



**NOTICE OF MEETING
GOVERNING BODY OF MARBLE FALLS, TEXAS
Tuesday, May 1, 2018– 6:00 pm**

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

Notice is hereby given that on the 1st day of May 2018 the Marble Falls City Council will meet in regular session at 6:00 pm in the City Hall Council Chambers located at 800 3rd 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**
 - Proclamation – National Economic Development Week (May 7-12)
 - Proclamation – Public Service Recognition Week (May 6-12)
 - Proclamation – Building Safety Month
 - Presentation on the 2nd Quarter Revenue and Expense Report for the period ended March 31, 2018. **Margie Cardenas, Finance Director**
- 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 April 17, 2018 regular meeting. **Christina McDonald, City Secretary**

(b) Approval of the 2nd Quarterly Investment Report for the period January 1, 2018 through March 31, 2018. **Margie Cardenas, Finance Director**

(c) Approval of Ordinance 2018-O-05A, amending Division 4 (Water Conservation Plan), Article II (Water), Chapter 26 (Utilities) of the Code of Ordinances of the City of Marble Falls to replace the City's Water Conservation Plan in its entirety with a revised plan that contains various updates. **Mike Hodge, City Manager**

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

8. CITY MANAGER'S REPORT

- Impact Fee consultant selection and update process

9. EXECUTIVE SESSION

CLOSE OPEN SESSION AND CONVENE EXECUTIVE SESSION pursuant to §551.07 (*Private Consultation between the Council and its Attorney*), §551.072 (*Deliberation regarding the Purchase, Exchange, Lease or Value of Real Property*), and pursuant to §551.087 (*Deliberation Regarding Economic Development Negotiations*) of the Open Meetings Act. *Tex. Gov't Code*, Council will meet in Executive Session to discuss the following:

- Hotel/Conference Center Update
- Consultation with City Attorney regarding City's litigation with TCEQ over issuance of an Air Quality Permit to Asphalt, Inc., LLC.

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 26th day of April, 2018 at 9:00 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



Proclamation

Building Safety Month — May, 2018

Whereas, our City is committed to recognizing our growth and strength depends on the safety and economic value of the homes, buildings and infrastructure that serve our citizens, both in everyday life and in times of natural disaster, and;

Whereas, our confidence in the structural integrity of these buildings that make up our community is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers and others in the construction industry—who work year-round to ensure the safe construction of buildings, and;

Whereas, these guardians are dedicated members of the International Code Council, a U.S. based organization, that brings together local, state and federal officials that are experts in the built environment to create and implement the highest-quality codes to protect us in the buildings where we live, learn, work, worship, play, and;

Whereas, our nation benefits economically and technologically from using the International Codes® that are developed by a national, voluntary consensus codes and standards developing organization, our government is able to avoid the high cost and complexity of developing and maintaining these codes, which are the most widely adopted building safety and fire prevention codes in the nation; these modern building codes include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquake; and;

Whereas, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities largely unknown guardians of public safety- our local code official- who assure us of safe, efficient and livable buildings that are essential to keep America great, and;

Whereas, "Building Codes Save Lives" the theme for Building Safety Month 2018, encourages all Americans to raise awareness of the importance of building safe and resilient construction; fire prevention; disaster mitigation, and new technologies in the construction industry. Building Safety Month 2018 encourages appropriate steps everyone can take to ensure that the places where we live, learn, work, worship and play are safe, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies, and,

Whereas, each year, in observance of Building Safety Month, Americans are asked to consider the commitment to improve building safety and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

NOW, THEREFORE, I, John Packer Mayor of the City of Marble Falls, do hereby proclaim the month of May 2018 as Building Safety Month. Accordingly, I encourage our citizens to join with their communities in participation in Building Safety Month activities.

Signature

Proclamation
National Economic Development Week

WHEREAS, the International Economic Development Council has declared May 7-12, 2018 to be National Economic Development Week; and

WHEREAS, IEDC is the largest professional economic development organization dedicated to serving economic development agencies all over the world including the Marble Falls Economic Development Corporation; and

WHEREAS, the Marble Falls EDC has received two awards from IEDC for recognition in the categories of Highest Performing Economic Development Organization and for Excellence in Economic Development as well as being declared a model for the industry; and

WHEREAS, the Marble Falls EDC works tirelessly to establish a climate of professionalism and promote economic development as an investment in the City of Marble Falls; and

WHEREAS, the Marble Falls EDC is committed to attracting business and opportunity that will foster, create and retain high-quality jobs, expand career opportunities, facilitate growth, enhance wealth, and provide a stable tax base; and

WHEREAS, the Marble Falls EDC encourages entrepreneurship in order to help establish the next generation of new businesses, which is the hallmark of the American economy; and

WHEREAS, the Marble Falls EDC works in concert with governmental agencies, public-private partnerships, chambers of commerce, universities, and a variety of other institutions; and

WHEREAS, the Marble Falls EDC is dedicated to developing a vibrant community and improving the quality of life in and for the community they serve.

NOW, THEREFORE I, John Packer, Mayor of the City of Marble Falls do hereby proclaim the week of May 7-12, 2018 as Economic Development Week in the City of Marble Falls and call upon all citizens to honor the importance of the contributions and services rendered by the Marble Falls Economic Development Corporation and the impact the Corporation's efforts have made on our local businesses, our visitors and the entire community.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the City of Marble Falls, Texas, to be affixed this 1st day of May, 2018.

John Packer, Mayor



PROCLAMATION

Public Service Recognition Week May 6-12, 2018

WHEREAS, the citizens of Marble Falls are served every single day by public servants at the federal, state, county and city levels. These unsung heroes do the work that keeps our nation working; and

WHEREAS, Public employees take not only jobs, but oaths; and

WHEREAS, The City of Marble Falls recognizes its local public servants including employees in plant operations, public works, parks and recreation services, development services, utility services, administration, customer service, court, fire and police. Day in and day out, they provide the diverse services demanded by the American people of their government with efficiency and integrity; and

WHEREAS, many public servants, including police officers, firefighters, and others risk their lives each day in service to the people of the United States and around the world; and

WHEREAS, without these public servants at every level, continuity would be impossible in a democracy that regularly changes its leaders and elected officials; and

WHEREAS, all citizens of the City of Marble Falls are encouraged to recognize the accomplishments and contributions of government employees at all levels – federal, state, county and city.

NOW THEREFORE, I, John Packer, Mayor of the City of Marble Falls, by virtue of the authority vested in me, do hereby proclaim May 6-12, 2018 as:

PUBLIC SERVICE RECOGNITION WEEK

In witness whereof, I have hereunto set my hand and caused to be affixed the seal of the City of Marble Falls, this 1st day of May, 2018.

CITY OF MARBLE FALLS, TEXAS

John Packer, Mayor

May 1, 2018

6. CONSENT AGENDA

- (a) Approval of the minutes of the April 17, 2018 regular meeting. **Christina McDonald, City Secretary**
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**STATE OF TEXAS
COUNTY OF BURNET
CITY OF MARBLE FALLS**

On this the 17th day of April 2018 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: Richard Westerman Mayor Pro-Tem
Megan Klaeger Councilmember
William (Dee) Haddock Councilmember
Craig Magerkurth Councilmember
Reed Norman Councilmember
Dave Rhodes Councilmember

ABSENT: John Packer Mayor

STAFF: Mike Hodge City Manager
Caleb Kraenzel Assistant City Manager
Christina McDonald City Secretary
Patty Akers City Attorney
Margie Cardenas Finance Director
Valerie Kreger Director of Development Services
Mark Whitacre Chief of Police
Russell Sander Fire Chief
Tommy Crane Fire Marshal
Christian Fletcher EDC Executive Director
James Kennedy Public Works Director
Jay Everett Assistant Public Works Director
Stacy Baker Marberry Communications Manager
Katie Mein Communications Officer
Matthew Barton Communications Officer
Ann Dzurisin Communications Officer
Jackie Pettit Communications Officer
Melanie Shull Communications Officer

VISITORS: Erin Burks (Director of Marketing and Tourism, Convention and Visitors Bureau), Patti Zinsmeyer (Executive Director, Marble Falls/Lake LBJ Chamber of Commerce), Ely Banuet Rodriguez and Dr. Chris Allen (Children’s Day), Aric Head (Peloton Land Solutions, Inc. – Loma Vista Project), Dan Burdett (Loma Vista Project), Milloraye Holden, Glynnis Smith (The Highlander), Jennifer Fiero (The Picayune), Celia Merrill (Scott Streit (First Capital Bank), Rick Rosenburg (Development Planning and Financing Group, Inc. – Gregg Ranch PID)

1. **CALL TO ORDER AND ANNOUNCE QUORUM IS PRESENT.** Mayor Pro-Tem Westerman called the meeting to order at 6:00 pm.
2. **INVOCATION.** Councilmember Norman gave the invocation.
3. **PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES AND TO THE TEXAS FLAG.** Councilmember Rhodes led the pledges.
4. **UPDATES, PRESENTATIONS AND RECOGNITIONS**
 - **Proclamation.** Mayor Pro-Tem Westerman proclaimed April 8-14 Public Safety Telecommunicators Week.
 - **Proclamation.** Mayor Pro-Tem Westerman proclaimed April 21 Children’s Day.
 - **Update from the Marble Falls Chamber of Commerce.** Patti Zinsmeyer, Executive Director provided the update.
 - **Update from the Convention and Visitors Bureau.** Erin Burks, Director of Marketing and Tourism provided the update.
5. **CITIZEN COMMENTS.** Milloraye Holden addressed Council about the residential project on Broadway and maintenance in the greenbelt areas.
6. **CONSENT AGENDA.**
 - (a) Approval of the minutes of the April 3, 2018 regular meeting. Christina McDonald, City Secretary.
 - (b) Approve the acceptance of a grant from the Lower Colorado River Authority Community Development Partnership Program in the amount of \$22,815 for the purchase of rescue equipment for the Fire Department.
 - (c) Approval of Resolution 2018-R-04A authorizing the submission of an application to the Department of Homeland Security for FY 2017 Staffing of Adequate Fire and Emergency Response (SAFER) Grant Program for funds to hire three (3) Firefighters for Marble Falls Fire Rescue.
 - (d) Approval of distribution of funds from the Community Event Fund for the annual Marble Falls Community Fireworks July 4th Celebration.

Councilmember Noman made a motion to approve the consent agenda which was seconded by Councilmember Haddock and carried by a unanimous (6-0) vote.

7. **REGULAR AGENDA.**
 - (a) Public Hearing, Discussion and Action to adopt Resolution 2018-R-04B or to continue the public hearing from time to time regarding the creation of the Gregg Ranch Public Improvement District within the City of Marble Falls, Texas pursuant to Chapter 372 of the Texas Local Government Code. Caleb Kraenzel, Assistant City Manager addressed

Council. Rick Rosenberg (Development Planning and Financing Group, Inc.) reviewed the proposed PID timeline with Council. Councilmember Norman requested to convene to executive session to consult with the City Attorney at 6:48 pm. Council returned to open session at 6:54 pm. Upon returning to open session, Mayor Pro-Tem Westerman opened the public hearing. There being no discussion, Mayor Pro-Tem Westerman closed the public hearing. Councilmember Rhodes made a motion to act favorably on Resolution 2018-R-04B. Councilmember Haddock seconded the motion. The motion carried by a vote of 6-0.

- (b) Public Hearing, Discussion, and Action on Ordinance 2018-O-04C regarding a rezoning from the Agricultural (AG) District to the Single-Family Base District (R-1) for approximately 244 acres out of the H.T. & R. R. Co. Survey, Abstract 448, the H.T. & B. R. R. Co. Survey, Abstract 1279, the McKinney & Williams Survey, Abstract 624, and the J.H. Behrens Survey, Abstract 111, City of Marble Falls, Burnet County, Texas, located south of S.H. 71 and west of U.S. Hwy. 281.** Valerie Kreger, Director of Development Services addressed Council. Mayor Pro-Tem Westerman opened the public hearing. There being no further discussion, Mayor Pro-Tem Westerman closed the public hearing and read the caption of the ordinance. Councilmember Haddock made a motion to approve Ordinance 2018-O-04C. Councilmember Norman seconded the motion. The motion carried by a unanimous vote (6-0).
- (c) Discussion and Action regarding a Construction Plat for Loma Vista Two, Phases 2 and 3, being 33.49 acres out of Tracts 21 and 22, Holly-Naumann Subdivision No. 3, City of Marble Falls, Burnet County, Texas, and authorizing the Mayor to execute a Construction Improvement Agreement for construction of required public infrastructure for the Loma Vista Two, Phases 2 and 3 Subdivision.** Valerie Kreger, Director of Development Services addressed Council. Developer Dan Burdett was present. Aric Head (Peloton Land Solutions) gave a brief presentation to the City Council. Councilmember Rhodes made a motion to approve the construction plat for Loma Vista Two, Phases 2 and 3, subject to staff approval of the constructions plans, approval of the waivers to Section 825.o (Block Length), Section 839 (Street Lights) as requested, approval of the acceptance of the off-site utility easement, approval of the execution of the escrow agreement for the construction of the off-site improvements and approval of the construction improvement agreement. Councilmember Norman seconded the motion. The motion carried by a vote of 6-0.
- (d) Discussion and Action regarding a subdivision waiver and a minor replat of Lot 5, Boulder Creek, Burnet County, Texas, municipally addressed as 504 Boulder Creek Dr.** Valerie Kreger, Director of Development Services addressed Council. Councilmember Haddock made a motion to approve the subdivision waiver and minor replat of Lot 5, Boulder Creek, municipally addressed as 504 Boulder Creek Drive as presented. Councilmember Norman seconded the motion. The motion carried by a vote of 6-0.

(e) Discussion and Action on the Second Reading of Ordinance 2018-O-04A amending the 2017/2018 budget of the General Fund, Proprietary Fund, Economic Development Corporation Fund Special Revenue Funds and the Capital Project Funds. Margie Cardenas, Finance Director addressed Council. Councilmember Rhodes made a motion to approve Ordinance 2018-O-04A. Councilmember Haddock seconded the motion. The motion carried by a unanimous vote (6-0).

8. **CITY MANAGER'S REPORT.** City Manager Mike Hodge gave an update on Police Department Staff and the Development Code.

9. **EXECUTIVE SESSION**

CLOSE OPEN SESSION AND CONVENE EXECUTIVE SESSION pursuant to §551.07 (*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:

- Discussion regarding option to purchase LCRA Plant Site
- Status update on ATMOS Energy Rate Review Mechanism
- Consultation with City Attorney regarding City's litigation with TCEQ over issuance of an Air Quality Permit to Asphalt, Inc., LLC.

7:58 pm Convened to Executive Session

8:40 pm Returned to Open Session

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

11. **ANNOUNCEMENTS AND FUTURE AGENDA ITEMS.** Agenda items for the May 1, 2018 agenda were provided to Council.

12. **ADJOURNMENT.** There being no further business to discuss, Councilmember Magerkurth made a motion to adjourn. Councilmember Haddock seconded the motion. The meeting was adjourned at 8:40 pm.

John Packer, Mayor

ATTEST:

Christina McDonald, TRMC
City Secretary

May 1, 2018

6. CONSENT AGENDA

(b) Approval of the 2nd Quarterly Investment Report for the period January 1, 2018 through March 31, 2018. **Margie Cardenas, Finance Director**



Council Agenda Item Cover Memo
May 1, 2018

Agenda Item No.: 6(b)
Presenter: Margie Cardenas, Director of Finance
Department: Finance
Legal Review: N/A

AGENDA CAPTION

Approval of the 2nd Quarterly Investment Report for the period January 1, 2018 through March 31, 2018.

BACKGROUND INFORMATION

The 2nd quarter investment report shows earnings of \$49,365. The higher earnings this quarter were earned from the investment pools. Texas Class at an amount of \$34,969 with an average interest rate of 1.64% and Logic earned \$9,988 at an average rate of 1.610%. We held two certificates of deposit at an interest rate of 1.30% and earnings of \$1,571 for the quarter. The large balances in the accounts have helped in achieving significant interest earnings.

Our weighted average yield is at 1.572, this rate is slightly below the 6 months T-Bill. Our weighted average maturity rate is approximately 3.5 days. We are maintaining the majority of our investment in the pools, which is the reason for the short maturity dates.

A few significant changes occurred this quarter and are reflected by Fund in the Summary statement. The Debt Service Funds which paid for the semiannual debt payments, decreased by over \$1,000,000. Secondly, payments to the contractors for the water plant expansion and Via Viejo projects are reflected in the Capital Project Funds and decreased in total by \$487,000.

**City of Marble Falls
Quarterly Investment Report
2ND QUARTER: JANUARY 1- MARCH 31, 2018**

Summary of Investments by Type

Description	Value of all Investments at 01/01/2018		Value of all Investments at 03/31/2018	
	Book Value	Market Value	Book Value	Market Value
Demand Deposits	\$2,228,765	\$2,228,765	676,797	676,797
Logic	2,787,634	2,787,634	2,382,623	2,382,623
Texas Class	8,379,960	8,379,960	9,041,214	9,041,214
Cert. of Deposit	490,000	490,000	490,000	490,000
Total:	\$13,886,359	\$13,886,359	\$12,590,634	\$12,590,634

Summary of Investments by Fund Group

Fund Description	at 1/01/2018	at 03/31/2018	Change
General Fund	542,914	286,597	(\$256,317)
Enterprise Fund	34,265	36,702	\$2,437
Economic Development Corp.	8,253,877	8,622,777	\$368,900
Debt Service Funds	1,037,315	36,438	(\$1,000,877)
Capital Project Funds	3,881,877	3,394,760	(\$487,117)
Special Revenue Funds	136,111	213,361	\$77,250
Total:	\$13,886,359	12,590,634	(\$1,295,725)

Summary of Interest Earnings by Type of Investment

Description	This Quarter	Year-to-Date	Average Interest Rate
	Jan 18 - Mar 18	Oct 17 - Sept 18	
Demand Deposits	2,837	4,263	0.730
Logic	9,988	19,395	1.610
Texas Class	34,969	62,865	1.640
Cert. of Deposit	1,571	3,142	1.300
Total:	\$49,365	\$89,665	

WEIGHTED AVERAGE YIELD **1.572**
BENCHMARK YIELD: 6 Months T-Bill Benchmark Yield **1.930**
1 Year T- Bill Benchmark Yield **2.090**
WEIGHTED AVERAGE MATURITY **3.5 Days**

The City of Marble Falls Investment Portfolio is in compliance with the investment strategy of its investment policy and the relevant provisions of Chapter 2256 of the Public Funds Investment Act.


4/20/18
 Mike Hodge, City Manager/ Investment Officer Date


4-20-18
 Margie Cardenas, Director of Finance/ Investment Officer Date

**CITY OF MARBLE FALLS
DEMAND DEPOSIT ACCOUNTS
FOR THE QUARTER ENDED 03/31/2018**

<u>Account Name</u>	<u>Ending Balance at 12-31-2017</u>	<u>Ending Balance at 03-31-2018</u>	<u>Interest</u>
General Fund			
Credit Card Account - FSB	33,565.50	41,905.02	128.48
Operating Account - IBC	35,685.84	35,633.18	7.34
Operating Account - FSB	473,635.76	208,030.14	913.49
Insurance Trust - FSB	27.30	1,028.97	1.67
Total General Fund	<u>542,914.40</u>	<u>286,597.31</u>	<u>1,050.98</u>
Enterprise Fund			
Utility Deposit - FSB	<u>34,264.91</u>	<u>36,701.65</u>	<u>63.42</u>
Total Enterprise Fund	34,264.91	36,701.65	63.42
Economic Development Corporation			
Economic Development Corp.-IBC	1,729.71	1,790.07	0.36
Economic Development Corp - FSB	<u>486,267.17</u>	<u>111,786.70</u>	<u>467.35</u>
Total EDC	487,996.88	113,576.77	467.71
Debt Service			
General Fund I&S - FSB	<u>1,027,477.68</u>	<u>26,561.11</u>	<u>959.03</u>
Total Debt Service	1,027,477.68	26,561.11	959.03
Special Revenue			
Police Forfeiture Fund - FSB	41,496.34	39,114.88	71.38
Police Federal Forfeiture Fund - FSB	22,837.22	22,878.43	41.21
La Ventana PID - FSB	10,977.29	24,267.97	32.69
TIRZ Fund-FSB	60,800.07	127,099.30	150.49
Total Special Revenue	<u>136,110.92</u>	<u>213,360.58</u>	<u>295.77</u>
GRAND TOTAL	<u><u>2,228,764.79</u></u>	<u><u>676,797.42</u></u>	<u><u>2,836.91</u></u>

CITY OF MARBLE FALLS POOL INVESTMENTS
AS OF 03/31/2018

LOGIC

Acct Name	Acct Number	GL Acct #	Amount	Interest
Economic Development Corp.	#25	20-1008	1,648,946.05	5,392.20
Total EDC			1,648,946.05	5,392.20
General Fund Interest & Sinking	#27	04-1034	9,876.50	39.18
Total Debt Service			9,876.50	39.18
Gen. Improvement Series 2011	#31	68-1033	6,958.89	27.62
Utility Improvement Series 2011	#32	45-1031	41,610.94	165.00
WWW Series Improvements	#34	45-1034	675,230.20	4,364.10
Total Capital Improvement			723,800.03	4,556.72
GRAND TOTAL LOGIC			2,382,622.58	9,988.10

TEXAS CLASS

Convention Center Series 2016	#20	24-1002	6,615,253.88	26,644.02
Total EDC			6,615,253.88	26,644.02
Gen. Improvement Series 2017	#19-02	68-1013	1,423,890.21	6,255.62
Utility Improvements Series 2016	#19-01	45-1006	1,002,069.60	2,069.60
Total Capital Improvement			2,425,959.81	8,325.22
GRAND TOTAL TEXAS CLASS			9,041,213.69	34,969.24

CITY OF MARBLE FALLS CERTIFICATE OF DEPOSIT
As of 03/31/2018

<u>CD Name</u>	<u>CD Number</u>	<u>Acct #</u>	<u>Issue Date</u>	<u>Maturity Date</u>	<u>Term of CD</u>	<u>Amount</u>	<u>Int Rate</u>	<u>4th Qtr Int</u>
<u>CAPITAL IMPROVEMENT FUNDS</u>								
Utility Improvement Series 2011	2149	45-1003	05/31/2017	05/31/2018	365 days	245,000.00	1.30	785.34
Total Capital Improvement Funds						245,000.00		785.34
<u>EDC FUND</u>								
EDC	2636	20-1005.07	05/31/2017	05/31/2018	365 days	245,000.00	1.30	785.34
Total EDC Fund						245,000.00		785.34
GRAND TOTAL						490,000.00		1,570.68

May 1, 2018

6. CONSENT AGENDA

- (c) Approval of Ordinance 2018-O-05A, amending Division 4 (Water Conservation Plan), Article II (Water), Chapter 26 (Utilities) of the Code of Ordinances of the City of Marble Falls to replace the City's Water Conservation Plan in its entirety with a revised plan that contains various updates. **Mike Hodge, City Manager**
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Council Agenda Item Cover Memo
May 1, 2018

Agenda Item No.: 6(c)
Presenter: Mike Hodge, City Manager
Department: Administration
Legal Review: Not Applicable

AGENDA CAPTION

Approval of Ordinance 2018-O-05A, amending Division 4 (Water Conservation Plan), Article II (Water), Chapter 26 (Utilities) of the Code of Ordinances of the City of Marble Falls to replace the City’s Water Conservation Plan in its entirety with a revised plan that contains various updates.

BACKGROUND

The purpose of a Water Conservation Plan is to ensure water use efficiency within our operation. It includes a system description as well as strategies for reducing the consumption of water, reducing the loss or waste of water, improving efficiency in the use of water, and increasing recycling and reuse of water. It contains the best management practices the City will implement in order to meet the targets and goals identified within the plan.

The Texas Water Development Board mandates the plan be updated once every 5 years and approved by the governing body. The plan was last updated in 2013.

Changes to highlight in the revised plan include the following:

- Updated description of the Utility Profile following upgrades and expansion of the wastewater treatment facility and water treatment plant as well as replacement of aging infrastructure in the distribution system
- Description of service area following annexations and the updated Certificate of Convenience and Necessity (CCN) obtained last year
- Inclusion of comprehensive reuse information following implementation of the Purple Pipe Master Plan and extension of purple pipe to parks and sports fields
- Inclusion of landscape ordinance revisions which include the approved plant and tree list restricted to use of only native, adaptive and drought tolerant trees, plants, grasses and vegetation
- Detailed plan to transition from traditional meter reading to AMI or AMR system

- Set new five and ten-year goals on gallons per capita per day use and water loss reduction

ORDINANCE NO. 2018-O-05A

WATER CONSERVATION PLAN ORDINANCE

AN ORDINANCE AMENDING THE CITY OF MARBLE FALLS, CODE OF ORDINANCES, AMENDING DIVISION 4 (WATER CONSERVATION PLAN), ARTICLE 11 (WATER) CHAPTER 26 (UTILITIES) TO REPLACE THE CITY'S WATER CONSERVATION PLAN IN ITS ENTIRETY WITH A REVISED PLAN THAT CONTAINS VARIOUS UPDATES; PROVIDING FINDINGS OF FACT; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR PROPER NOTICE AND OPEN MEETING.

WHEREAS, the City of Marble Falls (City), is legally empowered to enact and amend ordinances for the protection of the health, safety and welfare of its residents; and,

WHEREAS, pursuant to state law, the City Council hereby amends the existing Water Conservation Plan to include system updates and the associated best management practices to ensure responsible use of the water supply for the residents; and,

WHEREAS, the City Council has determined that adoption of the revised plan is in the best interest of the city and its citizens services.

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

SECTION I. FINDINGS OF FACT. 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. AMENDMENTS The City of Marble Falls Code of Ordinances Chapter 26, is hereby amended by the repeal of the current Division 4, Water Conservation Plan, and replacing it so that it shall hereafter read in its entirety as follows.

DIVISION 4. – WATER CONSERVATION PLAN

Sec. 26-55.1. – Utility Profile.

- (a) Water System. The City of Marble Falls obtains its raw water supply from Lake Marble Falls through a water supply agreement with the Lower Colorado River Authority (LCRA). The City's Utility Department is the managing municipal entity that operates the surface water treatment facility that withdraws raw water from the Colorado River/Lake Marble Falls and treats and delivers the potable water to its retail service area customers. The City's water utility operates as Texas Commission

on Environmental Quality (TCEQ) Public Water System #270026 and serves the area defined by TCEQ Certificate of Convenience and Necessity (CCN) #1137. The City of Marble Falls currently serves a population of 6,700 comprising of approximately three thousand one hundred and ninety-two (3,192) connections of which approximately seventy -five (75) percent are residential and twenty-five (25) are commercial. The service area boundaries extended to the Subdivision of Highland Hills to the north, south to Texas State Highway 71, east to 3151 FM 1431 and west to FM 2400 1431. All residential and commercial properties are connected to the water system. The average daily usage from the three (3) past years is 1.405 mgd. Peak demand of 2.90 mgd for the City occurred in August 2012. The projected population for the service area is as follows:

YEAR	POPULATION
2020	8,784
2030	12,906
2040	18,684
2050	21,713
2060	23,732

A central water plant serves the City of Marble Falls; it controls the level in three (3) ground storage tanks, one (1) standpipe, and three (3) elevated storage tanks.

The water system constraints include geology and some undersized water mains which provide marginal fire flows.

The City of Marble Falls has created a Water/Wastewater Master plan and has initiated several infrastructure improvements to the water system in recent years. The City is currently in Phase IV of water plant expansion, going from three (3) mgd to 4.8 mgd. We are replacing a five-hundred-gallon ground storage tank with a six hundred-thousand-gallon storage tank and have replaced multiple aging service lines in the distribution system.

The City is divided into seven (7) pressure planes to assure better service. The City of Marble Falls will continue to improve the distribution system with major construction as funding permits,

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- (b) Wastewater system. The City of Marble Falls Wastewater System currently has an average daily flow of 1.034 mgd with a peak monthly flow of thirty-five (35) million gallons, which occurred in August 2017.

There are approximately five (5) percent of water service connections in the City that are served by private sewage facilities.

An extended aeration activated sludge plant currently serves the City of Marble Falls wastewater treatment needs. This plant has four (4) clarifiers, two (2) oxidation ditches, an AquaDisk filtration system and an aerobic digester with belt press. The

plant is approaching seventy-five (75) percent threshold. The City has recently upgraded to convert the process to a reclaimed water system enabling the City to produce Type 1 effluent. The City has begun irrigation of its parks utilizing the treated effluent and saving over 63 acre-feet of water annually, reducing the potable water demand. Capital improvements for the coming years include beginning design on a second wastewater treatment plant and extending the reclaimed water system to additional parks and sports fields throughout the City as well as a neighboring municipal golf course to utilize treated effluent for irrigation.

(c) Financial Data

Water Rates:

Residential and commercial customers shall be charged the minimum monthly rates per metered water connection as established in the water/wastewater rate ordinance. These charges are levied in accordance with the size of the meter serving the customer and the type of customer.

The City implemented an inclined block water rate structure in 2013 wherein the unit cost of water increases within blocks as water usage increases. The inclined block structure encourages conservation with lower rates for lower volume users and higher rates for higher volume users. Annual audits are conducted to evaluate promoting conservation. The rate structure does not impact low end users alleviating the burden on low income and fixed income residents.

The water rate for Type I effluent is set at one-half of the current water rate for potable water.

Water rates for the sale of bulk water will be at the rate established in the water/wastewater ordinance. The purchaser is responsible for providing a container approved for transportation of the water. The sale of bulk water will not be allowed for resale purpose to residents outside the City limits once Stage 3 is reached or any stage beyond that, under the drought contingency plan.

Sec. 26-55.2. – Plan Elements

(a) *Education and Public Information.*

Education. The City makes available water conservation education materials for its customers on an on-going basis. Such information shall be provided to customers through various mediums including but not limited to: utility bill inserts, pamphlets provided at public facilities, direct mailings, the City website, social media, school presentations, and periodic articles published in the local designated newspaper. When appropriate, the City shall also coordinate education efforts with local water suppliers, agencies, and regulators to promote water conservation education. Additionally, the City will conduct or participate in at least one (1) annual water conservation event or activity.

Public Information. The City has partnered with the Texas Water Development Board

(TWDB) to implement the state wide public awareness program, Water IQ. The City currently utilizes literature, web links and informational packets to customers with material compiled by the TWDB to raise awareness of the need for water conservation in our community. New utility and change of service customers are provided water conservation literature as well as public service information regarding the status of the drought response stage during the application process. The same information will be made available to existing utility customers through the City website and at City Hall. Water conservation information for “Water Savings Methods” that can be practiced with the Individual Water User is also available in the administration offices.

- (b) *Plumbing Codes.* The City’s currently adopted version of the International Plumbing Code and the International Energy Conservation Code requires saving plumbing devices on all new construction. State and Federal laws require that homes constructed after 1992 have low flow (less than three (3) gallons per minute) showerhead, faucet aerators and ultra-low flush (1.6 gallons per flush) toilet installed.
- (c) *Retrofit Program.* The City will make available, through its education and information programs, information for water customer use when purchasing and installing plumbing fixtures, lawn watering equipment or water using appliances. The program will inform existing users of the advantages of installing water saving devices. Additionally, the City in partnership with LCRA, makes available to customers low flow shower heads and faucet aerators at no charge and upon request.
- (d) *Water Conservation Oriented Pricing Structure.* The City has implemented an inclined block water rate structure where in the unit cost of water increases within blocks as customer usage increases. The inclined block structure has been effective in encouraging conservation with lower rates for lower volume users and higher rates for higher volume users. Annual audits are conducted to evaluate promoting conservation. The rate structure does not impact low end users alleviating the burden on low income and fixed income residents.
- (e) *Universal Metering.* All water customers, including utility, City offices and public facilities, are presently metered. Also, master metered are currently installed and periodically calibrated at all existing water sources. All new construction is separately metered.

The City, through its computer billing system, currently monitors water consumption and inspects meters, which vary from its previously established norms. In addition, the City will adopt a meter maintenance and replacement program as follows

- (1) Production (master) meters – test once per year
- (2) Meters larger than one inch – test once per year
- (3) Meters one inch or smaller – test once every ten (10) years

Through a successful meter maintenance program coupled with computerized billing, water audits, timely repairs, and leak detection program, the City of Marble Falls will

keep unaccounted for water losses below fifteen (15) percent.

- (f) *Landscape Irrigation Conservation Initiatives.* In order to reduce the demands placed on the water system by landscape watering, the City adopted new landscape regulations requiring all redevelopment and new development to adhere to the City's approved plants and trees list which includes only native, adaptive and drought tolerant trees, plants, grasses and vegetation. Additionally, the City will encourage customers and local landscaping companies to utilize water saving practices in installation and the maintenance of landscaping for residential and commercial institutions. Some of the methods to be promoted are as follows:
1. Require landscape architects to use native and adapted plant materials that can tolerate periods with low water input and require less fertilizers and pesticides to maintain, as well as water efficient irrigation system design and technologies, such as hydro zones to group plant materials of similar water needs.
 2. Require licensed irrigation contractors to permit and install all irrigation systems with water efficient features, such as:
 - a. Proper irrigation system design techniques to match the landscape design, accommodate prevailing wind patterns, and minimize overspray onto hardscapes;
 - b. Sprinklers that emit large drops rather than fine mist;
 - c. Irrigation controllers that offer multiple start times, are capable of running multiple programs, have a water budget feature and are rain or moisture sensor capable;
 - d. Rain or moisture sensors to prevent irrigation system operation during rainfall events;
 - e. Drip irrigation where possible, and in all landscaped areas less than ten (10) feet wide (medians, parking islands, etc.).
 3. Encourage commercial establishments to use drip irrigation for landscape watering, when practical, and to install only ornamental fountains that recycle and use minimal quantities of water.
 4. Encourage the utilization of separate irrigation meters in an effort to more effectively monitor and manage landscape irrigation usage.
 5. Partner with LCRA to conduct no cost evaluations of landscape irrigation systems for citizens and provide citizens with information regarding the irrigation technology rebate program.
- (g) *Leak Detection and Repair.* The City conducts monthly water system audits in order to track for unaccounted water. Current loss is calculated to be at 8.0%. City maintenance technicians also conduct visual inspections at meters on a monthly basis in order to monitor leaks. Additionally, through its computerized billing program, the City can readily identify excessive water use determined to be a water leak. When identified, leaks are repaired immediately. In accordance with the requirements set forth by LCRA and the TWDB, the City performs a comprehensive water system audit annually.
- (h) *Recycle and Reuse.* In 2017, the City completed the design of the Water Reuse Master Plan. The City currently reuses all wastewater effluent produced at the City's wastewater

treatment facility for irrigation of city parks, city owned soccer fields, for industrial use and a coastal hay farm. Future capital improvement projects will allow for additional City owned parks, a neighboring municipal golf course, and school sports facilities for irrigation with treated effluent.

- (i) *Drought Contingency Plan.* When conditions indicate a possible water shortage by drought or any other event that could occur to the water supply that would create an emergency situation, the City shall enact the drought contingency plan, Division 3 of Article II of Chapter 26 of the City's Code of Ordinances. The City prohibits inefficient water management under the various drought response stages in an effort to conserve water.
- (j) *Implementation/enforcement.* The City Manager and/or his designee will act as the administrator of the water conservation program. The administrator will oversee the execution and implementation of all elements of the program. The administrator will be responsible to supervise the keeping of adequate records from program verification. The administrator will also ensure that the water conservation plan is properly updated and filed every five (5) years with the LCRA and TCEQ.

The City will adopt the final approved plan and commit to maintain the program for the duration of the City's financial obligation to the State of Texas should it be necessary.

- (k) *Annual Report.* In addition to the above outlined responsibilities, the administrator will submit the Annual Water Conservation Implementation report to the TWDB and TCEQ on the status of the water conservation plan. The report will include the following:
 - (1) Public information which has been issued.
 - (2) Public response to plan.
 - (3) Effectiveness of water conservation plan in reducing water consumption by providing production and sales records.
- (l) *Contracts with Other Political Subdivisions.* The City will, as part of contract for sale of water to any other political subdivision, require that entity to adopt applicable provisions of the City's water conservation and drought contingency plan or have a plan in effect previously approved by the TCEQ that is at least as stringent as the City's. These provisions will be through contractual agreement prior to the sale of any water to the political subdivision.
- (m) *Conservation Goals.* The quantitative goals as required by Title 30, Texas Administrative Code, Chapter 288 (30TAC 288) are stated below. The city's annual average water use is 202 gpcd. The City's annual water loss is 8%.
 - (1) Five Year Conservation Goals
 - a. Reduce the average per capita day water use by 2.0% by 2024 with a goal of achieving 197.6 gpcd
 - b. Complete reuse infrastructure to allow for additional City owned parks and sports fields to be irrigated with treated effluent.

- c. Conduct an annual survey of scheduled portions of the water distribution system with acoustical leak detection and ultrasonic flow meter testing equipment as an extra measure in reducing water loss.
- d. The City will work with LCRA to offer irrigation audits to residential and commercial customers.
- e. Transition from manual meter reading to an Automatic Metering Infrastructure (AMI) system to target water loss more effectively and increase efficiency in metering.
- f. Reduce loss by 1% annually.

(2) Ten Year Conservation Goals

- a. Reduce the average per capita day water use by 2.0% between 2024 and 2029 with a goal of achieving 193.6 gpcd,
- b. Utilize all available treated effluent for irrigation throughout the City.
- c. Continue to reduce loss by 1.0% annually.

SECTION III. REPEALER. All other ordinances or parts of ordinances in force when the provisions of this ordinance become effective which are inconsistent or in conflict with the terms and 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 IV. SEVERABILITY. If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent be held by a court competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsection, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

SECTION V. EFFECTIVE DATE. This ordinance shall take effect immediately upon passage.

SECTION VI. PROPER NOTICE AND MEETING. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required 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. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

ADOPTED AND APPROVED on this 1st day of May, 2018 by a vote of the City Council of the City of Marble Falls, Texas.

CITY OF MARBLE FALLS

John Packer, Mayor

ATTEST:

Christina McDonald, City Secretary

APPROVED AS TO FORM:

Patty L. Akers, City Attorney



**City of Marble Falls, Texas
Council Agenda Item Cover Memo
May 1, 2018**

**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*) and §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:

- Hotel/Conference Center Update
- Consultation with City Attorney regarding City's litigation with TCEQ over issuance of an Air Quality Permit to Asphalt, Inc., LLC.

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 _____, 2018.

City Attorney