenda items along with handouts/presentations materials, as appropriate, for each scheduled PAC meeting; attend and facilitate each meetings.

**Task Components by City Staff** – Schedule meetings; distribute materials to the PAC; notify attendees; provide meeting refreshments as appropriate; attend meetings.

## 2.04 Online Community Survey

- a. Survey purpose and distribution** – In order to solicit appropriate and specific feedback from the citizens of Marble Falls, it is recommended that an online community survey be prepared and administered as part of this project. The online community survey will include specific questions which will identify the greater community's preferences for the future of the City's parks, recreation, and open space system. In addition, specific questions will identify community preferences for the future of the downtown park properties and the large, undeveloped park property as it relates to connectivity, community well-being and economic growth, and park spending habits. Developing and administering an online citizen survey includes the following:
1. An electronic online survey which will be posted in SurveyMonkey<sup>®</sup> and cross-linked to the City's Home Page on the website.
  2. A survey announcement which can be transmitted electronically, or as part of a newsletter or postcard in the mail.

3. A hard copy of the survey which can be disseminated by City staff at City Hall or the City's libraries (note that hard copy survey responses will need to be transferred into the online survey tool by City staff).
  4. Understanding that a lot of the City's park and sport league users are from the greater Marble Falls area, and to ensure adequate participation, it is recommended that the City broadly target advertisement of the online community survey. One recommendation is to coordinate with the Marble Falls Independent School District (MFISD) to disseminate a survey announcement (i.e., post-card) to each student in the school system as well as through their various forms of social media. An incentive(s) should be provided as a means to encourage a broader range of participants.
  5. The online community survey will be completed and analyzed prior to meeting with the PAC during Visit # 2.
- b. Survey results and feedback** – The raw results of the online survey will be provided to City staff and a summary overview of pertinent results will be included in the plan document.

**Product by Halff** – Prepare draft survey questions; refine survey questions based on City staff comments, post survey online using SurveyMonkey®; provide City staff with a digital copy of the hard copy survey for City staff dissemination, provide raw survey results; tabulate pertinent survey results and prepare summary for inclusion plan document.

**Task Components by City Staff** – Review list of survey questions and provide feedback; distribute paper survey at City Hall and City libraries; coordinate with MFISD and others to distribute postcard; provide an incentive for taking the survey.

## 2.05 Open House Public Meeting

- a. Open house public meeting purpose and intended audience** – The purpose of the open house public meeting is to solicit communitywide feedback on the Park Master Plan (and the refined concept plans) recommendations developed from the project scope, kick-off public engagement activities, PAC direction and guidance, and the online community survey. The meeting is intended to be set up in an open-house, come-as-you-want format. In order to solicit communitywide feedback, this meeting should be widely advertised by City staff.
- b. Meeting location and timing (Visit # 3)** – As part of Visit # 3, Halff will facilitate a three-hour open house public meeting at the Lakeside Pavilion from 5:30 pm to 8:30 p.m. Halff will prepare displays, meeting signs, and sign in sheets as appropriate. Halff will prepare a meeting flyer and an “e-blast” that can be used to promote the meeting. Meeting advertising (including newspaper advertisement, stakeholder notification, posting on the City home page and distribution of flyers) will be by the City. Halff will develop a summary of feedback comments received during the meeting and associated priorities generated by the citizen feedback which will be incorporated into the final Parks Master Plan document.

**Product by Halff** – Meeting preparation and setup, conduct meeting with displays and presentation. Prepare summary of citizen input for inclusion in Parks Master Plan document.

**Task Components by City Staff** – Advertise meeting, coordinate location choice and setup. Light snacks (crackers, cookies, and fruit) and beverages (bottled water, iced tea, etc.) will be provided by City staff.

### 3.00 Draft Parks Master Plan Document

#### 3.01 Inventory of Existing Parks & Open Space Facilities

- a. **Map parks and open spaces by type** – Inventory data to be provided by City staff will include the number and type of facilities in each City park. From this data, Halff will map the general geographic location of all park and open space facilities in Marble Falls. Facilities to be shown include:
  1. Existing parks, recreation facilities, open spaces, and trails;
  2. Existing recreation/civic facilities;
  3. Private or quasi-private recreation facilities (as identified by City staff); and
  4. City owned properties, including undeveloped properties.
- b. **Prepare a tabular summary of facilities** – From the base inventory provided by the City staff, Halff will prepare inventories of facilities in Marble Falls in table format.
- c. **Conduct a field review of existing parks and open spaces** – Halff will conduct a reconnaissance of key parks in Marble Falls, as identified by the City. This task will result in photographs and notes regarding characteristics of each park.

**Product by Halff** – Halff shall, based on information provided by the City, prepare a map that illustrates the geographic location of facilities in the City. Halff shall prepare a brief park profile of each City park.

**Task Components by City Staff** – The City shall, to the best of its ability and with information readily available, provide data for each existing park, including address, size, current classification, inventory, general condition of existing facilities in each existing park, and summary of issues related to each site. The City shall provide a summary of known information on regional park facilities and other major area recreational attractions, including location, size, types of facilities, and annual or event attendance (known or estimated).

#### 3.02 Evaluate Level of Service for Parks and Open Space

- a. **Calculate current level of service (CLOS)** – Review the previously adopted Marble Falls Parks, Recreation, and Open Space Master Plan to identify existing standards and to determine if recommend adjustments or new standards are appropriate to identify the CLOS.
- b. **Develop target levels of service (TLOS)** – Develop a TLOS park land, amenities, and facilities to meet the needs of current and future populations. Use NRPA standards or similar area standards as starting points for comparison only.
- c. **Compare recommended to actual** – Compare recommended spatial facilities to actual number of facilities, and develop tables that illustrate deficiencies in each category.

**Product by Halff** – Halff shall draft park facility standards in table and written format.

**Task Components by City Staff** – The City shall provide previous park facility standards; and review and comment on proposed Target Levels of Service.

### 3.03 Parks & Open Space Needs Assessment

- a. **Written summary** – Halff will prepare a written summary of needs, to include areas of significant deficiencies, in terms of land area and specific types of facilities. Halff will compare recommended standards to actual conditions to determine deficiencies.
- b. **Mapping** – Halff will prepare maps as appropriate that demonstrate key needs.

**Product by Halff** – Halff shall prepare a summary of system needs in text, table and plan format. Halff shall prepare a map illustrating key needs, and transmit to City for review and comment.

**Task Components by City Staff** – The City shall review needs assessment and comment as appropriate.

### 3.04 Parks & Open Space Recommendations & Strategies

- a. **Recommendations** – Based on the current and anticipated growth in the City, Halff shall consider and provide recommendations to address the specific needs and goals identified during this phase of the Parks Master Plan. Recommendations may be either citywide or targeted to specific sectors of the City. These recommendations and strategies will generally be categorized as follows:
  - 1. Land Acquisition;
  - 2. Park & Facility Development;
  - 3. Park Improvements; and
  - 4. Policy Recommendations.

**Product by Halff** – Halff shall prepare a summary of recommendations in text, table and plan format. Halff shall prepare a map illustrating land acquisition and park development recommendations.

**Task Components by City Staff** – The City shall review and provided feedback on preliminary recommendations.

## 4.00 Concept Planning & Programmatic Recommendations (Select Parks)

### 4.01 Assessment of Programmatic Needs, Concept Planning & Recommendations

- a. **Assessment of Needs** – Halff will conduct an assessment of the constraints, issues, and opportunities for the parks in the downtown area and one additional park in the City. Halff shall note major deficiencies and identify programmatic needs based on input derived as part of the overall parks master planning engagement process.
- b. **Recommendations** – Halff will prepare a list of programmatic recommendations to improve these parks.
- c. **Prepare preliminary concepts** – Halff will prepare a consolidated preliminary concept plan inclusive of each of the four downtown parks and a separate concept plan for the large, undeveloped property. This concept plan will be based on the assessments of each site and public and park user input received previously. The preliminary concept plans will be in plan-view format and will illustrate potential changes and adjustments to areas in each park. Concepts will also designate areas for alternative land uses. Benefits and constraints for the

recommended changes will be documented in memorandum format as a companion to the plan views. Areas to be considered in each site include:

1. Vehicular traffic flow and park access
  2. Parking areas
  3. Additional park user amenity areas
  4. Preservation or enhancement of environmentally sensitive areas
  5. Other specialized features as conceived during the planning process
- d. **Concept review** – The preliminary concept plans will be reviewed with City staff via a WebEx Videoconference and presented to the PAC during Visit #2. One set of modifications will be made based on feedback received by City staff and the PAC.
- e. **Preliminary cost estimates** – Once the proposed changes are incorporated, order of magnitude cost estimates will be developed for the preliminary concept plans. These will be at a pre-design level and will use current pricing information from other recent similar efforts. Cost estimates will be transmitted to City staff for review and comment.

**Product by Halff** – Halff will prepare two concept plans and text and bulleted recommendations regarding the assessment, needs, and programmatic improvements for these park properties. Results will be presented to interested stakeholders and the greater community at an open house public meeting during Visit # 3 and incorporated into the draft and final plan document.

**Task Components by City Staff** – The City shall review and provide feedback on the assessment and recommendations as appropriate.

#### 4.02 Refined Concept Plans & Implementation

- a. **Refined concept plans and implementation steps** – A total of two refined concept plans will be developed for the park properties. Each concept plan, text, recommendations, and cost estimates will be refined based on the feedback received from the City staff and the PAC during Visit # 2. The concept plans and associated information will be prepared for presentation in draft format to area stakeholders and interested parties. Implementation phases and steps, along with cost projections for each phase, will be prepared for presentation as well.

**Product by Halff** – A single round of modifications will be made to develop the refined concept plans and associated information. These will be reviewed by City staff prior to presenting to interested stakeholders and the greater community at an open house public meeting during Visit # 3.

**Task Components by City Staff** – Review concepts provided by Halff and comment as appropriate. Arrange open house public meeting as set out in Task 2.05, above.

### 5.00 Final Parks Master Plan Document, Concept Plans & Approval

#### 5.01 Prepare Public Hearing Draft of Parks Master Plan and Concept Plans

- a. **Final Parks Master Plan recommendations** – A final Parks Master Plan document will be prepared based on the public input findings and the conclusions of the recommendations phase.

**b. Organization and content** – It is intended that the Parks Master Plan document be organized as follows (Note: the document will be prepared in Adobe In-Design, to accommodate graphic images and photographs more readily than Microsoft Word):

1. Introduction & Context
2. Community Vision (engagement, vision, goals & objectives)
3. Inventory & Needs (inventory, standards, & needs)
4. Plan Recommendations
5. Implementation (priorities, phasing, and potential funding)
6. Appendices (in addition to the other necessary information needed in the appendix to ensure a TPWD grant compliant plan, a separate appendix section would be included for the two park properties as set out below)
  - i. Introduction
  - ii. Existing conditions (maps and text)
  - iii. Master Plan
    - Guiding principles, goals, & objectives
    - Brief summary of early engagement and direction
    - Preliminary concept plan and feedback
    - Refined (final) concept plan and action recommendations
    - Order of magnitude cost estimates
  - iv. Implementation (priorities, phasing, and potential funding)

## 5.02 Final Review by City Staff, PAC, & the City Council

- a. Post electronic copy for citizen review** – Transmit a PDF of the Parks Master Plan final draft document and refined concept plans to the City staff for posting on the City’s website for review and comment. The City will transmit electronic email blast to its contacts notifying them that the draft is available for review.
- b. PAC review and recommendation** – Present final Parks Master Plan document and refined concept plans to the PAC at a 4:30 p.m. meeting during Visit # 4. Review comments and prepare a list of recommended changes. Submit final document to City staff for final approval by the City Council.
- c. City Council public hearing and consideration of adoption** – During the same visit (Visit # 4) but after the PAC meeting, present the final Parks Master Plan document and refined concept plans to the City Council at a public hearing. This will include a presentation of the final Parks Master Plan document, refined concept plans, and the recommendation from the PAC.

**Products by Halff** – Prepare a public hearing draft of the Parks Master Plan document and refined concept plans and submit electronic original to City staff, present to PAC and City Council for recommendation and consideration of adoption.

**Task Components by City Staff** – Advertise meetings (including meeting state public notification requirements for a public hearing), coordinate location choice and setup.

**5.03 Prepare Adopted Parks Master Plan and Final Concept Plans**

- a. **Submit final document original** – Provide electronic versions of all original files related to the Parks Master Plan and final concept plans. Provide up to 10 full-color, bound copies of the adopted Parks Master Plan and final concept plans.
- b. **Additional copies** – Printing of additional copies beyond that identified in 5.03(a), above, shall be considered an additional service.

**End of Attachment 'A' – Scope of Services**

**EXHIBIT 'B'**  
**BASIS OF COMPENSATION**

**City Marble Falls Parks, Recreation & Open Space Master Plan Update &  
Concept Plans  
Marble Falls, Texas**

**Base Scope of Work** – Halff Associates will provide labor and personnel to perform the base services outlined in Exhibit 'A' on a lump sum basis. **The lump sum cost for the Parks Master Plan and Concept Plans is \$75,000.** Fees for services will be billed on a monthly basis, based on the percentage of work completed.

**End of Attachment 'B' – Basis of Compensation**

**EXHIBIT "C"**  
**ANTICIPATED SCHEDULE FOR COMPLETION**

**City Marble Falls Parks, Recreation & Open Space Master Plan Update &  
Concept Plans  
Marble Falls, Texas**

**Schedule for Completion of the Planning Effort** – Halff Associates will perform the base services outlined in Exhibit 'A' within nine (9) calendar months from the date of Marble Falls' notice to proceed.

**End of Attachment 'C' – Anticipated Schedule for Completion**





**City of Marble Falls, Texas  
Council Agenda Item Cover Memo  
April 5, 2016**

**Agenda Item: Executive Session  
Prepared By: Christina McDonald, City Secretary  
Department: Administration  
Submitted By: Christina McDonald, City Secretary**

**AGENDA CAPTION**

**EXECUTIVE SESSION**

**CLOSE OPEN SESSION AND CONVENE EXECUTIVE SESSION Pursuant to §551.071 (*Private Consultation between the Council and its Attorney*), Pursuant to §551.087 (*Deliberation Regarding Economic Development Negotiations*), and Pursuant to §551.072 (*Deliberation Regarding the Purchase, Exchange, Lease or Value of Real Property*) of the Open Meetings Act. *Tex. Gov't Code*, Council will meet in Executive Session to discuss the following:**

- Discussion regarding economic development projects associated with development of EDC owned and City owned property, including public right-of-way and easements.

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**CERTIFICATION:**

I hereby certify that I have reviewed the proposed topic for the Executive Session described herein and in my opinion, the Texas Open Meetings Act authorizes the Marble Falls City Council to meet in Executive Session and to deliberate regarding the subject matter contained in this cover memo.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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City Attorney