

AGENDA

CITY OF TAYLOR, TEXAS
CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS, 400 PORTER STREET

JULY 14, 2011, 6:00 P.M.

CALL TO ORDER AND DECLARE A QUORUM

INVOCATION

PLEDGE OF ALLEGIANCE

CITIZENS COMMUNICATION

(The City Council welcomes public comments on items not listed on the agenda. However, the Council cannot respond until the item is posted on a future meeting agenda. Registration forms are available at the sign in table.)

CONSENT AGENDA

(The Consent Agenda includes non-controversial and routine items that the Council may act on with one single vote. The Mayor or any Council member may pull any item from the Consent Agenda to discuss and act upon individually on the Regular Agenda.)

1. Minutes for June 23, 2011. (Susan Brock)
2. Approve Ordinance 2011-20 regarding the disannexation of certain properties from the city limits of the City of Taylor. (Jeff Straub)

REGULAR AGENDA; REVIEW/DISCUSS AND CONSIDER ACTION

3. Proclamation: August is Breast Feeding Awareness Month. (Mayor)
4. Executive Session. The Taylor City Council will conduct a closed executive meeting under Section 551.071 of the Texas Government Code in order to meet with its City Attorney on a matter in which the duty of the Attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas authorize and allow such a closed meeting and which Rules conflict with the Texas Open Meetings Act.
 - Legal issues associated with the City's redistricting obligations.
5. Discussion and possible action to consider and adjust proposed redistricting plan(s). (Cindy Crosby)
6. Consider introducing Ordinance 2011-21 adopting a redistricting plan for the city and to authorize redistricting legal counsel to seek Voting Rights Act Section 5 preclearance of adopted plan. (Cindy Crosby)
7. Conduct Public Hearing and consider introducing Ordinance 2011-16 regarding the designation of the Future Land Use and Zoning for properties annexed by the City of Taylor in 2010. (John Elsdon)
8. Conduct a Public Hearing and consider introducing Ordinance 2011-19 regarding a request to rezone property owned by Keith Hagler located at 1504 W. Second Street, also known as Block 57, Lots 1-3, and the south part of Lot 4, 0.5477 acres of the Doak Addition from B-1 Local Business to B-2 General Business. (John Elsdon)
9. Consider approving Ordinance 2011-17 abandoning an alley located between Lake Drive and Maresh Street. (John Elsdon)
10. Consider extending agreement with Taylor MarketPlace. (Bob vanTil)
11. Consider approving Resolution R11-20 and entering into a consent agreement for Randall Jones Municipal Utility District (MUD). (Jim Dunaway)
12. Discuss qualifications and eligibility requirements for committee and board appointments.
13. Discuss possible amendments to City Charter. (Jim Dunaway)
14. Conduct Budget Workshop for 2011/2012 Fiscal Year. (Rosemarie Dennis; Jim Dunaway)

ADJOURN

The Council may vote and/or act upon each of the items listed in this Agenda. The Council reserves the right to retire into executive session concerning any of the items listed on this Agenda, whenever it is considered necessary and legally justified under the Open Meetings Act. I certify that the notice of meeting was posted in the Taylor City Hall Lobby before 6:00 pm on July 11, 2011 and remained posted for at least 72 hours continuously before the scheduled time of said meeting. I further certify that the following news media was notified of this meeting: Taylor Daily Press.

In compliance with the ADA the City Hall and Council Chambers are wheelchair accessible. Reasonable accommodations will be provided for persons attending city council meetings in need of special assistance. Please contact Susan Brock, City Clerk, at least 24 hours prior to the meeting for special assistance.

Posted By: _____ Date/Time _____
Susan Brock, City Clerk



***City Council Meeting
July 14, 2011
Agenda Item Transmittal***

Agenda Item #: 1
Agenda Title: Minutes for June 23, 2011.
Council Action: Motion to approve or approve with corrections
Initiating Department: City Management/City Clerk
Staff Contact: Susan Brock, City Clerk

1. INTRODUCTION/PURPOSE

Pursuant to the Open Meetings Law, Chapter 551, Local Government Code and in accordance with the authority contained in Section 551.021 and the City Charter, the “Minutes” of each City Council must be recorded, compiled and approved by the City Council in subsequent meetings. The purpose of this item is to conform to these legal requirements.

2. DESCRIPTION/ JUSTIFICATION

N/A

3. FINANCIAL/BUDGET

N/A

4. RECOMMENDATION

Approve as submitted or amend with changes noted.

5. REFERENCE FILES

1a. [Minutes, June 23, 2011](#)

The City Council of the City of Taylor met on June 23, 2011, at City Hall, 400 Porter St., Taylor, Texas. Noting the absence of Council Member Osborn, Mayor Donald Hill declared a quorum and called the meeting to order at 6:00 p.m. with the following present:

Council Member Jesse Ancira
Council Member Chris Gonzales
Council Member John McDonald

Jim D. Dunaway, City Manager
Jeff Straub, Assistant City Manager
Mark Schroeder, Acting City Attorney
Susan Brock, City Clerk

INVOCATION

Jeff Straub led the group in prayer.

PLEDGE OF ALLEGIANCE

CITIZENS COMMUNICATION

Ms. Ronda Dukes, Manager of Taylor MarketPlace came forward to address the council regarding an extension of an agreement with the City allowing her to use the parking lot for vendors on a temporary basis until she receives her Certificate of Occupancy.

CONSENT AGENDA

1. MINUTES FOR JUNE 9, 2011.
2. APPROVE ORDINANCE 2011-18 REPEALING ORDINANCE 76-14 REGARDING CITY LANDFILLS.
3. CONCUR WITH PRELIMINARY FINANCIALS FOR MAY, 2011.

Council Member Ancira requested item number 3 be removed from consent for further review. Council Member Gonzales moved to approve items 1 and 2 of the consent agenda as presented and Council Member McDonald seconded the motion. VOTE: Four voted AYE. Motion passed.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

3. CONCUR WITH PRELIMINARY FINANCIALS FOR MAY, 2011.

Council Member Ancira asked Ms. Rosemarie Dennis, Director of Finance, to elaborate on the monthly financial report and how it relates to the overall budget process. She provided a brief overview of what is contained in the report and how the information can be used to plan for the remainder of this year as well as for the upcoming budget year.

Without further comment Council Member McDonald moved to accept the financials as presented and Council Member Ancira seconded the motion. VOTE: Four voted AYE. Motion passed.

4. CONSIDER APPROVING RESOLUTION R11-17 ACCEPTING AN AGREEMENT REGARDING THE EXTRATERRITORIAL JURISDICTION BOUNDARY LINE WITH THE CITY OF HUTTO.

Mr. Straub presented an agreement with the City of Hutto regarding properties in the extraterritorial jurisdictions of each city. He presented an agreement already approved

by the Hutto City Council with a request to move this issue forward towards a final boundary line.

Council Member McDonald moved to approve Resolution R11-17 as presented and Mayor Pro Tem Gonzales seconded the motion. VOTE: Four voted AYE. Motion passed.

5. CONSIDER APPROVING RESOLUTION R11-18 RELEASING AND ACCEPTING EXTRATERRITORIAL JURISDICTION (ETJ) PROPERTIES.

Mr. Straub presented a request to consider approve another agreement with the City of Hutto to release certain properties based on the boundary line approved by Council in the agreement immediately preceding this item.

Mayor Pro Tem Gonzales moved to approve Resolution R11-18 as presented and Council Member Ancira seconded the motion. VOTE: Four voted AYE. Motion passed.

6. CONSIDER INTRODUCING ORDINANCE 2011-20 REGARDING THE DISANNEXATION OF CERTAIN PROPERTIES FROM THE CITY LIMITS OF THE CITY OF TAYLOR.

As a final step to finalizing the issue of extraterritorial jurisdiction boundaries with the City of Hutto Mr. Straub presented a request to introduce an ordinance to disannex selected properties agreed on by both parties.

With no further discussion Mayor Hill asked Mr. Hejl to introduce the Ordinance as presented.

ORDINANCE 2011-20

AN ORDINANCE FOR THE CITY OF TAYLOR, TEXAS, DISANNEXING FROM ITS CORPORATE LIMITS APPROXIMATELY 52.058 ACRES OF LAND LOCATED IN THE CITY LIMITS OF THE CITY OF TAYLOR, TEXAS, GENERALLY LOCATED WEST OF COUNTY ROAD 101 AND NORTH OF COUNTY ROAD 160 AND AS MORE FULLY DESCRIED IN THIS ORDINANCE; REMOVING THE LAND FROM THE BOUNDARIES OF THE CITY; AND PROVIDING SAVINGS AND REPEALER CLAUSES.

(Council Member Gonzales recused himself from the next item due to a conflict of interest.)

7. CONSIDER INTRODUCING ORDINANCE 2011-17 ABANDONING AN ALLEY LOCATED BETWEEN LAKE DRIVE AND MARESH STREET.

John Elsdon, City Planner, presented a request to consider abandoning an alley that has become almost inaccessible due to property owner encroachments. Mr. Elsdon stated that there are no utilities in the area designated as an alley and that the Planning and Zoning Commission approved the request at their last meeting.

With no further discussion Mayor Hill asked Mr. Hejl to introduce the Ordinance as presented.

ORDINANCE 2011-17

AN ORDINANCE FOR THE CITY OF TAYLOR, TEXAS, VACATING AND ABANDONING THE EIGHTEEN FOOT WIDE ALLEY LOCATED WITHIN THE MARESH AND CASSENS ADDITION TO THE CITY OF TAYLOR FILED SEPTEMBER 5, 1910, AND ALSO BEING A SUBDIVISION OF PART OF LOT 4, BLOCK 3, DICKSON'S 2ND ADDITION TO THE CITY OF TAYLOR, TEXAS; BEING APPROXIMATELY 0.2479 ACRES OF LAND; LOCATED BETWEEN LAKE DRIVE AND MARESH STREET; RUNNING APPROXIMATELY 600 FEET ALONG THE NORTH LINE OF LOTS 1 THROUGH 12 OF THE MARESH AND CASSENS ADDITION; AND PROVIDING A SAVINGS CLAUSE.

(Council member Gonzales rejoined the meeting.)

8. CONSIDER EXTENDING LEASE AGREEMENT WITH TAYLOR VOLUNTEER FIRE DEPARTMENT FOR VICTORIA STREET FACILITY.

Chief Pat Ekiss presented an amended agreement with the Taylor Volunteer Fire Department (TVFD) to extend their lease for use of the Victoria Street facility. Chief Ekiss stated that the lease has expired and the tenants have continued to make payments until a new agreement can be reached. Based on comparable properties Chief Ekiss asked Council to consider an increase in the lease amount from \$500 a month to \$650 a month. Paul Ortega, TVFD, was present and asked the council to extend the lease for another twelve months and to consider no rent increase at this time. Discussion on the lack of a termination clause in the agreement led to no action on this item and Mayor Hill requested this item be brought back to Council on July 14 with additional details added to the agreement.

9. CONSIDER APPOINTING MEMBERS TO THE COMPREHENSIVE PLAN IMPLEMENTATION COMMITTEE.

Mayor Hill passed on this item until further notice. No action was taken.

10. CONSIDER DISPOSITION OF OLD CITY HALL.

Mr. Dunaway presented for discussion the possibility of a bond election to address the disposition of the old city hall building. Based on recommendations from the Komatsu study he stated that there are three options: remodel the existing structure; demolish the existing structure and build a new facility on the same site; or to demolish the existing structure and have the land revert back to park land with plans to enhance the site at a future date. Ms. Jean Johnson, Public Information Officer and former Main Street Director, provided a historical review of funding options and indicated how federal, state, and county grant funds have diminished or been eliminated for most historical preservation efforts.

No formal action was taken and Council asked Mr. Dunaway to meet with our bond counsel and bring back details on ballot wording and other possible issues associated

with an election in November.

(Council adjourned into closed session at 7:22 p.m.)

11. EXECUTIVE SESSION I. The Taylor City Council will conduct a closed executive meeting pursuant to the provisions of the Open Meetings Law, Chapter 551, Government Code, and the authority contained in Section 551.087 to discuss or deliberate regarding commercial and/or financial information on a business prospect that the City of Taylor, Texas, seeks to have locate, stay, or expand in or near the City of Taylor, Texas, and with which the City of Taylor, Texas, is conducting economic development negotiations and/or deliberate the offer of financial or other incentives to the business prospect.

- Project Venture
- Project Lone Star

11. CONSIDER ACTION FROM EXECUTIVE SESSION.

Mayor Hill resumed the open meeting at 8:59 p.m. and stated that there was no action taken on any issue during Executive Session.

ADJOURN

With no further business or action Mayor Hill adjourned the meeting at 9:00 p.m.

Donald Hill, Mayor

ATTEST:

Susan Brock, City Clerk



City Council Meeting July 14, 2011 Agenda Item Transmittal

Agenda Item #: 2
Agenda Title: Approve Ordinance 2011-20 regarding the disannexation of certain properties from the city limits of the City of Taylor.

Council Action to be taken: Approve as presented.

Initiating Department: City Manager's Office

Staff Contact: Jeff Straub, Assistant City Manager

1. INTRODUCTION/PURPOSE

The City of Hutto has passed a resolution accepting the Taylor City Council's proposed Extraterritorial Jurisdiction (ETJ) lines.

To fully conform with the Taylor/Hutto ETJ agreement, two unpopulated properties west of the agreed upon ETJ line must be disannexed. In that these properties were incorporated into the Taylor City Limits by ordinance, they must be disannexed by ordinance.

2. DESCRIPTION/ JUSTIFICATION

The approval of this Ordinance will be the final step in consummating the ETJ Agreement proposed by the City of Taylor and approved by the City of Hutto.

3. FINANCIAL/BUDGET

4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION

Staff recommends approval of Ordinance 2011-20.

6. REFERENCE FILES

2.a. [Ordinance 2011-20](#) Disannexation Ordinance

ORDINANCE NO. 2011-20

AN ORDINANCE FOR THE CITY OF TAYLOR, TEXAS, DISANNEXING FROM ITS CORPORATE LIMITS APPROXIMATELY 52.058 ACRES OF LAND LOCATED IN THE CITY LIMITS OF THE CITY OF TAYLOR, TEXAS, GENERALLY LOCATED WEST OF COUNTY ROAD 101 AND NORTH OF COUNTY ROAD 160 AND AS MORE FULLY DESCRIED IN THIS ORDINANCE; REMOVING THE LAND FROM THE BOUNDARIES OF THE CITY; AND PROVIDING SAVINGS AND REPEALER CLAUSES.

WHEREAS, the City of Taylor, Texas, ("City") desires to disannex approximately 52.058 acres of land, more particularly described in *Exhibit "A"* attached hereto and incorporated by reference herein ("Land") ; and

WHEREAS, the Land qualifies for disannexation by the City pursuant to the City Charter and Chapter 43 of the Texas Local Government Code; and

WHEREAS, the City Charter provides the boundaries and limits of the City shall be those as established and described in ordinances duly passed by the City Council in accordance with State law; and

WHEREAS, the City Charter provides the City shall possess all powers not inconsistent with the Charter, the Constitution and the laws of the State of Texas; and

WHEREAS, the City Charter provides the enumerated powers shall not act as a limitation to the powers granted to the City but the City shall exercise all powers applicable to the City; and

WHEREAS, Chapter 43 Local Government Code allows the City to disannex land allowed by the City Charter; and

WHEREAS, the City and the City of Hutto, Texas, desire to resolve and settle any controversies, claims and unresolved disputes regarding the extraterritorial location of the Land when it was annexed by the City by this disannexaton; and

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

SECTION 1. All of the facts recited in the preamble to this Ordinance are hereby found by the City Council to be true and correct and are incorporated by reference herein and expressly made a part hereof, as if copied herein verbatim.

SECTION 2. The Land is disannexed from the City and the boundaries of the City are modified to exclude the Land from the corporate limits of the City.

SECTION 3. The City Clerk is directed to file a certified copy of this Ordinance in the office of the County Clerk of Williamson County, Texas, and in the official records of the City.

SECTION 4. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of this Ordinance to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Taylor, Texas, declares that it would have passed each and every part of this Ordinance notwithstanding the omission of any part declared to be invalid or unconstitutional.

SECTION 5. The City Council intends to disannex the Land described in this Ordinance but if there is included within the Land description any land or area that may not be disannexed by the City for any reason("Excluded Land") then the Excluded Land is excluded from this Ordinance and the remaining Land so described is disannexed.

SECTION 6. All other ordinances, parts of ordinances or resolutions in conflict with this Ordinance are hereby repealed to the extent of any such conflict.

In accordance with Article VIII, Section 1, of the City Charter, Ordinance No. 2011-20 was introduced before the Taylor City Council on the 23rd day of June, 2011.

PASSED, APPROVED, and ADOPTED on the ____ day of _____, 2011.

Don Hill, Mayor

ATTEST:

Susan Brock, City Clerk

APPROVED AS TO FORM:

Ted W. Hejl,
City Attorney

CERTIFICATE

THE STATE OF TEXAS

COUNTY OF WILLIAMSON

I, Susan Brock, being the City Clerk of the City of Taylor, Texas, do hereby certify that the attached is a true and correct copy of Ordinance No. 2011-20, passed and approved by the City Council of the City of Taylor, Texas, on the day of , 2011, and such Ordinance was duly introduced, passed, approved and adopted at meetings open to the public and notices of the meetings, giving the dates, places, and subject matter thereof, were posted as prescribed by Government Code Section 551.043.

Witness my hand and seal of office this the ____ day
of _____, 2011.

Susan Brock

City Clerk

Legal descriptions for tracts of land annexed on November 23,
2010, by the City of Taylor, Texas, being disannexed:

PARCEL ONE "Bohac Tract"

Being a 43.834 acre tract of land located in the John C. Thomas Survey, Abstract NO. 610, Williamson County, Texas, and being all of that certain called 43.834 acre tract annexed by the City of Taylor, Texas, in Ordinance 2010-45 November 23rd 2010. Said ordinance on file in the Williamson County, Texas records document No. 2010083176. Said tract being more particularly described by metes and bounds as follows:

BEGINNING at the Southwest corner of the annexed tract, at a point in the north right-of-way line of County Road 394 and heading North $21^{\circ}14'58''$ West for 952.38 ft for the Northwest corner; THENCE North $36^{\circ}30'35''$ East 1,570.17 ft to the Northeast corner; THENCE South $22^{\circ}32'48''$ East 1,755.95 ft to the Southeast corner; THENCE South $68^{\circ}27'50''$ West along the north right-of-way line of County Road 394 to the POINT OF BEGINNING of said tract and containing 43.834 acres of land.

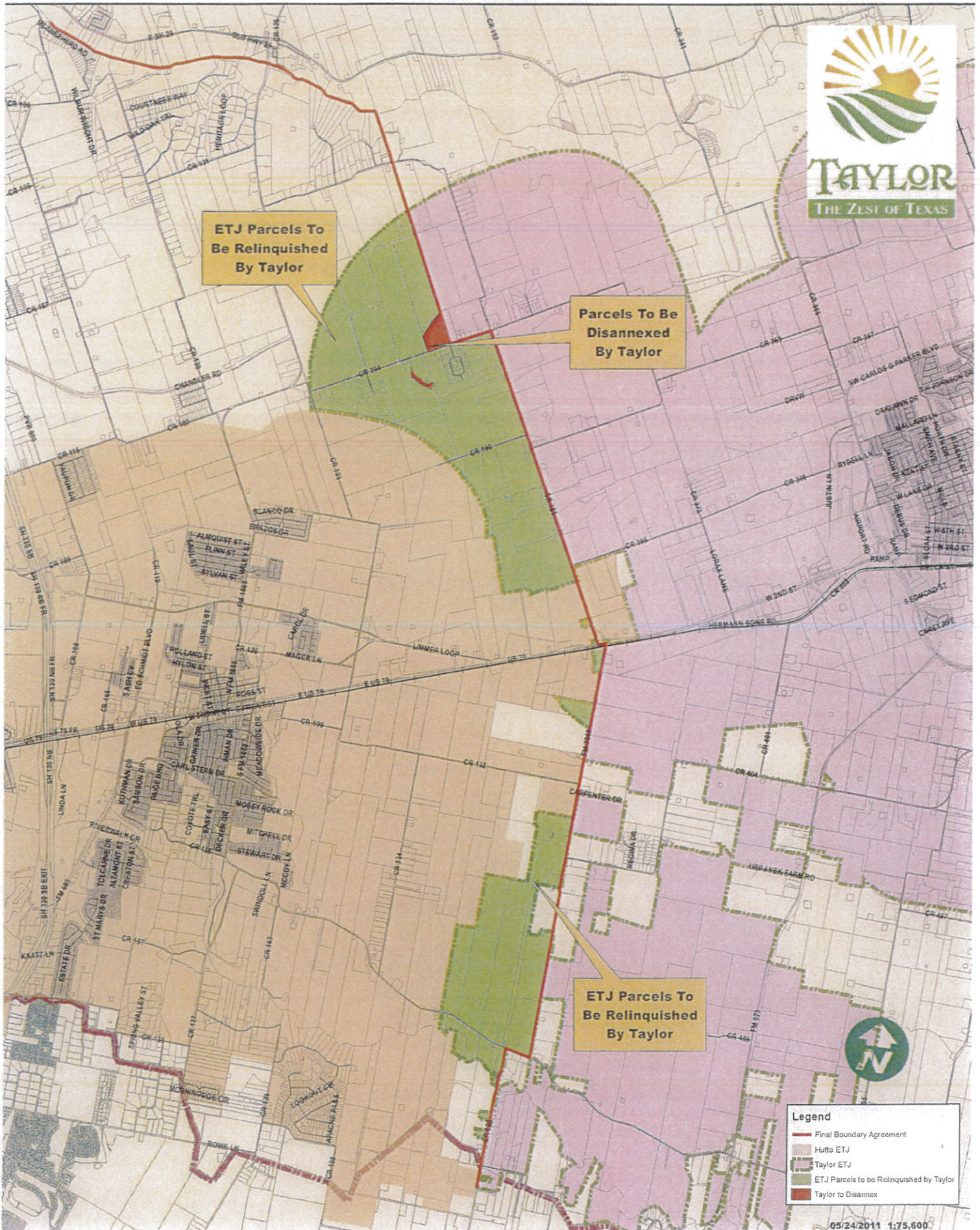
PARCEL TWO "Lawrence Tract"

Being an 8.224 acre tract of land located in the John C. Thomas Survey, Abstract NO. 610, Williamson County, Texas, and being all that certain called 8.224 acre tract annexed by the City of Taylor, Texas, in ordinance 2010-45 November 23rd 2010. Said ordinance on file in the Williamson County, Texas records document NO. 2010083176. Said Tract being more particularly described by metes and bounds as follows:

Being a point in the south right-of-way line of County Road 394 following the three courses to the point of beginning:

1. S $16^{\circ}36'35''$ E a distance of 160.37 ft to a fence post for a corner;
2. S $11^{\circ}38'10''$ W a distance of 228.49 ft to a fence post for a corner;
3. S $33^{\circ}35'41''$ E a distance of 53.41 ft to the POINT OF BEGINNING.

THENCE South $33^{\circ}35'41''$ East a distance of 421.16 ft to a point;
THENCE South $57^{\circ}05'48''$ East a distance of 703.96 ft to a point;
THENCE North $74^{\circ}41'36''$ East a distance of 367.37 ft to a fence
post for the most southerly Northeast corner of said tract;
THENCE South $22^{\circ}18'36''$ East a distance of 214.22 ft to a fence
post for the Southeast corner of said tract; THENCE South
 $55^{\circ}23'35''$ West a distance of 305.59 ft to a point; THENCE North
 $71^{\circ}05'23''$ West a distance of 520.35 ft to a point; THENCE North
 $52^{\circ}37'27''$ West a distance of 671.23 ft to a point for the
Southwest corner of said tract; THENCE North $02^{\circ}10'39''$ East a
distance of 430.67 ft to the POINT OF BEGINNING of said tract
containing 8.224 acres of land.





***City Council Meeting
July 14, 2011
Agenda Item Transmittal***

Agenda Item #: 3
Agenda Title: Proclamation for August as Breast-Feeding Month
Council Action to be taken: Mayor will present Proclamation
Initiating Department: City Clerk
Staff Contact: Susan Brock, City Clerk

1. INTRODUCTION/PURPOSE

To proclaim August, 2011, as Breast-Feeding Month on behalf of the Williamson County & Cities Health District (WCCHD). A representative with the WCCHD will be present to accept the proclamation.

2. DESCRIPTION/ JUSTIFICATION

Each year, the City issues this proclamation to help promote breast-feeding and to focus on the WIC mission to improve the nutritional status of low and moderate income women, infants and children by providing food and nutrition and breast-feeding education.

3. FINANCIAL/BUDGET

N/A

4. TIMELINE CONSIDERATIONS

N/A

5. RECOMMENDATION

To Proclaim August, 2011, as Breast-Feeding Month

6. REFERENCE FILES

3a. [Proclamation](#)

PROCLAMATION

BREAST FEEDING MONTH

WHEREAS, the Williamson County & Cities Health District's Women, Infants and Children (WIC) program takes this occasion to educate and inform, to encourage breast-feeding and regular health care for mothers and babies; and.

WHEREAS, the WIC mission is focused on improving the nutritional status of low and moderate income women, infants, and children by providing food and nutrition and breast-feeding education.

NOW, THEREFORE, as Mayor of the City of Taylor, I hereby proclaim the month of August as

"BREAST-FEEDING MONTH"

in the City of Taylor, Texas and urge all citizens to take part in recognizing the successes of healthy mothers and healthy children and to support breast-feeding mothers.

PROCLAIMED this the 14th day of July, 2011.

Donald Hill, Mayor



***City Council Meeting
July 14, 2011
Agenda Item Transmittal***

Agenda Item #: 4

Agenda Title: Executive Session.

Council Action to be taken: Consult with City Attorney

Initiating Department: City Administration

Staff Contact: Jim D. Dunaway, City Manager
Ted Hejl, City Attorney

1. INTRODUCTION/PURPOSE

This Executive Session is called to consult with City Attorney.

2. DESCRIPTION/ JUSTIFICATION

The Taylor City Council will conduct a closed meeting under Section 551.071 of the Texas Government Code in order to meet with its City Attorney on a matter in which the duty of the Attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas authorize and allow such a closed meeting and which Rules conflict with the Texas Open Meetings Act.

3. FINANCIAL/BUDGET

4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION

6. REFERENCE FILES

4a. [Executive Session form](#)

**TAYLOR CITY COUNCIL
CERTIFIED AGENDA - EXECUTIVE SESSION**

1. OPEN MEETING ANNOUNCEMENT

The City of Taylor City Council convened in Open Session, declared a quorum on July 14 , 2011 and has posted an Official Agenda indicating the need for an Executive Session. The Council will now adjourn into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section:

- | | | |
|-------------------------------------|---------|--|
| ☒ | 551.071 | To consult with its attorney regarding a matter in which the duty of the attorney to the City conflicts with the Open Meetings Act. |
| ☐ | 551.072 | To conduct deliberations regarding the purchase, exchange, lease, or value of real property. |
| ☐ | 551.074 | Regarding personnel matters |
| ☐ | 551.087 | Regarding economic development negotiations and considering financial or other incentives to a business prospect that the City seeks to have locate in or near the City of Taylor. |

Any action resulting from the Executive Session will be taken in Open Session immediately following the Executive Session.

2. BACK TO OPEN SESSION

The time is now _____ and we will reconvene into Open Session. No action or vote was taken on any matter discussed in Executive Session.

CERTIFICATION

I, Don Hill, Mayor of the City of Taylor, do hereby certify that this Agenda of an Executive Session of the City Council is a true and correct record of the proceedings.

WITNESS my hand this the _____ day of _____, 2011

Don Hill, Mayor



***City Council Meeting
July 14, 2011
Agenda Item Transmittal***

Agenda Item #: 5

Agenda Title: Discussion and possible action to consider and adjust proposed redistricting plan(s).

Council Action to be taken: Discussion and possible action.

Initiating Department: City Administration

Staff Contact: Susan Brock

1. INTRODUCTION/PURPOSE

Ms. Cindy Crosby asked to have this item on the agenda in the event Council wished to make changes based on any discussion from Executive Session.

2. DESCRIPTION/ JUSTIFICATION

3. FINANCIAL/BUDGET

4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION

6. REFERENCE FILES



City Council Meeting July 14, 2011 Agenda Item Transmittal

Agenda Item #: 6
Agenda Title: Consider introducing Ordinance 2011-21 adopting a redistricting plan for the city.

Council Action to be taken: Introduce Ordinance 2011-21

Initiating Department: City Administration

Staff Contact: Susan Brock, City Clerk

1. INTRODUCTION/PURPOSE

In order to formally accept the redistricting plan council must do so by Ordinance. This item introduces the Ordinance.

2. DESCRIPTION/ JUSTIFICATION

Council approved the Illustrative Plan at the June 9th meeting. A Public Hearing was held on June 30th and all public comments received at the meeting and during the comment period are attached for your review.

3. FINANCIAL/BUDGET

4. TIMELINE CONSIDERATIONS

With the introduction of this ordinance, council is on schedule to take the next steps for the City's consultant to submit the plan to the Department of Justice for final approval by the end of the year. If precleared by the Department of Justice, the newly defined districts would go into effect for the 2012 elections.

5. RECOMMENDATION

Introduce Ordinance 2011-21.

6. REFERENCE FILES

- 6a [Ordinance 2011-21](#)
- 6b [Illustrative Plan](#)
- 6c [Public Hearing attendees](#)
- 6d [Public comments](#)

ORDINANCE NO. 2011-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TAYLOR, TEXAS, APPROVING THE REDISTRICTING OF THE CITY'S SINGLE-MEMBER COUNCIL DISTRICTS AND ESTABLISHING NEW DISTRICT BOUNDARY LINES BASED ON 2010 CENSUS DATA FOR TAYLOR CITY COUNCIL ELECTIONS; DIRECTING THE CITY'S REDISTRICTING CONSULTANT TO SUBMIT THE ADOPTED PLAN FOR PRECLEARANCE UNDER SECTION 5 OF THE FEDERAL VOTING RIGHTS ACT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the results of the 2010 federal Census have been considered and indicate that the City of Taylor's single-member council districts are sufficiently out of population balance to require redistricting in order to comply with the "one-person, one-vote" (equal population) principle established by the U.S. Constitution; and

WHEREAS, the City of Taylor (the "City") engaged the law firm of Bickerstaff Heath Delgado Acosta LLP to act as the City's redistricting consultant, including advising and assisting the City Council in preparation of a new redistricting plan in compliance with applicable requirements of state and federal law; and

WHEREAS, on April 28, 2011, the City Council adopted redistricting criteria to assist the City and the public in developing redistricting plans which comply with applicable federal and state laws, and the adopted redistricting criteria were applied in the development of the City's new redistricting plan; and

WHEREAS, on April 28, 2011, the City Council also adopted redistricting guidelines regarding the submission of comments and proposed plans by the public, to ensure the ability of the City to timely receive and adequately consider them; and

WHEREAS, during the redistricting process the City provided notice to the public of its proposed discussions and development of a redistricting plan through meeting agendas posted in compliance with the Texas Open Meetings Act, notices on the City's website, and publication of newspaper notices regarding public hearings; and

WHEREAS, the City Council has considered the proposed redistricting plan at City Council meetings on May 26, 2011 and June 9, 2011, and the plan was presented at a public hearing held on June 30, 2011; and

WHEREAS, the City Council has considered oral testimony, written comments, reports from the City's redistricting consultant, and various proposed plans regarding the appropriate reconfiguration of the council member districts; and

WHEREAS, the City Council finds that the attached city council district redistricting plan is in the best interest of the citizens of the City, complies with the adopted redistricting criteria, and is believed to comply with all state and federal requirements, including requirements for preclearance under Section 5 of the federal Voting Rights Act.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAYLOR, WILLIAMSON COUNTY, TEXAS:

A. That the existing single-member council district boundary lines for the City of Taylor are hereby amended, and the new districting plan depicted on the map attached hereto as **Exhibit A**, defining new districts, as such new districts are further described in the tables attached hereto as **Exhibit B** reporting populations and demographic statistics for each such new district, is hereby adopted and designated to define the City's four (4) single-member council districts from and after the Effective Date; that **Exhibits A** and **B** are incorporated by reference in and made a part of this Ordinance, and shall be kept on file in the City Clerk's Office; and, further, that the City's redistricting consultant is hereby authorized and directed to submit the adopted plan to the United States Department of Justice for preclearance under the Section 5 of the Voting Rights Act.

B. That this Ordinance shall take and be given effect immediately upon preclearance of the adopted plan under Section 5 of the Voting Rights Act; and that thereafter all Taylor City Council elections shall be held under and in accordance with the new single-member council district districting plan here adopted by the City Council and precleared by the Department of Justice, until such time as a subsequent lawfully-enacted districting plan shall be adopted to replace this plan and has been precleared under Section 5 or its successor statute, as applicable.

PASSED AND APPROVED by the City Council of the City of Taylor, Texas this _____ day of _____, 2011.

CITY OF TAYLOR, TEXAS

MAYOR

ATTEST:

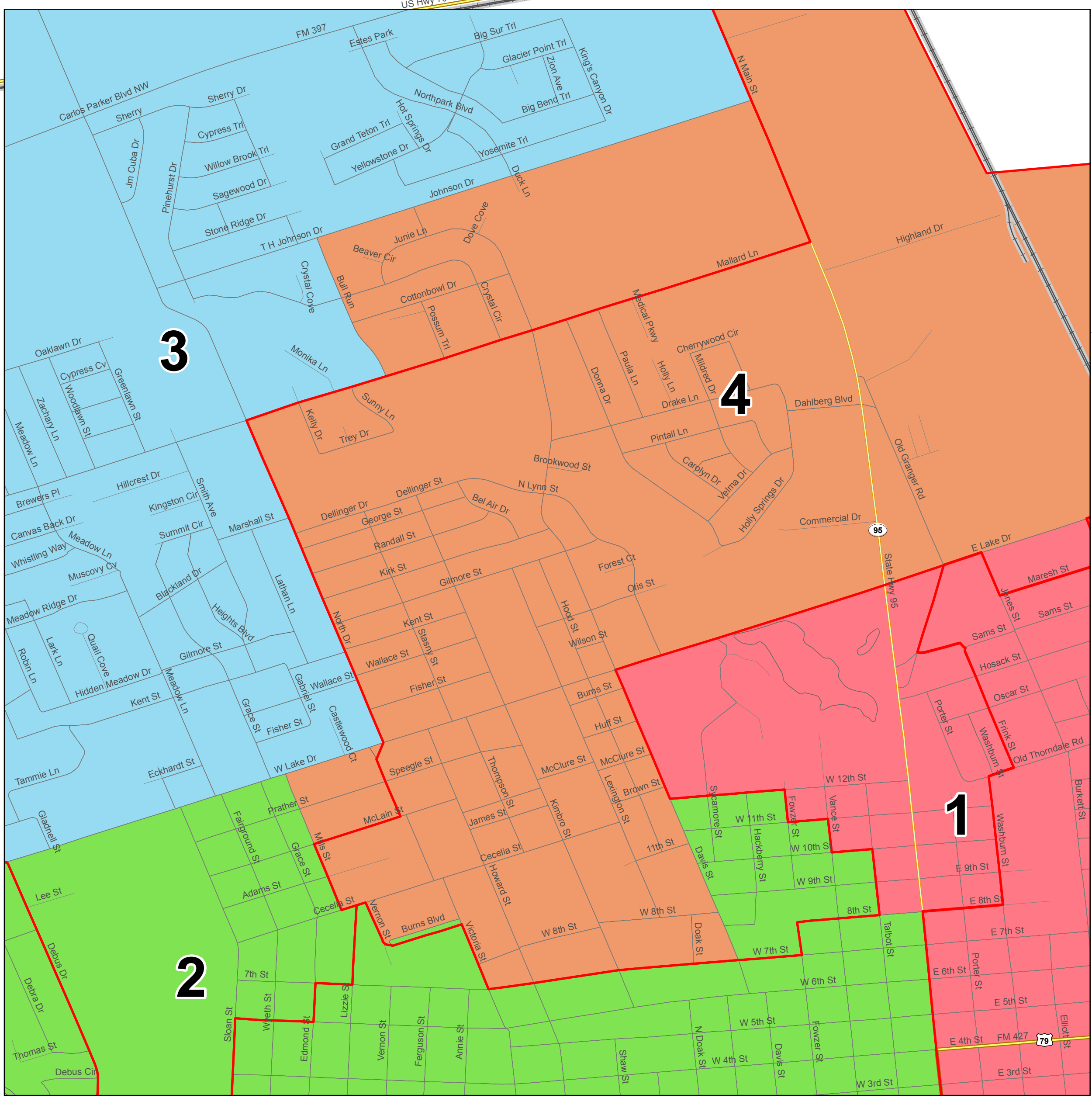
CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



Offsets between existing benchmark lines and shaded plan boundary are due to differences in alignment between the 2000 Census geography and 2010 Census geography.



City of Taylor Illustrative Plan 1

Legend

Current Districts - Benchmark

2010 Census Blocks

Interstates

US Routes

Major Roads

Rail Roads

Local Road

Illustrative Plan 1

1

2

3

4



SIGN UP TO SPEAK

[illegible]

NAME (Nombre)	HOME ADDRESS (Domicilio)	PHONE NUMBER (Número de teléfono)	EMAIL ADDRESS (Dirección electronico)
Cynthia Valadez	808 West Sixth St Taylor, TX 76574	512-365-1300 512-828-9400 cell	cvaladezsr@gmail.com
Jose ORTA	1320 Howard Taylor TX 76574	512-365-2143	ORTA-Joe@hotmail.com
Jesse Ancira Jr.	2603 Donna Dr TAYLOR TX 76574	512-964-27365-1147	jessancira@austin.tx.gov
Bob VanTil	511 Lydia Lane Thrall TX 76578	512 352 5990	Bob.vantile@TaylorTX.gov.
Sylvia Castro	2305 Carolyn D.	517-5374	
Ed Komandosky	2207 Gladnell St.	365-7396	ekomandosky@yahoo.com.
DAVE BOGAN	5603 N. MAIN TAYLOR	365-2038	dbogan-1@netzero.com

NAME (Nombre)	HOME ADDRESS (Domicilio)	PHONE NUMBER (Número de teléfono)	EMAIL ADDRESS (Dirección electronico)
Franklin Blomquist	1723 Lexington St. Taylor TX 76574	352-6431	SABLOMQUIST@ SBCGLOBAL.NET
Erin Green	Taylor Daily Press	352-8535	
Bryndi Ryell	2205 W. LAKE	365-2243	brydell@ercot.com
Maria Newman	1515 W Lake Dr.	309 4766	mariahnewman@ hotmail.com
Michael Peschel	351 CR. 398	365-7530	
Scott Green	4001 GREAT DRAIN	365-7392	
Thomas Rohlaet	1419 Thompson St.	365-5891	thomas-rohlaet@vrs corp.com

PUBLIC HEARING COMMENT FORM

NAME: Cynthia Valadez
ADDRESS: 808 West Sixth Street
PHONE: 512. 828. 9400
Email: cvaladezsr@gmail.com

Provide your comments in the space provided below. Be sure and turn in written comments before you leave the public hearing. Please sign the comment sheet in the space provided at the bottom of this form. If you need additional space, you may write on the back of this page or on additional pages; if you do, be sure to number the pages in order.

Please support the LULAC plan for redistricting. It will incorporate the population shifts that have occurred in Taylor and allow the Latino population the ability to elect a candidate of choice for their district w/respect to accountability.

SIGNATURE: Cynthia Valadez

PUBLIC HEARING COMMENT FORM

NAME: Jose ORTA
ADDRESS: 1320 Howard
PHONE: 512-365-2143
Email: ORTA-Jose@hotmail.com

Provide your comments in the space provided below. Be sure and turn in written comments before you leave the public hearing. Please sign the comment sheet in the space provided at the bottom of this form. If you need additional space, you may write on the back of this page or on additional pages; if you do, be sure to number the pages in order.

I want to voice my support for the LULAC plan -
as presented -

SIGNATURE: _____

A handwritten signature in blue ink, appearing to be 'Jose ORTA', written over a horizontal line.

PUBLIC HEARING COMMENT FORM

NAME: FRANKLIN Blomquist

ADDRESS: 1723 LEXINGTON ST.

PHONE: 352 6431

Email: fablomquist@SBCGLOBAL.NET.

Provide your comments in the space provided below. Be sure and turn in written comments before you leave the public hearing. Please sign the comment sheet in the space provided at the bottom of this form. If you need additional space, you may write on the back of this page or on additional pages; if you do, be sure to number the pages in order.

*I have no objection to the plan approved
by the city council, I hope it will be approved*

SIGNATURE: Franklin Blomquist

Susan Brock

From: Carol and Scott [scott-carol@austin.rr.com]
Sent: Thursday, June 30, 2011 11:39 AM
To: Susan Brock
Subject: Redistricting

My name is Carol Green I live at 4001 Great Basin Dr., Taylor TX 76574, my phone number is 512-365-7892 and my email is scott-carol@austin.rr.com. I support the redistricting plan recommended by the city council, Illustrative Plan 1. Thank you

Susan Brock

From: Louis R. Hughes [louish@cnbt.com]
Sent: Thursday, June 30, 2011 11:41 AM
To: Susan Brock
Subject: Redistricting

Susan,

I'm asking that you forward this to the appropriate entities.

I fully support the City of Taylor's redistricting plan as shown in illustration #1 as I feel it maintains neighborhoods for voting purposes in a reasonable and logical manner.

Louis Hughes
775 Lorax Lane
Taylor, TX 76574
512-352-1613
louish@cnbt.com

Susan Brock

From: Scott Green [scott.green@oracle.com]
Sent: Thursday, June 30, 2011 8:00 AM
To: Susan Brock
Subject: Taylor City Council's Illustrative Plan #1

Susan,

I support the Taylor City Council's Illustrative Plan #1, for the purpose of city-wide redistricting based upon the 2010 census.

D. Scott Green
4001 Great Basin
Taylor, Tx. 76574
512-365-7892

--

Thank you,

D. Scott Green | Product Engineer
Phone: +1 5124011415
Oracle Value Engineering Group
5300 Riata Park Court | Austin, TX 78727 Oracle is committed to developing practices and products that help protect the environment

Susan Brock

From: Carolyn/Leroy Bogan [lbogan@austin.rr.com]
Sent: Wednesday, June 29, 2011 6:22 PM
To: Susan Brock
Subject: Redistricting

Ms. Brock,

I support the redistricting plan recommended by the City Council, Illustrative Plan 1."

Carolyn Bogan , 1917 Meadow Lane , Taylor , Tx

Home Phone 365-6923 , Cell 775-6923 , lbogan@austin.rr.com

Susan Brock

From: Carolyn/Leroy Bogan [lbogan@austin.rr.com]
Sent: Wednesday, June 29, 2011 6:16 PM
To: Susan Brock
Cc: Carolyn/Leroy Bogan
Subject: Redistricting

Ms. Brock,

I support the redistricting plan recommended by the City Council, Illustrative Plan 1."

Marion Leroy Bogan , 1917 Meadow Lane , Taylor , Tx

Home Phone 365-6923

Cell 825-6923

E-mail lbogan@austin.rr.com

Susan Brock

From: Keith Hagler [khagler@onr.com]
Sent: Wednesday, June 29, 2011 3:49 PM
To: Susan Brock
Subject: Redistricting Plan Illustrative Plan # 1

My name is Keith Hagler I live at 1514 W. Lake Drive in Taylor, Texas. I reccomend the Justice Department accept the Taylor City Council's redistricting plan, Illustrative Plan #1. Thank you for your consideration, I can be reached at 512-914-3333. Or e-mail khagler@onr.com.

Susan Brock

From: Lisa Bogan [lbogan@ruddwisdom.com]
Sent: Wednesday, June 29, 2011 3:32 PM
To: Susan Brock
Subject: City Council's Recommended Redistricting Plan

Ms. Brock,

I support the redistricting plan recommended by the City Council, Illustrative Plan 1."

Clarissa (Lisa) Bogan
1950 S. Hwy 95
Taylor, TX 76574
(cell) 512-576-4567
lbogan@ruddwisdom.com

CONFIDENTIALITY NOTICE: this email including any attachments is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, or exempt from disclosure under applicable law. If the reader is not the intended recipient, you are hereby notified that you are strictly prohibited from reading, disseminating, distributing or copying this communication. If you have received this email in error, please notify the sender immediately and destroy the original transmission. Thank you.

Susan Brock

From: dbogan_1@netzero.net
Sent: Wednesday, June 29, 2011 3:06 PM
To: Susan Brock
Subject: Taylor Redistricting

Ms. Brock,

I support the redistricting plan recommended by the City Council, Illustrative Plan 1.

David Bogan

5603 N. Main, Taylor, 76574 (address was 1950 S. Highway 95 before annexation in Dec 2009).

Home: (512) 365-2038; Cell: (512) 293-7186

Thank you,

David Bogan

57 Year Old Mom Looks 27!

Mom Reveals \$5 Wrinkle Trick That Has Angered Doctors!

<<http://thirdpartyoffers.netzero.net/TGL3242/4e0b862660e0e14255dst01duc>>

DailyConsumerAlerts.com

<<http://thirdpartyoffers.netzero.net/TGL3242/4e0b862660e0e14255dst01duc>>

Susan Brock

From: Donna Frazier [donnafrazier1704@gmail.com]
Sent: Sunday, July 10, 2011 3:38 PM
To: Susan Brock
Subject: City Redistricting Plan

I support and endorse the City of Taylor Redistricting Plan.

Donna Frazier
1704 Carey Ave
Taylor, TX 76574
512-365-6154

Susan Brock

From: Gayle Collins [kcollins5@austin.rr.com]
Sent: Sunday, July 10, 2011 8:20 PM
To: Susan Brock
Subject: Redistricting

I have studied the redistricting proposal by the City Council and the redistricting proposal drawn up by LULAC. The City Council proposal has given data to support the new districts while the LULAC proposal seems to have no support data. Also the City Council proposal makes much more sense in the fact that the district lines have no gerrymandering and are easy to follow. As a person who has been an election judge numerous times it is important to me to have lines that the citizens can understand. I am in support of the City Council proposal and ask that you pass my message to the correct people.

Thank you.

Gayle Collins
Current District 4
1114 Speegle Street
Taylor, TX 76574
Phone: (512) 352-7115 Cell Phone: (512) 413-0256



***City Council Meeting
July 14, 2011
Agenda Item Transmittal***

Agenda Item #: 7

Agenda Title: Conduct Public Hearing and Consider introducing Ordinance 2011-16 regarding Future Land Use Designations and Zoning of property annexed during 2010.

Council Action to be taken: Conduct Public Hearing and Consider introducing Ordinance 2011-16

Initiating Department: Community Development

Staff Contact: John Elsdon, City Planner

1. INTRODUCTION/PURPOSE

The purpose of this item is to Conduct a Public Hearing and consider introducing Ordinance 2011-16 regarding zoning and designating future land use categories for property annexed to Taylor during 2010.

2. DESCRIPTION/ JUSTIFICATION

Within the State of Texas, newly annexed areas are automatically zoned R-1 as required by our Zoning Ordinance and state law.

During 2010 the City completed two annexations, the first annexation was completed during September and included properties on the east and west side of the City, and the second annexation was completed during December and was located to the northwest of the City. Most of the property owners with land subject to annexation have signed a Development Agreement which exempts their land from annexation for 15 years, and the time may be extended up to 45 years, if no development occurs which is not related to agricultural uses on their property.

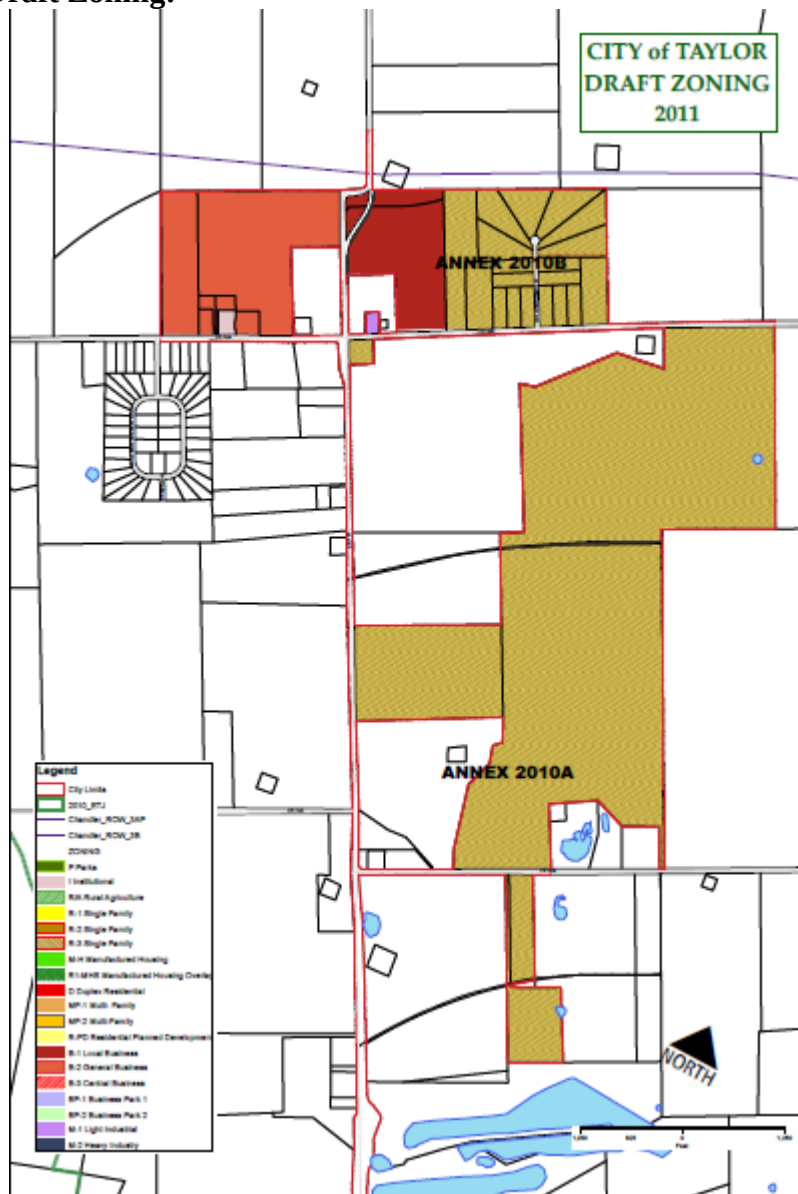
On March 30, 2011 staff held a public meeting to allow property owners to look at the maps and request zoning for their property if they did not agree with the proposed zoning on the staff generated map. The only property owner disagreeing with the future land use and zoning designations has since been disannexed by the City.

The Future Land Use Map provides an overall plan for land development over the next ten to 20 years and also provides guidance for zoning decisions. Since this land will be adjacent to Chandler Road, the land adjacent to the road should be classified as commercial as a future land use designation.

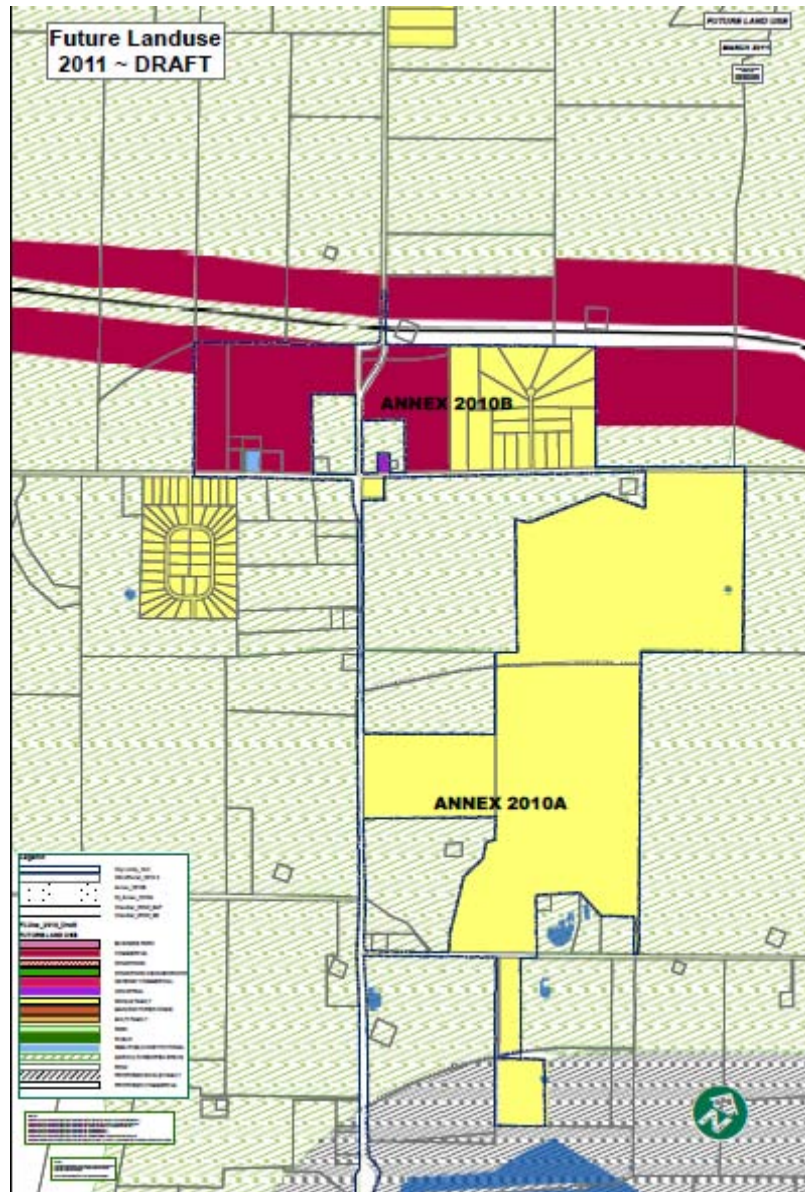
Since these annexations have occurred, City Council has disannexed two parcels within the annexation located to the northwest of the City. These two parcels will therefore not show any zoning designations. The Future Land Use Map remains the same as when it was recommended for approval by the Planning and Zoning Commission.

The maps attached to the Ordinance reflect the zoning and land use designations, with the exceptions of the disannexed parcels.

West Area Draft Zoning:



Page | 3



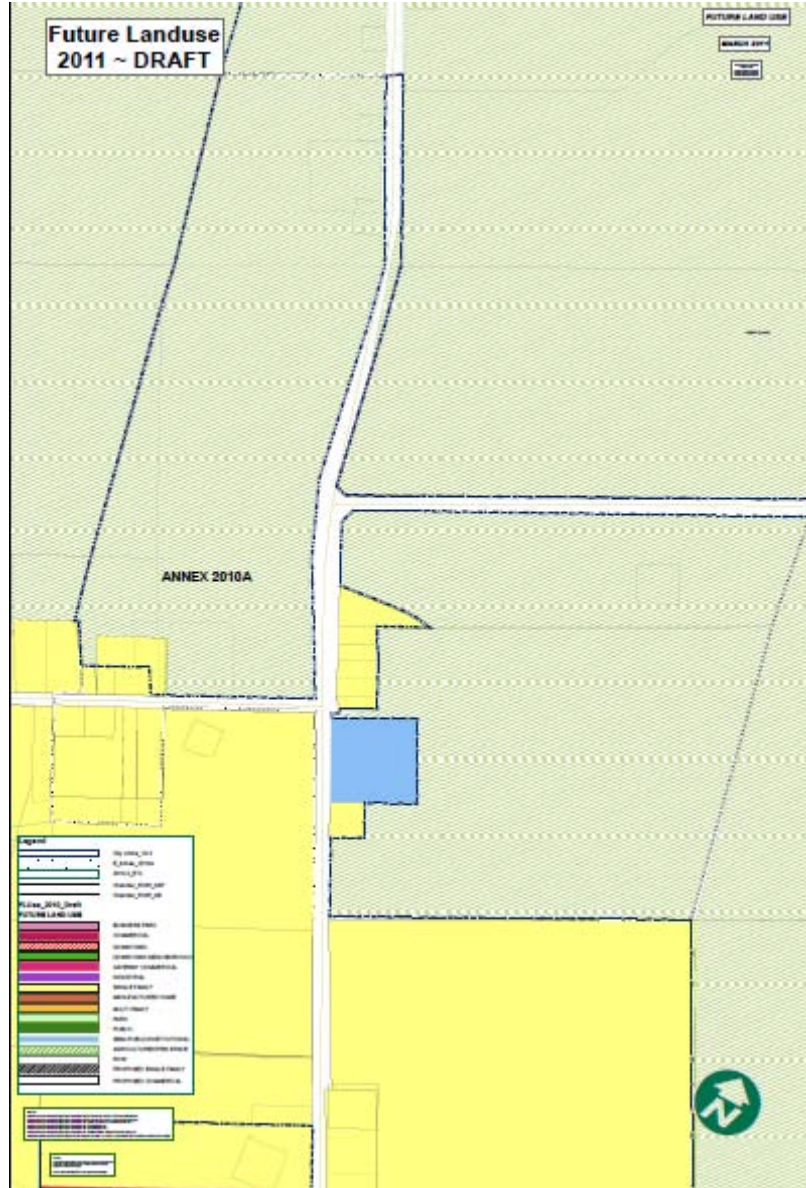
**CITY OF TAYLOR
DRAFT ZONING
2011**

ANNEX 2010A

Legend:

- City Limits
- 2000_Zoning
- 2000_Zoning_Map
- 2000_Zoning_Map
- 2000_Zoning_Map
- 2000_Zoning_Map
- P-Plan
- Industrial
- High-Rise Residential
- R-1 Single Family
- R-2 Single Family
- R-3 Single Family
- M-F Medium-Density Housing
- M-HF Medium-Density Housing District
- D Duplex/Townhome
- M-F Multi-Family
- M-F Multi-Family
- M-F Multi-Family Development
- R-1 Local Business
- R-2 General Business
- R-3 Central Business
- M-F Business Park I
- M-F Business Park II
- M-L Light Industrial
- M-H Heavy Industrial

East Area Future Land Use:



3. FINANCIAL/BUDGET

N/A

4. TIMELINE CONSIDERATIONS

N/A

5. RECOMMENDATION

The Planning and Zoning Commission recommended approval of the zoning and future land use designations for the property annexed during 2010 at their public hearing held on June 14, 2011.

6. REFERENCE FILES

7a. [Ordinance 2011-16](#)

ORDINANCE NO. 2011-16

AN ORDINANCE CHANGING THE ZONING AND FUTURE LAND USE TO ANNEXED AREAS AS SHOWN ON ORDINANCES 2010-30 AND 2010-45; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF TAYLOR, TEXAS, TO SHOW THE ZONING CHANGES ADOPTED HEREIN; PROVIDING A SAVINGS CLAUSE.

Whereas, the Taylor City Council conducted a public hearing ON July 14, 2011, to consider changing the zoning for those areas annexed on September 9, 2010, and November 23, 2010, and as shown in Ordinances 2010-30 and 2010-45 as shown on Exhibits "A" and "B" incorporated by reference herein for all purposes; and

Whereas, the Planning and Zoning Commission, after conducting a public hearing on April 12, 2011, to consider the new zoning, recommended the zoning to the City Council; and

Whereas, the City Council, after public hearing, approves the request for the Property zoning.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAYLOR, TEXAS, that:

SECTION 1. The facts and recitations contained in the preamble of this Ordinance are hereby declared to be true and correct, and are incorporated by reference herein and made a part hereof, as if copied verbatim.

SECTION 2. The Property is zoned and the future land use is shown in accordance with Exhibits A and B.

SECTION 3. The Official Zoning map of the City of Taylor, Texas, is changed to show the City's new zoning districts within annexed areas, and the City's Future Land Use Map is changed to show the City's new future land use designations.

SECTION 4. All other terms and conditions contained in the official zoning map, except as amended herein, shall continue and remain in full force and effect.

SECTION 5. Should any section, paragraph, clause, phrase, or provision of this Ordinance be adjudged invalid or held unconstitutional, the same shall not affect the validity of this Ordinance as a whole or any part of the provisions thereof, other than the part so decided to be invalid or unconstitutional

SECTION 6. In accordance with Article 8 of the City Charter, Ordinance 2011-16 was introduced before the Taylor City Council on the _____ day of _____, 2011.

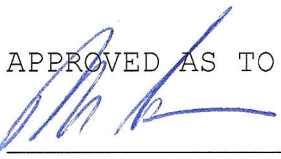
PASSED, APPROVED, and ADOPTED on the _____ day of _____, 2011.

Don Hill, Mayor

ATTEST:

Susan Brock, City Clerk

APPROVED AS TO FORM:



Mark J. Schroeder,
Assistant City Attorney

CERTIFICATE

THE STATE OF TEXAS

COUNTY OF WILLIAMSON

I, Susan Brock, being the current City Clerk of the City of Taylor, Texas, do hereby certify that the attached is a true and correct copy of Ordinance No. 2011-16, passed and approved by the City Council of the City of Taylor, Texas, on the _____ 2011, and such Ordinance was duly introduced, passed, approved and adopted at meetings open to the public and notices of the meetings, giving the dates, places, and subject matter thereof, were posted as prescribed by Government Code Section 551.043.

Witness my hand and seal of office this _____ day of _____, 2011.

Susan Brock
City Clerk

Exhibit "A"



Future Landuse 2011 ~ DRAFT

EXHIBIT "B"

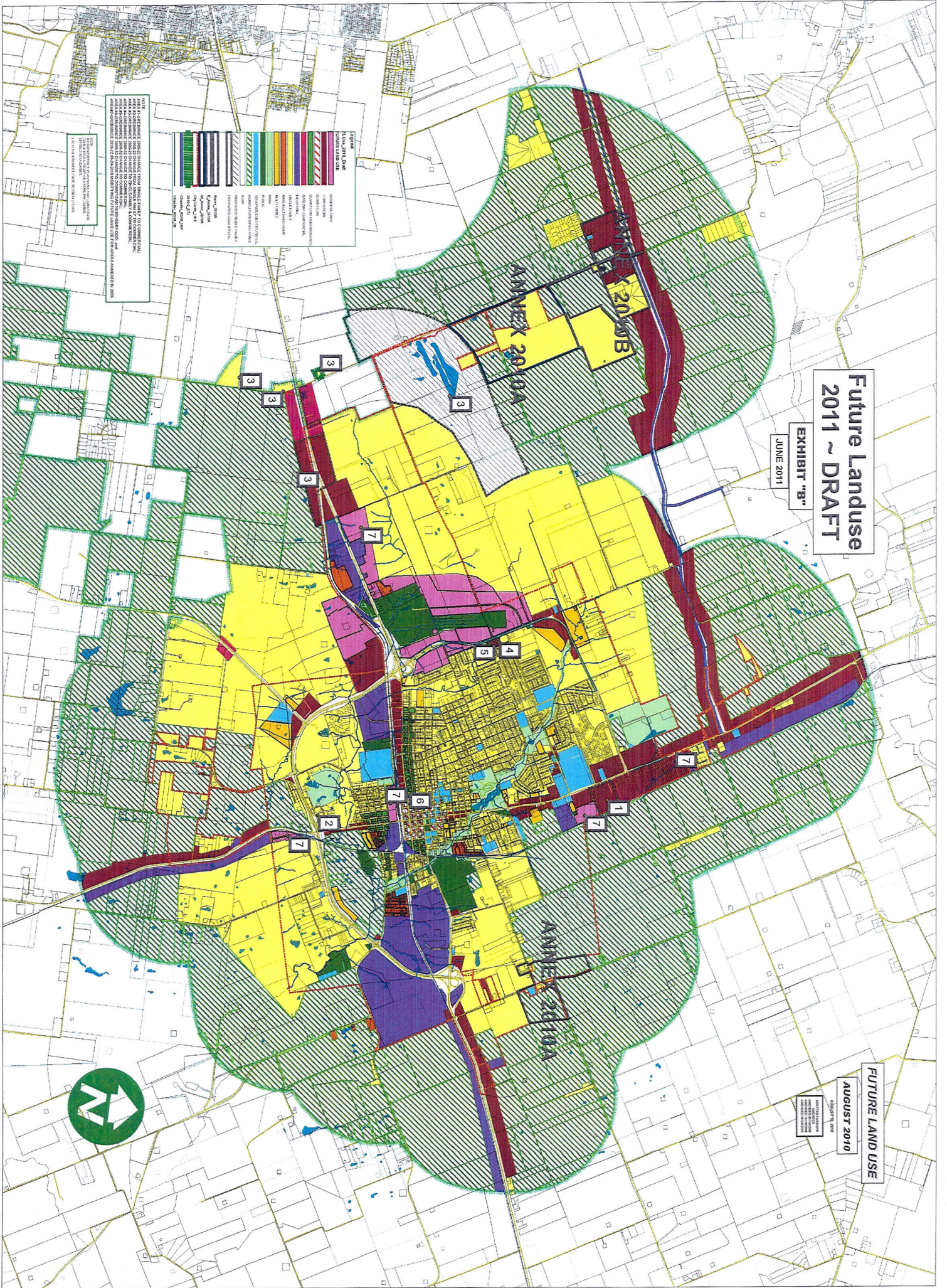
JUNE 2011

FUTURE LAND USE

AUGUST 2010

August 10, 2010

AMERICAN PLANNING ASSOCIATION
PLANNING BOARD
PLANNING BOARD





***City Council Meeting
July 14, 2011
Agenda Item Transmittal***

Agenda Item #: 8

Agenda Title: Conduct Public Hearing and Consider introducing Ordinance 2011-19 regarding a request to rezone property owned by Keith Hagler located at 1504 W. Second Street, also known as Block 57, Lots 1-3, and the south part of Lot 4, 0.5477 acres of the Doak Addition from B-1 Local Business to B-2 General Business

Council Action to be taken: Conduct Public Hearing and Consider introducing Ordinance 2011-19

Initiating Department: Community Development

Staff Contact: John Elsdon, City Planner

1. INTRODUCTION/PURPOSE

The purpose of this item is to Conduct a Public Hearing and consider introducing Ordinance 2011-19 regarding a request to rezone property owned by Keith Hagler located at 1504 W. Second Street, also known as Block 57, Lots 1-3, and the south part of Lot 4, 0.5477 acres of the Doak Addition from B-1 Local Business to B-2 General Business

2. DESCRIPTION/ JUSTIFICATION

Location and Acres of the Property

1504 W 2nd Street, 0.5477 acres

Property Owner

Keith Hagler

Applicant

Mauro Cautanon

Applicant's intentions for the property (development objective)

Auto repair

Existing Zoning

B-1, Local Business

Previous Zoning History

Unknown

Proposed Zoning

B-2, General Business

Future Land Use Map

The Future Land Use Map designates this area as Downtown Neighborhood

Current Use of Property

Auto repair

Surrounding Property: Zoning and land use

North: B-1 / Residential

South: M-1 / Industrial

East: B-1 / Business/Residential

West: B-1 / Auto Body Shop

Existing Thoroughfares (type and size)

South – W 2nd Street, Minor Arterial, 80'

The City's Thoroughfare Plan

South – W 2nd Street, currently under construction

Traffic Impact Analysis

None

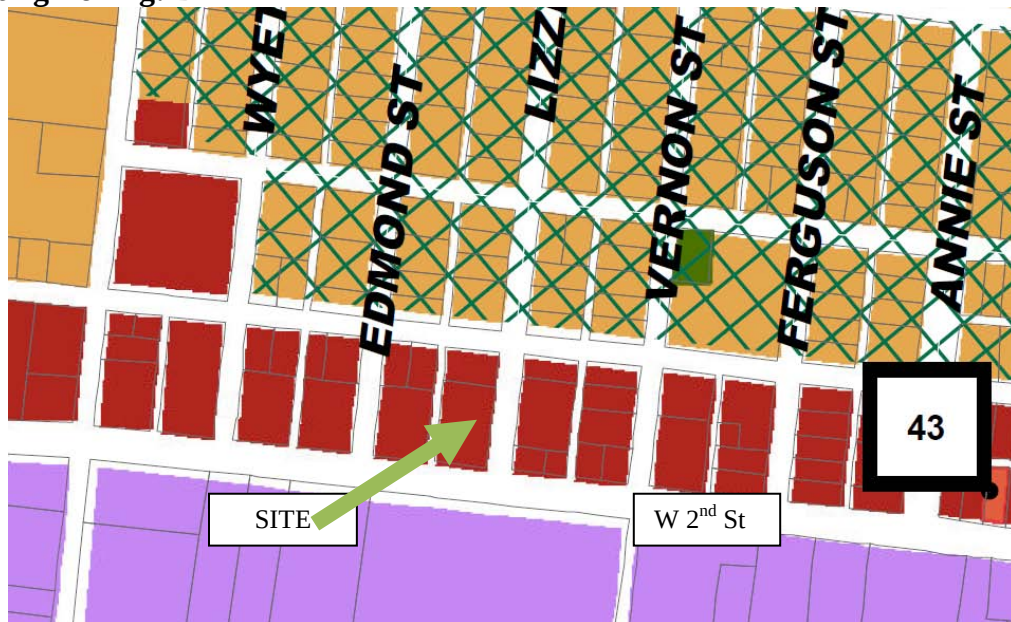
Platting Information

Doak Addition, Blk 57, Lots 1-3, 4(S/PT)

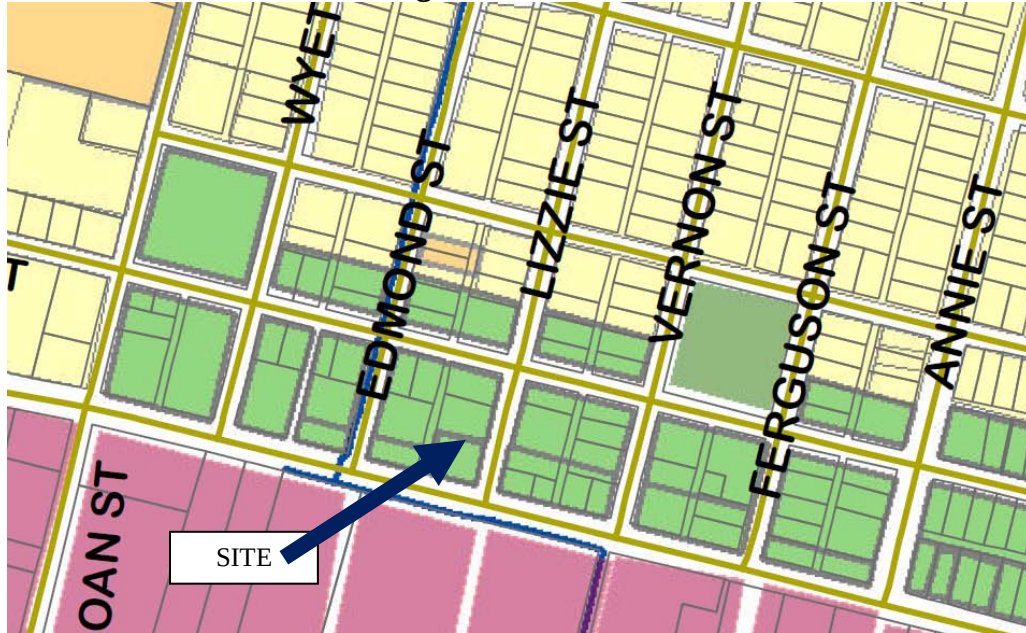
Site Photo:



Existing Zoning: B-1



Future Land Use is Downtown Neighborhood



3. FINANCIAL/BUDGET

N/A

4. TIMELINE CONSIDERATIONS

N/A

5. RECOMMENDATION

The Planning and Zoning Commission recommended approval of this rezone at their public hearing held on June 14, 2011. The only comments received at the hearing were those of the property owner. No comments were received as a result of the mailing to property owners within 200’.

6. REFERENCE FILES

8a. [Ordinance 2011-19](#)

ORDINANCE NO. 2011-19

AN ORDINANCE CHANGING THE ZONING OF 0.5477 ACRES SITUATED IN THE DOAK ADDITION, BLOCK 57, LOTS 1-3, 4(S/PT), CITY OF TAYLOR, WILLIAMSON COUNTY, TEXAS, MORE FULLY DESCRIBED HEREIN, FROM LOCAL BUSINESS (B-1) TO GENERAL BUSINESS (B-2); AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF TAYLOR, TEXAS, TO SHOW THE ZONING CHANGES ADOPTED HEREIN; PROVIDING A SAVINGS CLAUSE.

Whereas, the Taylor City Council conducted a public hearing on _____, to consider the request made by Keith Hagler, the owner of 0.5477 acres in the Doak Addition, Block 57, Lots 1-3, 4(S/PT), located at 1504 West Second Street, as shown on Exhibit "A" incorporated by reference herein for all purposes ("Property"); and

Whereas, the Planning and Zoning Commission, after conducting a public hearing on June 14, 2011, to consider the zoning request, recommended approval of the zoning change to the City Council; and

Whereas, the City Council, after public hearing, approves the request for the Property zoning change.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAYLOR, TEXAS, that:

SECTION 1. The facts and recitations contained in the preamble of this Ordinance are hereby declared to be true and correct, and are incorporated by reference herein and made a part hereof, as if copied verbatim.

SECTION 2. The Property is changed from Zoning Local Business (B-1) to General Business (B-2).

SECTION 3. The Official Zoning map of the City of Taylor, Texas, is changed to show the Property zoning changed from Zoning Local Business (B-1) to General Business (B-2).

SECTION 4. All other terms and conditions contained in the official zoning map, except as amended herein, shall continue and remain in full force and effect.

SECTION 5. Should any section, paragraph, clause, phrase, or provision of this Ordinance be adjudged invalid or held unconstitutional, the same shall not affect the validity of this Ordinance as a whole or any part of the provisions thereof, other than the part so decided to be invalid or unconstitutional

SECTION 6. In accordance with Article 8 of the City Charter, Ordinance 2011-19 was introduced before the Taylor City Council on the _____ day of _____, 2011.

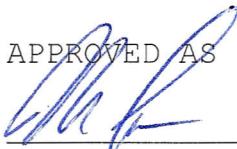
PASSED, APPROVED, and ADOPTED on the _____ day of _____, 2011.

Don Hill, Mayor

ATTEST:

Susan Brock, City Clerk

APPROVED AS TO FORM:



Mark J. Schroeder,
Assistant City Attorney

CERTIFICATE

THE STATE OF TEXAS

COUNTY OF WILLIAMSON

I, Susan Brock, being the current City Clerk of the City of Taylor, Texas, do hereby certify that the attached is a true and correct copy of Ordinance No. 2011-19, passed and approved by the City Council of the City of Taylor, Texas, on the _____ day of _____, 2011, and such Ordinance was duly introduced, passed, approved and adopted at meetings open to the public and notices of the meetings, giving the dates, places, and subject matter thereof, were posted as prescribed by Government Code Section 551.043.

Witness my hand and seal of office this _____ day of _____, 2011.

Susan Brock
City Clerk

EXHIBIT A HAGLER REZONE B-1 TO B-2





City Council Meeting July 14, 2011 Agenda Item Transmittal

Agenda Item #: 9

Agenda Title: Consider approving Ordinance 2011-17 abandoning an Alley between Lake Drive and Maresh Street.

Council Action: Approve Ordinance 2011-17

Initiating Department: Community Development

Staff Contact: John Elsdon, City Planner

1. INTRODUCTION/PURPOSE

The purpose of this item is for the Council to consider approving Ordinance 2011-17 to abandon the alley located between Maresh Street and E. Lake Drive. The alley extends east from Jones Street.

The Ordinance was introduced at the June 23rd Council meeting. Staff was asked at that time to further research how the abandonment would occur and what would happen if any of the property owners objected to being given the property.

Our legal council advised us that filing the ordinance and quit claim deeds at the County Records will finish the project. The quit claim deeds will notify the title companies of what has taken place and provide the City with a good reference tool in the future.

2. DESCRIPTION/ JUSTIFICATION

Discussion

The project started when a citizen discovered that it was difficult, due to the proximity of the homes to the property lines, to adequately access the rear of their property to trim trees or to perform other maintenance to their property.

Since the alley was never improved and fences adjoin neighboring properties, staff decided to ask to have the alley formally abandoned.

There are no public or private utilities in the alley.

A study of this alley indicated that it has never been used as an alley, and most or all of the adjacent property owners have constructed fences either in the center or along the edges of the alley. No survey work has been done to verify the exact location of the fences.

Letters were mailed to all property owners adjacent to the alley, and only one property owner had an objection to the City abandoning the alley. The objection to the abandonment was due to a tree within the alley that the property owner wished to have removed. The City is in the process of removing this tree.

If abandoned, the City would take all required actions to legally make nine feet of the alley a part of the adjacent owner's property.

Right of Way Location

18' alleyway, 600' in length between Maresh Street and E. Lake Drive

Applicant

City of Taylor initiated

Acres

Total acres of the alley is 0.2479

Existing Zoning/Land Use

R-1, Single Family

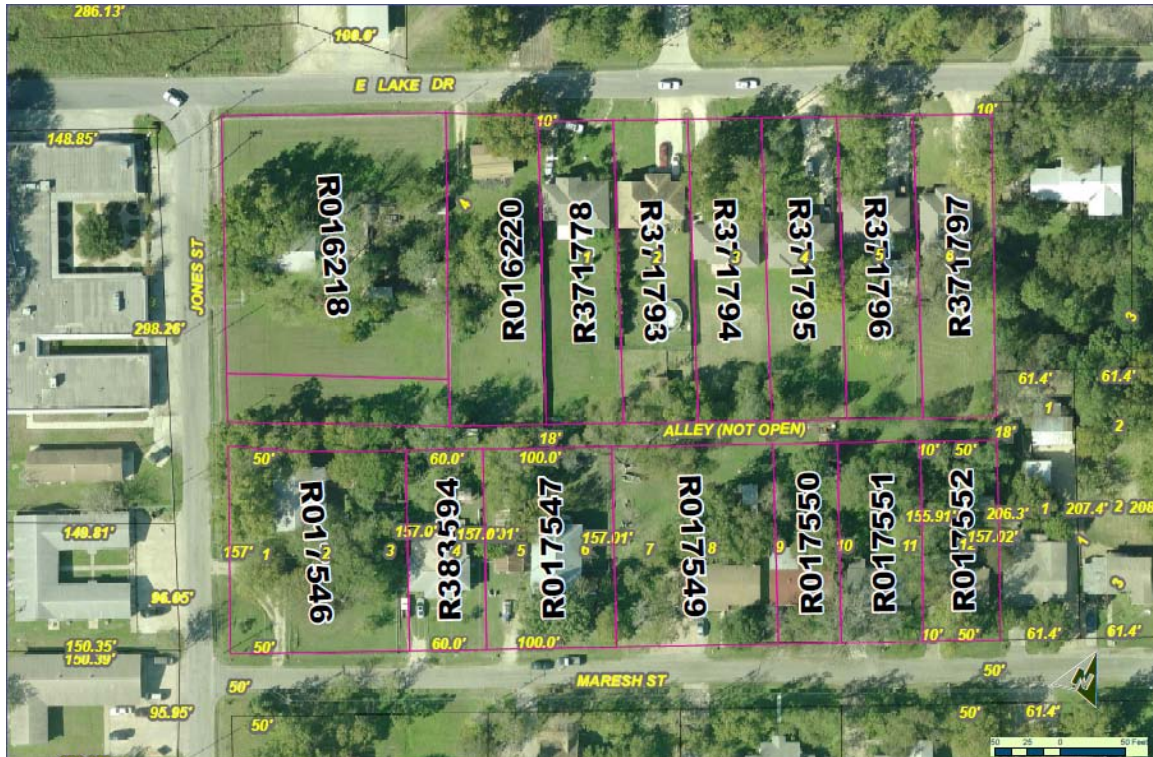
Utilities in Right of Way

None

Future Use of Right of Way

No future use of the right of way is proposed

Aerial Photo of Site:



3. FINANCIAL/BUDGET

4. RECOMMENDATION

On June 14, 2011 the Planning and Zoning Commission recommended abandonment of this alley. This item was discussed and the Ordinance introduced at the June 23rd Council meeting.

Staff recommends that the Council approve the ordinance to abandon the alley.

5. REFERENCE FILES

9a. [Ord. 2011-17](#)

9b. [Affidavit](#) for Council Member Gonzales recusing himself.

ORDINANCE NO. 2011-17

AN ORDINANCE FOR THE CITY OF TAYLOR, TEXAS, VACATING AND ABANDONING THE EIGHTEEN FOOT WIDE ALLEY LOCATED WITHIN THE MARESH AND CASSENS ADDITION TO THE CITY OF TAYLOR FILED SEPTEMBER 5, 1910, AND ALSO BEING A SUBDIVISION OF PART OF LOT 4, BLOCK 3, DICKSON'S 2ND ADDITION TO THE CITY OF TAYLOR, TEXAS; BEING APPROXIMATELY 0.2479 ACRES OF LAND; LOCATED BETWEEN LAKE DRIVE AND MARESH STREET; RUNNING APPROXIMATELY 600 FEET ALONG THE NORTH LINE OF LOTS 1 THROUGH 12 OF THE MARESH AND CASSENS ADDITION; AND PROVIDING A SAVINGS CLAUSE.

WHEREAS, the City of Taylor, Texas, desires to vacate and abandon an eighteen foot wide alley shown in the plat on file in cabinet A, Slide 18 of the Williamson County records, being the plat of the Maresh and Cassens Addition to the City of Taylor, Texas, and a subdivision of part of lot 4, Block 3, Dickson's 2nd Addition to the City of Taylor, which alley is legally described in *Exhibit A* attached hereto and incorporated by reference herein ("Alley"); and

WHEREAS, the Planning and Zoning Commission reviewed the proposed Alley vacancy and abandonment June 14, 2011, and recommended to the Taylor City Council that the alley be vacated abandoned since it does not contain utilities, will not inhibit access to adjoining property and was never used as an alley; and

WHEREAS, based upon the recommendation, the Taylor City Council desires to vacate and abandon the Alley.

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

SECTION 1. All of the facts recited in the preamble to this Ordinance are hereby found by the City Council to be true and correct and are incorporated by reference herein and expressly made a part hereof, as if copied herein verbatim.

SECTION 2. The City Council of the City of Taylor, Texas, does hereby vacate and abandon the Alley described herein.

SECTION 3. A certified copy of this Ordinance may be filed in the Official Records of Williamson County, Texas, to evidence the City has abandoned the Alley and vacated the Alley right of

way show on the plat records and described herein to the adjoining property owners.

SECTION 4. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of this Ordinance to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Taylor, Texas, declares that it would have passed each and every part of this Ordinance notwithstanding the omission of any part declared to be invalid or unconstitutional.

In accordance with Article VIII, Section 1, of the City Charter, Ordinance No. 2011-17 was introduced before the Taylor City Council on the 23rd day of June, 2011.

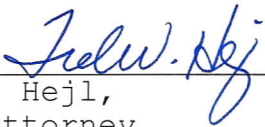
PASSED, APPROVED, and ADOPTED on the ____ day of ____, 2011.

Don Hill, Mayor

ATTEST:

Susan Brock, City Clerk

APPROVED AS TO FORM:



Ted W. Hejl,
City Attorney

CERTIFICATE

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

I, Susan Brock, being the City Clerk of the City of Taylor, Texas, do hereby certify that the attached is a true and correct copy of Ordinance No. 2011-17, passed and approved by the City Council of the City of Taylor, Texas, on the ____ day of _____, 2011, and such Ordinance was duly introduced, passed, approved and adopted at meetings open to the public and notices of the meetings, giving the dates, places, and subject matter thereof, were posted as prescribed by Government Code Section 551.043.

Witness my hand and seal of office this the ____ day of _____, 2011.

Susan Brock
City Clerk

EXHIBIT A

Maresh Cassen Addition Alley Abandonment

Legal description of alley:

Description of an 18 foot alley, not open, being the same 18 foot alley shown in the plat on file in Cabinet A, Slide 18 of the Williamson County Records which plat is the plat of the Maresh & Cassens Addition to the City of Taylor, Texas filed September 5, 1910, also being a Subdivision of part of lot 4, Block 3, Dickson's 2nd addition to the City of Taylor, Texas.

Being a part of the Maresh & Cassens Subdivision to the City of Taylor, Williamson County, Texas as laid out in the plat on file Cabinet A, Slide 18.

BEGINNING at the northwest corner of said addition and running in an easterly direction for 600 ft to a point at the northeast corner of said addition;

THENCE in a southerly direction 18 ft to the southeast corner of the alley and the northeast corner of lot 12 of the Maresh & Cassens Addition;

THENCE in a westerly direction 600 ft along the north line of lots 1 through 12 of the Maresh & Cassens Addition for the southwest corner of said alley and the northwest corner of lot 1 of the Maresh & Cassens addition;

THENCE 18 ft in a northerly direction to the place of BEGINNING and containing 0.2479 acres of land.

THE STATE OF TEXAS

COUNTY OF WILLIAMSON

CITY OF TAYLOR

AFFIDAVIT

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned Affiant who, after being by me first duly sworn, deposes and says on oath as follows, to wit:

1. Affiant is a resident of the City of Taylor, Williamson County, Texas, over the age of 21 years and is fully capable of making this Affidavit;
2. Affiant is a duly elected, qualified, and serving member of the Taylor City Council.
3. This Affidavit is intended to comply with Section 171.001 et seq of the Local Government code regulating conflicts of interest of certain governmental officials.
4. The possible conflict of interest is as follows:

Related to a property owner requesting the alley abandonment.

WITNESS MY HAND, this the _____ day of _____, 2011.

Christopher Gonzales, Council Member

SUBSCRIBED AND SWORN to before me, this the _____ day of _____, 2011.

Susan L. Brock
NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS



***City Council Meeting
July 14, 2011
Agenda Item Transmittal***

Agenda Item #: 10

Agenda Title: Consider extending the Agreement with Taylor Market Place .

Council Action to be taken: Approve, Deny, or table

Initiating Department: Community Development

Staff Contact: Bob van Til, Director of Community Development

1. INTRODUCTION/PURPOSE

The purpose of this agreement is to consider extending the agreement that the City has with Taylor Market Place to September 30. Should the Council agree to the extension, staff will draft up a revised agreement with the appropriate dates.

Taylor Market Place has plans to occupy the former Wal-Mart Building with retail and service type businesses. They are in the process of constructing partitions that will serve as shops. They are also required to bring the fire suppression system up to code.

In the meantime, they requested from the City, and were granted approval to operate temporary activities in the parking lot of Wall Mart. The previous agreement was initiated on April 29, 2011 and expired at the end of May.

2. DESCRIPTION/ JUSTIFICATION

The agreement was necessary because the Zoning Ordinance does not allow temporary businesses to operate in non-industrially zoned locations. Once the operators are granted a certificate of occupancy, the outdoor businesses will be associated with the business in the building and are permitted by right.

The operators intend to continue to allow the farmer's market, occasional community garage sales, petting zoo, and community fundraisers to occur during the weekends. The agreement limited the events to Saturday (7 am to 7 pm) and Sundays (Noon to 7 pm). However, I do not believe they have ever operated on a Sunday.

3. FINANCIAL/BUDGET

4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION

Staff recommends that the Council consider extending the agreement to September 30, 2011.

6. REFERENCE FILES

10a [Existing Agreement](#).

AGREEMENT

This Agreement is made and entered into by and between the City of Taylor, Texas, a home rule political subdivision of the State of Texas, ("CITY") and the MarketPlace Taylor, LLC, a Texas limited liability company ("ENTITY") and the following facts presently exist:

A. The ENTITY requested that it be allowed to operate its retail sales and commercial promotion business ("Operation") at 2705 North Main Street, Taylor, Texas, ("Location") outside the building located on the property as an outdoor Operation.

B. The CITY and the ENTITY agree that the business Operation outdoor at the Location, and not within the building on the property, is in violation of the City Zoning Ordinance ("Ordinance") if not permitted by this Agreement.

C. The ENTITY has requested an opportunity to operate outdoor at the Location under limited circumstances in order to be given an opportunity to obtain revenue to renovate the building at the Location at which time the ENTITY shall operate within the building at the Location and not outdoor.

D. The CITY and ENTITY have determined that it is in the best interest of both parties to allow the ENTITY temporary Operation outdoor at the Location only under the terms and conditions of this Agreement.

E. The CITY and the ENTITY hereby set out the terms and conditions under which the ENTITY will conduct its Operation outdoor temporarily at the Location.

FOR VALUE RECEIVED AND MUTUAL CONSIDERATION, THE CITY AND ENTITY AGREE:

1. Operation The ENTITY shall temporarily conduct its Operation outdoor at the Location only as hereinafter allowed. The ENTITY must have all consents from the Location owner and provide the City copies of the consents prior to Operation. The ENTITY shall allow a farmers' market, community grange sale, petting zoo, and community fundraiser to operate at the Location during the

same dates and times without charge to them. The non-exclusive Location use is not limited to the stated exceptions and may include others requested by the City.

+ May 21+22, 2011 ✓

2. Dates and Hours of Operation. The ENTITY shall operate at the Location outside on Saturdays and Sundays only on April ~~23~~, ✓
✓ 24, 30, May 1, 7, 8, 14, and 15, 2011. The hours of Operation, all central time, on each Saturday shall begin at 7 am and shall end at 7 pm. The hours of operation on each Sunday shall begin at 12 noon and shall end at 7 pm.

3. Conditions. ENTITY shall Operate in compliance with all codes, ordinances, rules, regulations and laws in effect under all City, State and Federal authorities applicable to the Location and the ENTITY Operation except as otherwise permitted in this Agreement; the ENTITY shall not at any time allow or permit nor engage in any sales or trades of any type of firearm; shall not permit any use or sale of alcohol; shall not engage in the sale or trade of any animals; shall not permit any carnival on the Location; shall not at any time permit loud or offence noise, as determined by the City, at the Location; shall require all parking to be off street and on the Location only in designated parking areas; and shall keep the Location clean, neat and in an orderly condition. The City shall be entitled to terminate ENTITY operation on the Location at any time and terminate this Agreement without penalty or claim against the City in the event the City determines the ENTITY is not in compliance with this Agreement. The City will provide only its normal and routine police patrol of Location.

4. Sales Tax. The ENTITY must provide the City written evidence prior to Operation on the Location that the ENTITY has designated the City as the site for all sales allowing the City to receive City sales tax from the sales by the ENTITY on the Location.

5. Costs. The ENTITY shall bear all costs associated with Operation at the Location.

6. Third Party Approval. The ENTITY shall obtain prior approval from any required third parties for use of the Location and furnish evidence of the approval to the City prior to Operation.

7. Safety. The ENTITY shall take all actions reasonably necessary to preserve and protect the safety of patrons during the Agreement term.

8. Indemnification. The ENTITY agrees to indemnify the CITY with respect to, and hold CITY harmless from, any loss, liability or expense (including, but not limited to, reasonable legal fees) which the CITY may directly or indirectly incur or suffer by reason of, or which results, arises out of or is based upon this Agreement, any inaccuracy of any representation made the ENTITY in this Agreement, the failure of the ENTITY to comply with any agreements, conditions, representations, covenants or other commitments made by the ENTITY in this Agreement, or any liability relating to or arising out of the conduct of ENTITY operation.

9. Default. In the event the ENTITY fails to comply with this Agreement the CITY may (i) terminate this Agreement, or (ii) enforce specific performance hereof. All such actions by the CITY are cumulative and the City may seek such action as it deems appropriate

10. Notices. All notices, consents and other communications pertaining to this Agreement shall be in writing and shall be deemed to be properly given or sent when delivered personally to the addressee, or when mailed by prepaid registered or certified mail, or given by prepaid telegram, addressed to the intended recipient at the address set forth below.

If to City: City of Taylor, Texas,
 Attention City Manager
 400 Porter Street
 Taylor, Texas, 76574
 512-352-3677

If to ENTITY: MARKETPLACE TAYLOR, LLC
 Attention Ronda Dukes
 General Manager
 2705 N. Main Street
 Taylor, Texas, 76574

11. No Assumption of Liabilities. Notwithstanding anything in this Agreement that might be deemed to the contrary, the CITY shall not be obligated to assume any liabilities of the ENTITY.

12. Governing Law. This Agreement shall be construed and enforced in accordance with the laws of the State of Texas and shall be performable in Williamson County, Texas.

13. Amendments. Neither this Agreement nor any terms thereof may be amended, waived, discharged or terminated except by an instrument in writing signed by the party against which enforcement of such amendment, waiver, discharge or termination is sought.

14. Further Assurances. The CITY and the ENTITY shall do all such further acts that shall be reasonably required to fully perform and to carry out the terms and intent of this Agreement.

15. No Assignment. The ENTITY may not assign this Agreement or the rights given under this Agreement.

16. Enforceability. In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not effect any other provision hereof and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

17. Headings and Construction. Headings in this Agreement are for the purposes of reference only and shall not limit or otherwise effect the meaning hereof. In the event of any ambiguity in this Agreement, the rule construing the ambiguity against the draftsman shall not be used.

18. Entire Agreement and Counterparts. This Agreement evidences the entire agreement between the CITY and the ENTITY regarding the Location and supersedes any and all prior oral or written agreements or understandings between them pertaining to this matter. This Agreement may be executed in counterparts, each of which shall be deemed an original and all of which, taken together, shall constitute one agreement.

19. Attorney's Fees. In the event any legal action or proceeding is commenced between the CITY and ENTITY to enforce provisions of this Agreement and recover damages for breach, the prevailing party in such legal action shall be entitled to recover its reasonable attorney's fees and expenses incurred by reason of such action, unless prohibited by law.

20. No Third Party Beneficiaries. This Agreement is not intended to confer any rights, privileges or causes of action upon any third party.

21. No Joint Venture. It is acknowledged and agreed by the parties that the terms of this Agreement are not intended to and shall not be deemed to create any partnership or joint venture among the parties. The CITY, its past, present and future officers, elected officials, employees and agents do not assume any responsibilities or liabilities to any third party in connection with ENTITY.

22. No Pre-Approval. Nothing in this Agreement shall be deemed as prior approval of any zoning, regulation, code or ordinance required for operation on the Location and ENTITY shall be obligated to comply with all requirements allowing operation on the Location when this Agreement terminates.

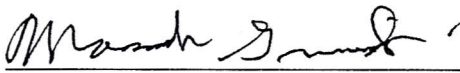
23. Time. Time is of the essence.

DATED this the 29th day of April, 2011.

The City of Taylor, Texas,
A Texas Home Rule Municipality

MARKETPLACE TAYLOR, LLC


By: Jim Dunaway
Its: City Manager


By: Mark Gindin
Its:

TRIPLE NET BUILDING LEASE

ARTICLE I. BASIC TERMS

This Article contains the basic terms (the "Basic Terms") of this Triple Net Building Lease (this "Lease") between the Landlord and Tenant named below. Other Articles, Sections and Paragraphs of the Lease referred to in this Article explain and define the Basic Terms and are to be read in conjunction with the Basic Terms.

Section 1.01 **Commencement Date:** April 1, 2011.

Section 1.02 **Effective Date:** The date that both Landlord and Tenant have executed this Lease and Tenant has delivered the Security Deposit and the Advance Payment of Rent to Landlord, as required by this Lease.

Section 1.03 **Landlord:** 2705 N Main Ltd

Section 1.04 **Tenant:** Marketplace Taylor, LLC

Section 1.05 **Guarantor:** Marketplace Austin, Inc.

Section 1.06 **Leased Premises:** The Leased Premises, locally known as 2705 N. Main Street, Taylor, Texas, 76574 consists of approximately 62,400 square feet of leased space described on Exhibit A, attached hereto and incorporated herein by reference (the "Property"). The Property represents 100% of the entire 62,400 square feet in the Shopping Center ("Shopping Center")

Section 1.07 **Lease Guaranty:** The guaranty of the Lease, signed by the Guarantor, attached as Exhibit B.

Section 1.08 **Lease Term:** The Lease Term will be sixty-six (66) months, commencing on the Commencement Date and expiring sixty-six (66) months thereafter, subject to the other provisions of this Lease.

Section 1.09 **Permitted Use:** Retail / Market.

Section 1.10 **Security Deposit:** The sum of \$10,000.00 will be paid by Tenant to Landlord on the Effective Date as a Security Deposit. The Security Deposit is NOT pre-paid Rent, will not relieve Tenant of any obligation to pay Rent under this Lease and may not be applied by Tenant to Rent in any manner.

Section 1.11 **Broker:** Capital Leasing, Management and Sales, Inc, represents Landlord.



City Council Meeting July 14, 2011 Agenda Item Transmittal

Agenda Item #: 11

Agenda Title: Consider approving Resolution R11-20 and entering into a consent agreement for Randall Jones Municipal Utility District (MUD).

Council Action to be taken: Approve, deny or table

Initiating Department: City Administration

Staff Contact: Jim D. Dunaway, City Manager

1. INTRODUCTION/PURPOSE

The purpose of this item is to consider approving an agreement with Mr. Randall Jones to develop a Municipal Utility District.

2. DESCRIPTION/ JUSTIFICATION

For a few years now, Mr. Randall Jones has expressed an interest in creating a Municipal Utility District (MUD) on FM 3349, south of US 79. We have dealt off and on with this matter including all aspects of development (utilities, development regulations, etc.) just like we would with any other development within the city limits. After much deliberation, it was decided that the proposed MUD was within the Jonah SUD service area and that wastewater service would have to go southwest, ultimately to the City of Hutto's proposed wastewater plant. Mr. Jones did, however, agree to meet all of our development regulations (underground utilities, curb and gutter streets, street lighting, etc.) and now has presented the attached consent agreement for your consideration. FYI.....the attached Exhibit B displays north to the right of the picture as it is attached.

This item is for consideration and to put things in perspective, we have accomplished all we can considering the fact that this proposed MUD actually lies within the voluntary ETJ that came into the City during the 1980's. If you have questions prior to the meeting, please do not hesitate to contact me.

3. FINANCIAL/BUDGET

There are no costs associated with this matter.

4. TIMELINE CONSIDERATIONS

Since this project has been going on for years, Mr. Jones is seeking immediate consideration of this matter.

5. RECOMMENDATION

Staff recommends approval of the attached consent agreement as submitted.

6. REFERENCE FILES

11a. [Consent Agreement with exhibits](#)

CONSENT AGREEMENT

THE STATE OF TEXAS §
 §
COUNTY OF WILLIAMSON § Recorded as Document No. _____

This Consent Agreement ("Agreement") is by and between the CITY OF TAYLOR, TEXAS (the "City"), located in Williamson County, Texas, and 3349 LAND GROUP, LLC, a Texas limited liability company (the "Developer"). Upon final creation of Williamson County Municipal Utility District No. 27 (or other appropriate name as permitted by law), a district to be created under Chapters 49 and 54 of the Texas Water Code (the "District"), the District will join in this Agreement and be bound by its terms, conditions, and provisions.

RECITALS

WHEREAS, the Developer owns approximately 121.12 acres of land (the "Land") located within the extraterritorial jurisdiction ("ETJ") of the City. The Land is more particularly described by metes and bounds on the attached Exhibit A.

WHEREAS, the Land is located within the extraterritorial jurisdiction of the City and is not within the extraterritorial jurisdiction of any other city.

WHEREAS, the District intends to receive wastewater service from a proposed regional plant (the "Regional Plant") and intends to receive water service from Jonah Special Utility District, or with the consent of Jonah Special Utility District, from another provider having sufficient capacity available.

WHEREAS, the District does not anticipate becoming a retail provider of water or of wastewater.

WHEREAS, the City has determined that, pursuant to the terms of this Agreement, the creation of the District will benefit the environment, the public health, safety and welfare of its citizens.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, including the agreements set forth below, the parties agree as follows:

ARTICLE I DEFINITIONS

Section 1.01. **Definitions.** In addition to the terms defined elsewhere in this Agreement or in the City's ordinances, the following terms and phrases used in this Agreement will have the meanings set out below:

Agreement: This Consent Agreement by and between the City and the Developer.

City: The City of Taylor, Texas, located in Williamson County, Texas.

County: Williamson County, Texas.

Developer: 3349 Land Group, LLC, a Texas limited liability company, or its successors and assigns under this Agreement.

District: The municipal utility district to be created over the Land described by metes and bounds in Exhibit A.

Effective Date: The last date when one or more counterparts of this Agreement, individually or taken together, bear the signature of the City and the Developer.

Jonah SUD: Jonah Special Utility District, a non-profit special utility district governed by Chapters 49 and 65 of the Texas Water Code.

Land: 121.12 acres of land, more or less, described by metes and bounds on Exhibit A.

Master Land Plan: A Master Land Plan for the subdivision of the Land is attached as Exhibit B, as it may be amended.

Off-Site Facilities: All wastewater and water facilities outside the boundaries of the Land that are necessary to serve the Land.

On-Site Facilities: All wastewater and water facilities within the boundaries of the Land that are necessary to serve the Land.

Project: The development of the Land in accordance with the uses set forth herein and in accordance with the Master Land Plan.

TCEQ: The Texas Commission on Environmental Quality.

ARTICLE II
MUNICIPAL UTILITY DISTRICT

Section 2.01. Consent to Creation of District.

a. The City acknowledges receipt of the Developer's request, in accordance with Section 54.016 of the Texas Water Code and Section 42.042 of the Texas Local Government Code, for creation of a municipal utility district over the Land, that may exercise all powers granted by Chapters 49 and 54 of the Texas Water Code. On or before the Effective Date of this Agreement, the City has approved the resolution attached as Exhibit C, consenting to the inclusion of the Land described on Exhibit A within the District. The City agrees that this resolution will be deemed to constitute the City's consent to the creation of the District on the Land. Developer agrees to exclude from the boundaries of the District a portion of the Land one (1) foot in width extending along the eastern side of the right of way of FM 3349 ("Annexation Strip").

b. Pursuant to Section 54.016(e) of the Texas Water Code, the City's consent may contain a restriction on the terms and provisions of the District's bonds and conditions on the sale of the District's bonds as set forth herein in Article III. The District intends to issue bonds for construction, acquisition, maintenance and operation of a waterworks and sanitary sewer system for domestic and commercial purposes and of drainage, and firefighting facilities and services as permitted pursuant to Chapter 49 of the Water Code and Chapter 54 of the Water Code. To the extent permitted by law, the District shall reimburse the Developer for the costs associated with the construction of such infrastructure necessary to serve the District and any other infrastructure costs that may be reimbursed in accordance with TCEQ rule and regulations and approved by the City.

c. The District will not issue bonds for facilities other than facilities that will be owned by the District, in order to assure that the City is not required to assume debt associated with facilities that will not be owned by the City upon annexation. The District may issue bonds for the purpose of purchasing committed capacity in, or paying for contract rights related to, water supply or wastewater treatment or collection facilities and services, subject to TCEQ rules and regulations and approval by the City.

d. The District may operate and maintain the parks and recreational facilities located within the District's boundaries, or such facilities may be operated and maintained by a property owners' association. The District may issue bonds for operating and maintaining parks and recreational facilities as authorized by Chapter 49, Texas Water Code.

e. Developer agrees to provide the City a copy of any application for creation of the District that is filed with the TCEQ.

Section 2.02. Filing of Budget and Audit Report. The District will file a copy of its annual audit and a copy of its approved budget for each fiscal year showing projected expenses and revenues with the City Clerk and the City Manager of the City within 30 days after approval by the District's Board of Directors.

Section 2.03. **Annexation**

a. The Land lies wholly within the ETJ of the City; and is anticipated to ultimately be scheduled for annexation by the City. The creation of the District, and the City's consent thereto, are for the purpose of promoting the orderly development and extension of utility services to the Land.

b. In furtherance of the purposes of this Agreement, the Developer agrees, on behalf of itself, and its successors and assigns, and, upon the District's joinder in this Agreement, such District will covenant and agree, to the extent allowed by law, that, except upon written consent of the City Council, it will not: (1) seek or support any effort to incorporate any of the Land, or any part thereof; or (2) sign, join in, or direct to be signed any petition seeking to incorporate any of the Land, or to include any of the Land within any other municipal utility district, special utility district or water control and improvement district or other incorporated entity other than the City. The Developer and District further agree to support and cooperate with the City in the orderly annexation of the Land by the City, as provided in this Agreement. The Parties further agree that, if the Texas Legislature modifies or amends state law in a manner having the effect of limiting or curtailing the City's ability to annex the ETJ Land for full purposes in accordance with the provisions of this Agreement, that the purpose of this Agreement shall be frustrated, and the City may in the sole discretion of the City Council, terminate this Agreement.

c. The District may not annex any additional land into its boundaries without the prior written consent of the City.

d. Prior to annexation of the District for full purposes, if requested by the District, the City may negotiate with the District a strategic partnership agreement pursuant to Texas Local Government Code Section 43.0751, under which the District will become a limited district which owns and maintains the parks and amenities located in the District (to the extent that such facilities are owned by the District, and not by a homeowners' association), with the ability to enforce restrictive covenants. It is acknowledged that creation of a limited district, with separate taxing authority from that of the City, will require approval by the voters in the District. In the event such an agreement is proposed, the District shall give reasonable public notice, and all public notices required by law, to the residents of the District. Any limited district that is created will be obligated to file its annual budget and audit with the City, and comply with the applicable terms and provisions of this Agreement, in the same manner as is provided for a District.

e. The City agrees not to annex or dissolve the District for full purposes, in whole or in part, until: (1) at least ninety percent (90%) by dollar amount of the total water, wastewater and drainage facilities for which District bonds may be authorized ("requisite percentage of District facilities") have been constructed, or (2) the City has expressly assumed the obligation to reimburse the Developer for such facilities at the time of annexation as required by Section 43.075, Texas Local Government Code, or (3) at the expiration or termination of this Agreement, as provided herein.

f. The District agrees that the requisite percentage of District facilities will be installed within fifteen (15) years from the date of City approval of the first final plat covering land within that District. At any time following the installation of the requisite

percentage of District facilities, the annexation process may be completed and the District included within the corporate boundaries of the City subject to the terms and conditions of the strategic partnership agreement. The District will be dissolved on the date and in the manner specified in the City ordinance completing such annexation, but in no event more than 90 days after the effective date of such annexation. Upon the dissolution of the District, the City will, subject to the terms and conditions of the strategic partnership agreement, immediately succeed to all properties, powers, duties, assets, debts, liabilities, and obligations of the District.

g. If such installation of the requisite percentage of District facilities has not been accomplished within said fifteen (15) year period, the City, at its option, may annex the entire District and revoke its approval for the installation of any further facilities and revoke its authorization for the issuance of the balance of the District's unissued bonds; however, if the District has begun construction of any facilities and that construction is in progress, in good faith, at the expiration of fifteen (15) years, the annexation of the District, and the corresponding revocation of authority to issue bonds to finance these facilities, will be postponed until the construction is completed, the bonds issued and the purchase of those facilities is accomplished.

h. Notwithstanding Section 2.03(e) above, the City retains the unilateral discretion to decide whether to annex or dissolve the District, in whole or in part, provided that the City agrees that if it makes such decision to annex or to dissolve the District, in whole or in part, the City shall do so only in the event of an uncured default by the Developer and /or the District.

i. Upon annexation, if the City is then the provider of water or wastewater services to the District, the City reserves its right to charge customers within the Land for water, wastewater and other City services at rates which it deems appropriate under State law.

j. Contemporaneously with the annexation of the Land within the District into the City limits, subject to all the required notices and public hearings, it is the present intent of the City that it shall zone any undeveloped property within the Land within the District consistently with the land uses shown on the Master Land Plan, and will zone all developed property within the Land consistently with the land uses in existence on the date of the annexation.

k. If requested by the City, the Developer shall use its best efforts to cause the District to negotiate with the City a strategic partnership agreement pursuant to Texas Local Government Code Section 43.0751, under which the District may continue to exist for all purposes and all or part of the land within the District may be annexed by the City for limited purposes. In the event such an agreement is proposed, the District shall give reasonable public notice, and all public notices required by law, to the residents of the District.

l. After the creation of the District has been authorized by an act of the Texas Legislature or by an order issued by the TCEQ and upon request by the City from time to time, the Developer agrees to prepare and file a petition for annexation by the City of the Annexation Strip, which is adjacent to the land included within the boundaries of the District.

ARTICLE III ISSUANCE OF BONDS

Section 3.01. **Purposes.** The District may issue bonds or notes with voter approval as applicable for the purposes of the purchase, construction, acquisition, repair, extension, and improvement of land, easements, works, improvements, facilities, plants, equipment, and appliances, or contract rights, necessary to (a) provide a water supply for municipal uses, domestic uses, and commercial purposes; (b) collect, transport, process, dispose of, and control all domestic, industrial, or communal wastes whether in fluid, solid, or composite state; (c) gather, conduct, divert, and control local storm water or other local harmful excesses of water in the District; (d) pay those expenses authorized pursuant to Section 49.155 of the Texas Water Code; (e) develop and maintain park and recreational facilities as authorized pursuant to Subchapter N of Chapter 49 of the Texas Water Code; and (f) maintain a fire department to perform all fire-fighting services within the District as provided Section 49.351 of the Texas Water Code. The District may reimburse the Developer in amounts and for purposes only as authorized by TCEQ rules and regulations.

Section 3.02. **Notice to City.** The District must notify the City of its intention to issue bonds and notes, including bond anticipation notes and revenue notes, by filing the information described in this Section with the City. To the extent that TCEQ approval is necessary for the issuance of bonds or notes, the District must submit a copy of the bond application, including the engineering report and expected debt service schedule, to the City Manager at the time the District submits the application to the TCEQ, and the City reserves the right to contest any application to the TCEQ for approval of an engineering project and/or bond or note issue if the District is in violation of the material terms of this Agreement. To the extent that TCEQ approval is not necessary for the issuance of bonds or notes, the District must submit to the City Manager a copy of the District's proposed bond or note resolution or order and debt service schedule, with the debt service schedule showing debt service due on all debt of the District outstanding both before and after issuance of the proposed bonds and notes, at least 30 days prior to the anticipated date of execution of the proposed bond or note purchase agreement.

Section 3.03. **Sale of Bonds or Notes.** The District will proceed to obtain the necessary authorization for issuance of its bonds or notes for the financing of the purchase or construction of its creation and organizational expenses, and water, wastewater, drainage, and recreational facilities or contract rights prior to or simultaneously with the authorization of bonds or notes for any other purposes. Bonds or notes for financing District facilities must be amortized over a period of time not to exceed 25 years for any given bond or note issue. This maximum amortization period for any issue of notes or bonds may only be modified upon application of the Board of Directors of the District to the City Manager of the City, stating the reasons and necessity requiring modification of such requirement. Anything in this Article III to the contrary notwithstanding, in connection with: (a) an advance bond or note refunding which (1) has a final maturity no longer than the final maturity on the refunded bonds or notes, (2) will achieve a net present value savings of at least three percent (3%), and (3) has savings which are substantially or fairly uniform over each maturity of bonds or notes being refunded; or (b) any current bond or note refunding which (1) has a final maturity no longer than the final maturity on the refunded bonds or notes, (2) will achieve a net present value savings, and (3) has savings which are substantially or fairly uniform over each maturity of bonds or notes being refunded, no

City review or approval will be required other than the presentation to the City of evidence of compliance with the requirements in this sentence ten (10) days prior to the execution of a note or bond purchase agreement for the refunding bonds or notes. Unless otherwise approved by the City Manager, the maturities of each bond or note issue of the District will be structured so that substantially level debt service will be maintained throughout the amortization period of each bond or note issue. It is specifically agreed that the District's bonds or notes, when issued, must be secured by a pledge of the District's taxes and/or revenues, as required by market conditions at the time of issuance.

Section 3.04. **Other Funds.** A District may obtain and use funds and assets from any other available, lawful source to provide for such acquisition, ownership, maintenance and operation, as well as to accomplish any purpose or to exercise any function, act, power or right authorized by law. Such funds and assets may include, without limiting the generality of the foregoing, revenues from any of the systems, facilities, properties and assets of the District not otherwise committed for the payment of indebtedness of the District; maintenance taxes; loans, gifts, grants and donations from public or private sources; and revenues from any other source lawfully available to the District; provided, however, that neither bonds nor notes shall be issued by the District for any purpose not specifically authorized pursuant to this Agreement.

ARTICLE IV MASTER LAND PLAN

Section 4.01. **Land Use.**

a. All development within the Land will comply with the City's Rules (as defined herein). The Developer and the City agree that the Land will be developed in accordance with the City Rules. The Developer proposes that the Land will be developed in phases, and the Developer plans to activate, develop and build-out the District in a progressive and orderly manner, in compliance with this Agreement and the City Rules. Attached hereto as Exhibit B is an overall schematic master land plan (the "Master Land Plan") showing the general nature of the development for the entire District including road types, land use categories, and general alignment, size, and type of lots, to the extent such information can be determined at the time this Agreement is executed. By executing this Agreement, the City approves the Master Land Plan and the Developer is exempted from applying under, and completing, the Subdivision Concept Plan process under the City's Subdivision Ordinance. The City hereby approves variances to the Subdivision Ordinance and the Zoning Ordinance, as necessary to develop the Land in accordance with the Master Land Plan, including authorizing minimum front and rear lot widths of 55 feet under Zoning District R-1; provided, however, that no single family lot shall be less than 7,000 square feet in area.

b. Prior to the Developer's submission of its first application for approval of a preliminary plan or plat, final plat, phasing agreement, building permit, or any related City approval for the land within a proposed phase, the Developer agrees to file a master plan covering that phase to the City for review and approval. This master plan will show a proposed conceptual layout of the land within that phase, including preliminary land uses, preliminary street and utility layouts, preliminary drainage facilities, and preliminary park and recreational facilities. The City's approval of any such master plan will not be unreasonably withheld or

delayed and, in the event the City does not approve any such master plan, the City will give written notice to Developer of the reasons for disapproval. Any material change to an approved master plan will require re-submission of the master plan for City review and approval.

c. Developer agrees that all single family residential structures within the District shall be site-built homes.

Section 4.02. City Rules; Vesting of Rights.

a. Except as otherwise provided in separate agreement with the City, the City ordinances, including its subdivision ordinance, rules, regulations, and building code, applicable to the development of the Land during the term of this Agreement will be those City ordinances, rules, regulations, and building code (collectively, "City Rules") in force and as interpreted by the City by policy or practice on the Effective Date of this Agreement; provided, however, prior to the annexation of the Land by the City, no City building permits or City inspections shall be required within the boundaries of the District. No City Rules adopted after the Effective Date, whether by means of an ordinance, initiative, referendum, resolution, order, or otherwise, are or will be applicable to the development of the Land within the District, unless otherwise provided in this Agreement, or unless such City Rule is an exemption pursuant to Section 245.004 of the Texas Local Government Code or other applicable State law, or as may otherwise be agreed to, in writing, by Developer and the City. For the term of this Agreement, the development and use of the Land will be controlled by the terms of this Agreement and the City Rules.

Section 4.03. Review/Submittal Fees. Developer agrees to timely pay the City's standard plat application fees, plan review fees and inspection fees and such other fees as set forth in the City's Rules. As a condition of receiving City approval of such application, reviews and if applicable, inspections and testing, the Developer must also timely comply with all applicable rules, regulations, and requirements of Jonah SUD and the Regional Plant operator. In addition, the Developer must pay to the City within thirty (30) days of the Effective Date of this Agreement all of the City's reasonable expenses incurred in drafting and negotiating this Agreement in an amount not to exceed \$10,000.00.

ARTICLE V PERMITS, CONSTRUCTION, OPERATION

Section 5.01. Area of and Limitations on Service. Unless the prior approval of the City Council of the City is obtained, the District may not: (1) construct or install water or wastewater lines or facilities to serve areas outside the Land; (2) sell or deliver water or wastewater service to areas outside the District; or (3) annex or otherwise incorporate or join any land located outside the boundaries of the Land into the District.

Section 5.02. Construction of On-Site Facilities. The Developer or the District will construct all On-Site Facilities that are necessary to serve the Land, including the water system, including all piping, valves, and hydrants within designated easements or rights of way up to the customer side of the meter; and the wastewater system, including all piping, manholes, and lift stations. The On-Site Facilities will be designed and constructed in accordance with the City Rules and any other governmental agency with jurisdiction.

No water, wastewater, drainage, fire fighting or park facilities may be constructed unless the plans and specifications for those facilities have been approved by the City and all other applicable governmental entities having jurisdiction. In the event of any conflict between the City's requirements and those of Jonah SUD (for water) or the Regional Plant operator (for wastewater), the requirements that contain the more stringent or protective standards will control and the District's compliance with such requirements will be deemed sufficient to comply with this subsection. All District projects must be built in compliance with the approved plans and specifications. The City will have the right to inspect all District facilities, whether constructed by the Developer or the District, and to assess and collect all inspection, review and approval fees related thereto.

In addition, the Developer as of the Effective Date does not contemplate that the On- Site Facilities shall consist of any water treatment plants or wastewater treatment plants, should the Developer's plans (or the District's plans) for infrastructure within the Land change and require any such plants, the City shall approve all plans for any plants including the location and capacity of such plants.

Section 5.03. Construction of Off-Site Facilities. The Developer or the District shall be responsible for the construction of the Off-Site Facilities in accordance with all applicable City Rules or other applicable governmental entities having jurisdiction, that are necessary to serve the Land, including but not limited to, the wastewater system and the water system and/or components, including all piping, valves, and hydrants; and/or the wastewater system, including all piping, manholes, and lift stations.

Section 5.04. Operation and Maintenance.

a. The District must either operate and maintain the water and wastewater system located within the District's boundaries, or may contract for operation and maintenance of its facilities. In addition to the requirements set forth in Section 5.02 and Section 5.03, above, all water and wastewater connections within the District must comply with the requirements of the Uniform Plumbing Code, all requirements of Jonah SUD (for water) and the Regional Plant operator (for wastewater), and the requirements of TCEQ. Water and wastewater service lines (those lines connecting individual customer connections to the street lines) must also comply with all standards and specifications of Jonah SUD (for water) and the Regional Plant operator (for wastewater), as applicable. To the extent that the City's standards and specifications for service lines conflict with those of Jonah SUD (for water) or the Regional Plant operator (for wastewater), then the requirements of the Regional Plant operator or Jonah SUD, whichever is applicable, will be given effect and the District's compliance with such requirements will be deemed sufficient to comply with this subsection.

b. The District will promote water conservation, and will adopt a water conservation and drought management plan in compliance with the provisions of the Texas Water Code, as amended from time to time. In preparing such a plan, the District will use reasonable efforts to include the provisions of the City's Water Conservation Ordinance, as amended; however, if the City's Water Conservation Ordinance conflicts with the water conservation requirements of the Regional Plant operator or Jonah SUD, then the requirements of the Regional Plant operator or

Jonah SUD, whichever is applicable, will be given effect and the District's compliance with such requirements will be deemed sufficient to comply with this subsection.

Section 5.05. **Reimbursement of Costs for On-Site Facilities.** The District may reimburse the Developer for the cost of design and construction of any On-Site Facilities constructed by the Developer on behalf of the District to the extent authorized by TCEQ, this Agreement, and applicable statutes. To the extent the District is not permitted to reimburse the Developer for any On-Site Facilities, the Developer will dedicate such facilities to the District without compensation.

Section 5.06. **Ownership.** The On-Site Facilities located within the boundaries of the District must be conveyed to the District at the time the District issues bonds and reimburses the Developer for the costs of the facilities to the extent permitted by law and, thereafter, shall be owned and operated by the District. The District must either operate and maintain the wastewater and water system located within the District's boundaries, or may contract for operation and maintenance of its facilities.

ARTICLE VI UTILITIES; OTHER SERVICES

Section 6.01. **Retail Wastewater Utility Services.** The Regional Plant will provide wastewater service to customers within the District and the Land on a retail basis. The Regional Plant operator will be solely responsible for the collection of impact fees, if any, and for billing and collecting for wastewater service provided to customers within the District and the Land.

Section 6.02. **Retail Water Service.** The City and the Developer acknowledge that the Land is currently within the certificated water service area of Jonah SUD and that the City has no obligation to extend or provide water service to the Land during the term of this Agreement. The Developer intends to negotiate a water supply agreement with Jonah SUD under which Jonah SUD will provide the District with all water required to serve the Land and which will be assignable to, and may be assumed by, the City upon annexation of the District. Alternatively, with the consent of Jonah SUD, the Developer may negotiate a water supply agreement with an alternative provider, other than Jonah SUD. Subject to negotiation of such agreement, the District, or the Developer on behalf of the District, will be responsible for constructing and financing all internal water improvements necessary to serve the customers within the District's boundaries.

Section 6.03. **Retail Solid Waste Disposal Services.** The District will provide or cause to be provided solid waste disposal services to customers within the District on a retail basis. The District or its designee will be solely responsible for billing and collecting for solid waste disposal service provided to customers within the District.

Section 6.04. **Fire Protection Services.** The Land is currently located in the Williamson County Emergency Services District No. 3. The City is not obligated to provide fire protection services to the Land, and such services will be provided by the emergency services district or the Taylor Volunteer Fire Department.

Section 6.05. **Other Utilities.** The Developer will have the right to select the providers of cable television, gas, electric, telephone, telecommunications, and all other utilities and services, including solid waste collection and recycling services, or to provide "bundled" utilities within the Project. At the time of annexation of the District, such utilities within the District will become subject to any applicable City franchise requirements.

ARTICLE VII AUTHORITY

This Agreement is entered into under the statutory authority of Section 54.016 of the Texas Water Code and Sections 42.042 and 212.172 of the Texas Local Government Code. Subject to compliance with the terms of this Agreement, the parties intend that this Agreement guarantee the continuation of the extraterritorial status of the Land; authorize certain general uses and development on the Land; provide for infrastructure for the Land; specify the uses and development of the Land after annexation; and provide other lawful terms and considerations relating to the Land.

ARTICLE VIII TERM, ASSIGNMENT AND REMEDIES

Section 8.01. **Term.**

a. As between the City and the Developer, the term of this Agreement will commence on the Effective Date and continue for 15 years thereafter, unless terminated on an earlier date under other provisions of this Agreement or by written agreement of the City and the Developer. Upon the expiration of 15 years, this Agreement may be extended, at the Developer's request and with City Council approval, for one successive 15-year period.

b. As between the City and the District, the term of this Agreement will commence on the date that the District Board of Directors executes this Agreement and will continue for 40 years thereafter, unless the District is annexed by the City on an earlier date.

c. Notwithstanding any other term or provision of this Agreement whatsoever, if the Developer does not seek creation of the District by the Texas Legislature or submit an application to the TCEQ for the creation of the District within twenty-four (24) calendar months after the date of the execution of this Agreement between the City and the Developer, this Agreement shall terminate and expire.

d. Notwithstanding any other term or provision of this Agreement whatsoever, if the Developer does not submit a final plat to the City for a subdivision of a portion of the Land within ten (10) years after the creation of the District has been authorized by an act of the Texas Legislature or by an order issued by the TCEQ, this Agreement shall terminate and expire.

Section 8.02. Assignment.

a. The rights and obligations of the Developer under this Agreement may be assigned by the Developer to a subsequent developer of all or a portion of the Land with the City prior written consent. Any such assignment will only be effective if it is in writing, specifically sets forth the assigned rights and obligations, is executed by the assignee, and a copy is delivered to the City for its consent. The Developer is specifically authorized to assign or partially assign this Agreement as to the land within the District to the District upon its creation provided that written notice is delivered to the City.

b. It is specifically intended that this Agreement and all terms, conditions and covenants herein shall survive a transfer, conveyance or assignment occasioned by the exercise of foreclosure of lien rights by a creditor or a party hereto, whether judicial or non-judicial.

c. This Agreement is not intended to be binding upon, or create any encumbrance to title as to, any ultimate consumer who purchases a fully developed and improved lot within the Land.

Section 8.03. Remedies.

a. In the event of default by any party, a non-defaulting party may give the defaulting party written notice specifying the default (the "Notice"). If the defaulting party fails to fully cure any default that can be cured by the payment of money ("Monetary Default") within 30 days after receipt of the Notice, or fails to commence the cure of any default specified in the Notice that is not a Monetary Default within 30 days of the date of the Notice, and thereafter to diligently pursue such cure to completion, then the other party shall be entitled to a proper writ issued by a court of competent jurisdiction compelling and requiring the defaulting party to observe and perform the covenants, obligations and conditions described in this Agreement or such non-defaulting party may pursue any remedy available at law or in equity; however, any such remedy shall not revoke the City's consent to the creation of the District.

b. The non-defaulting party may employ attorneys to pursue its legal rights and if it prevails before any court or agency of competent jurisdiction, the defaulting party shall be obligated to pay all reasonable expenses incurred by the non-defaulting party, including reasonable attorneys' fees pursuant to Section 271.159 of the Texas Local Government Code.

Section 8.04. Cooperation.

a. The City, the Developer, and the District each agree to execute such further documents or instruments as may be reasonably necessary to evidence their agreements hereunder.

b. The City agrees to cooperate with Developer, at Developer's expense, in connection with any reasonably appropriate waivers, permits or approvals Developer may need or desire from any regulatory authority other than the City in order to carry out the Project.

c. In the event of any third party lawsuit or other claim relating to the validity of this Agreement or any actions taken hereunder, the City, the Developer, and the District agree to

cooperate in the defense of such suit or claim, and to use their respective best efforts to resolve the suit or claim without diminution in their respective rights and obligations under this Agreement.

d. A party may initiate mediation on any issues in dispute and the other parties must participate in good faith. The cost of mediation will be a joint expense, shared equally by each party.

ARTICLE IX MISCELLANEOUS PROVISIONS

Section 9.01. **Notice.** Any notice or other communication given under this Agreement must be in writing and may be given: (i) by depositing it in the United States mail, certified, with return receipt requested, addressed to the party to be notified and with all charges prepaid; or (ii) by depositing it with an overnight delivery service guaranteeing "next day delivery", addressed to the party to be notified and with all charges prepaid; (iii) by personally delivering it to the party, or any agent of the party listed in this Agreement, or (iv) by facsimile with confirming copy sent by one of the other described methods of notice set forth above. Notice by United States mail will be effective on the earlier of the date of receipt or 3 days after the date of mailing. Notice given in any other manner will be effective only when received. For purposes of notice, the addresses of the parties will, until changed as provided below, be as follows:

City: City of Taylor, Texas
400 Porter Street
Taylor, Texas 76574
Attn: City Manager
Fax: (512) 352-8255

With copies to: Ted Hejl
PO Box 192
311 Talbot
Taylor, TX 76574-0192
Phone: (512) 352-6348
Fax: (512) 352-2226

Developer: FM 3349 Holdings, LLC
3349 Land Group, LLC

3349 Land Group LLC
1212 E. Braker Ln.
Austin, Texas 78753-3351

The parties may change their respective addresses to any other address within the United States of America by giving at least 5 days' written notice to the other party. The Developer and the District may, by giving at least 5 days' written notice to the City, designate additional parties to

receive copies of notices under this Agreement.

Section 9.02. Severability; Waiver.

a. If any provision of this Agreement is illegal, invalid, or unenforceable, under present or future laws, it is the intention of the parties that the remainder of this Agreement not be affected, and, in lieu of each illegal, invalid, or unenforceable provision, that a provision be added to this Agreement which is legal, valid, and enforceable and is as similar in terms to the illegal, invalid or enforceable provision as is possible.

b. Any failure by a party to insist upon strict performance by the other party of any material provision of this Agreement will not be deemed a waiver thereof or of any other provision, and such party may at any time thereafter insist upon strict performance of any and all of the provisions of this Agreement.

Section 9.03. Applicable Law and Venue. The interpretation, performance, enforcement and validity of this Agreement is governed by the laws of the State of Texas. Venue will be in a court of appropriate jurisdiction in Williamson County, Texas.

Section 9.04. Entire Agreement. This Agreement contains the entire agreement of the parties. There are no other agreements or promises, oral or written, between the parties regarding the subject matter of this Agreement. This Agreement can be amended only by written agreement signed by the parties. This Agreement supersedes all other agreements between the parties concerning the subject matter.

Section 9.05. Exhibits, Headings, Construction and Counterparts. All schedules and exhibits referred to in or attached to this Agreement are incorporated into and made a part of this Agreement for all purposes. The paragraph headings contained in this Agreement are for convenience only and do not enlarge or limit the scope or meaning of the paragraphs. Wherever appropriate, words of the masculine gender may include the feminine or neuter, and the singular may include the plural, and vice-versa. The parties acknowledge that each of them have been actively and equally involved in the negotiation of this Agreement. Accordingly, the rule of construction that any ambiguities are to be resolved against the drafting party will not be employed in interpreting this Agreement or any exhibits hereto. This Agreement may be executed in any number of counterparts, each of which will be deemed to be an original, and all of which will together constitute the same instrument. This Agreement will become effective only when one or more counterparts, individually or taken together, bear the signatures of all of the parties.

Section 9.06. Time. Time is of the essence of this Agreement. In computing the number of days for purposes of this Agreement, all days will be counted, including Saturdays, Sundays and legal holidays; however, if the final day of any time period falls on a Saturday, Sunday or legal holiday, then the final day will be deemed to be the next day that is not a Saturday, Sunday or legal holiday.

Section 9.07. **Authority for Execution.** The City certifies, represents, and warrants that the execution of this Agreement is duly authorized and adopted in conformity with its City Charter and City ordinances. Each of the Developers hereby certifies, represents, and warrants that the execution of this Agreement is duly authorized and adopted in conformity with its certificate of formation and operating agreement of the Developer. Pursuant to the requirements of Section 212.172(c)(4) of the Texas Local Government Code, this Agreement, and all amendments to this Agreement, shall be recorded in the Official Public Records of Williamson County, Texas.

Section 9.08. **Exhibits.** The following exhibits are attached to this Agreement, and made a part hereof for all purposes:

Exhibit A – Metes and Bounds Description of the Land

Exhibit B – Master Land Plan

Exhibit C – District Consent Resolution

[SIGNATURES APPEAR ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement on the dates indicated below.

CITY OF TAYLOR, TEXAS

By: _____

Printed Name: _____

Title: _____

Date: _____

ATTEST:

Printed Name:

Title: City Clerk

3349 LAND GROUP, LLC

By: _____

Name: Randall S. Jones, Manager

**WILLIAMSON COUNTY
MUNICIPAL UTILITY DISTRICT
NO. __**

By: _____
Printed Name: _____
Title: _____
Date: _____

ATTEST:

By: _____
Printed Name: _____
Title: _____
Date: _____

THE STATE OF TEXAS

§

§

COUNTY OF WILLIAMSON

§

This instrument was acknowledged before me the ____ day of _____ 2011,
by _____, Mayor of the City of Taylor, Texas, on behalf of the City.

Notary Public Signature

THE STATE OF TEXAS

§

§

COUNTY OF WILLIAMSON

§

This instrument was acknowledged before me the ____ day of _____ 2011,
by Randall S. Jones, Manager, on behalf of 3349 Land Group, LLC, a Texas limited liability
company.

Notary Public Signature

EXHIBIT A
Description of Land

LEGAL DESCRIPTION

FIELD NOTES DESCRIBING A 121.12 ACRE TRACT OF LAND OUT OF AND A PORTION OF THE WATKINS NOBLES SURVEY, ABSTRACT NUMBER 484, IN WILLIAMSON COUNTY, TEXAS, BEING ALL OF THE SAME TRACT OF LAND AS DESCRIBED IN VOLUME 586, PAGE 637, OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SAVE AND EXCEPT THAT PORTION CONVEYED FOR ROADWAY PURPOSES IN VOLUME 670, PAGE 280, OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 121.12 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found at a point in the east right-of-way line of Farm to Market road number 3349 at the northwest corner of that certain Robert W. Kaderka and wife, Bonnie B. Kaderka tract of land, recorded in Volume 938, Page 195, of the Deed Records of said county, for the southwest corner of said 121.12 acre tract of land and for the POINT OF BEGINNING hereof;

THENCE, with a portion of said right-of-way line, North 10 degrees 00 minutes 00 seconds East a distance of 2,116.20 feet to an iron rod found at a point in said line at the southwest corner of that certain Rodney Darrin Greer and Trennette M. Greer tract of land, recorded in Document No. 2005048193, of the Official Public Records of said county, for the northwest corner hereof;

THENCE, leaving said right-of-way line with the south line of said Greer tract of land and the south line of those certain tracts of land being Charles R. Barr and wife, Rosa Barr, Volume 832, Page 303, Deed Records of said county, Garland Bruce Clark and Cynthia A. Clark, Document No. 2003061287, of the Official Public Records, Gilberto E. Sarinana and Maria G. Sarinana, Document No. 2003083147 of the Official Public Records and Joel B. Carpenter, Volume 841, Page 70, of the Deed Records, all of Williamson County, Texas, South 80 degrees 00 minutes 47 seconds East a distance of 2,475.87 feet to an iron rod found at the southeast corner of said Carpenter tract, same being a point in the west line of that certain Henry H. Holubec, Jr. And wife, Rydell Holubec tract of land, recorded in Volume 1051, Page 818, of the Deed Records of said county, for the northeast corner hereof;

THENCE, with a portion of the west line of said Holubec tract of land and the west line of that certain Virgil Schweitzer tract of land, recorded in Volume 117, Page 314, of the Deed Records of said county and a portion of the west line of that certain Frame Switch Section 2, a subdivision in Williamson County, Texas, recorded in Cabinet I, Slide 336, of the Plat Records of said county, South 09 degrees 48 minutes 01 seconds West a distance of 2,139.31 feet to an iron pipe found at a point in said West line of said Frame Switch Section 2, same being the northeast corner of that certain Joe Repa and spouse, Billie J. Repa tract of land, recorded in Document No. 2005061565, of the Official Public Records of said county, for the southeast corner hereof;

THENCE, with the north line of said Repa tracts of land and the north line of that certain Albert E. Janecka and wife, Zelma Lee Janecka tract of land, recorded in Volume 2504, Page 154, of the Deed Records of said county and with the north line of said Kaderka tract of land, North 79 degrees 28 minutes 48 seconds West a distance of 2,483.42 feet to the POINT OF BEGINNING and containing 121.12 acres of land, more or less.

THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ATTACHED SURVEY PLAT (BY SEPARATE INSTRUMENT) ONLY.

Leo S. Bond
Leo S. Bond
Texas R.P.L.S. No. 5793
Job No. A0234907



March 8, 2007
Date

EXHIBIT A



EXHIBIT B
Master Land Plan

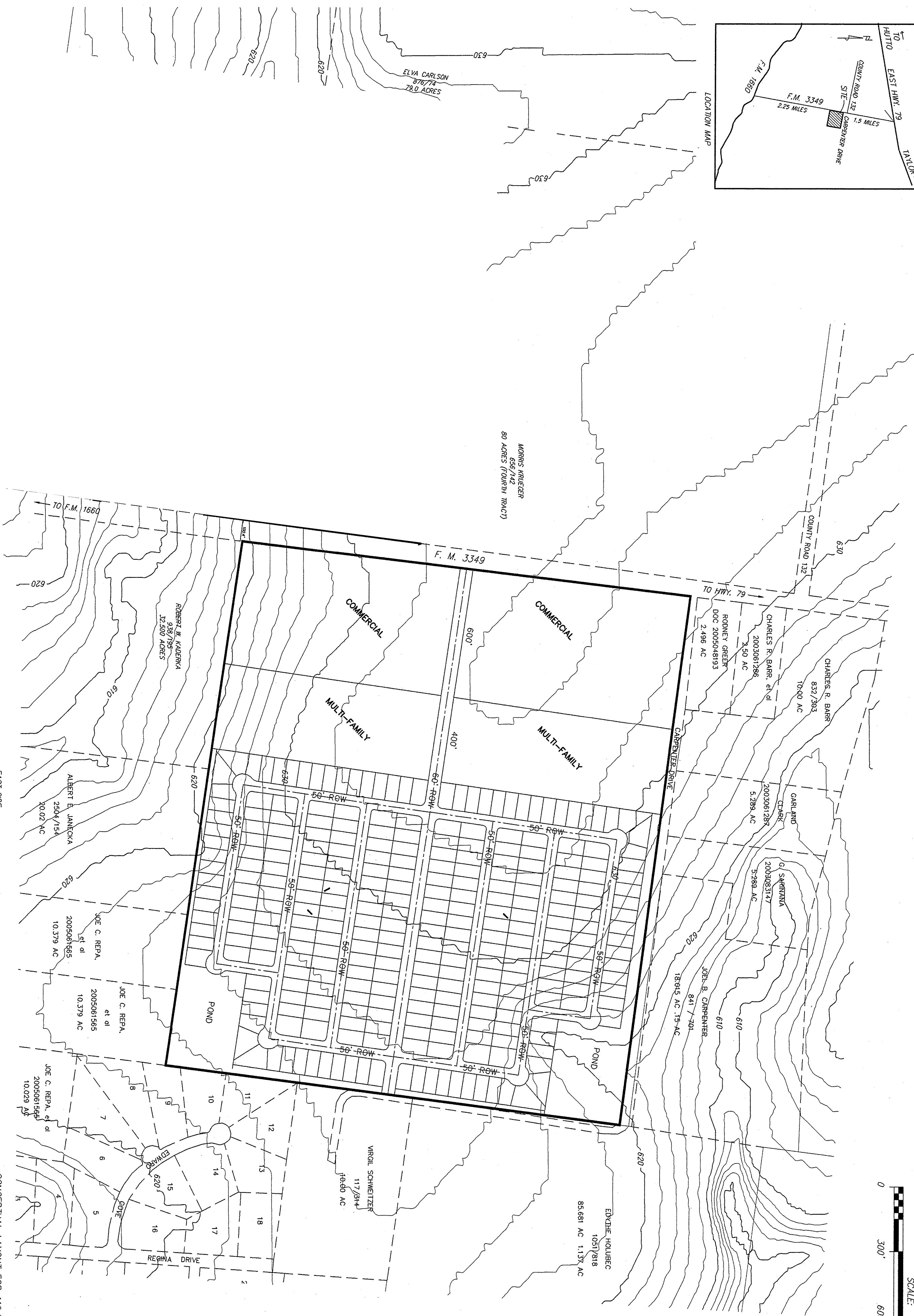
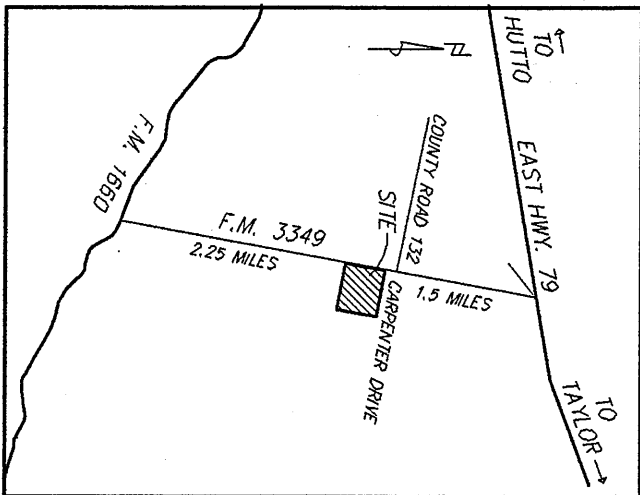


EXHIBIT B

SINGLE FAMILY LOT DATA:
284 LOTS SHOWN ON EAST SIDE
114 LOTS SHOWN ON WEST SIDE
MINIMUM LOT SIZE: 120' x 58.5'
MINIMUM LOT AREA: 7000 SQUARE FEET

EAST SIDE:
71.38 ACRES SINGLE FAMILY
28.92 ACRES COMMERCIAL
19.31 ACRES MULTI-FAMILY
119.61 ACRES

DATE: MAR. 26, 2009

SCALE: 1" = 300'

RANDALL JONES & ASSOCIATES ENGINEERING, INC.

1212 E. BRAKER LANE, AUSTIN, TEXAS 78753

(512) 836-4793 FAX: (512) 836-4817

RU SURVEYING & ASSOCIATES, INC.

1212 E. BRAKER LANE, AUSTIN, TEXAS 78753

(512) 836-4793 FAX: (512) 836-4817

EXHIBIT C

District Consent Resolution

RESOLUTION NO. R11-20

RESOLUTION OF CITY OF TAYLOR, TEXAS
GIVING CONSENT TO THE CREATION OF WILLIAMSON COUNTY MUNICIPAL
UTILITY DISTRICT NO. 27, WHICH IS IN THE
EXTRATERRITORIAL JURISDICTION OF THE CITY

WHEREAS, pursuant to Chapters 49 and 54 of the Texas Water Code, 3349 Land Group, LLC (the "Petitioner") wishes to create Williamson County Municipal Utility District No. 27 (the "District") to serve the approximate 121.12 acres of land in Williamson County, Texas described in the attached Exhibit A ("Petitioner's Land"); and

WHEREAS, Texas Local Government Code, Section 42.042, provides that land within the extraterritorial jurisdiction of a city may not be included within a municipal utility district without the written consent of such city, town, or village; and

WHEREAS, Petitioner has submitted to the Mayor and City Council of the City a Petition/Request for Consent to the Creation of or Inclusion of Land in a Conservation and Reclamation District seeking consent for the Williamson County Municipal Utility District No. 27 (or other appropriate name as permitted by law) (the "District"), and

WHEREAS, the general nature of the work to be done in the District is the construction, acquisition, maintenance and operation of a waterworks and sanitary sewer system for domestic and commercial purposes and of drainage, firefighting facilities and services as permitted pursuant to Chapter 49 of the Water Code and Chapter 54 of the Water Code, and development and maintenance of parks and recreational facilities; and

WHEREAS, the City Council of the City desires to adopt this Resolution for the purpose of consenting to the creation of the District;

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

1. That all of the matters and facts set out in the preamble hereof be true and correct.
2. That the City Council of the City hereby specifically gives its written consent, as provided by Texas Local Government Code, Section 42.042 and Texas Water Code, Section 54.016, to the creation of Williamson County Municipal Utility District No. 27 (or other sequential number), which is within the extraterritorial jurisdiction of the City. The boundaries of such land being described by metes and bounds in Exhibit A attached hereto and made a part hereof for all purposes.

PASSED AND APPROVED on this ____ day of _____, 20__.

Mayor, City of Taylor, Texas

ATTEST:

City Clerk, City of Taylor, Texas



City Council Meeting
July 14, 2011
Agenda Item Transmittal

Agenda Item #: 12

Agenda Title: Discuss qualifications and eligibility requirements for committee and board appointments.

Council Action to be taken: Move to amend (or not amend) Boards and Commissions Handbook to allow for individuals to serve on more than one board or commission concurrently.

Initiating Department: City Administration

Staff Contact: Jeff Straub, Assistant City Manager

1. INTRODUCTION/PURPOSE

This item is to address the question as to whether a citizen should be able to serve on more than one city board or commission concurrently.

2. DESCRIPTION/ JUSTIFICATION

The 1996 Council approved Boards and Commissions Handbook restricts service to only one such board.

3. FINANCIAL/BUDGET

4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION

Council should advise whether or not they wish to amend the Boards and Commissions Handbook to allow for individuals to serve on more than one board or commission simultaneously.

6. REFERENCE FILES

12a [Historical information](#)

12b [Current Handbook](#)

Date	Item No.	Description
11-26-96	Minutes	Council approves Boards and Commissions Handbook
4-22-97	Resolution R97-9	Eliminated residency requirements for Moody Museum, Library, and Airport Boards
1-27-2004	Minutes	Added "legal resident" of the United States to application.
4-21-2005	Minutes	Amended residency requirements for TEDC.
2-26-2007	Minutes from Committee and Bd Chair Mtg	Mtg called to review individual board member eligibility and qualifications, application form, attendance, and recruitment. Reviewed other cities policies and mtg resulted in no major changes.
3-25-2008	Minutes	Changed appointment terms to all become due in January.
12-16-2008	Minutes	Defined residency requirements as "living and residing in the city limits of Taylor" to apply to P&Z, ZBA, Parks and the Bldg Stds Commission; added to application form.

The Board of Commissioners of the City of Taylor met in a Regular Session on Tuesday, November 26, 1996, 7:00 P.M., City Hall, Taylor, Texas with the following present:

Chairman Donald Hill
Vice Chairman Ed Komandosky
Commissioner Bernabe Gonzales
Commissioner Randall Pick
Commissioner Mike Lehr

City Manager Ken Taylor
City Clerk Barbara Belz
City Attorney Tom Bullion

Chairman Hill called the meeting to order at 7:00 p.m.

Vice Chairman Ed Komandosky gave the invocation.

MINUTES

Commissioner Lehr made a motion to approve the minutes from October 22, 1996 and October 29, 1996. Second by Vice Chairman Komandosky. VOTE: All voted AYE.

CITIZENS COMMUNICATION

J. Blackwell made a presentation.

LAW ENFORCEMENT BLOCK GRANT PUBLIC HEARING

City Manager Ken Taylor and Police Chief Fred Stansbury outlined the law enforcement block grant being submitted by the City to upgrade police communications systems. The grant amount is \$19,382.

Chairman Hill opened the public hearing. No comments were forthcoming.

BOARDS AND COMMISSIONS HANDBOOK

A motion was made by Commissioner Lehr to approve the City of Taylor Boards and Commissions Handbook. Second by Vice Chairman Komandosky. VOTE: All voted AYE.

COMPREHENSIVE PLAN - ORDINANCE 96-27

Community Development Coordinator Stephanie Graves presented the Comprehensive Plan Ordinance 96-27 which includes land use, annexation and housing guidelines. Vice Chairman Komandosky made a motion to adopt Ordinance 96-27 on emergency reading. Second by Commissioner Gonzales. VOTE: All voted AYE.

LAND DEVELOPMENT CODE - ORDINANCE 96-24

Ms. Graves presented the Land Development Code Ordinance 96-25. Ms. Graves stated she would like to recognize the Steering Committee for its considerable time and input in the creation of this ordinance. Commissioner Pick added his appreciation of the committee's addressing the details involved in finalizing this ordinance.

Commissioner Pick made a motion to adopt Ordinance 96-24 on emergency reading. Second by Commissioner Lehr. VOTE: All voted AYE.

PARKING - ORDINANCE NO. 96-28

Commissioner Gonzales made a motion to adopt Ordinance 96-28 regulating the parking of trailers, boats, recreational vehicles, etc., on the public streets of Taylor on first reading. Second by Commissioner Pick. VOTE: All voted AYE.

AIRPORT RULES - ORDINANCE 96-29

Airport Board Chairman Tim Mikeska presented the Airport Rules and Regulations Ordinance 96-29. A motion was made by Commissioner Pick to adopt Ordinance 96-29 on first reading. Second by Vice Chairman Komandosky. VOTE: All voted AYE.

PARK CIRCLE ABANDONMENT - ORDINANCE 96-30

Commissioner Pick made a motion to adopt Ordinance 96-30 abandoning Park Circle which lies wholly within the Park Place Apartment area on first reading. Commissioner Pick also asked for a letter from the current owners requesting this abandonment be presented at the next reading of this ordinance. Second by Vice Chairman Komandosky. VOTE: All voted AYE.

COUNTY BOARD OF HEALTH APPOINTMENT

A motion was made by Vice Chairman Komandosky to appoint Scholley Bubenik to replace Ginny McAlister on the Williamson County Board of Health for a three year term. Second by Commissioner Lehr. VOTE: All voted AYE.

DECEMBER BOARD MEETING

Vice Chairman Komandosky made a motion to change the date of the December Regular Board of Commissioners meeting to December 16, 1996 at 5:30 p.m. Second by Commissioner Gonzales. VOTE: All voted AYE.

OCTOBER BILLS

Vice Chairman Komandosky made a motion to concur with the payment of the October bills. Second by Commissioner Gonzales. VOTE: All voted AYE.

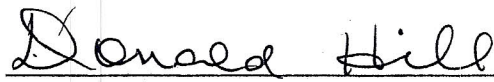
EXECUTIVE SESSION

Chairman Hill adjourned the regular session and convened the executive session to consult with the city attorney regarding land acquisition after which the Commission reconvened in regular session

ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION

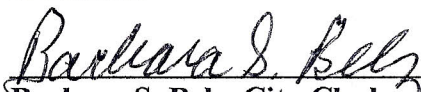
Vice Chairman Komandosky made a motion to offer to purchase the tract of land as discussed in Executive Session. Second by Commissioner Pick. VOTE: All voted AYE.

Chairman Hill adjourned the meeting 8:25 p.m.



Donald Hill, Chairman,
Board of Commissioners, City of Taylor

ATTEST:



Barbara S. Belz, City Clerk

The Board of Commissioners of the City of Taylor met in a Regular Session on Tuesday, April 22, 1997, 7:00 p.m., City Hall, Taylor, Texas with the following present:

Chairman Donald Hill
Vice Chairman Ed Komandosky
Commissioner Bernabe Gonzales
Commissioner Randall Pick
Commissioner Mike Lehr

City Manager Ken Taylor
City Clerk Barbara Belz

Absent: City Attorney Tom Bullion

Chairman Hill called the meeting to order at 7:00 p.m.

Reverend Don Elrod, Tenth Street United Methodist Church gave the invocation.

MINUTES

Vice Chairman Komandosky made a motion to approve the minutes from March 24, 1997, March 25, 1997 and April 17, 1997. Second by Commissioner Gonzales. VOTE: All voted AYE.

CITIZEN COMMUNICATION

Alvin Wilson, Jimmy Blackwell, Don Gonzenbach asked for the TEDC board appointments be postponed until after the May 3, 1997 Commissioner election.

KEEP TAYLOR BEAUTIFUL PROCLAMATION

Vice Chairman Komandosky made a motion to proclaim April as Keep Taylor Beautiful Month. Second by Commissioner Gonzales. VOTE: All voted AYE.

AMEND BOARD AND COMMISSION HANDBOOK - RESOLUTION R 97-9

Commissioner Lehr presented an amended Resolution that would exempt the Moody Museum Board, Library Board and the Airport Board from residency requirements and consecutive term limits.

A motion was made by Commissioner Pick to approve Resolution R97-9 amending the Board and Commission Handbook as presented by Commissioner Lehr. Second by Commissioner Pick. VOTE: All voted AYE.

MOODY MUSEUM BOARD REAPPOINTMENTS

Vice Chairman Komandosky made a motion to reappoint Mary Jean Livingood, Mrs. T. F. Pierce, and Mrs. Billy Tom Connolly to the Moody Museum Board to three year terms expiring December 1999. Second by Commissioner Gonzales. VOTE: All voted AYE.

COOK SALES INCENTIVES

John Nelson, Taylor Economic Development Corporation Director, presented the proposed incentive package for Cook Sales.

A motion was made by Commissioner Pick to approve the concept of the Cook Sales incentive package as outlined (attached as Exhibit A). Second by Vice Chairman Komandosky. VOTE: All voted AYE.

PARK LAND DEDICATION - RESOLUTION R97-10

Commissioner Pick made a motion to approve Resolution R97-10 dedicating parcels of City owned land as park land to complete the proposed Hike and Bike Trail through Taylor. Second by Commissioner Gonzales. VOTE: All voted AYE.

PARK PROGRAM CONSULTING SERVICES

Rod Hortenstine stated that five bids were received for consulting services for the park program, two of those companies were interviewed by the Planning Commission. The recommendation is to award the contract to Brannon & Associates.

Vice Chairman Komandosky made a motion to authorize the execution of a contract for consulting services for the park program to Brannon and Associates. Second by Commissioner Lehr. VOTE: All voted AYE.

TELECOMMUNICATIONS - ORDINANCE 97-2

Commissioner Pick made a motion to adopt Ordinance 97-2 regulating telecommunications on second reading with typing error corrections noted. Second by Commissioner Gonzales. VOTE: All voted AYE.

TAYLOR CORRECTIONAL FACILITIES FINANCING CORP.

City Manager Ken Taylor stated that Taylor Correctional Facilities Financing Corporation was established to finance the correctional facility built in Taylor. The Corrections Corporation of America did not pursue financing through this corporation.

Vice Chairman Komandosky made a motion to authorize the City Manager to execute Articles of Dissolution for the Taylor Correctional Facilities Financing Corporation. Second by Commissioner Pick. VOTE: All voted AYE.

IMPACT FEE STUDY

Commissioner Pick made a motion to authorize execution of a contract with Dunkin & Sefko & Associates to conduct an impact fee study. Second by Commissioner Lehr. VOTE: All voted AYE.

ICMA DEFERRED COMPENSATION - RESOLUTION R97-8

Commissioner Pick made a motion to approve Resolution R97-8 executing the Declaration of Trust of the ICMA Retirement Trust. Second by Commissioner Lehr. VOTE: All voted AYE.

TAYLOR ECONOMIC DEVELOPMENT CORPORATION BOARD APPOINTMENTS

Vice Chairman Komandosky presided over the nominations and voting for this board appointment. Commissioner Pick nominated Donald Hill and Andy Littlejohn to serve three year terms on the Taylor Economic Development Corporation Board. Second by Commissioner Gonzales. VOTE: Four voted AYE. Chairman Hill abstained from the discussion and vote.

PRISON BREAK PLANS

Police Chief Fred Stansbury presented plans currently in place by the T. Don Hutto Correctional Facility in the event of a prison break from that facility: prison officials will notify the Taylor Police Department and the Williamson County Sheriff's office.

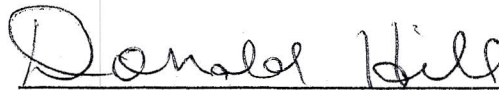
FINANCE DIRECTOR

City Manager Ken Taylor introduced the new Finance Director Charles Cunningham to the Commissioners.

MARCH BILLS

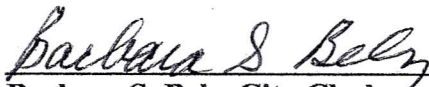
Vice Chairman Komandosky made a motion to concur with the payment of the March bills. Second by Commissioner Gonzales. VOTE: All voted AYE.

Chairman Hill adjourned the meeting at 7:45 p.m.



Donald Hill, Chairman,
Board of Commissioners

ATTEST:



Barbara S. Belz, City Clerk

RESOLUTION NO. R97-9

A RESOLUTION AMENDING THE HANDBOOK COVERING BOARDS AND COMMISSIONS OF THE CITY OF TAYLOR BY EXEMPTING THE MOODY MUSEUM BOARD, LIBRARY BOARD AND AIRPORT FROM RESIDENCY AS AN ELIGIBILITY REQUIREMENT AND BY EXEMPTING THE MOODY MUSEUM BOARD, LIBRARY BOARD AND AIRPORT FROM THE PROVISION WHICH STATES THAT A PERSON MAY NOT BE CONSIDERED FOR APPOINTMENT TO MORE THAN TWO CONSECUTIVE FULL TERMS ON THE SAME BOARD OR COMMISSION.

BE IT RESOLVED by the Board of Commissioners of the City of Taylor as follows:

SECTION 1. The Handbook covering Boards and Commissions for the City of Taylor which was adopted on November 26, 1996 be and the same is hereby amended as follows to wit:

1. Section 2.3 covering the appointment process is amended as follows:

a. The last paragraph of Section 2.3 be amended by addition of the following as a second sentence:

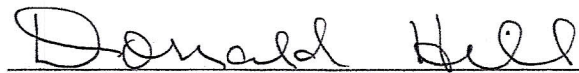
“This stipulation does not apply to the Moody Museum Board, Library Board or the Airport Board.”

2. The application form attached as Appendix C to said Handbook is amended by the addition of the following sentence at the end of the second paragraph:

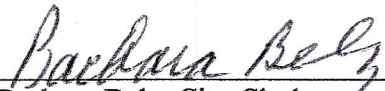
“This stipulation does not apply to the Moody Museum Board, Library Board or the Airport Board.”

SECTION 2. Except as amended herein and hereby all provisions of said Handbook are hereby expressly continued in full force and effect.

PASSED, APPROVED, and ADOPTED this the 22nd day of April, A.D., 1997.


Donald Hill, Chairman, Board of Commissioners

ATTEST:


Barbara Belz, City Clerk

The City Council of the City of Taylor met on January 27, 2004, 5:30 p.m., City Hall, 400 Porter St., Taylor, Texas with the following present:

Mayor Donald R. Hill
Mayor Pro Tem Gary Maruska
Council member Bernabe Gonzales
Council member Tim Mikeska
Council member John McDonald

City Manager Frank Salvato
Executive Assistant Susan Brock
City Attorney Ted Hejl

Mayor Hill opened the meeting at 5:30 p.m.

*CONSENT AGENDA

The following consent agenda items were approved by a motion from Mayor Pro Tem Maruska and a second by Mayor Hill. VOTE: Five voted AYE. Motion Passed.

*MINUTES – January 8, 2004 and January 16, 2004

*FINANCIALS – Concur with financials and payment of December bills.

*ORDINANCE NO. 2004-1 – ZONING CHANGE REQUEST FOR 203 COMMERCIAL DR

JAYCEES REQUEST TO USE MURPHY PARK FOR 2004 SEASON.

Mayor Pro Tem Maruska made a motion to approve the list of general dates submitted by Rachel Tharp, President of the Taylor Jaycees with a request that the organization provide more specific dates as soon as they are determined. Second by council member Mikeska. VOTE: Five voted AYE. Motion Passed.

RESOLUTION NO. R04-4 – TEDC TRANSFER 3 ACRES OF ZIZINIA TRACT TO CITY.

The TEDC will be purchasing fifteen acres from the Zizinia/Prewitt and will transfer twelve acres to ERCOT. The remaining three acres will be used for construction of the street and drainage improvements. Mayor Pro Tem Maruska made a motion to approve Resolution R04-4. Second by council member Gonzales. VOTE. Five voted AYE. Motion passed.

RESOLUTION ACCEPTING THE CONVEYANCE FROM THE TAYLOR ECONOMIC DEVELOPMENT CORPORATION ("TEDC") OF A TRACT OF LAND BEING APPROXIMATELY 3.018 ACRES ("TRACT") ALLOWING THE CITY OF TAYLOR, TEXAS, ("CITY") TO CAUSE THE CONSTRUCTION OF THE AIRPORT ROAD EXTENSION AND MAINTENANCE OF THE TRACT.

REAPPOINTMENT OF JUDGE RANDALL PICK.

Council members praised Judge Pick's performance and integrity and applauded his ability to get things accomplished in a timely fashion. Council member Gonzales made a motion to reappoint Judge Pick or another two-year term. Second by Mayor Pro Tem Maruska. VOTE: Five voted AYE. Motion Passed.

ORDINANCE NO. 2004-3 - Budget Amendment.

Finance Director Charles Cunningham introduced a budget amendment that included an overview of projected revenue and expenses for the current budget year.

AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS AMENDING ORDINANCE NO. 2003-28 ADOPTED ON AUGUST 26, 2003, MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY FOR FISCAL YEAR BEGINNING OCTOBER 1, 2003 AND ENDING SEPTEMBER 30, 2004; BY AMENDING THE AMOUNT OF APPROPRIATIONS FOR THE GENERAL FUND AS WELL AS OTHER FUNDS THAT PROVIDE FOR THE PAYMENT OF OPERATING EXPENSES AND CAPITAL OUTLAY AND BY CHANGING THE AMOUNT APPROPRIATED FOR VARIOUS DEPARTMENTS OF THE CITY

CITIZEN REQUIREMENT FOR BOARD APPOINTMENTS.

Main Street Program Manager Robbie Jones made a request that the U.S. Citizen requirement be removed from the Boards and Commissions Handbook. Ms. Jones explained that she has an individual interested in serving on the Main Street Advisory Board who is a citizen of England and has been working on the design committee for over a year. Ms. Jones explained how she would be an asset to the Main Street Advisory Board and that her lack of U.S. Citizenship should not be a roadblock to her volunteer work. The Council discussed the future ramifications of such a request and agreed that the wording should be changed to "legal resident of the United States" for board and committee applicants. Mayor Pro Tem Maruska made a motion to delete the phrase "U.S. Citizen" and replace it with "legal resident of the United States". Second by Mayor Hill. VOTE: Five AYE. Motion passed.

DISCUSS PROJECTS AND FUNDING FOR WILLIAMSON COUNTY 'URBAN COUNTY' PROGRAM.

Public Works Director Casey Sledge presented a list of projects to be submitted to the Williamson County "Urban County" Program for future funding. Mayor Pro Tem Maruska made a motion to approve the list as presented. Second by council member Gonzales. VOTE: Five AYE. Motion passed.

ADJOURN

Mayor Hill adjourned the meeting 6:30 p.m. to reconvene at Hutto City Hall, 401 West Front Street, in Hutto, Texas for public meeting to discuss Central Texas General Aviation Airport Site selection. After hearing the presentation by representatives from TxDOT, the meeting was officially adjourned at 8:15 pm in Hutto.

Donald R. Hill, Mayor

ATTEST:

Susan Brock, Executive Assistant

The City Council of the City of Taylor met on April 21, 2005, at City Hall, 400 Porter St., Taylor, Texas. Mayor Don Hill declared a quorum and called the meeting to order at 6:00 p.m. with the following present:

Mayor Don Hill
Pro Tem John McDonald
Council member Bernabe Gonzales
Council member Tim Mikeska

City Manager Frank Salvato
City Clerk Susan Brock
City Attorney, Ted Hejl

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

CONSIDER AUTHORIZING CONTRACT TO COLLECT FIRST RESPONDER FEES AND DISPATCH FEES.

Haywood Stanford, Fire Chief, presented additional information gathered from other cities regarding First Responder and Dispatch Fees received since the last council meeting. A list of cities surveyed included Georgetown, Liberty Hill, Pflugerville and Leander. These cities currently collect First Responder and Dispatch Fees through the Revenue Rescue collection service. Cedar Park uses Specialized Billing and Collection Systems of Texas. Chief Stanford stressed that if the Council were to approve such a collection service contract, he would prefer that the City only bill for services on incidents other than fire calls, such as traffic accidents. Council member Mikeska referred to the fee as a “user fee” whereby only the person using the service would have their insurance company billed and the City would be reimbursed for expenses related to that particular incident. Additional revenue from these fees would be added to the General Fund. Mayor Pro Tem McDonald expressed concern for citizens being forced to pay for services if their insurance company does not reimburse the City for the fees. At the end of the discussion, council requested staff to bring back a contract for consideration for First Responder and Dispatch Fees.

CONSIDER AMENDING BOARD MEMBER RESIDENCY REQUIREMENTS FOR TEDC.

Carol Minzenmeyer, Chairman of the TEDC Board, presented a request to Council to remove the voting residency requirement for members of the TEDC Board. She believes that there are several potential applicants who work in Taylor but do not currently reside in the City and feels that they could make a vital contribution to the community through their participation on the Board. Council member Mikeska made a motion to approve the request to remove the voting residency requirement for TEDC Board members and to seek out any Ordinance that might address these specific requirements. Mayor Pro Tem McDonald seconded the motion. VOTE: Four voted AYE. Motion passed.

CONSIDER FUTURE JOINT GOAL SETTING CONFERENCES.

Susan Brock, City Clerk, requested guidance from the Council to determine how to proceed with meeting arrangements for upcoming joint goal setting conferences. Council agreed to group city boards and commissions into two meetings and when possible, to schedule the remaining entities for the third Thursdays of each month beginning in June. Council will try to meet with the Taylor Realtors Association on Tuesday morning of the 14th or 21st and the TCAT and TISD will be scheduled tentatively for June 16.

CONSIDER STRATEGIC GOAL NO. 8 ON DEVELOPING A LEGISLATIVE AGENDA.

Charles Cunningham, Assistant City Manager, presented a compilation of responses from council members and the action steps that might be considered to achieve their proposed legislative goals. Council member Gonzales asked that Step 2 be broadened to include individuals as well as organizations.

CIP UPDATE.

David Simons, Head of Engineering, presented an overview of current projects. He also provided information to the council on a potential problem with the FEMA regulations and floodplain map project. The most current maps are dated 1991 and it appears that FEMA is not interested in providing an enormous amount of detail to the new maps, which could result in an inaccurate set of maps and poor data.

Council requested that Halff Associates provide more detail and that a letter be forwarded to appropriate legislative representatives to address the problem.

ADJOURN

With no further business, the council meeting was adjourned at 7:50p.m.

Donald R. Hill, Mayor

ATTEST:

Susan Brock, City Clerk

AGENDA

CITY OF TAYLOR, TEXAS
Committee and Board Chair Meeting
Conference Room, City Hall
February 26, 2007, 2:00 PM

COMMITTEE

Airport
Building and Stds
Library Board
Main Street
Moody Museum
Parks and Recreation
Planning and Zoning
TEDC
Zoning Board of Adjustments

CHAIRS

Bert Brundage
Roy Rogers/Keith Hagler/Cornelius Henry
Vickie Thornton
Tessa Streit
Susan Komandosky
Candy Patschke-Bolding
Don McAlister
Carolyn Minzenmayer
Gayle Collins

At a recent Council meeting, a question was raised regarding the application form and process we use to make appointments to city boards and committees. Some of the issues that may need to be addressed include (but are not limited to):

- the application form; (samples from other communities attached)
- how to solicit new members more effectively;
- specific qualifications or requirements for individual boards;
- should attending a meeting be part of the interview process?
- should the Advisory Boards member recruitment be different than the Decision Making boards? (P & Z, ZBA);
- would it be too intrusive or of any value to request a resume?

Your input will be summarized and a report presented to Council for their review.

The Chairs for all City Boards were invited to attend a meeting to discuss the Board Application Form and process at 2:00 pm on February 26, 2007, at City Hall, 400 Porter St., Taylor, Texas. Susan Brock, City Clerk, welcomed those in attendance which included:

Gayle Collins, Zoning Board of Adjustments
Susan Komandosky, Moody Museum Advisory Board
Carolyn Mizenmayer, TEDC
Don McAlister, Planning & Zoning
Jean Johnson, Main Street Program Director

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

1. DISCUSS BOARD APPLICATION FORM AND PROCESS FOR CITY OF TAYLOR
BOARDS AND COMMITTEES.

Ms. Brock explained that at a recent Council meeting, a question was raised regarding the application form and process used to make appointments to city boards and committees. Council is looking for assistance, suggestions and guidance from the Board Chairs as to how appoint the best applicants. Some of the issues that were to be addressed included (but were not limited to):

- the application form; (samples from other communities were provided)
- how to recruit new members more effectively;
- specific qualifications or requirements for individual boards;
- should attending a meeting be part of the interview process?
- should the Advisory Boards member recruitment be different than the Decision Making boards? (P & Z, ZBA);
- would it be of any value to request a resume?

General discussion resulted in recommendations that include:

- redesign the application form to include more detailed information regarding applicant's current (or past) employment and possibly education
- information regarding length of residency in Taylor
- information regarding who, if anyone, referred them to the Board or Committee
- provide information to applicants regarding meeting times and attendance requirements
- suggest that all applicants attend at least one meeting prior to consideration of their appointment
- have new appointees sign a "letter of commitment" indicating their knowledge of responsibilities as a committee member

Ms. Brock agreed to redesign the application form and include the above items and return it to the group for review and additional comments prior to submitting to the council.

ADJOURN

With no further discussion, the meeting was adjourned at 3:00 pm.


Susan Brock, City Clerk

The City Council of the City of Taylor met on March 25, 2008 at City Hall, 400 Porter St., Taylor, Texas. Mayor Bernabe Gonzales declared a quorum and called the meeting to order at 6:00 p.m. with the following present:

Mayor Pro Tem Donald Hill
Council Member Rod Hortenstine
Council Member John McDonald

Frank Salvato, City Manager
Assistant City Manager, Jim Dunaway
City Attorney, Ted Hejl
City Clerk, Susan Brock

INVOCATION

Chief Straub led the group in prayer.

PLEDGE OF ALLEGIANCE

CITIZENS COMMUNICATION

No citizens came forward.

CONSENT AGENDA

1. MINUTES FROM MARCH 13, 2008.
2. ORDINANCE 2008-7 BUDGET AMENDMENT.
3. CONCUR WITH FINANCIALS FOR FEBRUARY, 2008.

Mayor Pro Tem Hill moved to approve the Consent Agenda as presented and Council Member Hortenstine seconded the motion. VOTE: Four voted AYE.
Motion passed.

ORDINANCE 2008-7

AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS AMENDING ORDINANCE NO. 2007-24 ADOPTED ON SEPTEMBER 6, 2007, MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY FOR FISCAL YEAR BEGINNING OCTOBER 1, 2007 AND ENDING SEPTEMBER 30, 2008; BY AMENDING THE AMOUNT OF APPROPRIATIONS FOR THE GENERAL FUND AS WELL AS OTHER FUNDS THAT PROVIDE FOR THE PAYMENT OF OPERATING EXPENSES AND CAPITAL OUTLAY AND BY CHANGING THE AMOUNT APPROPRIATED FOR VARIOUS DEPARTMENTS OF THE CITY.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

4. PROCLAMATION: IN RECOGNITION OF MARGERY PEARSON DAY, MARCH 31.
Mayor Gonzales presented a proclamation to Ms. Margery Pearson in honor of her years of employment with the Taylor Public Library and to declare March 31st as Margery Pearson Day. On March 31st, the Friends of the Library and the Library Foundation are hosting a birthday celebration and unveiling of a portrait of Ms. Pearson and invited the community to attend.
5. PROCLAMATION: IN RECOGNITION OF TAYLOR HIGH SCHOOL ACADEMIC DECATHLON ACHIEVEMENTS.
Mayor Gonzales presented a proclamation to the Taylor High School Academic Decathlon

team.

6. RECOGNITION OF MATTHEW SCOTT SOLBACH FOR HIS ACHIEVEMENT AS EAGLE SCOUT WITH THE BOY SCOUTS OF AMERICA.

Mayor Gonzales presented a Certificate of Recognition to Matthew Scott Solbach for attaining the rank of Eagle Scout in the Boy Scouts of America.

7. RECOGNITION OF MICHELLE SMITH FOR HER ACHIEVEMENT OF GOLD AWARD WITH THE GIRL SCOUTS OF AMERICA.

Mayor Gonzales presented a Certificate of Recognition to Ms. Michelle Smith for her Gold Award achievement with the Girl Scouts of America.

8. CONSIDER ANNUAL RACIAL PROFILING REPORT.

Chief Jeff Straub presented a detailed report on the most recent statistics collected as required by the Texas Code of Criminal Procedure Article 2.133. Chief Straub reported one complaint of racial profiling during the past reporting year. After a thorough review and analysis of stops, cases and searches, it was determined that racial profiling was not occurring in the Taylor Police Department.

Council Member Hortenstine moved to accept the report as presented and Council Member McDonald seconded the motion. VOTE: Four voted AYE. Motion passed.

(Council Member Jez joined the meeting at 6:25 p.m.)

9. CONSIDER APPROVAL OF MOTOROLA LEASE PURCHASE AGREEMENT FOR RADIO SYSTEM COMPONENTS TO ALLOW PUBLIC SAFETY TO PARTICIPATE IN WILLIAMSON COUNTY RADIO SYSTEM.

Chief Straub provided a presentation regarding the radio systems currently available for use by the police department. Two options are available to upgrade the equipment including the purchase or lease of a stand alone radio system, or to participate in the County's digital radio system. He noted that Mr. Patrick Cobb with the Williamson County Department of Emergency Communications was present to respond to questions if necessary. Based on costs and compatibility issues Chief Straub recommends that the City join the County system and contract with Motorola to purchase the equipment. Terms of the contract are an annual payment of \$63,053.78 for 7 years with the total cost of the project at \$385,545.11. Approximately \$21,000 will be paid to the County annually in radio subscription fees.

Mayor Pro Tem Hill moved to approve the lease purchase agreement as presented and Council Member McDonald seconded the motion. VOTE: Five voted AYE. Motion passed.

10. CONSIDER REQUEST TO "OVERHIRE" ONE POLICE OFFICER LEVEL POSITION DUE TO SERGEANT VACANCY.

Chief Straub presented a request to consider allowing the department to hire one additional officer from the current pool of applicants in the likely event that one of his officers gets promoted to fill the sergeant vacancy. This would allow him to promptly fill the vacancy that will occur when a corporal is promoted to sergeant and a police officer is promoted to corporal. In the unlikely event that the promotion does not happen, the sergeant position would be removed.

Council Member Jez moved to approve the request to over hire one police officer level position and Council Member McDonald seconded the motion. VOTE: Five voted AYE. Motion passed.

11. CONSIDER ACCEPTING GRANT DONATIONS FROM WAL-MART TO FIRE DEPARTMENT AND MAIN STREET PROGRAM.

Mr. Dunaway presented a request to formally accept two donations from Wal-Mart in the amount of \$1,000 to the Main Street façade grant program and \$1,500 to the Fire Department.

Council Member Hortenstine moved to accept the donations from Wal-Mart and Mayor Pro Tem Hill seconded the motion. VOTE: Five voted AYE. Motion passed.

12. CONSIDER ACCEPTING DONATION OF EQUIPMENT FROM TAYLOR PROFESSIONAL FIREFIGHTER ASSOCIATION LOCAL 4194 TO CITY FIRE DEPARTMENT.

Chief Bruce Watson presented a request to Council to consider accepting a donation of equipment from the Taylor Professional Firefighter Association. Recognizing the need for this equipment, the Association purchased two reciprocating saws at a value of \$728.86 for the Taylor Fire Department.

Council Member Jez moved to accept the donation of equipment from the Taylor Professional Firefighter Association and Mayor Pro Tem Hill seconded the motion. VOTE: Five voted AYE. Motion passed.

13. CONSIDER APPROVING 2008 STRATEGIC PLAN.

Mr. Salvato presented a request to Council to consider approving the final draft of the 2008 Strategic Plan. Council met with Amy Holloway of Avalanche Consulting in January to update the 2007 Strategic Plan and staff reviewed the goals and objectives established by Council to formulate actions steps to meet those objectives.

Council Member Hortenstine moved to approve the 2008 Strategic Plan as presented and Council Member McDonald seconded the motion. VOTE: Five voted AYE. Motion passed.

14. CONSIDER APPOINTMENTS TO THE PLANNING AND ZONING COMMISSION.

Mr. Bob vanTil, Director of Community Development, presented a request to Council to consider making appointments to the Commission. Three of the members' terms have expired. He stated that the Commission met and reviewed the new applicants but did not have a recommendation. Council reviewed the attendance records and expressed concern over

possible reasons for Mr. Taylor not attending the meetings. Council Member Jez requested staff contact him and determine if the day and/or times of the meetings may be a problem and that perhaps some accommodations might be made. Mayor Pro Tem Hill would like to know if he would like another opportunity to serve on the Commission at some later date.

Mr. Salvato requested Council to consider making all appointments expire on the 31st of January every year in order to better facilitate the appointment process.

Council Member McDonald moved to reappoint Travis Wilkes and David Scott Green and to appoint Todd Osborn as a new member to replace John Taylor with terms to expire on January 31st. Council Member Hortenstine seconded the motion. VOTE: Three voted AYE; two voted NO (Jez and Hill). Motion Passed.

15. CONSIDER REAPPOINTMENT OF NORMA SHORTS TO THE PARKS AND RECREATION BOARD.

Mr. Danny Thomas, Director of Public Works, presented a request to Council to consider reappointing Ms. Norma Shorts to the Parks and Recreation Board. Mr. Thomas said that six applications have been received and he hopes to be bringing back additional recommendations for appointments that expire in May.

Mayor Pro Tem Hill moved to reappoint Norma Shorts with a term to expire January 31, 2010 and Council Member Jez seconded the motion. VOTE: Five voted AYE. Motion Passed.

16. CONSIDER ADOPTING RESOLUTION R08-5 CANCELING THE MUNICIPAL ELECTION FOR MAY 10, 2008 AND DECLARING RODNEY HORTENSTINE, COUNCIL MEMBER AT LARGE, ELECTED TO OFFICE.

Ms. Susan Brock, City Clerk, presented a request to Council to approve Resolution R08-5 canceling the election on May 10 and declaring Rodney Hortenstine elected to the At Large position. According to the Texas Election Code, if a candidate is unopposed and there is no other propositions on the ballot, the election may be canceled. However, elected officials cannot be sworn in until after the election date. This action will also cancel the Joint Agreement with Williamson County for Election Services.

Council Member Jez moved to adopt Resolution R08-5 canceling the May 10, 2008 election and declared Rodney Hortenstine elected to office. Council Member McDonald seconded the motion. VOTE: Five voted AYE. Motion passed.

17. EXECUTIVE SESSION. The Taylor City Council will hold a closed executive meeting pursuant to the provisions of the Open Meetings Law, Chapter 551, Government Code, in accordance with the authority contained in Section 551.087 to discuss or deliberate regarding commercial and/or financial information on a business prospect that the City of Taylor, Texas seeks to have locate, stay, or expand in or near the city of Taylor, Texas and with which the City of Taylor, Texas is conducting economic development negotiations and/or to deliberate the offer of financial or other incentives to the business prospect.

Mayor Gonzales adjourned the meeting into Executive Session at 7:30 p.m.

18. ACTION FROM EXECUTIVE SESSION.

Mayor Gonzales reconvened the meeting into Open Session at 8:26 p.m. and stated that no action was taken during Executive Session.

(The next item was taken out of order and presented prior to the Executive Session.)

19. CONSIDER APPROVING MATCHING FUNDS FOR A \$400,000 CDBG GRANT APPLICATION FOR THE DICKEY STREET PROJECT.

Mr. Dunaway presented a request to Council to consider approving matching funds for a grant application for the next phase in the Dickey Street drainage project. To date, the City has received three grants from the Williamson County CDBG program for this project totaling \$1 million. This grant application is for an additional \$400,000 and requires a matching amount of \$100,000 from the City to extend the project further north and west.

Mayor Pro Tem Hill moved to approve the grant application with a four to one match for \$100,000 in matching funds for the Dickey Street Project and Council Member Hortenstine seconded the motion. VOTE: Five voted AYE. Motion passed.

ADJOURN

With no further business; Mayor Gonzales adjourned the meeting at 8:26 p.m.

Bernabe Gonzales, Mayor

ATTEST:

Susan Brock, City Clerk

The City Council of the City of Taylor met on December 16, 2008 at City Hall, 400 Porter St., Taylor, Texas. Mayor Hortenstine declared a quorum and called the meeting to order at 6:00 p.m. with the following present:

Mayor Pro Tem Ella Pumphrey Jez
Council Member Bernabe Gonzales
Council Member Don Hill
Council Member John McDonald

Interim City Manager, Jim Dunaway
City Attorney, Ted Hejl
City Clerk, Susan Brock

INVOCATION

Chief Jeff Straub led the group in prayer.

PLEDGE OF ALLEGIANCE

CITIZENS COMMUNICATION

No citizens came forward.

CONSENT AGENDA

1. MINUTES FOR NOVEMBER 13, 2008 JOINT MEETING WITH THE TEDC, AND NOVEMBER 25, 2008.
2. CONSIDER WITH PRELIMINARY FINANCIALS FOR OCTOBER, 2008.
Council Member Hill moved to approve the consent agenda as presented and Mayor Pro Tem Jez seconded the motion. VOTE: Five voted Aye. Motion passed.

REGULAR AGENDA – REVIEW/DISCUSS & CONSIDER/ACTION:

3. PROCLAMATION: RECOGNIZING TAYLOR FIRE DEPARTMENT FIRST RESPONDER AWARD.
Mayor Hortenstine presented a proclamation recognizing the Taylor Fire Department as the recipients of the 2008 First Responder Award for the entire state. Chief Watson and Lt. Woods were present to receive the award.
4. CONSIDER AND TAKE ACTION WITH RESPECT TO ORDINANCE 2008-43 AUTHORIZING THE ISSUANCE OF \$10,000,000 CITY OF TAYLOR, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2008; LEVYING AN AD VALOREM TAX AND PLEDGING CERTAIN SURPLUS REVENUES IN SUPPORT OF THE CERTIFICATES; APPROVING AN OFFICIAL STATEMENT, A PAYING AGENT/REGISTRAR AGREEMENT AND OTHER AGREEMENTS RELATING TO THE SALE AND ISSUANCE OF THE CERTIFICATES; AND ORDAINING OTHER MATTERS RELATING TO THE ISSUANCE OF THE CERTIFICATES.
Ms. Dennis provided information regarding the projects in need of funding through certificates of obligation and reported that Mr. Bart Fowler, our bond counsel, has found interest rates to be relatively low at 4.6% or lower and recommends that Council move forward with their intent to secure funding at this time. The request for funding will be limited to \$10 million dollars and will be focused on improvements to East Williamson County Regional Park, water and wastewater for the East Williamson County Higher Education Center, and other water and drainage projects within the City.

Council Member McDonald moved to approve Ordinance 2008-43 on first reading and Council Member Hill seconded the motion. VOTE: Five voted AYE. Motion passed.

ORDINANCE NO. 2008-43

ORDINANCE AUTHORIZING THE ISSUANCE OF \$10,000,000 CITY OF TAYLOR, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2008; LEVYING AN AD VALOREM TAX AND PLEDGING CERTAIN SURPLUS REVENUES IN SUPPORT OF THE CERTIFICATES; APPROVING AN OFFICIAL STATEMENT, A PAYING AGENT/REGISTRAR AGREEMENT AND OTHER AGREEMENTS RELATING TO THE SALE AND ISSUANCE OF THE CERTIFICATES; AND ORDAINING OTHER MATTERS RELATING TO THE ISSUANCE OF THE CERTIFICATES

5. CONSIDER AWARDDING BID FOR CERTIFICATES OF OBLIGATION, SERIES 2008. Ms. Dennis presented a request to Council to consider awarding the bid for the Certificates of Obligation based on the bids received by Specialized Public Finance, Inc. (SPFI). Ten firms responded to the call for bids and interest rates ranged from Southwest Securities, Inc. at 4.702999% to 5.143259% from Sterne, Agee & Leach, Inc. Ms. Jennifer Douglas with SPFI stated that they were very pleased with the rates and number of participants and that the excellent response is a reflection on the reputation of the City and its record of financial stability.

Council Member McDonald moved to award the bid to Southwest Securities, Inc. at a 4.702999% rate and all Council Members seconded the motion as a show of unanimous support for the issue. VOTE: Five voted AYE. Motion passed.

6. CONDUCT PUBLIC HEARING AND CONSIDER INTRODUCING ORDINANCE 2008-42 REGARDING A REQUEST BY JOHAN BORGE TO REZONE PROPERTY LOCATED AT 410 OLD THORNDALE, ALSO KNOWN AS 0.32 ACRES OF LAND OUT OF THE P. COURSEY SURVEY, ABSTRACT NO. 131, CITY OF TAYLOR, FROM SINGLE FAMILY R-1 TO MULTI-FAMILY MF-1.

Mr. Bob vanTil, Director of Community Development, presented information regarding a rezoning request from Mr. Johan Borge. Mr. van Til stated that the request for rezoning will bring the property into agreement with the Future Land Use Plan and that the Planning and Zoning Commission recommended approval of the request. Mayor Hortenstine declared the Public Hearing open; Mr. Borge was present to respond to any questions and thanked the Council for their consideration of his request. Hearing no further comments Mayor Hortenstine closed the hearing and asked Mr. Hejl to read the caption and introduced Ordinance 2008.42.

ORDINANCE NO. 2008-42

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP ADOPTED BY ORDINANCE NO. 2001-17 BY THE CITY OF TAYLOR, TEXAS ON APRIL 24, 2001 AS HERETOFORE AMENDED, BY CHANGING THE CLASSIFICATION OF PROPERTY DESCRIBED AS 0.32 ACRES OF LAND OUT OF THE P. COURSEY SURVEY, ABSTRACT NO. 131, CITY OF TAYLOR, FROM SINGLE FAMILY (R-1) TO MULTI-FAMILY (MF-1)

7. CONSIDER ESTABLISHING A POLICY FOR RENTAL OF CITY FACILITIES TO NON-PROFIT AGENCIES OR GROUPS.

Mr. Dunaway presented a brief overview of the most recent requests from non-profit organizations to waive rental fees for park facilities. Representatives from Habitat for Humanity, the YMCA of Greater Williamson County, and Ed Komandosky asked that Council consider either a reduction or elimination of rental fees for non-profit organizations or fund raising events. Mr. Komandosky believes that the facility was built by volunteer organizations and that the City should consider a policy that would take that into consideration. Mr. Trey Keith representing the Taylor Jaycees and as a member of the Parks and Recreation Board told Council that the Parks Board is currently discussing "joint use agreements" for various organizations to use the parks and they should have a recommendation to Council after their next meeting in January.

Council Member Hill suggested that this issue be addressed by a committee and brought back to Council for consideration at a later date. Mayor Hortenstine would provide names to staff regarding the committee appointments. No further action was taken on this item.

8. CONSIDER INTRODUCING ORDINANCE 2008-39 AS A RESULT OF COMMITTEE RECOMMENDATION TO AMEND ANIMAL ORDINANCE 2008-21 WITH REGARDS TO KEEPING CHICKENS IN THE CITY LIMITS.

Chief Jeff Straub presented a request to consider introducing an ordinance that would amend the current Animal Control Ordinance 2008-39 with respect to chickens. He reported that the committee met in October to consider specific issues under review including the maximum number of animals, the prohibition of roosters, and any property distance requirements. In addition to committee members who were present, Mr. Glenn Simpson of 1900 Old Coupland Road requested consideration for those property owners who may live in the city limits and also qualify for agricultural exemption. After the committee recommendations were presented council continued to discuss the issues and no consensus was reached. Mayor Hortenstine asked the work committee to meet once more and bring back a revised version for further consideration.

9. CONSIDER INTRODUCING ORDINANCE 2008-40 REGULATING PARKING ON GRASS IN CITY PARKS.

Mr. van Til presented a request to introduce an ordinance regulating parking in city parks. This issue was previously presented in a format that combined parking with noise and Council asked that the two issues be brought back separately. It was pointed out that in this version there was no exemption for city maintenance vehicles, golf cart type vehicles, vehicles on hike and bike trails, and parking for the football games at the corner of Davis and West Lake Drive. Additional signage was also mentioned.

Mayor Hortenstine asked staff to amend the ordinance to include an exemption for city vehicles and to address the other issues mentioned. Mr. Hejl read the caption and declared Ordinance 2008-40 introduced with instructions to staff to bring back the amended version at the next meeting.

ORDINANCE 2008-40

AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS, RESTRICTING PARKING TO DESIGNATED PARKING AREAS ONLY; PROHIBITING THE OPERATION OR USE OF ANY MOTORIZED VEHICLE WITHIN A PARK EXCEPT ON PUBLIC ROADS USED FOR MOTORIZED VEHICLES; PROVIDING A PUBLICATION CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY SO THAT ANY PERSON, FIRM OR CORPORATION VIOLATING ANY OF THE PROVISIONS OR TERMS OF THIS ORDINANCE SHALL BE GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE SUBJECTED TO A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE, EXCEPT WHERE A DIFFERENT PENALTY HAS BEEN ESTABLISHED BY STATE LAW FOR SUCH OFFENSE, AND FOR ANY VIOLATION OF ANY PROVISION WHICH GOVERNS FIRE SAFETY, ZONING OR PUBLIC HEALTH OR SANITATION, WHICH SHALL BE PUNISHED BY A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND EACH AND EVERY DAY SUCH VIOLATION IS CONTINUED SHALL BE DEEMED TO CONSTITUTE A SEPARATE OFFENSE.

10. CONSIDER DEFINING RESIDENCY REQUIREMENTS FOR CITY BOARDS THAT INCLUDE PARKS AND RECREATION, PLANNING AND ZONING, ZONING BOARD OF ADJUSTMENTS, AND THE BUILDING AND STANDARDS COMMISSION.

Mr. Dunaway presented a request to consider better defining the "residency" requirement for selected boards and/or commissions. The current board application requires members to be "voting residents" of the City of Taylor and questions have been raised as to what happens when the voting registration is not current and no other proof of residency is required. Staff suggested that the application be amended to include a statement that "I live and reside in the city limits of Taylor." The residency requirement only applies to the Planning and Zoning Board, Zoning Board of Adjustments, Parks and Recreation Advisory Board, and the Building and Standards Commission. Mr. Borge asked that Council consider including non-residents on these boards to allow input from outside sources.

Council Member Jez moved to make the proposed changes to the application as presented and Council Member Hill seconded the motion. VOTE: Five voted AYE. Motion Passed.

11. CONSIDER APPROVING RESOLUTION R08-16 ESTABLISHING A POLICY TO NAME STREETS WITHIN CITY LIMITS.

Mr. van Til presented a resolution to establish a policy and process for naming and renaming public streets in the city limits of Taylor. While including guidelines and recommendations no details on the creation of the committee were provided.

Mayor Hortenstine asked staff to bring back an amended resolution containing details on the makeup of the committee. No further action was taken on this item.

12. CONSIDER SUBMITTING AN APPLICATION TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR A SMALL COMMUNITIES GRANT.

Mr. van Til presented a request permission to proceed with submitting an application to the Texas Parks and Wildlife Department for improvements to Fannie Robinson Park. Ms. Judy

Langford was present to respond to questions. The proposed grant includes a local match of up to \$100,000 and could be used for a splash/spray pad, landscaping and a horseshoe and/or washer pitching pit. Ms. Langford explained the proposed timeline for the application and when funds would be needed if the grant award was successful.

Council agreed to move forward with the application process and Mayor Hortenstine asked Mr. van Til to bring back a resolution in support of the grant application at the January 8, 2009 council meeting.

13. CONSIDER SETTING A DATE TO REVIEW AND CONSIDER BIDS FOR THE EAST WILLIAMSON COUNTY REGIONAL PARK.

Mr. Dunaway presented a request for Council to consider setting a date to meet and review the bids received for the East Williamson County Regional Park. Bids will be opened on December 17 and Mr. Casey Sledge, consulting City Engineer, is proposing a special meeting for council to spend time on analyzing the awards.

After much discussion of schedules Council agreed to meet on January 6, 2009 at 6:00 pm to review the bids and possibly consider taking action.

14. EXECUTIVE SESSION I. The Taylor City Council will hold a closed executive meeting pursuant to the provisions of the Open Meetings Law, Chapter 551, Government Code, in accordance with the authority contained in Section 551.087 to discuss or deliberate regarding commercial and/or financial information on a business prospect that the City of Taylor, Texas seeks to have locate, stay, or expand in or near the city of Taylor, Texas and with which the City of Taylor, Texas is conducting economic development negotiations and/or to deliberate the offer of financial or other incentives to the business prospect.

15. EXECUTIVE SESSION II. The Taylor City Council will conduct a closed executive meeting pursuant to the provisions of the Open Meetings Law, Chapter 551, Government Code, in accordance with the authority contained in Section 551.072 in order to deliberate regarding acquisition of real property.

(Mayor Hortenstine passed on Executive Session II since there was no information for discussion available.)

16. EXECUTIVE SESSION III.

The Taylor City Council will conduct a closed executive meeting under Section 551.071 of the Texas Government Code in order to meet with its City Attorney on a matter in which the duty of the Attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas authorize and allow such a closed meeting and which Rules conflict with the Texas Open Meetings Act.

Mayor Hortenstine adjourned Council into closed session at 7:45 pm.

17. CONSIDER ACTION FROM EXECUTIVE SESSION I, II, or III.

Mayor Hortenstine reconvened Council into open session at 9:38 p.m. and stated that no action was taken on any matter discussed in any Executive Session.

ADJOURN

With no further business; Mayor Hortenstine adjourned the meeting at 9:38 p.m.

Rod Hortenstine, Mayor

ATTEST:

Susan Brock, City Clerk

CITY OF TAYLOR, TEXAS



BOARDS AND COMMISSIONS

HANDBOOK

Revised Feb 2011

Welcome!

On behalf of the City Council I would like to thank you for your willingness to serve the City as an appointed member of a board or commission. Your commitment of time and talent is a very important contribution to our community.

The work performed by citizens who serve on boards and commissions is a vital part of our city government. Board and commission members assist the City Council in setting public policy, implementing public policy and in communicating that policy to the community as a whole.

In recognition of the important civic commitment members of boards and commissions have made, this orientation handbook has been prepared to assist new members in performing their duties.

It is our hope that your service to the City of Taylor will be both rewarding and fulfilling. Again, thank you for your willingness to serve.

Mayor
Taylor City Council

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CHAPTER 1: DEFINITIONS AND LEGAL LIABILITY

1.1 Boards and Commissions Defined

The work performed by citizens serving on boards and commissions is a vital part of the work of the city of Taylor government. Taylor has two types of boards and commissions: ADVISORY and DECISION-MAKING. Additionally, there are boards whose membership is appointed by the City Council but are separate entities. Appendix A provides a general description of each type of board and commission.

1.2 Definitions of Terms

AGENDA is required of a meeting of a city governmental body. An agenda stating the date, hour, place, and subject of each meeting must be posted at City Hall for at least seventy-two (72) hours preceding the scheduled time of the meeting. Only those matters posted on the agenda can be discussed and acted on by the governmental body.

BOARD means a board or commission:

- which is established by city ordinance, city charter, interlocal contract, or state law;
- which serves as the board of a non-profit development corporation that acts as an instrumentality of the city; and
- any part of whose membership is appointed by the City Council, but does not include a board or commission which is the governing body of a separate political subdivision of the state.

CITY COUNCIL means the legislative and governing body of the City of Taylor consisting of the Mayor, Mayor Pro Tem and three council members elected by the citizens of Taylor.

CITY means the City of Taylor, Texas.

DELIBERATION means a verbal exchange during a meeting between a quorum of a governmental body, or between a quorum of a governmental body and another person, concerning an issue within the jurisdiction of the governmental body or any public business.

MEETING means a deliberation between a quorum of a governmental body, or between a quorum of a governmental body and another person, during which public business or public policy over which the governmental body has supervision or control is discussed or considered or during which the governmental body takes formal action.

MINUTES of every called meeting are required to be prepared, approved, and signed by the Chairman and attested to by the Secretary. The minutes become part of the City's permanent records.

OFFICER means the legislative and governing body of the city of Taylor consisting of the Mayor, Mayor Pro Tem and three council members elected by the citizens of Taylor.

PUBLIC OFFICIAL means any person who is appointed to a board or commission by the City Council.

1.3 Advisory Boards and Commissions

Advisory boards and commissions advise the City Council on public policy and play a very important role in city government by providing the Council with creative ideas, feedback from the community, and by serving as a sounding board for proposed public policy. It is important to remember that the role of advisory boards is not to set public policy but to advise the City Council.

ADVISORY BOARDS AND COMMISSIONS

Name	Members	Term (Yrs.)
Airport Board	7	3
Library Board	7	3
Main Street Advisory Board	11	3
Moody Museum Board	13	3
Parks & Recreation	11	3
Transportation Task Force	9	-

1.4 Decision-making Boards and Commissions

Decision-making boards and commissions are “quasi-judicial” and are governed by state law. Decision-making boards set or enforce public policy and are potentially subject to review by the courts. Members serving on decision-making boards should take an oath of office and are subject to the Texas Open Meetings Act and the Texas Public Information Act.

DECISION-MAKING BOARDS AND COMMISSIONS

Name	Members	Term (Yrs.)
Building & Standards Commission	5	2
Planning & Zoning Commission	9	3
Zoning Board of Adjustments	5	2

1.5 Separate Legal Entities

There are two boards serving the City of Taylor that are separate entities, corporations, or political bodies, even though the City Council may appoint the members to these boards. They are usually established under the provisions of a state statute which sets forth the functions, duties, responsibilities, and limitations of the corporation or political body.

The boards that are separate entities from the City of Taylor, but whose members are appointed by the City Council or the Mayor are:

SEPARATE LEGAL ENTITIES

Name	Members	Term (Yrs.)
Taylor Economic Development Corp.	5	3
Taylor Housing Authority	5	2

The members appointed to these boards oversee the operation of an organization as a Board of Directors would a corporation. The City of Taylor has no authority over the members except for their appointment and budget review; and, therefore, the city has no liability for their actions. Board members will find that the organization to which they have been appointed will provide much of the information needed. The state statute establishing the organization, the articles of incorporation and the bylaws of the organization will provide a great deal of information.

1.6 Legal Liability

It is important to understand that the actions of members of the various city boards can subject the city to liability and subject the board members to personal liability. Therefore, board members are strongly encouraged to consult with the city attorney anytime they feel their actions, while serving on such board, may have some legal consequences. The law in this area is quite complex and requires a thorough analysis of the law and facts pertaining to each particular situation.

As a general rule, quasi-judicial public officials cannot be held personally liable for erroneous acts while honestly exercising the judicial or quasi-judicial functions of their office. The board members who render decisions are considered quasi-judicial public officials. The problem with stating such a general rule as a proposition of law is that there will always be exceptions to the general rule. For example, if a court finds that a quasi-judicial public official performs certain functions in excess of his/her authority and such functions were not performed under a good faith assumption that the officer had the authority to act, then the public official will subject himself/herself to personal civil liability. If a person is damaged by the excessive acts of a quasi-judicial public official, then that public official will have to pay damages to the person harmed. The aggrieved person can also seek other remedies such as an injunction compelling the public official to perform or refrain from performing a particular act.

Officers of the city can also subject themselves, as well as the city, to liability if they perform their functions in a manner that denies an individual any right that is secured to that individual by the constitution or a statute. An example of how this type of liability could arise is if an officer illegally discriminates against an individual. A city and its officers, as a governmental entity, must treat all individuals or groups equally. Therefore, officers of the city should treat all individuals and groups in the same manner. If an officer illegally discriminates against an individual or group, that individual or group can seek monetary damages from the city and the individual officer for a violation of his rights under the state and federal civil rights statutes.

When members of boards are acting in good faith and within the bounds allowed by the city ordinances and procedures and the state and federal law, the city will provide a defense for such members to the greatest extent permissible. However, if a board or commission member violates a criminal law while serving in his/her official capacity, the city generally will not provide that member a defense. The reason for this is that if a criminal law was violated, the board member was probably acting outside the bounds of his authority.

The above discussion is by no means intended to be a comprehensive and complete discussion of legal liabilities to which the city or the board member may be subjected. You are reminded that the city attorney is available to the city boards and should be consulted on such questions.

CHAPTER 2: APPOINTMENT PROCESS

2.1 How Public Officials are Appointed

The City Council is responsible for appointments to all of Taylor's boards. Citizens interested in being appointed are urged to obtain an application form (see Appendix A) from the city clerk's office at city hall or on the City's Web page: www.taylortx.gov.

2.2 Notice of Appointment

The city clerk will notify the City Council prior to the expiration of board terms. Appointments will be placed on a City Council agenda for Council action. After the City Council appoints a person to serve as a member of a board, the city clerk will notify the appointee, in writing of the appointment and furnish new members with a copy of this Boards and Commissions Handbook.

2.3 Eligibility and Qualifications

The City Council strives to appoint the most qualified citizens to serve on boards. Appointments, in most cases, will be made from applications on file with the city clerk. The qualifications required to serve on a particular board are determined by Taylor City ordinance. Many of the boards do not have specific eligibility requirements beyond voting residency, leaving the membership qualifications to the discretion of the City Council. City of Taylor voting residency requirements do not apply to the Moody Museum Board, Library Board, Main Street Advisory Board, Airport Board, or the Taylor Economic Development Commission (April, 2005).

Appointments to boards having eligibility requirements must be made in accordance with the governing city ordinance. Board members must continue to meet the eligibility requirements during the entire time they serve on the board.

2.4 Oath of Office

An oath of office (Appendix B) will be administered to all members of decision-making boards. The oath of office can be administered by the city clerk or a notary public for the state of Texas. The necessary forms are available in the city clerk's office.

CHAPTER 3: RESPONSIBILITIES OF PUBLIC OFFICIALS

3.0 Open Government Training

Effective January 1, 2006, elected and appointed officials are required by state law to receive training in Texas open government laws. The Office of the Attorney General offers free video training courses to attend in person, by DVD or online by visiting their website at http://www.oag.state.tx.us/opinopen/og_training.shtml . You may check with the City Clerk for additional options. All newly appointed municipal board members must complete the Open Meetings portion of the training within ninety (90) days of their appointment. The Certificate of Completion must be kept on file with the City Clerk for five (5) years.

3.1 Texas Open Meetings Act

The Texas Open Meetings Act is codified in the Texas Government Code section 551.001. This article generally requires that every meeting of a governmental body be open to the public and enumerates some exceptions to the requirement. The Act also requires that the public be given notice of the time, place, and subject matter of meetings of governmental bodies. The Texas Open Meetings Act prohibits the use of secret ballots in meetings of governmental bodies.

3.1.1 Closed Meetings

The Taylor City Council, the Taylor Economic Development Corporation and the Taylor Housing Authority are the only boards authorized under law to conduct closed meetings.

The Texas Open Meetings Act does allow for closed meetings on a few limited subjects. Closed meetings are only allowed for discussion of pending litigation, certain personnel matters, receiving a gift or donation, to discuss deployment or implementation of security personnel or devices, and the lease or acquisition of real estate.

Before a closed meeting can be held, notice of the meeting identifying the sections of the Texas Open Meetings Act authorizing the closed meeting must be posted 72-hours in advance of the meeting. A quorum of the governmental body must convene in an open meeting and the presiding officer publicly announces that a closed meeting will be held and identifies the sections of the Texas Open Meetings Act authorizing the closed meeting. No final action, decision, or vote can be made in a closed meeting. All final actions, decisions and votes must be made in an open meeting.

Further, the governmental body is required to keep a certified agenda of the matters discussed in the closed meeting and a record of any further action taken. The presiding officer must include an announcement at the beginning and end of the closed meeting indicating the time and place that the meeting started and ended, and must certify by his/her signature that the agenda is a true and correct record of the proceedings. It is a misdemeanor offense for any individual to make public such certified agenda unless directed by a court order. The certified agenda must be preserved in a safe and secure place for a minimum of two (2) years. The city clerk or city attorney are available to answer questions pertaining to agendas, minutes, or any other questions that may arise regarding the Texas Open Meetings Act.

3.1.2 Penalties

A fine of not less than \$100.00 nor more than \$500.00 or imprisonment in the county jail for not less than one (1) month nor more than six (6) months, or both fine and imprisonment, can be imposed for violating the provisions of the Texas Open Meetings Act or conspiring to circumvent the provisions of the Texas Open Meetings Act by meeting in numbers less than a quorum for the purposes of secret deliberations.

3.2 Robert's Rules of Order

Meetings are generally conducted under standard parliamentary rules as outlined in Robert's Rules of Order.

3.3 Agendas

City boards and commissions are subject to the Texas Open Meetings Act and their agendas must be properly posted on the city hall bulletin board at least seventy-two (72) hours preceding the scheduled time of the meeting. Only those matters posted on an agenda can be discussed and acted upon by the governmental body.

At the time of posting, copies of the agenda must be given to all members of the boards or commissions pertaining to the meeting being posted. If non-members attend the meeting, they should also be provided with an agenda. The agenda should be prepared (under the direction of the board chairman) by the board secretary, who is usually the ex-officio department head or staff person to the board.

Generally, the order of business on the agenda is: declaring a quorum, the reading, correcting and passing of the minutes from the last meeting, specific information listed for each agenda item to inform the public of the item being discussed. A general listing such as "Committee Reports" is not allowed. Items must be specific.

3.4 Role of the Chairman

The role of the board chairman is to provide leadership to the group. He/She has certain duties and responsibilities which must be performed:

1. insure that the meeting is conducted in accordance with established rules; and
2. maintain order and bring the group to a conclusion on the matters before it.

3.5 Quorum

A quorum is the minimum number of members needed to officially conduct business. The quorum is generally established by the ordinance, resolution, or other document which establishes the board. Where no statement on the quorum number exists the quorum is the majority of the members.

3.6 Public Hearings

Public hearings are open forums that allow the public an opportunity to express their opinion on a specific issue related to the City of Taylor. Public hearings are generally conducted in the following manner:

1. The chairman of the board formally opens the public hearing.
2. After hearing all citizens who wish to comment on the issue, the chairman formally closes the public hearing.
3. Members of the board may ask questions directed to the citizen speaking during the public hearing. After the public hearing is closed, members of the public may speak ONLY in answer to a question directed to them by a member of the board.
4. If a public hearing draws a large number of interested citizens, a time limit for individual speakers may be set by the chairman before the public hearing opens, typically 3 or 4 minutes.
5. The chairman may use his/her judgment about how strictly this format is followed.

3.7 Minutes

Minutes of a decision-making board are required to be prepared, approved, signed and retained permanently in a safe and secure place. The minutes of decision-making boards MUST be signed by the chairman and attested to by the secretary or other member of the board once the minutes are approved by a majority of the members in a called meeting. The minutes become a part of the city's permanent records.

3.8 Texas Public Information Act

The Texas Public Information Act (formerly known as Texas Open Records Act) is codified in the Texas Government Code section 552.001. It declares the basis for the policy of open government expressed in the Public Information Act. It finds that basis in "the American constitutional form of representative government" and "the principle that government is the servant and not the master of the people." The Texas Public Information Act applies to virtually all local and state governmental bodies, private entities that are supported by or that expend public funds and/or information held by private entities in the constructive possession of governmental bodies.

All information held by a governmental body must be released unless the information falls within one of the acts specifying exceptions to disclosure. Virtually all information in the physical possession of a governmental body is subject to the act.

A written request for information that is received from a citizen by a public official under the Texas Public Information Act, should immediately file the written request with the City Clerk. The City Clerk will forward the open records request to the City Attorney for review. Upon

direction from the City Attorney, the City Clerk will either produce the requested public information or forward a letter to the requestor stating the reasons why the information cannot be produced.

If the City Clerk cannot produce public information for inspection or duplication within ten (10) business days after the date the information is requested, the City Clerk is required to “certify that fact in writing to the requestor and set a date and hour within a reasonable time when the information will be available for inspection or duplication.”

3.8.1 Penalties

A fine of not less than twenty-five (\$25.00) dollars or more than four thousand (\$4,000) dollars or confinement in the county jail for not less than three (3) days or more than three (3) months, or both fine and confinement, can be imposed for violating the provisions of the Texas Public Information Act.

3.9 Meeting Attendance

A public official that has a scheduled regular monthly or semi-monthly meeting shall be expected to maintain a suitable attendance record. It is important to keep in mind that your attendance is very important to the board you are serving on and that the City Council appointed you for your expertise. Because your attendance is important, the City Council has adopted the following attendance policy:

1. If a member is absent from more than twenty-five (25%) percent of the duly called meetings in any period of twelve (12) consecutive months or absent from more than two duly called meetings in any period of twelve consecutive months, whichever is greater, for any reason, other than a medical reason or a reason acceptable to the Chairman of that Board, which prevents the public officials' attendance, the member shall be disqualified and automatically removed from serving as a board member.

The term “duly called meetings” includes all meetings of the board and all meetings of subcommittees of the board on which the public official serves. The secretary of the board is responsible for maintaining records of the public officials' meeting attendance. The board secretary shall provide the City Council, through the City Clerk's office, with a quarterly attendance record, as well as copies of the minutes from each meeting held within that quarter.

3.10 City Staff Support

Each public official is encouraged to communicate openly with the city management staff. Suggestions, opportunities and constructive criticism are necessary for a proper relationship with management. However, each public official is strongly encouraged to communicate with the appropriate department head assigned to that board. Contact with operational type people or individuals below the department head level is discouraged. The community development director working with the planning and zoning members and the library director working with the library board, are examples of appropriate relationships.

3.11 Reports to the City Council

The City Council is highly dependent on each board member to make recommendations and offer possible solutions to city projects and opportunities. All members are encouraged to communicate the position of the total or majority of the group. Such communication or recommendations should be in a formal or written form from the entire board. Of course, each public official may from time-to-time want to visit informally with a member of the City Council. This one-on-one informal communication is necessary, but, to protect the integrity of the organization, the complete City Council should be addressed in terms of the majority of the members of the board.

CHAPTER 4. CODE OF ETHICS

4.1 Ordinance No. 99-17

The City Council adopted a Code of Ethics (Ordinance No. 98-17) for council members and all members of boards and commissions appointed by the City Council.

A copy is included in Appendix C.



City of Taylor

Boards and Committee Application

PLEASE TYPE OR PRINT CLEARLY:

Name	_____
Address (Residence and Mailing)	_____

How long at this residence?	_____
Phone (Home)	_____
Cell Phone	_____
Fax	_____
Email	_____

Occupation	_____
Employer	_____
Address	_____
City	_____
Work Phone	_____
Business owner?	☐ Yes ☐ No
Additional information?	_____

List the Board or Commission you are applying for (A person may not be appointed by the City Council to serve on more than one board or commission simultaneously. If more than one, please list in order of priority for which you wish to be considered.) : _____

Please consider attending a committee meeting of interest to you prior to submitting your application. Check the website at <http://www.taylortx.gov> for a complete roster of committee appointees.

List experience, training, skills or interests which you believe you could bring to this position. (Attach resume or additional pages if needed.) _____

APPLICANTS FOR ZONING BOARD OF ADJUSTMENTS, PLANNING AND ZONING, BUILDING AND STANDARDS COMMISSION, AND PARKS AND RECREATION BOARD MUST BE A LEGAL RESIDENT OF THE UNITED STATES AND A VOTING RESIDENT WHO LIVES AND RESIDES* IN THE CITY OF TAYLOR. (*Effective 12/16/08. Residency requirement does not apply to the Moody Museum Board, Library Board, Main Street Advisory Board, Airport Board, or the TEDC. Change in residency status during term can result in termination of appointment.)

I hereby swear and affirm that the information provided above is true and correct

Signature _____ Date _____

DESCRIPTION OF BOARDS AND COMMISSIONS

Airport Board meets the fourth Thursday each month and makes recommendations to the City Council about the operations of the municipal airport and helps ensure that the airport meets the needs of the City and the air industry.

Building & Standards Commission meets as needed to provide final interpretations concerning alleged violations of ordinances by upholding or overturning decisions made by the building officials. Members must be knowledgeable and experienced with the building, plumbing, mechanical, electrical and fire codes adopted by the city.

Civil Service Commission is a three member board appointed by the City Manager to adopt rules regarding hiring and promotional processes, the disciplinary process, maintenance of personnel files, and other subjects as defined by Civil Service Law.

Comprehensive Plan Implementation Committee has thirteen members appointed by Council to review the implementation status (Chapter 11) of the Taylor Comprehensive Plan twice a year.

Library Advisory Board meets the third Tuesday each month at 6pm and makes recommendations to the City Council regarding library operations and to help ensure that the Library meets the needs of the City.

Main Street Advisory Board meets the first Thursday each month to carry out an annual action plan for implementation of a downtown revitalization program focused on: design/historic preservation, promotion, organization/management, and economic restructuring/development.

Moody Museum Advisory Board meets one Monday evening a month and makes recommendations regarding the operation of the Moody Museum.

Parks and Recreation meets the third Tuesday at 6 pm to make recommendations to the City Council regarding sports and recreational programs, and facilities and helps ensure that they meet present and future needs.

Planning & Zoning Commission meets Tuesday evenings and makes decisions regarding platting or replatting of land into subdivisions within the corporate limits and within the extraterritorial jurisdiction of the City and makes recommendations to the City Council regarding the regulations of the use of land, location of buildings, and the locations of businesses, in respect to their environments.

Taylor Economic Development Corporation (TEDC) meets at 4:30 pm once a month (usually the third Wednesday) and promotes, assists, and enhances economic development activities for the City.

Taylor Housing Authority meets on Tuesday afternoon and establishes policy and reviews operations of subsidized housing in Taylor. One member must be a Housing Authority resident.

Zoning Board of Adjustments meets as needed to hear and decide special exceptions to the zoning ordinance and rules on appeals. This board is autonomous.

As an applicant for a city board or commission, your application is public information and will be available to the press and the public upon request. Incumbents whose terms expire are automatically considered for reappointment unless they indicate non-interest and comply with other eligibility requirements. Applications are kept on file for two (2) years from date of application.

Please complete and return to:

City Clerk, City of Taylor
400 Porter St.
Taylor, Texas 76574
(512) 352-3676 or (Fax) (512) 352-8255
Susan.brock@taylortx.gov

OATH OF OFFICE

I, _____, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment, as a reward to secure my appointment or confirmation thereof, and that I will faithfully execute the duties of the office of _____, of the City of Taylor, of the state of Texas, and will to the best of my ability, preserve, protect and defend the constitution and laws of the United States and of this State, So Help Me God.

Affiant's Signature

SWORN TO and subscribed before me by affiant on this the _____ day of _____, 20____.

Notary Public Signature

ORDINANCE NO. 99-17

AN ORDINANCE OF THE CITY COMMISSION OF
THE CITY OF TAYLOR, TEXAS, ESTABLISHING
A CODE OF ETHICS; PROVIDING A
SEVERABILITY CLAUSE; PROVIDING A SAVINGS
CLAUSE; AND PROVIDING A PENALTY CLAUSE.

WHEREAS, the City Commission shall faithfully discharge all duties imposed upon it by the City Charter and the Constitution and laws of the State of Texas, independently and impartially deciding all matters brought before it with responsibility to the citizens of the City of Taylor, Texas; and

WHEREAS, the City Commission is the governing body for the City of Taylor, Texas, and must bear responsibility for the integrity of governance; and

WHEREAS, the City Commission shall govern the City with a commitment to preserving the values and integrity of representative local government and democracy; and

WHEREAS, the City Commission will seek to improve the quality and image of public service; and

WHEREAS, the City Commission will commit to improving the quality of life for the individual and the community by being dedicated to the faithful stewardship of the public trust.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF TAYLOR, TEXAS:

Section 1.

The facts contained in the preamble of this Ordinance are hereby found and declared to be true and correct, and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim.

Section 2. DEFINITIONS

For the purposes of this Ordinance:

1. "Benefit" means anything reasonably regarded as economic gain or economic advantage, including benefit

to any other person in whose welfare the beneficiary is interested, but does not include a contribution to expenditure made and reported in accordance with law.

2. "Board" means a board, commission, or committee:
 - A. which is established by City ordinance, charter, interlocal contract, or state law, or
 - B. which serves as the board of a nonprofit development corporation that acts as an instrumentality of the City; and
 - C. any part of whose membership is appointed by the City Commission, but does not include a board, commission, or committee which is the governing body of a separate political subdivision of the state.
3. "Employee" means a person employed and paid a salary by the City whether under civil service or not, including those individuals on a part-time basis, but does not include an independent contractor or City Commissioner.
4. "Negotiating concerning prospective employment" means a discussion between a City officer or employee and another employer concerning the possibility of the City officer or employee considering or accepting employment with the employer, in which discussion the City officer or employee responds in a positive way.
5. "Officer" means a member of the City Commission and any member of a board who is appointed by the City Commission. "Officer" does not include a member of a board:
 - A. that functions only in an advisory or study capacity and which does not have the power to make findings as to the rights of specific parties; or
 - B. of a nonprofit development corporation that acts as an instrumentality of the City.

Section 3. POLICY

(a) It is hereby declared to be the policy of the City that the proper operation of democratic government requires that:

1. public officials and employees be independent, impartial and responsible only to the people of the City;

2. governmental decisions and policy be made using the proper procedures of the governmental structure;
3. no officer or employee have any financial interest, direct or indirect, or engage in any business, transaction or professional activity or incur any obligation of any nature which is in conflict with the proper discharge of his duties in the public interest;
4. public office not be used for personal gain; and
5. the City Commission at all times be maintained as a nonpartisan body.

(b) To implement this Ordinance, the City Commission has determined that it is advisable to enact this Code of Ethics for all officials and employees, whether elected or appointed, paid or unpaid, advisory or administrative, to serve not only as a guide for official conduct of the City's public servants, but also as a basis for discipline for those who refuse to abide by its terms.

(c) Notwithstanding any other provision of this Ordinance, a member of the board of directors of a reinvestment zone established under the Tax Increment Financing Act, as amended, may:

1. own property within that reinvestment zone; and
2. participate in discussions and voting on matters before the board of directors that may directly or indirectly affect the member's property within the reinvestment zone.

SECTION 4. STANDARDS OF CONDUCT

- (a) An officer or employee of the City shall not:
1. Accept or solicit a benefit that might reasonable tend to influence the officer or employee in the discharge of his official duties.
 2. Use his official position to secure special privilege or exemptions for himself or others.
 3. Grant any special consideration, treatment or advantage to a person or organization beyond that which is available to every other person or organization. This shall not prohibit the

granting of fringe benefits to City employees a part of their contract of employment or as an added incentive to the securing or retaining of employees.

4. Disclose information that could adversely affect the property of affairs of the City, or directly or indirectly, use any information understood to be confidential which was gained by reason of his official position or employment for his own personal gain or benefit or for the private interest of others.
5. Transact any business on behalf of the City in his official capacity with any business entity with which he is an officer, agent or member or in which he has a financial interest. In the event that such a circumstance should arise, then he shall make known his interest, and:
 - A. in the case of an officer, leave the room during debate or hearing, refrain from discussing the matter at any time with the members of the body of which he is a member or any other body which will consider the matter and abstain from voting on the matter; or
 - B. in the case of an employee, turn the matter over to his superior for reassignment, state the reasons for doing so and have nothing further to do with the matter involved.
6. Personally provide services for compensation, directly or indirectly, to a person or organization who is requesting an approval, investigation, or determination from the body or department of which the officer or employee is a member. This restriction does not apply to outside employment of an officer if the employment is the officer's primary source of income.
7. Accept other employment or engage in outside activities incompatible with the full and proper discharge of his duties and responsibilities with the City, or which might impair his independent judgment in the performance of his public duty.
8. Personally participate in a decision, approval, disapproval, recommendation, investigation, or rendering of advice in a proceeding, application, request for ruling or determination, contract, claim, or other matter under the jurisdiction of the City, if the officer or employee is

negotiating or has an arrangement concerning prospective employment with a person or organization which has a financial interest in the matter, and, in the case of an employee, it has been determined by the City Manager that a conflict of interest exists. If an officer or employee begins negotiation or enters an arrangement concerning prospective employment with a person or organization that has a financial interest in a matter in which the officer or employee has been participating, the officer or employee shall:

- A. in the case of an employee, immediately notify the official responsible for appointment to his position of the nature of the negotiation or arrangement and, if the City Manager determines that a conflict of interest exists, follow the instructions of the City Manager with regard to further involvement in the matter; or
 - B. in the case of a board member, immediately notify the board of which he is a member the nature of the negotiation or arrangement and:
 - i. refrain from discussing the matter at any time with other board members or members of the City Commission if the City Commission will also consider the matter;
 - ii. leave the room during debate hearing on the matter; and
 - iii. abstain from voting on the matter; or
 - C. in the case of a member of the City Commission, file an affidavit with the City Clerk regarding the nature of the negotiation or arrangement and:
 - i. refrain from discussing the matter at any time with other Commissioners or members of a board that will consider the matter;
 - ii. leave the room during debate or hearing on the matter; and
 - iii. abstain from voting on the matter.
9. Receive any fee or compensation for his services as an officer or employee of the City from any

source other than the City, except as may be otherwise provided by law. This shall not prohibit his performing the same or other services for a public or private organization that he performs for the City if there is no conflict with his City duties and responsibilities.

10. (a) In the case of a member of the City Commission or an employee, personally represent, or appear in behalf of, the private interest of others:

- i. before the City Commission or any City board or department;
- ii. in any proceeding involving the City; or
- iii. in any litigation to which the City is a party.

(b) In the case of a board member, personally represent or appear in behalf of, the private interests of others:

- i. before the board of which he is a member;
- ii. before the City Commission.
- iii. before a board which has appellate jurisdiction over the board of which he is a member; or
- iv. in litigation or a claim to which the City or an employee of the City is a party if the interests of the person being represented are adverse to the City or an employee of the City and the subject of the litigation or claim involves the board on which the board member is serving or the department providing support services to that board.

11. Use the prestige of his position with the City in behalf of any political party.

12. Knowingly perform or refuse to perform any act in order to deliberately thwart the execution of the City ordinances, rules or regulations or the achievement of official City programs.

13. Use City supplies, equipment or facilities for any purpose other than the conduct of official City business.

14. Engage in any dishonest or criminal act or any other conduct prejudicial to the government of the City or that reflects discredit upon the government of the City.

(b) The restrictions in this Section do not apply to business associates of officers or employees, but only personally to the officers and employees themselves.

(c) The restrictions and requirements of Subsection (a)(5) of this Section do not apply to an officer or employee of the City serving as a member of any board, commission, or other entity when transacting business on behalf of the City in an official capacity with that board, commission, or entity, if the officer or employee:

1. was appointed by the Chairman, City Commission, or City Manager to represent the City on the board, commission, or entity; and
2. has no financial interest in the board, commission, or entity or in the business being transacted.

SECTION 5. FINANCIAL INTERESTS

Any officer, whether elected or appointed, who has a financial interest in any matter that is pending before, or that might be considered by, the body of which the officer is a member shall:

1. disclose such interest to the other members of the body;
2. refrain from discussing the matter at any time with any other member of the body of which the officer is a member or with a member of any other body that might consider the matter;
3. leave the room during debate or hearing; and
4. refrain from voting on the matter.

SECTION 6. POLITICAL ACTIVITIES OF OFFICERS

(a) In elections other than for City Commission of the City, a member of the City Commission may not:

1. use the prestige of the member's position with the City on behalf of a candidate;
2. solicit or receive contributions; or
3. serve as the designated campaign treasurer for a candidate as required by Chapter 14, Texas Election Code.

(b) In any election, a member of a City board, commission, or committee, whether governmental or advisory, may not:

1. use the prestige of the member's position with the City on behalf of a candidate;
2. serve as the designated campaign treasurer for a candidate as required by Chapter 14, Texas Election Code.
3. personally solicit or receive contributions for a candidate. A member, however, is not prohibited from serving on a steering committee to plan a program of solicitation and listing the member's name without reference to the office held when the committee as a whole is listed.

(c) Subsections (a)(1) and (b)(1) do not prohibit a member of the City Commission or of a board from lending the member's name in support of a candidate so long as the office held with the City is not mentioned in connection with the endorsement.

SECTION 7. ADDITIONAL EMPLOYMENT

An employee of the City may accept employment from a public utility corporation enjoying the grant of a franchise, privilege, or easement from the City if:

1. the employee is to perform the duties of a security guard for the public utility corporation;
2. the employment is approved by the employee's department head; and
3. the employment does not conflict with his duties as an employee of the City.

SECTION 8. RESTRICTIONS ON CONTRACTING WITH THE CITY OR PROVIDING REPRESENTATION OF OTHERS

(a) An officer or employee in a position that involves significant reporting, decision-making, advisory, or supervisory responsibility who leaves the service or employment of the City may not, within 12 months after leaving that service or employment, represent any other person or organization in any formal or informal appearance:

1. before the City concerning a project for which the person had responsibility as a City officer or employee; or
2. before any other agency on a project for which the person had responsibility as an officer or employee.

(b) A former officer or employee who is subject to the requirements of Subsection (a) shall, during the 24 months after leaving the service or employment of the City, disclose the officer or employee's previous position and responsibilities with the City when representing any other person or organization in any formal or informal appearance before a City agency.

(c) A member of the City Commission or an employee may not, within 12 months after leaving the service or employment of the City, either individually or as the officer or principal of a private business entity:

1. submit a proposal, on behalf of the member or employee or on behalf of a private business entity, to make any City contract that is not required by state law to be competitively bid;
2. negotiate or enter into any City contract that is not required by state law to be competitively bid; or
3. have or acquire any financial interest, direct or indirect, in any City contract that is not required by state law to be competitively bid.

SECTION 9. LIMITATIONS ON EMPLOYEE POLITICAL ACTIVITY AND ON THE HOLDING OF ELECTIVE PUBLIC OFFICE BY AN EMPLOYEE

(a) An employee of the City immediately forfeits employment with the City if:

1. the employee becomes a candidate for election to the Taylor City Commission;
2. the employee becomes a candidate for nomination or election in a partisan election for public office within Williamson County or in a partisan election for a public office, the constituency of which includes all or part of Williamson County;
3. the employee becomes a candidate for nomination or election to an elective public office where the holding of that office will conflict with the full and proper discharge of the employee's duties with the City; or
4. a managerial or supervisory exempt City employee becomes a candidate for nomination or election to an elective public office of an entity having contractual relations with the City that involve the employee's department.

SECTION 10. PENALTY FOR VIOLATION OF ARTICLE; APPEALS

(a) The failure of any officer or employee to comply with this Ordinance or the violation of one or more of the standards of conduct set forth in this Ordinance, which apply to him, shall constitute grounds for all legal remedies provided by law which may include, if permissible, expulsion, reprimand, censure, removal from office, or discharge. In the case of a City Commissioner, the matter shall be decided by a vote of two-thirds of the entire membership of the City Commission.

(b) The Commission hereby adopts the following procedures to implement a Censure Policy:

1. Two or more City Commissioners may file a written notice of censure against another City Commissioners with the City Clerk. The written notice shall set forth the allegation(s) of conduct which the accused Commissioner shall have allegedly violated. A copy shall be delivered to all Commissioners. A written response to the allegation(s) may be filed by the accused Commissioner ten (10) days after receipt thereof. A copy of the notice of censure and response thereto shall be delivered to each Commissioner within two (2) days after the response is filed.

2. On the first regularly called meeting of the Commission, which complies with the Texas Open Meetings Act, after the filing of the notice and response, the City Clerk shall formally read the notice and response into the public record. The Commission, by majority vote, shall thereafter determine whether or not good cause shall exist to set a formal hearing on the merits of the notice of censure or dismiss the allegation(s). If it is determined, based upon the merits, a public hearing is required, a public hearing shall be set on the allegation(s) by the Commission. A vote to hold a public hearing shall not be constructed to be a vote of censure.
3. At a public hearing, the accused City Commissioner has the right to be represented by legal counsel and present witnesses relative to the allegation(s).
4. A public hearing on the allegation(s) and response shall be held at either a regular or special called meeting of the City Commission, which shall be open to the public.
5. At a public hearing, the City Commission will hear evidence concerning the notice of censure. The City Commissioners proffering the charges shall present evidence in support of the allegation(s) contained in the notice of censure. The Commissioner who is the subject of the censure shall have the opportunity to present evidence to support his or her position with respect to the notice of censure. After receiving evidence at an open public meeting, the City Commission shall then take a roll-call vote, after motion duly made and seconded, two-thirds of all members of the City Commission shall be required to sustain the censure of the Commissioner.

(c) In the case of an employee of the City, disciplinary action and appeals therefrom shall be in conformance with procedures established by the City Charter and personnel rules and regulations.

(d) In the case of members of boards or committees, the matters shall be decided by a majority vote of the City Commission.

(e) The decision of the bodies authorized to hear violations shall be final in the absence of bias, prejudice or fraud.

Section 11. SEVERABILITY CLAUSE

If any provision of this Ordinance or its application to any person or circumstances is held invalid for any reason, the invalidity does not affect any other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this extent the provisions of this Ordinance are declared to be severable.

Section 12. SAVINGS CLAUSE

An offense committed before the effective date of this Ordinance is governed by the prior law in effect when the offense was committed and the former law is continued in effect for this purpose.

Section 13. REPEALING CLAUSE

All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

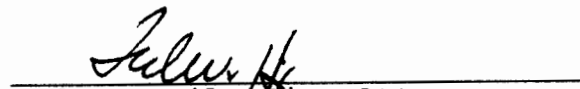
INTRODUCED, PASSED, APPROVED and ADOPTED on the first reading this the 24 day of August, 1999.


Calvin Janak, Chairman
Board of Commissioners

ATTEST:


Barbara S. Belz, City Clerk

APPROVED AS TO FORM:

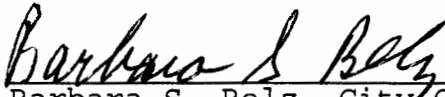

Ted W. Hejl, City Attorney

* * *

PASSED, APPROVED and ADOPTED on the second reading this
the 30 day of August, 1999.


Calvin Janak, Chairman
Board of Commissioners

ATTEST:

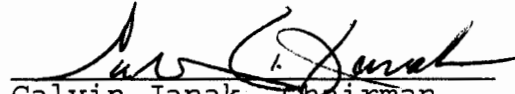

Barbara S. Belz, City Clerk

APPROVED AS TO FORM:

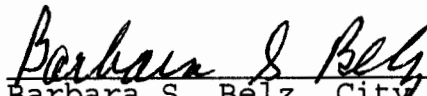

Ted W. Hejl, City Attorney

* * *

PASSED, APPROVED and ADOPTED on third and final reading
this the 31 day of August, 1999.


Calvin Janak, Chairman
Board of Commissioners

ATTEST:


Barbara S. Belz, City Clerk

APPROVED AS TO FORM:


Ted W. Hejl, City Attorney

CERTIFICATE

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

I, Barbara S. Belz, being the current City Clerk of the City of Taylor, Texas, do hereby certify that the attached is a true and correct copy of Ordinance No. 99-17, passed and approved by the City Commission of the City of Taylor, Texas, on the 31 day of August, 1999, and such Ordinance was duly introduced, passed, approved and adopted at meetings open to the public and notices of the meetings, giving the dates, places, and subject matter thereof, were posted as prescribed by Government Code Section 551.043.

Witness my hand and seal of office this 31 day of August, 1999.



Barbara S. Belz
City Clerk



***City Council Meeting
July 14, 2011
Agenda Item Transmittal***

Agenda Item #: 13
Agenda Title: Discuss possible amendments to City Charter.
Council Action to be taken: Provide input and direction
Initiating Department: City Administration
Staff Contact: Jim D. Dunaway, City Manager

1. INTRODUCTION/PURPOSE

Of late, I have received several comments about the possibility of amending our Charter to include some items of public interest. Tonight, I am seeking your input as to 1.) Does the Council wish to consider amending our Charter; 2.) What additional items, if any, would the Council like to see changed or added to our Charter, and 3.) Does the Council wish to put this matter on a November, 2011 ballot for public consideration.

2. DESCRIPTION/ JUSTIFICATION

The items most discussed involve the office of the Mayor. I have received several comments stating that the Mayor should be elected by the people, not the Council. To do this, we would have to consider changing place 5 from an at-large Council position to the position of Mayor. Of course, if this is to be considered, this wouldn't take place until Councilmember Ancira's term expired in 2014. Also, the issue of term limits has been mentioned. This, of course, is something that needs very detailed consideration. I will discuss factors regarding this at the meeting. Also, our Charter contains no language for removal of a Councilmember for cause. I will detail this for you at the meeting also. Our Charter is also silent on how a vacancy on the Council may be filled. Several options exist for this matter and will be discussed at the meeting. These are a few ideas for your consideration and if there is something else you feel needs to be added or removed from our Charter, we can cover this at the meeting.

3. FINANCIAL/BUDGET

Costs for a November, 2011 election have been included in the proposed budget for F.Y. 2011-12.

4. TIMELINE CONSIDERATIONS

If you wish to have this matter considered in a November, 2011 election, you will need to decide on this by the end of August.

5. RECOMMENDATION

Staff is seeking input and guidance on this matter.

6. REFERENCE FILES

13a. [City Charter](#)

CODE
CITY OF
TAYLOR, TEXAS

CHARTER
AND
GENERAL ORDINANCES OF THE CITY

Adopted, February 23, 1982
Effective, June 1, 1982

Published by Order of the Board of Commissioners



MUNICIPAL CODE CORPORATION

Tallahassee, Florida

1982

CHARTER*

Art. 1.	Incorporation; Name, §§ 1.1—1.4
Art. 2.	Powers, §§ 2.1—2.4
Art. 3.	Form of Government, §§ 3.1, 3.2
Art. 4.	Elective Officers, §§ 4.1—4.5
Art. 5.	Appointive Officers, §§ 5.1, 5.2
Art. 6.	Elections, §§ 6.1—6.5
Art. 7.	The City Council, §§ 7.1—7.6
Art. 8.	Ordinances, §§ 8.1—8.5
Art. 9.	City Manager, §§ 9.1—9.3
Art. 10.	Contracts, §§ 10.1—10.3
Art. 11.	Bonds, Warrants, and Other Evidence of Indebtedness, § 11.1
Art. 12.	Finances, §§ 12.1—12.3
Art. 13.	Taxation, §§ 13.1—13.4
Art. 14.	Franchise, §§ 14.1—14.3
Art. 15.	Direct Legislation, §§ 15.1, 15.2
Art. 16.	Municipal Court, §§ 16.1—16.6
Art. 17.	Miscellaneous Provisions, §§ 17.1—17.6

ARTICLE 1. INCORPORATION; NAME

Section 1.1. Incorporation; Name.

The inhabitants of the City of Taylor, in Williamson, County, Texas, ("the City") or ("City") within the corporate limits as now established, or as hereafter established in the manner prescribed by this Charter or by law shall be and shall continue to be a municipal body politic and corporate in perpetuity under the name the "City of Taylor, Texas."

Section 1.2. Boundaries.

The boundaries and limits of the City shall be those as established and described in ordinances duly passed by the City

***Editor's note**—The City's Charter is printed herein, as amended by a majority vote of the qualified voters of the City at an election held for that purpose on May 5, 2001. The Charter as printed herein replaces the Charter adopted by a vote of four hundred forty-four to one hundred ninety-five on April 6, 1914.

Council of the City in accordance with State law. The City Clerk shall at all times keep a correct and complete description and official map on file, with annexations or disannexations.

Section 1.3. Additional Territory.

The City Council may, by ordinance, annex additional territory in compliance with State law.

Section 1.4. Platting of Territory.

All property within the City limits or within its extraterritorial jurisdiction shall be platted in compliance with State law and ordinances adopted by the City.

ARTICLE 2. POWERS

Section 2.1. Generally.

By the legal adoption of this Charter, the City shall be made and constituted a body politic and corporate, and shall possess all powers not inconsistent with this Charter and the Constitution and laws of the State of Texas. The City may use a corporate seal; may sue and be sued; may contract and be contracted with; may cooperate with the government of the State of Texas or the Federal government or any agency thereof, or any political subdivision of the State of Texas; may own or acquire property within or without its boundaries for any municipal purpose in fee simple or in any lesser interest or estate, by purchase, gift, devise, lease or condemnation or may sell, lease, hold, manage, improve and control such property now owned or which it may be hereafter acquired; may construct, own, lease, operate and regulate public utilities, may assess, levy and collect taxes for general and special purposes on all lawful subjects of taxation; may borrow money on the faith and credit of the City by the issuance and sale of bonds, warrants or notes of the City; may appropriate the money of the City for all lawful purposes; may regulate and control the use, for whatever purpose, of the streets and other public places; may enact regulations and pass such ordinances as may be expedient for the protection and maintenance of good government, health, morals, comfort, safety and welfare of its

inhabitants. The enumerated powers in this Section shall not act as a limitation to the powers granted to the City and the City shall exercise all powers granted to it by this Charter, the Constitution, the laws of the State of Texas, and any other power and authority applicable to the City.

Section 2.2. Powers Conferred on Cities and Towns.

All the powers conferred upon cities and towns by the Constitution and laws of the State of Texas, except as may hereinafter be denied or limited, are hereby conferred upon the City as fully and completely as if such powers were herein separately enumerated.

Section 2.3. Powers Conferred Upon Home Rule Cities.

The City shall have all powers and authority conferred upon home rule cities by Article XI, Section 5 of the Constitution of the State of Texas and by laws enacted by the Legislature of the State of Texas.

Section 2.4. Power of Local Self Government.

It is contemplated and intended by the adoption of this Charter to confer, and is hereby conferred, upon the City, the full power of local self government and the enumeration of and reference to the powers hereinabove made, or that hereinafter may be made, shall never be construed to preclude, by implication or otherwise, the City from exercising any and all powers incident to the full enjoyment of local self government, provided that such powers shall not be inhibited by the Constitution of the State of Texas.

ARTICLE 3. FORM OF GOVERNMENT

Section 3.1. Generally.

All legal powers of the corporation, except as herein denied or limited, shall be vested in a Council of five (5) members elected as hereinafter provided, which Council shall be known and designated "The City Council of the City of Taylor."

Section 3.2. Council-Manager Government.

The municipal government provided by this Charter shall be known as the "Council-Manager" government. Pursuant to its provisions and subject only to the limitations imposed by the State Constitution, by the statutory laws of Texas, and by this Charter, all powers of the City shall be vested in an elective Council, hereinafter referred to as the "Council", which shall enact local legislation, adopt budgets, determine policies, appoint the City Attorney and Municipal Court Judge, and the Council shall also appoint the City Manager, who shall execute the laws and administer the government of the City.

ARTICLE 4. ELECTIVE OFFICERS**Section 4.1. Generally**

The Council members shall be elected for terms of three (3) years under a mixed 4-1 system under which four (4) of the Councilmembers are to be elected from the particular single-member district established by the consent decree of April 30, 1985 in which they reside, and one (1) Councilmember to be elected at large by the qualified voters of the entire City. A Mayor may be elected by and from the five (5) total elected Councilmembers. All elections for Councilmembers will be by plurality vote.

Section 4.2. Qualifications.

Candidates must reside within the district to which they seek election, and must continuously reside within the district during the Councilmember's term of office. Each Councilmember shall be a resident and a qualified voter of the City; shall not be indebted to the City; nor hold any other elective or appointed public office of emolument. Councilmembers shall not have a conflict of interest with the City as determined under the laws of the State of Texas. Any Councilmember who shall cease to possess any of the qualifications herein required shall immediately forfeit and vacate such office.

Section 4.3. Term of Office.

Each elected Councilmember shall serve a three (3) year term or until the Councilmember's successor is duly elected and qualified.

Section 4.4. Vacancies.

Vacancies in the Council shall be filled by a special election for the remainder of the unexpired term.

Section 4.5. Compensation.

Each Councilmember shall receive compensation for attendance at City Council meetings established by ordinance provided Council members shall not receive compensation for more than two (2) meetings in any one month. Councilmembers shall be entitled to reimbursement of necessary expenses incurred in the performance of their official duties when approved by the Council.

ARTICLE 5. APPOINTIVE OFFICERS**Section 5.1. Generally.**

The City Council shall appoint, by a majority vote of all elected members thereof, a City Manager, a City Attorney, and Judge of the Municipal Court, any of whom may be removed by a like majority vote of said Council at the pleasure of the City Council.

Section 5.2. Boards and Commissions, Removal.

The City Council shall appoint the members of the Zoning Board of Adjustment, the Planning and Zoning Commission and such other boards or commissions as may be required by State law or this Charter. The City Council may, upon the affirmative vote of a majority of the full membership of the Council, remove members of its appointive boards and commissions.

ARTICLE 6. ELECTIONS

Section 6.1. Generally.

All elections shall be held for the City Council on the first Saturday in May of every year or on such other date as the laws of the State of Texas may provide.

Section 6.2. Calling Election; Notice.

The City Council shall in the manner and within the time provided by law order elections stating in the order the date on which the election shall be held, the offices to be filled and the places at which voting shall take place and naming the presiding judge or judges who are to hold such election. The City Clerk shall give notice of the election in compliance with the Election Code and other applicable State laws.

Section 6.3. Application of State Law.

Except wherein otherwise provided herein, the general election laws of the State of Texas, insofar as applicable, shall control all elections held by the City.

Section 6.4. Polling Places.

The polling place for the election of City Councilmembers will be at a convenient location within each respective district. For all other elections the City Council may from time to time, create and designate such polling places within the City as may be deemed proper.

Section 6.5. Qualified Voters.

A qualified voter under the laws of the State of Texas residing in one of the four City districts is entitled to vote for the City Council candidate from the district in which the voter resides and for the Commissioner running for election at large and in any City election held in the City of Taylor.

ARTICLE 7. THE CITY COUNCIL**Section 7.1. Generally**

The governing body of the City shall consist of a five (5) member City Council under which four (4) of the Councilmembers are elected from the particular single-member district in which they reside, and one (1) City Councilmember is elected at large by the qualified voters of the City. A Mayor shall be elected by the five (5) total elected Councilmembers, from among its members each of whom serve at the pleasure of the City Council. The Mayor shall preside at meetings of the City Council, be recognized as head of the City government for all ceremonial purposes and by the governor for purposes of military law, but shall have no administrative duties. The Mayor Pro Tem shall act as Mayor during the absence or disability of the Mayor. The City Council shall meet regularly at least once every month at such times and places as the Council may prescribe by rule. Special meetings may be held on the call of the Mayor or of the City Council. The City Council shall see that all ordinances necessary and proper for carrying out the powers and duties herein specified are passed, and that they are enforced by the City Manager. The City Council shall promote the welfare of the City and its inhabitants in any way deemed proper subject only to limitations imposed by the Constitution, State law, and by this Charter.

Section 7.2. Selection of City Manager.

The City Council shall appoint a City Manager who shall be the chief administrative officer of the City by a majority vote of its total membership. The appointment shall be for any term, condition, and compensation deemed acceptable by the Council. The City Manager shall be appointed primarily on the basis of executive and administrative qualifications.

Section 7.3. Quorum.

The majority of all the elected Councilmembers shall be necessary to constitute a quorum.

Section 7.4. Appointment of City Attorney and Municipal Judge.

The City Council shall appoint a Municipal Judge and City Attorney and shall provide compensation deemed proper for the officers.

Section 7.5. Creation of Other Offices.

The City Council shall be entitled to create other offices deemed reasonable, necessary or proper and prescribe and define the duties and salaries of the offices created.

Section 7.6. Combining Offices.

The City Council shall have power to combine the duties of any two or more offices of the City and provide that one person shall perform all the duties devolving from the combined offices.

ARTICLE 8. ORDINANCES

Section 8.1. Enactment.

Each proposed ordinance shall first be introduced in written form and shall not contain more than one subject clearly stated in the title or ordinance caption, except general appropriation ordinances may contain various subjects and accounts for which money is to be appropriated. Each proposed non-emergency ordinance shall be adopted by the City Council in any City Council meeting subsequent to the meeting in which the proposed non-emergency ordinance was introduced. Proposed emergency ordinances may be adopted by the City Council in the same meeting in which the proposed emergency ordinance is introduced, provided the proposed emergency ordinance receives a unanimous vote of all Councilmembers present when a vote regarding passage of the emergency ordinance is taken. An emergency ordinance is an ordinance deemed by the City Council necessary for the immediate preservation of public peace, property, health, safety, or necessary to maintain the usual daily operation of the City. Emergency ordinances shall state within

the ordinance the emergency requiring immediate adoption by the City Council without introduction in a prior City Council meeting.

Section 8.2. Style of Ordinances.

The style of all ordinances of the City shall be "Be it ordained by the City Council of the City of Taylor", but such enacting clause may be omitted when published in book form purporting to be published by the City.

Section 8.3. Publication.

Ordinances or their captions shall be published when required by State law.

Section 8.4. Effective Date of Ordinances.

Every ordinance shall become effective when adopted unless the law or ordinance provides otherwise.

Section 8.5. Recording.

Every ordinance or resolution, upon its becoming effective, shall be recorded in a book kept for that purpose and shall be signed by the Mayor and attested by the City Clerk.

ARTICLE 9. CITY MANAGER**Section 9.1. Generally.**

The City Manager shall be the chief administrative officer of the City, responsible to the City Council for the administration of all City affairs placed in the manager's charge by or under this Charter and the City Council. Employees of the City shall be employed by the City Manager subject to the approval of the City Council and may be removed by the City Manager by approval of the City Council.

Section 9.2. Removal.

The City Manager may be suspended by a resolution, approved by a majority of the total membership of the Council, which shall set forth the reasons for the suspension and removal. A copy of the resolution shall be provided immediately to the City Manager. The City Manager shall have fifteen (15) days in which to reply thereto in writing, and, upon request, shall be afforded a public hearing, which shall occur not later than fifteen (15) days after a hearing is requested. After the public hearing, if one is requested, and after consideration, the City Council by a majority of its total membership, may adopt a final resolution for removal. The City Manager shall continue to receive full salary until the effective date of a final resolution for removal.

Section 9.3. Acting City Manager.

In the event of a vacancy in the office of the City Manager, the City Council shall designate an interim City Manager to exercise the powers and perform the duties of City Manager. In the event of the City Manager's temporary absence or disability, the City Manager shall designate a City employee to exercise the powers and perform the duties of the City Manager by letter filed with the City Clerk. The Council may revoke such designation at any time and appoint another person to serve as acting City Manager.

ARTICLE 10. CONTRACTS**Section 10.1. Generally.**

The City shall comply with State law regarding any contract in which the City is a party.

Section 10.2. Conflicts of Interest.

Councilmembers, the City Manager, City officers, and City employees shall disclose any conflict of interest regarding any contract or matter with the City in compliance with the laws of the State of Texas and ordinance adopted by the City.

Section 10.3. Audit of Accounts.

The accounts of the City shall be audited annually by an independent certified public accountant obtained by the City Council for such audit.

**ARTICLE 11. BONDS, WARRANTS, AND OTHER
EVIDENCE OF INDEBTEDNESS****Section 11.1. Generally.**

The City shall have authority to issue bonds, warrants, and other evidence of indebtedness in compliance with the laws of the State of Texas.

ARTICLE 12. FINANCES**Section 12.1. Budget.**

The City Manager shall prepare and submit to the City Council an annual budget on the basis of estimates of income and expenses of the various departments of the City. The departmental estimates shall show the income and expenses of the various departments for the preceding fiscal year and shall indicate where increases and diminutions are recommended for the ensuing year. Due notice shall be made of the time when the budget is to be discussed by the City Council and printed copies of the budget as recommended by the City Manager shall be available to any citizen for inspection at least fifteen (15) days before the date of the public hearing at which the budget will be discussed. The public hearing shall be an open meeting and adequate time shall be given to hearing oral or written protests and objections, if any, to any item or items in or omitted from the budget. The City shall also comply with the laws of the State of Texas concerning the budget and finances of the City and when in conflict with this Section the provisions of State law shall control.

Section 12.2. Accounts.

The City's accounts shall be kept in manner to show fully at all times the financial condition of the City and shall be open to the public for inspection. The City Council shall see that accounts are kept in the most appropriate fashion to show completely each month the state of the City finances.

Section 12.3. Monthly Reports.

The City Manager shall prepare and submit to the City Council a written monthly financial report in a form satisfactory with the City Council. The report, after having been reviewed by the City Council, shall remain on file with the City for at least one (1) calendar month to allow inspection by any interested citizen desiring to do so.

ARTICLE 13. TAXATION

Section 13.1. Generally.

The City shall have power to levy and collect taxes for all lawful purposes and to secure the payment of taxes and penalties pursuant to the laws of the State of Texas.

Section 13.2. Power to Levy and Collect Taxes.

The City Council shall have power and authority to provide ordinances, rules, regulations, and procedures necessary for the assessment, levy and prompt collection of all taxes assessed and imposed pursuant to and consistent with this Charter, the Constitution and laws of the State of Texas.

Section 13.3. General Fund and Interest and Sinking Fund.

All money arising from the collection of taxes by the City shall be divided into two (2) funds and be designated as "General Fund," and an "Interest and Sinking Fund." It shall be unlawful to use any money derived from the collection of taxes assessed and collected for any special fund for any purpose other than the purpose for the tax was levied, assessed and collected.

Section 13.4. Taxes Constitute Lien.

A lien shall exist on all real and personal property in favor of the City to secure the payment of all taxes, ad valorem or otherwise. The lien shall exist from January 1 in each year until the taxes are fully paid. The lien shall be superior and prior to all other liens or claims, except when prohibited by law, and no gift, sale, assignment, transfer of any kind, or judicial writ shall defeat the lien. The City may pursue, or cause to be pursued, real and personal property for execution, seizure and sale to satisfy and pay taxes owed to the City.

ARTICLE 14. FRANCHISE**Section 14.1. Generally.**

The City, for consideration or fee, may grant a franchise by ordinance having terms, authority, conditions and powers deemed reasonable, necessary or proper by the City Council.

Section 14.2. Term.

No franchise shall ever be granted by the City for a term greater than twenty (20) years.

Section 14.3. Bond.

The City may require bonds for any franchise granted by the City, when law does not prohibit a bond, insuring performance by the franchisee of the franchise agreement with the City.

ARTICLE 15. DIRECT LEGISLATION**Section 15.1. Passage of Direct Legislation.**

Upon petition of at least ten percent (10%) of the number of qualified voters residing in the City, according the most recent official list of qualified voters for the City, an ordinance for direct legislation may be submitted to the City Council for enactment. If the City Council fails to act within thirty (30) days from the date the ordinance for direct legislation is submitted for action or if the

City Council passes the ordinance for direct legislation amended in form from the ordinance for direct legislation originally submitted, the City Council shall call an election on the next regular uniform election date. On the next regular uniform election date, ballots shall be prepared presenting to the qualified voters the ordinance for direct legislation rejected by the City Council or the ordinance submitted for direct legislation and the ordinance for direct legislation as amended by the City Council. The ordinance for direct legislation rejected by the City Council shall allow the voters to either approve or disapprove the ordinance for direct legislation. If the ordinance for direct legislation was amended by the City Council, the ballot shall show the ordinance for direct legislation and the ordinance for direct legislation as amended by the City Council and shall allow the voters to approve either the ordinance for direct legislation or the ordinance for direct legislation as amended by the City Council and shall also allow the voters to reject both of them. In no event shall an ordinance for direct legislation be considered adopted unless during the election a majority of the votes cast in the election shall be in favor of the proposition and at least ten percent (10%) of the number of qualified voters residing in the City, according to the most recent official list of qualified voters for the City, shall have voted in favor of the proposition.

Section 15.2. Referendum On Approved Ordinances.

Any ordinance passed by the City Council shall be subject within thirty (30) days after its passage to protest by a petition of at least ten percent (10%) of the number of qualified voters residing in the City according to the most recent official list of qualified voters for the City asking that the ordinance be submitted to a referendum vote of the people. The ordinance shall remain in effect after its passage unless set aside by a referendum vote passed in the manner hereinafter set out. The referendum election, if demanded, shall be held on the next regular uniform election date at which the ordinance will be submitted. The ordinance shall not be considered repealed unless a majority of the votes cast in the referendum election are cast against the ordinance and at least ten percent (10%) of the number of

qualified voters residing in the City, according to the most recent official list of qualified voters for the City, voted against the ordinance.

ARTICLE 16. MUNICIPAL COURT

Section 16.1. Established.

There is hereby established and organized in the City of Taylor a court to be known as the "Municipal Court of the City of Taylor", with the jurisdiction, powers, and duties given and prescribed by the laws of the State of Texas.

Section 16.2. Procedure.

The Code of Criminal Procedure and laws of the State of Texas shall govern the rules of pleading, practice and procedure in the Municipal Court.

Section 16.3. Municipal Court Judge.

The Municipal Court shall be presided over by a magistrate to be known as Municipal Court Judge of the City of Taylor. The Municipal Court Judge shall be appointed by and serve at the discretion the City Council. The Municipal Court Judge shall receive the compensation determined from time to time by the City Council.

Section 16.4. Alternate Municipal Court Judges.

The City Council shall be entitled to appoint alternate Municipal Court Judges for any cause when deemed reasonable, necessary, or proper by ordinance setting forth the terms and conditions of service.

Section 16.5. Fines and Costs.

The City Council shall provide by ordinance the amount of fine and cost to be imposed upon and assessed against those convicted of offenses in the Municipal Court.

Section 16.6. Prior Ordinances Retained.

Until otherwise provided, all ordinances and laws now in force and effect with reference to the Municipal Court, not in conflict herewith, are hereby retained in full force and effect.

ARTICLE 17. MISCELLANEOUS PROVISIONS

Section 17.1. Property of City.

All real estate, personal property and rights of whatever character owned or controlled by the City at the date of the adoption of this Charter shall vest in, inure, remain and be the property of the City.

Section 17.2. Resolutions, Ordinances, etc., Carried Forward.

All laws, ordinances, and resolutions in force at the time of the adoption of this Charter, except where otherwise provided, shall continue in force until amended or repealed.

Section 17.3. Prior Contracts and Obligations.

The City hereby assumes all valid contracts and obligations of the City in force and effect at the time of adoption of this Charter.

Section 17.4. Advisory Boards.

The City Council shall be entitled to appoint advisory boards by ordinances which shall establish the matters for which the advisory boards shall advise and consult with the City Council and which shall establish the terms and conditions under which the advisory boards shall serve.

Section 17.5. Oath of Office.

Every elected officer of the City shall, before entering upon the duties of his office, take and subscribe to the oath prescribed by the Constitution of the State of Texas.

Section 17.6. Amendments of Charter.

This Charter, after its adoption, may be amended in accordance with the provisions of the laws of the State of Texas.

THE STATE OF TEXAS

COUNTY OF WILLIAMSON

I, Jeff Berger, Mayor of the City of Taylor, Texas, do hereby certify that the Charter of the City of Taylor, Texas, was amended by a majority vote of the qualified voters of the City of Taylor, Texas, at an election held for that purpose on the 5th day of May, 2001.

I further certify that after the election the City Commission of the City of Taylor, Texas, did canvass the election results May 8, 2001, and declared the Charter of the City of Taylor, Texas, amended according to the propositions.

Witness my hand this the 8 day of May, 2001.

/s/ Jeff Berger

Jeff Berger
Mayor of the City of Taylor, Texas

ATTESTED BY:

/s/ Barbara Belz

Barbara Belz
City Clerk

APPROVED BY:

/s/ Ted W. Hejl

Ted W. Hejl
City Attorney
City of Taylor, Texas

CHARTER COMPARATIVE TABLE

The original charter, Articles I through XVII, is set out as adopted on April 6, 1914. The following table shows the disposition of amendments adopted at subsequent elections.

Ordinance Approval Date	Disposition
1- 8-29	Art. VI, § 6
1- 9-29	Art. VI, § 5
1-29-20	Art. XII, § 6
8-31-39	Art. VI, § 2
	Art. VIII, § 5
10-22-49	Art. I, § 3
	Art. XII, § 1
	Art. XII, § 4
	Art. XV (note)
4- 6-87	Art. X, §§ 3, 4
	Art. XI, §§ 1, 3
	Art. XIV, §§ 1, 2
5- 5-01 (Amend.)	Art. I—Art. XVII
	Art. 1—Art. 17

Ordinance No.	Adoption Date	Section	Section this Charter
99-31	10- 5-99		Art. V (note)



***City Council Meeting
July 14, 2011
Agenda Item Transmittal***

Agenda Item #: 14

Agenda Title: Conduct Budget Workshop for 2011/2012 fiscal year.

Council Action to be taken: Review and discuss proposed budget.

Initiating Department: Finance Department
City Administration

Staff Contact: Rosemarie Dennis, Finance Director
Jim Dunaway, City Manager

1. INTRODUCTION/PURPOSE

2. DESCRIPTION/ JUSTIFICATION

3. FINANCIAL/BUDGET

4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION

6. REFERENCE FILES