



City of La Vernia
REGULAR CITY COUNCIL MEETING
City Council Chambers of La Vernia City Hall
102 E. Chihuahua Street, La Vernia, Texas 78121

May 9, 2019
6:00 PM

AGENDA

1. Call to Order

2. Invocation, Pledge of Allegiance, and Texas Pledge (*Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible*).

3. Citizens to be Heard

(At this time, citizens who have filled out a registration form prior to the start of the meeting may speak on any topic they wish to bring to the attention of the governing body so long as that topic is not on the agenda for this meeting. Citizens may speak on specific agenda items when that item is called for discussion. During the Citizens to be Heard section no council action may take place and no council discussion or response is required to the speaker. A time limit of three minutes per speaker is permitted; the council may extend this time at their discretion)

4. Consent Agenda

(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)

- A. Minutes from the April 11, 2019 Regular City Council Meeting
- B. Minutes from the April 11, 2019 Joint Workshop
- C. La Vernia Police Department – Reports, Traffic Violations & Arrests; and Number of Occurrences by Offense for the month of April 2019;
- D. Check Register and financial report for the month of April 2019

5. Proclamation

- A. Proclamation to recognize Police Week, May 12-18, 2019.

6. Presentation

- A. Presentation by Mayor Gregory to outgoing Councilman Mark Doege.

7. Public Hearing

- A. Public Hearing to receive public comments regarding granting a Specific Use Permit request for temporary portable buildings for education purposes located at 195 & 225 Bluebonnet, La Vernia, Texas 78121.

8. Discussion/Action

- A. Discuss and consider action on moving City financial service agreement (Bonds) from Frost National Bank to Specialized Finance Inc., Victor Quiroga.
- B. Discuss and consider awarding the solid waste contract.

9. Ordinances

- A. Discuss and consider action granting a Specific Use Permit request for temporary portable buildings for education purposes at 195 & 225 Bluebonnet, La Vernia, Texas 78121.

10. Discussion Only

- A. Update on 2019 Legislation

11. Canvass

- A. Statement of Officers is completed.
- B. Newly elected officers take the Oath of Office.

12. Items Specific to Future Line Items on the Agenda

13. Adjourn

DECORUM REQUIRED

Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.

The City Council for the City of La Vernia reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act, Texas Governmental Code §551.071 (Consultation with Attorney), §551.072 (Deliberations about Real Property), §551.073 (Deliberations about Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations about Security Devices), and §551.086 (Economic Development), and any other provisions under Texas law that permits a governmental body to discuss a matter in closed executive session.

The City of La Vernia City Council meetings are available to all persons regardless of disability. This facility is wheelchair accessible parking spaces are available. Requests for accommodations, should you require special assistance, must be made 48 hours prior to this meeting. Braille is not available. Please contact the City Secretary at (830) 779-4541 or email bporter@lavernia-tx.gov.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the above named La Vernia City Council is a true and correct copy of said Notice and that I posted true and correct copy of said Notice on the bulletin boards, of the City Hall of said City of La Vernia, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on **May 6, 2019 at 4:30 P.M.** and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.



Brittani Porter, City Secretary



**CITY COUNCIL & PLANNING AND ZONING
JOINT WORKSHOP**

Council Chambers of La Vernia City Hall
102 E. Chihuahua Street, La Vernia, Texas 78121

April 11, 2019
5:30 p.m.

Minutes

1. **Call to Order** – Mayor Gregory called the meeting to order at 5:30 PM and declared a quorum. Members absent: Councilman Doege
2. **Invocation, Pledge of Allegiance and Texas Pledge** – Invocation was led by Mayor Gregory, all in attendance recited the Pledge of Allegiance and Texas Pledge.
3. **Citizens to be Heard** – None to be heard.

4. **Discussion & Action**

A. **Discuss and consider action to direct staff on possible amendment to City Code of Ordinances Chapter 38 Section 404 – Exterior Construction and Architectural Standards.**

B. **Discuss and consider action on possible amendment to Chapter 38 Article II Section 202 – Planned Development (PD) Districts.**

Line Items 4A & 4B were combined for discussion. City Attorney Megan Santee was present for any questions addressed by both boards. Mayor Gregory stated that this evening's exercise was to direct staff with moving forward with Planned Development District (PDD), similar to "Old Town Overlay". He stated the PDD you can make a specific property have conditions which will be regulated by the governing body in the form of an ordinance. The PDD is crafted in the ordinance if a developer wanted to move forward with a particular avenue.

Consensus was to allow staff to draft a PDD and come back and present to both boards at separate meetings.

5. **Items Specific to Future Line Items on the Agenda**

6. **Adjourn** – Councilman Poore made a motion to adjourn the meeting, seconded by Councilman Hennette. Meeting was adjourned at 6:34 PM.

Robert Gregory, Mayor

Brittani Porter, City Secretary



City of La Vernia
REGULAR CITY COUNCIL MEETING
City Council Chambers of La Vernia City Hall
102 E. Chihuahua Street, La Vernia, Texas 78121

April 11, 2019
6:30 PM

Minutes

1. Call to Order – Mayor Gregory called the meeting to order at 6:44 PM and declared a quorum. Members absent: Councilman Doege.

2. Invocation, Pledge of Allegiance, and Texas Pledge – *Invocation was led by Councilman Hennette, all in attendance recited the Pledge of Allegiance and Texas Pledge.*

3. Citizens to be Heard

Justin Oates spoke in regards to his concern of the U-turn and street sweeping. He was advised that the street sweeping is still in progress and to contact the Mayor regarding the U-Turn concern.

4. Consent Agenda

(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)

- A. Minutes from the March 21, 2019 Regular City Council Meeting
- B. La Vernia Police Department – Reports, Traffic Violations & Arrests; and Number of Occurrences by Offense for the month of March 2019;
- C. Check Register and financial report for the month of March 2019
- D. Quarterly Investment Report

MOTION: Councilman Hennette made a motion to accept the consent agenda as present, seconded by Councilman Cormier. **Motion passed: 4-0.**

5. Proclamation

- A. **A proclamation declaring April the month of Child Abuse Prevention.**
Mayor Gregory read the proclamation outload for all to hear. No action.

6. Discussion/Action

- A. **Discuss and consider action on FY 2019 Mid-Year Review.**
City Administrator gave update on mid-year review.

- B. **Discuss and consider action on the 2019 Street Maintenance Program.**
Gary Freeland, M & S Engineering, spoke on behalf of the street maintenance program. He stated we are in the 4th our of our 5th year plan. This year he has suggested Country Gardens and Garden Bend to receive a ½" overlay smooth black asphalt. Cost estimated is right on budget, he stated hopefully they will come in lower, he is pretty confident. He stated he is proposing to put in Garden Fields in the package as an additive incase needed to pull from packet but hopeful to catch all in the proposed packet. He stated Micah Point is the last street on the program and appears to be in

good condition. He drove Silverado and found a few minor cracks that can probably wait another year. He stated timeline is to have the bid in and awarded within 6 weeks.

MOTION: Councilman Poore made a motion to go out for bids, seconded by Councilwoman Recker. **Motion passes: 4-0.**

C. Discuss and consider action to direct staff on possible amendment to City Code of Ordinances Chapter 38 Section 404 – Exterior Construction and Architectural Standards.

MOTION: Councilman Poore made a motion to review the Planned Development District and bring amendment to staff, seconded by Councilman Hennette. **Motion passes: 4-0.**

D. Discuss and consider action on possible amendment to Chapter 38 Article II Section 202 – Planned Development (PD) Districts.

MOTION: Councilman Poore made a motion to review the Planned Development District and bring amendment to staff, seconded by Councilman Hennette. **Motion passes: 4-0.**

7. Items Specific to Future Line Items on the Agenda

- Planned Development District
- Garbage Proposals
- Speed Humps

8. Adjourn – Councilman Poore made a motion to adjourn the meeting, seconded by Councilman Hennette. Meeting was adjourned at 7:06 PM.

Robert Gregory, Mayor

Brittani Porter, City Secretary

La Vernia Police Department
Enforcement Statistics
April 2019

Case Type

| | |
|---------------------|-----------|
| Criminal Complaints | 23 |
| Incident | 45 |
| Total | 74 |

CRIMINAL COMPLAINT - Offense Code

| | |
|-------------------------------|-----------|
| PARAPHERNALIA | 6 |
| POSS CS PG 1 | 2 |
| POSS CS PG 2 | 1 |
| DWI | 2 |
| ASSAULT | 1 |
| ONLINE IMPERSONATION | 1 |
| DISORDERLY CONDUCT | 1 |
| MISS APPLICATION OF FUNDS | 1 |
| WARRANT ARREST | 1 |
| THEFT | 1 |
| HINDERING APPREHENSION | 1 |
| CRIMINAL TRESPASS | 2 |
| RECKLESS DRIVING | 1 |
| RECKLESS DAMAGE | 1 |
| DUTY ON STRIKING FIXED OBJECT | 1 |
| Total | 23 |

INCIDENT - Offense Code

| | |
|--------------------------------|-----------|
| ACCIDENT INVOLVING DAMAGE TO V | 12 |
| ALARM | 7 |
| ASSIST OTHER AGENCY | 3 |
| DISTURBANCE | 2 |
| FUNERAL ESCORT | 1 |
| INFO | 18 |
| IMPOUND VEHICLE | 1 |
| WELFARE CONCERN | 3 |
| WARRANT SERVICE | 3 |
| Total | 45 |

Citations

| | |
|--------------|------------|
| VIOLATIONS | 219 |
| WARNINGS | 88 |
| Total | 297 |



Bruce Ritchey
Chief of Police



A Proclamation by the Mayor

WHEREAS, in 1962, President John F. Kennedy signed the first proclamation recognizing May 15th as Peace Officers Memorial Day and the week in which it falls as Nation Police Week; and

WHEREAS, the safety and well-being of individuals is important to the prosperity of families and communities; and

WHEREAS, police officers throughout our communities are dedicated to protecting and servicing neighborhoods, schools, and families; and

WHEREAS, police officers risk their lives each and every day in order to ensure public safety and enforce the laws of the land; and

WHEREAS, the La Vernia community value the courage and devotion of our local police, as our collective prosperity depends on the integrity with which our law enforcement officers maintain peace and security; and

WHEREAS, National Police Week and Peace Officers Memorial Day are opportunities to honor officers who have fallen in the line of duty, and recognize the sacrifices made by the families of those officers and the families of those who continue to protect and serve our communities;

NOW, THEREFORE, I, ROBERT GREGORY, MAYOR, AND THE CITY COUNCIL OF LA VERNIA, do hereby recognize May 12-18, 2019, as NATIONAL POLICE WEEK, and May 15, 2019 as PEACE OFFICERS MEMORIAL DAY, and publicly salute the service of law enforcement officers in our community and its communities across the nation.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the City of La Vernia, Texas to be affixed at City Hall in La Vernia this 9th day of May, 2019.

Robert Gregory, Mayor

Firm Overview | April 11, 2019

City of La Vernia, Texas



SPECIALIZED PUBLIC FINANCE INC.
FINANCIAL ADVISORY SERVICES

Victor Quiroga, Jr.
Managing Director
13300 Old Blanco Road, Suite 310
San Antonio, Texas 78216
210.239.0204 Office | 210.887.1810 Mobile
victor@spfmuni.com

About Specialized Public Finance Inc.

- Specialized Public Finance Inc. (“SPFI”) was formed on November 6, 2008 in response to the unprecedented events in the global credit markets.
- SPFI’s founding partners recognized an increased need in the municipal market for an **independent firm dedicated exclusively to providing financial advisory services** to select governmental entities. As such, we are not controlled by any municipal underwriting or trading firm, therefore assuring the objectivity of our financial advisory practice.
- SPFI’s senior financial advisory professionals **average over 22 years of public finance experience.**
- SPFI currently **serves as financial advisor to over 420 governmental entities.**
- Since our founding in 2008, the firm has successfully completed **over 1,300 transactions totaling in excess of \$16.9 billion in par amount.**
- Ranked by the number of transactions since 2013, **SPFI is the #2 overall financial advisor and #1 independent financial advisor in Texas.**

Office Locations

JUSTIN HEADQUARTERS
 248 Addie Roy Road
 Suite B103
 Austin, TX 78746
 512.275.7300

DALLAS
 4925 Greenville Ave
 Suite 1350
 Dallas, TX 75206
 214.393.3911

AMARILLO
 600 South Tyler
 Suite 1502
 Amarillo, TX 79101
 806.749.7734

SAN ANTONIO
 13300 Old Blanco Road
 Suite 310
 San Antonio, TX 78216
 210.239.0204

Texas FA Rankings, 2013 - December 2018

| Financial Advisor | Rank | No. of Issues |
|---------------------------------------|----------|---------------|
| Hilltop Securities | 1 | 3,247 |
| Specialized Public Finance Inc | 2 | 626 |
| RBC Capital Markets | 3 | 564 |
| Samco Capital Markets | 4 | 502 |
| Estrada Hinojosa & Company Inc | 5 | 469 |
| US Capital Advisors LLC | 6 | 347 |
| Rathmann & Associates | 7 | 306 |
| Robert W Baird & Co Inc | 8 | 298 |
| BOK Financial Securities Inc | 9 | 288 |
| GMS Group LLC | 10 | 168 |

Source: Securities Data Corp. as of 12/11/18
 Excludes direct placements and TWDB deals.

Texas Independent FA Rankings, 2013-2018

| Financial Advisor | Rank | No. of Issues |
|-----------------------------------|----------|---------------|
| Specialized Public Finance | 1 | 626 |
| US Capital Advisors LLC | 2 | 347 |
| Rathman & Associates | 3 | 306 |
| PFM Financial Advisors LLC | 4 | 164 |
| Materson Advisors | 5 | 80 |

Source: Thomson Reuters.
 Excludes direct placements and TWDB deals.

An Independent Firm with a Broad Market Perspective

- As an ***independent*** firm, SPFI can access primary and secondary market information from numerous market participants and is ***not*** limited to the views of one firm or underwriter.
- We constantly monitor the municipal market using sources such as:
 - *Bloomberg*
 - *Thomson Municipal Market Monitor (TM3)*
 - *Municipal Market Data (MMD)*
 - *Municipal Advisory Council of Texas*
 - *The Bond Buyer*
- **Over the last five years, SPFI averaged 145 financial advisory transactions per year.** This high level of market involvement gives us *firsthand knowledge* of pricing levels and investor preferences (couponing, call features, etc.) through our daily interactions with underwriting desks on behalf of our clients.
- SPFI maintains an internal database of every competitive sale conducted by our advisors in order to track underwriter performance. **This is an invaluable tool when selecting underwriters because it allows our professionals to monitor which firms are actively committing capital in the primary market.**
- This breadth of information assures that our quantitative team has the most up-to-date market data in transaction structuring and pricing.

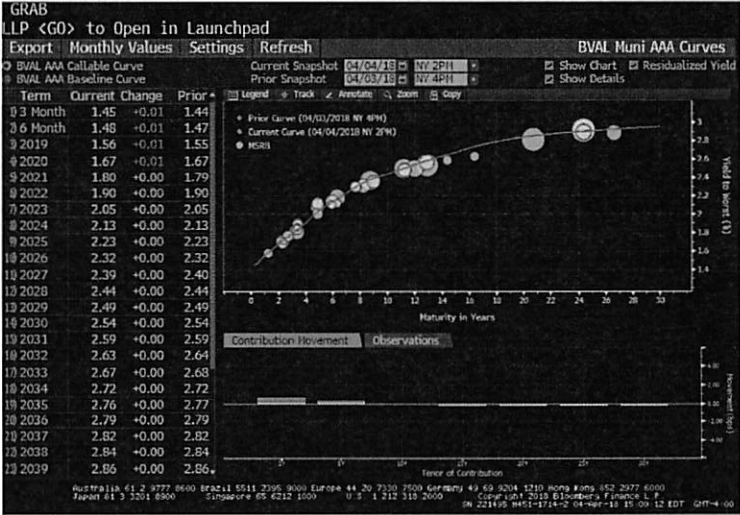
GRAB
28 records found

Export to Excel Edit Columns Actions Municipal Fixed Rate Calendar

Date 04/02/2018 mm/dd/yyyy

| Date | Time | Issuer Description | State | Amt (MM) | Tax | Senior Manager | Status | Type | Moody's |
|------------|-------|---------------------|-------|----------|-----|------------------|---------|------|---------|
| 04/02/2018 | | BEXAR CO HOSP DT | TX | 282.020 | N | SIEBERT CISNERO | PRICED | NEGT | A31 |
| 04/02/2018 | | CROCKETT CO CONSOL | TX | 5.000 | Q | BOK FINANCIAL SE | AWARDED | COMP | |
| 04/02/2018 | | LITTLE ELM ISD | TX | 135.160 | N | WELLS FARGO BAN | FINAL | NEGT | |
| 04/02/2018 | | LUBBOCK -REF | TX | 96.135 | N | GEORGE K BAUM B | WED | NEGT | |
| 04/02/2018 | | LUBBOCK CTFS OBLIG | TX | 18.375 | N | GEORGE K BAUM B | WED | NEGT | |
| 04/02/2018 | | LUBBOCK CTFS OBLIG | TX | 16.230 | T | GEORGE K BAUM B | WED | NEGT | |
| 04/02/2018 | | PANHANDLE REGL HSG | TX | 20.000 | N | RBC CAPITAL MAR | FINAL | NEGT | |
| 04/02/2018 | | PARIS LAKES MED ASS | TX | 135.615 | T | NW CAPITAL MARK | DAY/DAY | NEGT | |
| 04/02/2018 | | TRAVIS CO HSG FIN C | TX | 28.000 | N | SAMUEL A RAMIRE | FINAL | NEGT | |
| 04/03/2018 | 11:00 | FARMERS BRANCH | TX | 13.540 | N | ROBERT W. BAIRD | AWARDED | COMP | |
| 04/03/2018 | 11:00 | WEBSTER -A CTFS OF | TX | 5.040 | Q | CANTOR FITZGERA | AWARDED | COMP | |
| 04/03/2018 | 11:00 | WEBSTER -B CTFS OF | TX | 1.975 | Q | RAYMOND JAMES | AWARDED | COMP | |
| 04/03/2018 | 11:30 | FARMERS BRANCH-CT | TX | 10.515 | N | BANK OF AMERICA | AWARDED | COMP | |
| 04/05/2018 | 11:00 | HARRIS CO MUD #504 | TX | 10.575 | N | | | COMP | |
| 04/05/2018 | 11:00 | NW HARRIS CO MUD # | TX | 6.600 | Q | | | COMP | |
| 04/09/2018 | | ANNA -CFTS OBLIG | TX | 31.520 | N | BOK FINANCIAL SE | NEGT | Aa3 | |
| 04/09/2018 | | CORSICANA -CTFS OB | TX | 2.875 | Q | SAMCO CAPITAL M | NEGT | A1 | |
| 04/09/2018 | | CORSICANA -REF | TX | 6.475 | Q | SAMCO CAPITAL M | NEGT | A1 | |
| 04/09/2018 | | DECATUR -REF | TX | 3.610 | Q | HILLTOP SECURITI | THUR | NEGT | A2 |
| 04/09/2018 | | TRINITY RIVER AUTH | TX | 32.930 | N | WELLS FARGO BAN | NEGT | | |
| 04/09/2018 | | TX WTR DEV BRD | TX | 340.310 | N | RBC CAPITAL MAR | WED | NEGT | |
| 04/09/2018 | | WISE CO WTR SPLY DI | TX | 3.080 | Q | HILLTOP SECURITI | NEGT | A2 | |

New Issues: Phone: (609)279-3250 Fax: (800)399-9403 Email: newcsnl@bloomberg.net



Source: Bloomberg L.P.

SPFI Advisory Professionals

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 210.239.0204

City Advisory Experience

- SPFI has been hired by **over 110 cities in Texas** as financial advisor.
- Since our formation on November 6, 2008, SPFI has served as financial advisor on **539 Texas city financings totaling over \$5.11 billion in par amount.** Our experience includes the following:

| | | | | |
|---|---|---|---|--|
|  <p>\$361,302,000 28 Transactions since 2009</p> <p>Amarillo</p> |  <p>\$72,345,000 15 Transactions since 2008</p> <p>Brenham</p> |  <p>\$435,675,000 18 Transactions since 2012</p> <p>Bryan</p> |  <p>\$342,110,000 20 Transactions since 2009</p> <p>Cedar Park</p> |  <p>\$137,740,000 21 Transactions since 2009</p> <p>Copperas Cove</p> |
|  <p>\$380,115,000 41 Transactions since 2009</p> <p>Georgetown</p> |  <p>\$129,662,000 12 Transactions since 2009</p> <p>Greenville</p> |  <p>\$103,535,000 4 Transactions since 2016</p> <p>Hutto</p> |  <p>\$367,505,000 21 Transactions since 2009</p> <p>Killeen</p> |  <p>\$393,275,000 16 Transactions since 2009</p> <p>Round Rock</p> |
|  <p>\$326,825,000 15 Transactions since 2009</p> <p>San Angelo</p> |  <p>\$446,640,000 28 Transactions since 2009</p> <p>San Marcos</p> |  <p>\$70,650,000 9 Transactions since 2009</p> <p>Sherman</p> |  <p>\$438,235,000 24 Transactions since 2009</p> <p>Temple</p> |  <p>\$96,580,261 11 Transactions since 2009</p> <p>Tyler</p> |

Experience with the City

- Victor Quiroga, Jr. is proud to have served as the City's financial advisor since 2015 while at a previous firm.

- As the City's financial advisor, Mr. Quiroga, Jr. has:
 - *Advised the City on 2 bond issues totaling \$3,568,000 in par amount;*
 - *Produced refinancing interest cost savings for City taxpayers of \$42,000; and*
 - *Assisted the City with all post issuance compliance matters.*

Given Mr. Quiroga's extensive experience and history with the City, its debt profile and financing goals, our team is uniquely qualified to serve as the City's financial advisor.

Our Competitive Advantages

- ☑ ***Unparalleled Knowledge of the City of La Vernia, Texas***
 - Mr. Quiroga, Jr. has advised the City on 2 bond issues totaling over \$3.57 million
 - Generated \$42,000 of interest cost savings to City taxpayers through a bond refinancing

- ☑ ***The Value of an Independent Financial Advisor***
 - SPFI is free from the conflicts of interest inherent in financial advisors who are also broker/dealers pursuing bond underwriting engagements

- ☑ ***#1 Independent Financial Advisor in Texas Since 2013***
 - SPFI has averaged 145 transactions per year over the past 5 years
 - #2 firm among all Texas financial advisors (both independent and broker/dealer) for completed transactions

- ☑ ***Extensive Experience with Texas Cities***
 - Hired by over 110 Texas cities
 - Successfully completed 539 Texas city transactions totaling in excess of \$5.11 billion in par amount

- ☑ ***Seasoned Team of Professionals Focused Exclusively on Providing Financial Advisory Services***

- ☑ ***Superior Quantitative and Market Resources***
 - Ability to quickly and accurately model debt structures using the most up-to-date data gained from our extensive primary market involvement

FINANCIAL ADVISORY SERVICES AGREEMENT

This Financial Advisory Services Agreement (the "Agreement") is made and entered into by and between the City of La Vernia ("Issuer") and Specialized Public Finance Inc. ("SPFI") effective as of the date executed by the Issuer as set forth on the signature page hereof.

WITNESSETH:

WHEREAS, the Issuer will have under consideration from time to time the authorization and issuance of indebtedness in amounts and forms which cannot presently be determined and, in connection with the authorization, sale, issuance and delivery of such indebtedness, Issuer desires to retain an independent financial advisor; and

WHEREAS, the Issuer desires to obtain the professional services of SPFI to advise the Issuer regarding the issuance and sale of certain evidences of indebtedness or debt obligations that may be authorized and issued or otherwise created or assumed by the Issuer (hereafter referred to collectively as "Debt") from time to time during the period in which this Agreement shall be effective; and

WHEREAS, SPFI is willing to provide its professional services and its facilities as financial advisor in connection with all programs of financing as may be considered and authorized by Issuer during the period in which this Agreement shall be effective.

NOW, THEREFORE, the Issuer and SPFI, in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, do hereby agree as follows:

SECTION I DESCRIPTION OF SERVICES

Upon the request of the Issuer, SPFI agrees to perform the financial advisory services stated in the following provisions of this Section I; and for having rendered such services, the Issuer agrees to pay to SPFI the compensation as provided in Section VI hereof.

1. Financial Planning. Provide financial planning services related to Debt plans and programs.
2. Debt Elements. Provide recommendations regarding Debt under consideration, including such elements as timing, structure, security provisions, and such other provisions as may be appropriate.
3. Method of Sale. Make a recommendation as to an appropriate method of sale, including but not limited to competitive sale, negotiated sale or private/limited offering.
4. Price Fairness. Advise the Issuer as to the fairness of the price offered by the underwriters.

5. Offering Documents. Participate in and direct, as appropriate, the preparation of the offering documents and/or assist bond counsel with same.
6. Auditors. Coordinate verification by an independent auditor of any calculations incident to the Debt, as required.
7. Printing. Coordinate all work incident to printing of the offering documents and other documents required by Issuer.
8. Closing. Provide the Issuer a post sale/closing booklet or update for the Debt and other outstanding debt, as needed.

SECTION II OTHER AVAILABLE SERVICES

In addition to the services set forth and described in Section I herein above, SPFI agrees to make available to the Issuer the following services, when so requested by the Issuer and subject to the agreement by Issuer and SPFI regarding the compensation, if any, to be paid for such services, it being understood and agreed that the services set forth in this Section II may require further agreement as to the compensation to be received by SPFI for such services:

1. Call Defeasance and Refunding. Evaluate and advise on exercising any call defeasance and/or refunding of any outstanding Debt.
2. Capital Program Modeling. Evaluate and advise on the development of any capital improvements programs.

SECTION III CONTINUING DISCLOSURE

It is understood and agreed that the Issuer, in connection with the sale and delivery of Debt, will be required to comply with certain continuing disclosure undertakings, including preparation and submission of annual reports (the "annual reports") and reporting of certain specified material events (the "material events") pursuant to written undertakings of the Issuer and in accordance with the provisions of Securities and Exchange Commission Rule 15c2-12, as amended (the "Rule"). SPFI shall provide continuing disclosure services on the terms and conditions, for the time period and for the compensation set forth herein.

1. This Agreement shall apply to all Debt delivered subsequent to the effective date of the continuing disclosure undertakings of Issuer and as specified in the Rule, to the extent that any particular issue of Debt does not qualify for exceptions to the continuing disclosure requirements of the Rule.
2. SPFI agrees to perform annual reporting and material event notification duties required by the undertakings of Issuer and the Rule at a flat rate of \$350.00 per material event filing.
3. The fees of SPFI for providing the foregoing continuing disclosure services shall be negotiated annually (not to exceed \$2,500 per similarly-secured type of Debt). The fees of SPFI for providing material event notification services shall be negotiated separately at the time such notifications may be required.

SECTION IV TERM OF AGREEMENT

This Agreement shall become effective as of the date executed by the Issuer as set forth on the signature page hereof and, unless terminated by either party pursuant to Section V of this Agreement, shall remain in effect thereafter for a period of three (3) years from such date. Unless SPFI or Issuer shall notify the other party in writing at least thirty (30) days in advance of the applicable anniversary date that this Agreement will not be renewed, this Agreement will automatically renew on the third anniversary of the date hereof for an additional one (1) year period and thereafter will automatically renew on each anniversary date for successive one (1) year periods under the same terms as the initial 3 year period.

SECTION V TERMINATION

This Agreement may be terminated with or without cause by the Issuer or SPFI upon the giving of at least thirty (30) days' prior written notice to the other party of its intention to terminate. In the event of such termination, it is understood and agreed that only the amounts due SPFI for services provided and expenses incurred to the date of termination will be due and payable. No penalty will be assessed for termination of this Agreement.

SECTION VI COMPENSATION AND EXPENSE REIMBURSEMENT

The fees due to SPFI for the services set forth and described in Section I of this Agreement with respect to each issuance of Debt during the term of this Agreement shall be calculated in accordance with the schedule set forth on Appendix A attached hereto. Unless specifically provided otherwise on Appendix A or in a separate written agreement between Issuer and SPFI, such fees, together with any other fees as may have been mutually agreed upon and all expenses for which SPFI is entitled to reimbursement, shall become due and payable concurrently with the delivery of the Debt to the purchaser.

**SECTION VII
MISCELLANEOUS**

1. Choice of Law; Form ADV. This Agreement shall be construed and given effect in accordance with the laws of the State of Texas. Proper venue for any legal action arising out of this Agreement shall be Bexar County, Texas. Issuer acknowledges receipt of SPFI Form ADV.

2. Binding Effect; Assignment. This Agreement shall be binding upon and inure to the benefit of the Issuer and SPFI, their respective heirs, executors, personal representatives, successors and assigns; provided however, neither party hereto may assign or transfer any of its rights or obligations hereunder without the prior written consent of the other party.

3. Anti-Boycott Verification. Pursuant to Texas Government Code Section 2270.002, the SPFI certifies that it does not boycott Israel and will not boycott Israel during the term of the contract.

4. Entire Agreement. This instrument contains the entire agreement between the parties relating to the rights herein granted and obligations herein assumed. Any oral or written representations or modifications concerning this Agreement shall be of no force or effect except for a subsequent modification in writing signed by all parties hereto.

Specialized Public Finance Inc.

By: _____
Victor Quiroga, Jr.
Managing Director

City of La Vernia

By: _____

Title: _____

Date: _____

ATTEST:

Title

APPENDIX A

Fee Schedule:

| | | | | |
|-------------|-------------|---------------|--------------|-----------------|
| | \$10,000 | for the first | \$ 1,000,000 | of bonds issued |
| plus \$5.00 | per \$1,000 | for the next | \$ 4,000,000 | of bonds issued |
| plus \$4.00 | per \$1,000 | for the next | \$ 5,000,000 | of bonds issued |
| plus \$3.00 | per \$1,000 | for the next | \$ 5,000,000 | of bonds issued |
| plus \$2.00 | per \$1,000 | for the next | \$ 5,000,000 | of bonds issued |
| plus \$1.00 | per \$1,000 | thereafter | | |

The fee shall be based on the higher of par amount, project fund deposit or refunded bond amount. The above charges shall be multiplied by 1.25 times for the completion of an application to a federal or state government agency or for the issuance of revenue bonds or refunding bonds, reflecting the additional services required.

The charges for ancillary services, including computer structuring and official statement printing, shall be levied only for those services which are reasonably necessary in completing the transaction and which are reasonable in amount, unless such charges were incurred at the specified direction of the Issuer.

The payment of charges for financial advisory services in Section I of the foregoing Agreement shall be contingent upon the delivery of bonds and shall be due at the time that bonds are delivered. The payment of charges for services described in Section II of the foregoing Agreement shall be due and payable in accordance with the mutual agreement therefor between SPFI and Issuer.

The Issuer shall be responsible for the following expenses, if and when applicable:

- Bond counsel
- Bond ratings
- Computer structuring (pursuant to SPFI internal fee schedule)
- Continuing Disclosure, as per Section III
- Credit enhancement
- Verification agent
- Official statement preparation
- Official statement printing and distribution
- Paying agent/registrar/trustee
- Travel related expenses (mileage, airfare, hotel, etc.) as requested
- Underwriter and underwriters' counsel
- Delivery, copy, conference call charges and other miscellaneous charges

The payment of reimbursable expenses that SPFI has assumed on behalf of the Issuer shall NOT be contingent upon the delivery of bonds and shall be due at the time that services are rendered and payable upon receipt of an invoice therefor submitted by SPFI.

Quiroga launches San Antonio office for advisory firm Specialized Public Finance

By Richard Williamson

Published March 06 2019, 3:28pm EST

More in [Career moves](#), [Municipal advisors](#), [Sell side](#), [Texas](#)

DALLAS — Victor Quiroga Jr. is opening a San Antonio office for the advisory firm Specialized Public Finance Inc. as managing director.

Quiroga, a former senior vice president for Frost Bank, has more than 18 years of experience as a financial advisor and investment banker to Texas municipalities including school districts, colleges, cities and special utility districts.

Victor Quiroga Jr.



"SPFI is a small firm with a big footprint in Texas, and it consistently ranks as the top independent firm," Quiroga said. "The opportunity to start an office in San Antonio made sense to me professionally at this point in my career, and it adds to SPFI's South Texas footprint."

SPFI was founded in Dallas in 2008 by seven former First Southwest Co. advisors who designed the firm to be independent from any broker-dealer and to serve mid-size clients.

"Victor's reputation precedes him, and the ability to add another experienced municipal advisor gives us even greater depth as a firm," said Garry Kimball, co-founder and president of SPFI.

Quiroga said that SPFI's independence was one aspect of the firm that attracted him.

"I think it provides an additional level of trust to FA clients that our market advice isn't based on any underwriting position we may have taken in the market that day," Quiroga told The Bond Buyer. "Independent doesn't mean that we have an opposing view from broker-dealers. Instead, it means that we can use the advice and expertise of a broad range of underwriting firms to provide the best service to our FA clients."

Quiroga's move comes after one of the toughest years in the municipal bond industry in recent memory and a regulatory environment that has prompted consolidation among financial advisors and broker-dealers.

"As some of the larger firms consolidate or leave the business, being independent lessens our exposure to market events that can hurt the bottom line at broker-dealer firms," Quiroga said. "I think the trend will continue toward independent FA firms as the regulatory framework continues to emphasize the importance of the FA's fiduciary duty to their clients."

A graduate of the University of Chicago, Quiroga is a member of Leadership North East ISD, past board member and treasurer of the Autism Community Network and a past board member of the Girl Scouts of the San Antonio Area.

Quiroga's executive assistant Rachel Reyes also joins SPFI after working at Frost Bank.

No clients have been announced for the new San Antonio office, but Quiroga said "ours is a relationship business, so I hope to retain many of them. And I hope there will be opportunities for my FA clients to still work with Frost for underwriting, banking and investment services."

Richard Williamson



The following are the summary's for the Solid Waste RFP's

All three will provide free of charge containers for city events.

Looking into adding fines for commercial garbage containers that back up to residential before 7 AM

Republic does not provide 10 yard dumpster, currently have several restaurants, businesses and churches that have this requirement.

Tiger is a lot higher than what city currently pays.

* Recommendation would be to stay with Commercial Waste

| Service | Current as of 11-2018 | Waste Connection | Increase/Decrease | Republic | Increase/Decrease | Tiger | Increase/Decrease |
|------------------------------|-----------------------|------------------|-------------------|----------|-------------------|----------|-------------------|
| Residential | | | | | | | |
| (1) 95 Gallon | 14.92 | 13.95 | -6.95% | 11.90 | -25.38% | 17.50 | 14.74% |
| (2) 95 Gallon | 22.72 | 21.75 | -4.46% | 21.90 | -3.74% | 27.50 | 17.38% |
| (3) 95 Gallon | | | | 31.90 | | 37.50 | |
| Senior Rate | 13.21 | 13.20 | -0.08% | 11.00 | -20.09% | 15.75 | 16.13% |
| Recycling | included | included | | | | Included | |
| x-tra recycling | 3.11 | 2.50 | -24.40% | | | | |
| Commerical | | | | | | | |
| 2 Yard | | | | | | | |
| 1x per week | 59.85 | 59.85 | 0.00% | 65.00 | 7.92% | 88.29 | 32.21% |
| 2x per week | 119.68 | 119.68 | 0.00% | 130.00 | 7.94% | 163.67 | 26.88% |
| 3x per week | n/a | n/a | | 190.00 | | 239.06 | |
| Sat (Optional) | n/a | n/a | | n/a | | n/a | |
| 3 Yard | | | | | | | |
| 1x per week | 72.82 | 72.82 | 0.00% | 79.00 | 7.82% | | |
| 2x per week | 142.28 | 142.28 | 0.00% | 155 | 8.21% | | |
| 3x per week | n/a | n/a | | 227 | | | |
| Sat (Optional) | n/a | n/a | | n/a | | | |
| 4 Yard | | | | | | | |
| 1x per week | 82.43 | 82.43 | 0.00% | 90 | 8.41% | 97.91 | 15.81% |
| 2x per week | 150.18 | 150.18 | 0.00% | 164 | 8.43% | 182.92 | 17.90% |
| 3x per week | n/a | n/a | | 275 | | 267.93 | |
| Sat (Optional) | n/a | n/a | | n/a | | n/a | |
| 6 Yard | | | | | | | |
| 1x per week | 95.41 | 95.41 | 0.00% | 104 | 8.26% | 107.54 | 11.28% |
| 2x per week | 195.35 | 195.35 | 0.00% | 213 | 8.29% | 202.17 | 3.37% |
| 3x per week | 348.77 | 348.77 | 0.00% | 380 | 8.22% | 296.8 | -17.51% |
| Sat (Optional) | n/a | n/a | | n/a | | n/a | |
| 8 Yard | | | | | | | |
| 1x per week | 123.08 | 123.08 | 0.00% | 134 | 8.15% | 121.28 | -1.48% |
| 2x per week | 229.23 | 229.23 | 0.00% | 250 | 8.31% | 229.66 | 0.19% |
| 3x per week | 409.34 | 409.34 | 0.00% | 446 | 8.22% | 338.04 | -21.09% |
| Sat (Optional) | n/a | n/a | | n/a | | n/a | |
| 10 Yard | | | | | | | |
| 1x per week | 146.79 | 146.79 | 0.00% | n/a | | 151.55 | 3.14% |
| 2x per week | 271 | 271 | 0.00% | n/a | | 286.65 | 5.46% |
| 3x per week | 483.94 | 483.94 | 0.00% | n/a | | 422.61 | -14.51% |
| Sat (Optional) | n/a | n/a | | n/a | | n/a | |
| Extra Pickup | | | | | | | |
| 1x | 44.40 | 75.00 | 40.80% | | | 75.00 | 40.80% |
| 2x | | 125.00 | | | | | |
| 3x | | 250.00 | | | | | |
| Commercial Reycling Toters | 3.11 | 3.75 | 17.07% | 30.00 | 89.63% | 28.50 | 89.09% |
| Lock bars for comm dumpsters | 10.00 | 15.00 | 33.33% | | | | |

Roll-Off Services

| Size | Current | Waste Connection | Increase/Decrease | Republic | Increase/Decrease | Tiger | Increase/Decrease |
|--------------------------------------|---------|------------------|-------------------|----------|-------------------|--------|-------------------|
| 20 Cubic Yard | | | | | | | |
| Delivery Charge | 88.20 | 150.00 | 41.20% | 90.00 | 2.00% | 80.00 | -10.25% |
| Haul Fee | 338.75 | 515.00 | 34.22% | 425.00 | 20.29% | 292.00 | -16.01% |
| Daily Rental | 3.39 | 5.00 | 32.20% | | | 4.00 * | |
| Disposal Per Ton | 28.22 | 35.00 | 19.37% | 29.00 | 2.69% | 40.00 | 29.45% |
| 30 Cubic Yard | | | | | | | |
| Delivery Charge | 88.20 | 150.00 | 41.20% | 90.00 | 2.00% | 80.00 | -10.25% |
| Haul Fee | 400.87 | 545.00 | 26.45% | 425.00 | 5.68% | 302.00 | -32.74% |
| Daily Rental | 3.39 | 5.00 | 32.20% | | | 4.00 * | |
| Disposal Per Ton | 28.22 | 35.00 | 19.37% | 29.00 | 2.69% | 40.00 | 29.45% |
| 40 Cubic Yard | | | | | | | |
| Delivery Charge | 88.20 | 150.00 | 41.20% | 90.00 | 2.00% | 80.00 | -10.25% |
| Haul Fee | 457.37 | 575.00 | 20.46% | 425.00 | -7.62% | 320.00 | -42.93% |
| Daily Rental | 3.39 | 5.00 | 32.20% | | | 4.00 * | |
| Disposal Per Ton | 28.22 | 35.00 | 19.37% | 29.00 | 2.69% | 40.00 | 29.45% |
| * Rate is per day after the 15th day | | | | | | | |
| Receiver Box | | | | | | | |
| Haul Rate | | | | | | 430.00 | |
| Disposal Per Ton | | | | | | 40.00 | |
| Extra Roll Offs | | | | | | | |
| 20 Cubic Yard | | | | | | | |
| Delivery Charge | 62.10 | | | | | | |
| Haul Fee | 338.75 | | | | | | |
| Daily Rental | 3.39 | | | | | | |
| Disposal Per Ton | 28.22 | | | | | | |
| 30 Cubic Yard | | | | | | | |
| Delivery Charge | 62.10 | | | | | | |
| Haul Fee | 400.87 | | | | | | |
| Daily Rental | 3.39 | | | | | | |
| Disposal Per Ton | 28.22 | | | | | | |
| 40 Cubic Yard | | | | | | | |
| Delivery Charge | 62.10 | | | | | | |
| Haul Fee | 457.37 | | | | | | |
| Daily Rental | 3.39 | | | | | | |
| Disposal Per Ton | 28.22 | | | | | | |

| | # Holidays | Make up | Pickup Day Residual |
|-------------------|-------------------|--|----------------------------|
| Waste Connections | 3 | Schedule will be pusehed back one day | |
| Republic | 3 | Holidays will be made up on the next day | |
| Tiger | | | Wednesday |

| Tiger | | Waste Connection | | Republic | |
|---|------------------------------|---|--------------------------|--|-----------------|
| Reference | Contract Length | Reference | Contract Length | Reference | Contract Length |
| City of Leon Valley Kelly Kuentler 210- 635-8210 | Jan-18 | City of Blanco Mauror Herden 830-833-4525 | Apr-91 | City of Windcrest - Fafael Castillo 210-665- 0022 | |
| Hollywood Park Janice Alamia City Secretary 210-494-2023 ext 221 City of Elmendorf Cody Dailey City Administrator 210- 635-8210 | Oct-17 Feb-16 | City of Karnes City Rob Evans 830-780-3422 City of Stockdale Banks Atkins 830-996-3128 | Oct-07 Oct-99 | City of Floresville Henrietta Turner 830- 393-3105 City of Pleasanton Raquel Navarro 830-569-3867 | |

*Had two pages of
references

Date Received 4-16-19
Permit/Receipt No. _____
Fee Paid _____

City of La Vernia
Specific Use Permit
102 E. Chihuahua Street
P.O. Box 225, La Vernia, TX 78121
(830) 779-4541 • Metro/Fax (830) 253-1198
codeenforcement@lavernia-tx.gov



Land ownership must be verified with a notarized statement. If the applicant is acting as the agent for the property owner, the property owner must provide a signed and notarized letter authorizing the agent to act on their behalf, and the letter must accompany the application.

Name LVISD High School Portable Building (Library 2)
Mailing Address 225 Bluebonnet RD
Telephone 830-779-640 Fax _____ Mobile _____ Email jeremy.deck@lvisd.org

Property Address/Location _____ Property ID No _____

Legal Description _____
Name of Subdivision _____

Lot(s) _____ Block(s) _____ Acreage _____

Existing Use of Property _____

Proposed Use of Property (attach additional or supporting information if necessary) Portable Building for Classroom use for 56 students

Current Zoning R-1

Proposed use of Property and/or Reason for Request (please explain in detail and attach additional pages if needed):
The continued use of portable building for classroom use.

Attachments:

- _____ Accurate metes and bounds description of the subject property (or other suitable legal description)
- _____ Survey exhibit and other appropriate exhibits as deemed necessary by the city including, but not limited to, site plans, maps, architectural elevations, and information about proposed uses.
- _____ Notarized statement verifying land ownership and if applicable, authorization of land owner's agent to file the zoning change request.

A denied application is ineligible for reconsideration for one year.

The undersigned hereby requests rezoning of the above described property as indicated:

Signature of Owner(s)/Agent [Signature] Date 4/8/19

| | |
|--|--|
| For Office Use Only | |
| Date of Publication <u>4-18-19</u> | Date of P&Z Public Hearing <u>5-7-19</u> |
| Date of 200 Ft Notices <u>04-16-19</u> | Date of Council Public Hearing <u>5-9-19</u> |
| Ordinance No. <u>050919-01</u> | Approved _____ Denied _____ |



City of La Vernia
 102 E. Chinua Achebe Street, La Vernia, Texas 78121
 Phone: (830) 779-4541 • Fax: (830) 253-1198
Commercial Permit Application

Building Permit Number: _____ Valuation: \$ 75,000.00
 Project Name: LUISD High School Portable Building (Library 2) Zoning District: R-1
 Project Address: 225 Bluesonnet Rd. Square Foot: _____
 Project Description: New Addition Remodel Finishout
 Sign Plumbing Mechanical Electrical Other
 Scope of Work: _____
 IS THIS PROPERTY IN A FLOODPLAIN: Yes No *If yes, provide Flood Plain Certificate*

Owner Information: La Vernia Independent School District
 Name: La Vernia ISD Contact Person: Jeremy Deek
 Address: 13600 US HWY 87 W
 Phone Number: 830-779-6600 Fax Number: 830-779-2304 Mobile Number: _____

| Engineer | Contact Person | Phone Number | Email: |
|--------------------------------|-------------------|---------------------|--|
| <u>Shawn Franke</u> | | | |
| Architect | Contact Person | Phone Number | Email: |
| | | | |
| General Contractor | Contact Person | Phone Number | Contractor License Number <input type="checkbox"/> |
| | | | |
| Mechanical Contractor | Contact Person | Phone Number | Contractor License Number <input type="checkbox"/> |
| | | | |
| Electrical Contractor | Contact Person | Phone Number | Contractor License Number <input type="checkbox"/> |
| | | | |
| FSO (Facility Solutions Group) | Contact Person | Phone Number | Contractor License Number <input type="checkbox"/> |
| | <u>Don Zvonek</u> | <u>210-657-2357</u> | |
| Plumbing Contractor | Contact Person | Phone Number | Contractor License Number <input type="checkbox"/> |
| | | | |

A permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced. All permits require final inspection.

A Certificate of Occupancy must be issued before any building is occupied

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

Signature of Applicant: _____ Date: 4/8/19

OFFICE USE ONLY:

Approved by: _____ Date approved: _____

- Building Permit Fee: _____
- Water Impact Fee: _____
- Sewer Impact Fee: _____
- Water Meter Fee: _____
- Sewer Tap Fee: _____

- Total Permit Fees: _____
- Received By: _____
- Date: _____
- BV Project #: _____

Date Received _____
Permit/Receipt No. _____
Fee Paid _____

City of La Vernia
Specific Use Permit
102 E. Chihuahua Street
P.O. Box 225, La Vernia, TX 78121
(830) 779-4541 • Metro/Fax (830) 253-1198
codeenforcement@lavernia-tx.gov



Land ownership must be verified with a notarized statement. If the applicant is acting as the agent for the property owner, the property owner must provide a signed and notarized letter authorizing the agent to act on their behalf, and the letter must accompany the application.

Name LVISD Junior High School Portable Building

Mailing Address 195 Bluebonnet Rd.

Telephone 830 779-6610 Fax _____ Mobile _____ Email jeremy.deck@lvisd.org

Property Address/Location _____ Property ID No _____

Legal Description _____
Name of Subdivision _____

Lot(s) _____ Block(s) _____ Acreage _____

Existing Use of Property _____

Proposed Use of Property (attach additional or supporting information if necessary) Portable Building for Classroom use for 56 students.

Current Zoning R-1

Proposed use of Property and/or Reason for Request (please explain in detail and attach additional pages if needed):
The continued use of portable building for classroom use.

Attachments:

- _____ Accurate metes and bounds description of the subject property (or other suitable legal description)
- _____ Survey exhibit and other appropriate exhibits as deemed necessary by the city including, but not limited to, site plans, maps, architectural elevations, and information about proposed uses.
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[Signature]
Signature of Owner(s)/Agent

4/18/19
Date

| | | |
|---------------------------------------|---------------------|--|
| Date of Publication <u>4-18-19</u> | For Office Use Only | Date of P&Z Public Hearing <u>5-7-19</u> |
| Date of 200 Ft Notices <u>4-16-19</u> | | Date of Council Public Hearing <u>5-9-19</u> |
| Ordinance No. <u>050919-01</u> | | Approved _____ Denied _____ |



City of La Vernia
 102 E. Chihuahua Street, La Vernia, Texas 78121
 Phone: (830) 779-4541 • Fax: (830) 253-1198

Commercial Permit Application

Building Permit Number: _____ Valuation: \$ 75,000.00

Project Name: LUISD Junior High School Portable Building Zoning District: R-1

Project Address: 195 Bluebonnet Rd. Square Foot: _____

Project Description: New Addition Remodel Finishout
 Sign Plumbing Mechanical Electrical Other

Scope of Work: _____

IS THIS PROPERTY IN A FLOODPLAIN: Yes No *If yes, provide Flood Plain Certificate*

Owner Information: La Vernia Independent School District

Name: La Vernia ISD Contact Person: Jeremy Deek

Address: 13600 US HWY 87 W

Phone Number: 830-779-6600 Fax Number: 830-779-2304 Mobile Number: _____

| | | | |
|--------------------------------|-------------------|---------------------|--|
| Engineer | Contact Person | Phone Number | Email: |
| <u>Shawn Franke</u> | | | |
| Architect | Contact Person | Phone Number | Email: |
| | | | |
| General Contractor | Contact Person | Phone Number | Contractor License Number <input type="checkbox"/> |
| | | | |
| Mechanical Contractor | Contact Person | Phone Number | Contractor License Number <input type="checkbox"/> |
| | | | |
| Electrical Contractor | Contact Person | Phone Number | Contractor License Number <input type="checkbox"/> |
| | | | |
| FSG (Facility Solutions Group) | <u>Don Zvanek</u> | <u>210-657-2357</u> | |
| Plumbing Contractor | Contact Person | Phone Number | Contractor License Number <input type="checkbox"/> |
| | | | |

A permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced. All permits require final inspection.

A Certificate of Occupancy must be issued before any building is occupied

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

Signature of Applicant: Date: 9/8/19

OFFICE USE ONLY:

| | |
|--------------|----------------|
| Approved by: | Date approved: |
| | |

| | |
|----------------------------|--------------------------|
| Building Permit Fee: _____ | Total Permit Fees: _____ |
| Water Impact Fee: _____ | Received By: _____ |
| Sewer Impact Fee: _____ | Date: _____ |
| Water Meter Fee: _____ | BV Project #: _____ |
| Sewer Tap Fee: _____ | |

Date Received _____
Permit/Receipt No. _____
Fee Paid _____

City of La Vernia
Specific Use Permit
102 E. Chihuahua Street
P.O. Box 225, La Vernia, TX 78121
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Name LVISD High School Portable Building (Library 1)

Mailing Address 225 Bluebonnet RD

Telephone 830 779-6610 Fax _____ Mobile _____ Email jeremy.deck@lvisd.org

Property Address/Location _____ Property ID No _____

Legal Description _____
Name of Subdivision _____

Lot(s) _____ Block(s) _____ Acreage _____

Existing Use of Property _____

Proposed Use of Property (attach additional or supporting information if necessary) Portable Building for Classroom use for 55 students.

Current Zoning R-1

Proposed use of Property and/or Reason for Request (please explain in detail and attach additional pages if needed):
The continued use of portable building for classroom use.

Attachments:

- _____ Accurate metes and bounds description of the subject property (or other suitable legal description)
- _____ Survey exhibit and other appropriate exhibits as deemed necessary by the city including, but not limited to, site plans, maps, architectural elevations, and information about proposed uses.
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4/8/19
Date

| For Office Use Only | |
|---------------------------------------|--|
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| Date of 200 Ft Notices <u>4-16-19</u> | Date of Council Public Hearing <u>5-7-19</u> |
| Ordinance No. <u>050919-01</u> | Approved _____ Denied _____ |



City of La Vernia
 102 E. Chihuahua Street, La Vernia, Texas 78121
 Phone: (830) 779-4541 • Fax: (830) 253-1198

Commercial Permit Application

Building Permit Number: _____ Valuation: \$ 75,000.00

Project Name: LUISD High School Portable Building (Library) Zoning District: R-1

Project Address: 225 Bluebonnet Rd. Square Foot: _____

Project Description: New Addition Remodel Finishout
 Sign Plumbing Mechanical Electrical Other

Scope of Work: _____

IS THIS PROPERTY IN A FLOODPLAIN: Yes No *If yes, provide Flood Plain Certificate*

Owner Information: La Vernia Independent School District

Name: La Vernia ISD Contact Person: Jeremy Deek

Address: 13600 US Hwy 87 W

Phone Number: 830-779-6600 Fax Number: 830-779-2304 Mobile Number: _____

| Engineer | Contact Person | Phone Number | Email: |
|--------------------------------|-------------------|---------------------|--|
| <u>Shawn Franke</u> | | | |
| Architect | Contact Person | Phone Number | Email: |
| | | | |
| General Contractor | Contact Person | Phone Number | Contractor License Number <input type="checkbox"/> |
| | | | |
| Mechanical Contractor | Contact Person | Phone Number | Contractor License Number <input type="checkbox"/> |
| | | | |
| Electrical Contractor | Contact Person | Phone Number | Contractor License Number <input type="checkbox"/> |
| | | | |
| FSC (Facility Solutions Group) | Contact Person | Phone Number | Contractor License Number <input type="checkbox"/> |
| <u>Plumbing Contractor</u> | <u>Don Zvanek</u> | <u>210-657-2357</u> | |

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Signature of Applicant: _____ Date: 4/8/19

OFFICE USE ONLY:

Approved by: _____ Date approved: _____

Building Permit Fee: _____ Total Permit Fees: _____

Water Impact Fee: _____ Received By: _____

Sewer Impact Fee: _____ Date: _____

Water Meter Fee: _____ BV Project #: _____

Sewer Tap Fee: _____

Date Received _____
Permit/Receipt No. _____
Fee Paid _____

City of La Vernia
Specific Use Permit
102 E. Chihuahua Street
P.O. Box 225, La Vernia, TX 78121
(830) 779-4541 • Metro/Fax (830) 253-1198
codeenforcement@lavernia-tx.gov



Land ownership must be verified with a notarized statement. If the applicant is acting as the agent for the property owner, the property owner must provide a signed and notarized letter authorizing the agent to act on their behalf, and the letter must accompany the application.

Name LUISD High School Portable Building (Band Hall)

Mailing Address 225 Bluebonnet RD

Telephone 830 779-6613 Fax _____ Mobile _____ Email jeremy.deck@luisd.org

Property Address/Location _____ Property ID No _____

Legal Description _____
Name of Subdivision _____

Lot(s) _____ Block(s) _____ Acreage _____

Existing Use of Property _____

Proposed Use of Property (attach additional or supporting information if necessary) Portable Building for Classroom use for 56 students.

Current Zoning R-1

Proposed use of Property and/or Reason for Request (please explain in detail and attach additional pages if needed):
The continued use of portable building for classroom use.

Attachments:

- _____ Accurate metes and bounds description of the subject property (or other suitable legal description)
- _____ Survey exhibit and other appropriate exhibits as deemed necessary by the city including, but not limited to, site plans, maps, architectural elevations, and information about proposed uses.
- _____ Notarized statement verifying land ownership and if applicable, authorization of land owner's agent to file the zoning change request.

A denied application is ineligible for reconsideration for one year.

The undersigned hereby requests rezoning of the above described property as indicated:

[Signature]
Signature of Owner(s)/Agent

4/8/19
Date

| | |
|---------------------------------------|--|
| For Office Use Only | |
| Date of Publication <u>4-18-19</u> | Date of P&Z Public Hearing <u>05-7-19</u> |
| Date of 200 Ft Notices <u>4-16-19</u> | Date of Council Public Hearing <u>5-9-19</u> |
| Ordinance No. <u>050919-01</u> | Approved _____ Denied _____ |



City of La Vernia
 102 E. Chihuahua Street, La Vernia, Texas 78121
 Phone: (830) 779-4541 • Fax: (830) 253-1198
Commercial Permit Application

Building Permit Number: _____ Valuation: \$ 75,000.00
 Project Name: LUISO High School Portable, Building (Band Hall) Zoning District: R-1
 Project Address: 225 Bluebonnet Rd. Square Foot: _____
 Project Description: New Addition Remodel Finishout
 Sign Plumbing Mechanical Electrical Other
 Scope of Work: _____
 IS THIS PROPERTY IN A FLOODPLAIN: Yes No *If yes, provide Flood Plain Certificate*

Owner Information: La Vernia Independent School District
 Name: La Vernia ISD Contact Person: Jeremy Deek
 Address: 13600 US HWY 87 W
 Phone Number: 830-779-6600 Fax Number: 830-779-2304 Mobile Number: _____

| Engineer | Contact Person | Phone Number | Email: |
|---------------------------------------|-------------------|---------------------|--|
| <u>Shawn Franke</u> | | | |
| Architect | Contact Person | Phone Number | Email: |
| | | | |
| General Contractor | Contact Person | Phone Number | Contractor License Number <input type="checkbox"/> |
| | | | |
| Mechanical Contractor | Contact Person | Phone Number | Contractor License Number <input type="checkbox"/> |
| | | | |
| Electrical Contractor | Contact Person | Phone Number | Contractor License Number <input type="checkbox"/> |
| <u>FSG (Facility Solutions Group)</u> | <u>Don Zvanek</u> | <u>210-657-2357</u> | |
| Plumbing Contractor | Contact Person | Phone Number | Contractor License Number <input type="checkbox"/> |
| | | | |

A permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced. All permits require final inspection.

A Certificate of Occupancy must be issued before any building is occupied

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

Signature of Applicant: [Signature] Date: 4/8/19

OFFICE USE ONLY:

| | |
|--------------------|----------------------|
| Approved by: _____ | Date approved: _____ |
|--------------------|----------------------|

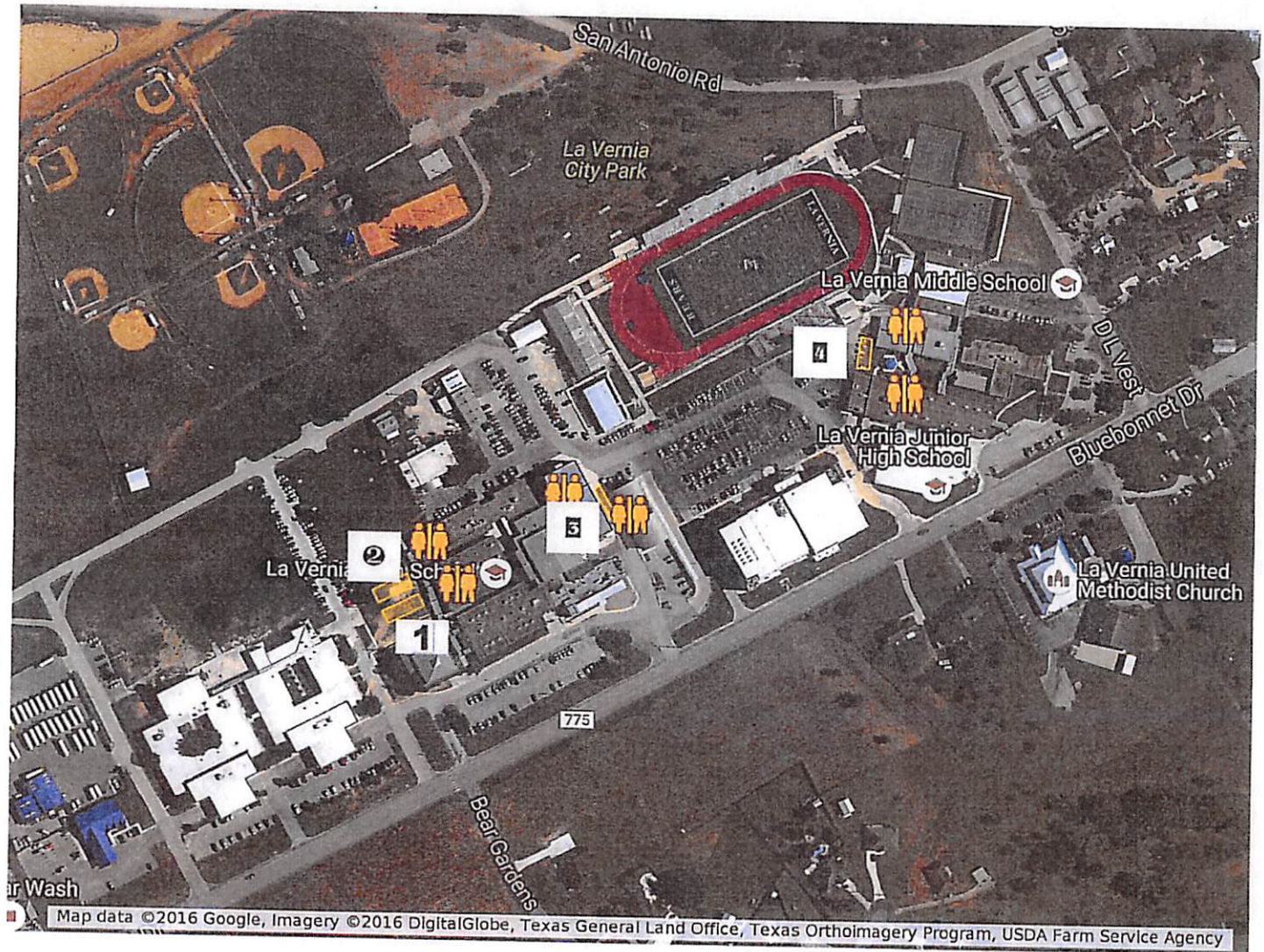
| | |
|--|--|
| Building Permit Fee: _____ Water Impact Fee: _____ Sewer Impact Fee: _____ Water Meter Fee: _____ Sewer Tap Fee: _____ | Total Permit Fees: _____ Received By: _____ Date: _____ BV Project #: _____ |
|--|--|

LVISD Site Plan Map

Untitled layer

-  JH/Cafeteria Portable Bldg.
-  HS Band Hall Portable Bldg.
-  Library Portable #1
-  Library Portable #2
-  Point 8
-  Point 9
-  Point 10
-  Point 11
-  Point 12
-  Point 13
-  Point 12
-  Point 13
-  Point 14
-  Point 18

Portable Bldg Locations



LVISD Site Plan

Library Portable #1

#1 portable bldg is 24x64ft and approximately 40ft from the Bldg 200 exterior wall. The portable Bldg will be classrooms for approximately 56 students. There are restrooms located nearby in the adjoining Bldgs approximately 250ft away.

Library Portable #2

#2 portable is 24x64ft and approximately 20ft from Bldg 200 exterior wall and approximately 20ft from #1 portable. The portable Bldg will be classrooms for approximately 56 students. There are restrooms located nearby in the adjoining Bldgs approximately 250ft away.

HS Band Hall Portable Bldg. #3

24x64ft portable bldg is approximately 20ft from the gym 3 exterior wall, and approximately 20ft from the exterior band hall wall. The portable Bldg will be classrooms for approximately 56 students. There are restrooms located nearby in the adjoining Bldgs within 200ft from the portable Bldg.

JH/Cafeteria Portable Bldg. #4

24x64ft. portable is approximately 20ft from to the JH cafeteria exterior wall, and approximately 20ft from the 300 Bldg. The portable Bldg will be classrooms for approximately 56 students. There are restrooms located nearby in the adjoining Bldgs approximately 200ft away.



NOTICE OF PUBLIC HEARING

The City of La Vernia Planning & Zoning Commission will hold a public hearing at the request of La Vernia Independent School District to consider the following Special Use Permit.

Property: 36.266 acres addressed 195 & 225 Bluebonnet Rd La Vernia, Texas 78121.

Request: Specific Use Permit for temporary portable buildings used for educational purposes.

Because your property is located within 200 feet of the request, State Law requires that we notify you of the public hearing. **However, the zoning of your property will not be affected.** The public hearing process allows an opportunity to provide your written opinion of the request. This will aid the Planning Commission in making a recommendation to City Council.

Public hearing for this request are scheduled before the Planning & Zoning Commission on Tuesday May 7, 2019, and tentatively before City Council on Thursday May 9, 2019. Both meetings will begin at 6:30 PM in the City Hall Council Chambers, 102 E. Chihuahua St. and are open to the public. To submit written comments please complete the information below, including your signature, and return by Friday May 3, 2019 to:

Mail: City of La Vernia
Brittani Porter
102 E. Chihuahua St.
La Vernia, Texas 78121

Email: bporter@lavernia-tx.gov

If you have questions, please call Brittani Porter at (830) 779-4541 ext. 3.

Brittani Porter, City Secretary

YOUR OPINION MATTERS – DETACH AND RETURN

Circle one

I am (**in favor**) (**opposed to**) the proposed Special Use Permit for the property described as 195 & 225 Bluebonnet Rd, Lot 418-419A-420-421, La Vernia, Texas 78121.

Name: _____

Address: _____

Signature: _____

Date: _____

Comments: _____

By State Law – Unsigned submission cannot be counted as official comment.

In favor: 1 Opposed: 0

La Vernia ISD
13800 US Hwy 87
La Vernia, Texas 78121

Elkhorn Holdings
117 Bluebonnet
La Vernia, Texas 78121

Brandt Properties LLC
107 D L Vest # 16
La Vernia, Texas 78121

La Vernia ISD
13800 US Hwy 87
La Vernia, Texas 78121

Elkhorn Holdings
117 Bluebonnet
La Vernia, Texas 78121

Glenn & Jeanen Mills
145 Elm Country Dr.
La Vernia, Texas 78121

Glenn & Jeanen Mills
145 Elm Country Dr.
La Vernia, Texas 78121

Brandon McGarrell
5164 Eagle Valley St
Schertz, Texas 78108

Santana-Rodriguez Invest. Prop. LLC
6426 Forester Dr.
Huntington Beach, CA 92648

City of La Vernia
PO Box 225
La Vernia, Texas 78121

Victor & Susan Landin
399 Bear Gardens
La Vernia, Texas 78121

B & M Enterprises LLC
5520 Blue Sea St.
Las Vegas, NV 89110

La Vernia ISD
13800 US Hwy 87
La Vernia, Texas 78121

Stephen & Whitney Self
403 Bear Gardens
La Vernia, Texas 78121

Glenn Mills
145 Elm Country Dr.
La Vernia, Texas 78121

La Vernia ISD
13800 US Hwy 87
La Vernia, Texas 78121

Biring Sukhwinder Singh
PO Box 166
La Vernia, Texas 78121

John Hemby
PO Box 202
La Vernia, Texas 78121

La Vernia ISD
13800 US Hwy 87
La Vernia, Texas 78121

Olivia Arreola
214 Bluebonnet
La Vernia, Texas 78121

Tommy & Cyndie Barnes &
Jay & Connie Hearne
314 Oak Bend Dr.
La Vernia, Texas 78121

La Vernia ISD
13800 US Hwy 87
La Vernia, Texas 78121

La Vernia United Methodist Church
PO Box 155
La Vernia, Texas 78121

Patricia Haynes
PO Box 196
La Vernia, Texas 78121

La Vernia ISD
13800 US Hwy 87
La Vernia, Texas 78121

La Vernia United Methodist Church
PO Box 155
La Vernia, Texas 78121

Marcus Wallace
203 San Antonio Rd
La Vernia, Texas 78121

Dana & Gene Hyde
1120 Country View Dr.
La Vernia, Texas 78121

Brahan Lodge #226
PO Box 1263
La Vernia, Texas 78121

Sergio & Juana Hernandez
PO Box 193
Seguin, Texas 78156

La Vernia ISD

13600 HWY 87 WEST LA VERNIA, TX. 78121

Phone: (830) 779-6600

Fax: (830) 779-2304

P.O. NUMBER 912110

ATTACHMENTS N

P.O. DATE 03-08-2019

DELIVER BY 03-06-2019

REQ NBR 015357

VENDOR NBR 00002

REF NBR

BID CATEGORY

BID NBR LOCAL

FEDERAL ID NBR 74-6003135

VENDOR NOTE

S
H
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P

SHIPPING & RECEIVING DEPT.
315 BLUEBONNET RD (FM775)
LA VERNIA, TX 78121
Requestor MAINT/JEREMY



V
E
N
D
O
R

CITY OF LA VERNIA
P O BOX 225
102 E. CHIHUAHUA ST
LA VERNIA, TX 78121

Page: 1 of 1 vendor phone: (830) 779-4541 vendor fax: (830) 253-1198

| SEQ | QTY | UNIT | CATALOG NBR | DESCRIPTION | UNIT PRICE | DISCOUNT | FREIGHT | TOTAL PRICE |
|-----|------|------|-------------|---|------------|----------|---------|-------------|
| 001 | 3.00 | EA | | ANNUAL PERMITS HS PORTABLES - BAND HALL, LIBRARY 1 & 2 | 25.00000 | .00 | .00 | 75.00 |
| 002 | 1.00 | EA | | ANNUAL PERMIT JU PORTABLE | 25.00000 | .00 | .00 | 25.00 |

| Account Code | Encumbrance Amt | Invoice Nbr | Expend Amount |
|---------------------------|-----------------|-------------|---------------|
| 199-51-6399.00-960-999000 | 100.00 | | |
| Total: | \$100.00 | | |

TOTAL P.O. 100.00

Dr. Ronette needs to sign apps. to send w/ payment.

OK TO PAY
BY: *nh*
DATE: 3-18-19

| ORIGINATOR | DATE | REQUESTOR | DATE | APPROVER | DATE |
|-------------------------|------------|----------------|------------|-------------------------|------------|
| NANCY HARRISON | 03-06-2019 | NANCY HARRISON | 03-06-2019 | CHERYL DENISE WITHERELL | 03-08-2019 |
| | | | | | |
| APPROVER | DATE | APPROVER | DATE | RECEIVED BY | DATE |
| CHERYL DENISE WITHERELL | 03-08-2019 | | 03-18-2019 | | |
| | | | | | |

ORDINANCE NO. 050619-01

AN ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR THE PURPOSES OF ALLOWING TEMPORARY PORTABLE BUILDINGS FOR EDUCATIONAL PURPOSES SPECIFICALLY KNOWN AS 195 & 225 BLUEBONNET RD, CITY OF LA VERNIA, LOT 418-419A-420-421, ZONED R-1 SINGLE FAMILY; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of La Vernia is a General Law Type A City under the statutes of the State of Texas; and

WHEREAS, the Texas Local Government Code authorizes a municipality to adopt zoning regulations designed to accomplish the goals as delineated in Section 211.004 of the Texas Local Government Code and for the purpose of regulating those issues as delineated in Section 211.003 of the Texas Local Government Code; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of La Vernia, Texas in compliance with the laws of the State of Texas and the Ordinances of the City of La Vernia, have given any and all requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested; and

WHEREAS, the Planning and Zoning Commission having investigated the manner in which the proposed location and character of such Specific Use will affect the Zoning Ordinance and the comprehensive plan of the City of La Vernia, Texas, make final report and recommendation to the City Council of the City of La Vernia, Texas, recommending that such application be granted; and

WHEREAS, City Council of the City of La Vernia, Texas, finds that the granting and approval of said application for such Specific Use Permit will not adversely affect the character and appropriate use of the area of neighborhood in which it is proposed to be located, will not substantially depreciate the value of adjacent and nearby properties for use in accordance with the regulations of the Zoning District in which they are located; will not be detrimental in keeping with the spirit and intent of said Zoning Ordinance; will not adversely affect traffic, public utilities, public health, public safety and the general welfare under the conditions hereinafter set forth.

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

Section 1. Specific Use Permit Granted

That the Specific Use Permit for temporary portable buildings for educational purposes known as La Vernia ISD located at 195 & 225 Bluebonnet Rd., City of La Vernia, Lot 418-419A-420-421, zoned R-1 Single Family be adopted as provided for in the attached Exhibit A.

Section 2. Expiration

The Specific Use Permit granted herein shall automatically expire on 07-14-2021 with

one automatic 3 year optional extension and could become null and void if any change in use of the temporary classrooms after issuance of the Specific Use Permit (SUP) that result in non-compliance with the criteria set forth in subsection pursuant to Sec. 38-406 (d) Temporary Classrooms (i) of this section shall be grounds for revocation of the SUP.

Section 3. Severability

If any section, subsection, paragraph, or sentence, clause, phrase, or word in this Ordinance, or application thereof, to any person or circumstance is held invalid such holding shall not affect the validity of the remaining portions of the same and the City Council hereby declares it would have passed such remaining portions despite such invalidity.

Section 4. Cumulative

This ordinance is cumulative of all other laws addressing land use regulations and any prohibitions and sanctions that may be imposed under other laws relating to the subjects covered hereunder.

Section 5. Effective Date

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

PASSED AND APPROVED: This the 9th day of May, 2019.

Robert Gregory
Mayor – City of La Vernia

ATTEST:

Brittani Porter
City Secretary

APPROVED AS TO FORM:

City Attorney's Office – City of La Vernia



Legislative UPDATE

May 3, 2019
Number 18

Revenue Cap Bill Passes House at 3.5 Percent: Negotiations to Come...

The property tax revenue cap bill, S.B. 2 (summarized in the “Significant Floor Actions” section elsewhere in this edition), passed the House Tuesday at a 3.5 percent rollback rate, which is the same cap passed by the Senate. To see how your representative voted, click [here](#), click on “Record Vote 839” near the top of the page, and look at “SB 2 ON THIRD READING” towards the bottom of the page. The House made a few key changes in committee and on the floor:

- The House version of the bill gives cities and counties the ability to bank up to five years of unused increases under the 3.5 percent cap for future use. (The Senate version has no similar “banking” provision.)
- The House version grants some relief to small taxing entities by allowing at least a \$500,000 tax increase in any year without triggering a rollback election. (The Senate version exempts taxing entities under \$15 million in combined property and sales tax revenue from the lowered rollback rate, subject to an opt-in election for those small entities.)
- The House version ties enactment of the bill to passage of school finance reform, currently embodied in H.B. 3.
- The House version gives an adjustment for certain homestead exemptions granted by a city.

The bills will now go to a “conference committee” composed of members of each chamber to negotiate which elements of the different versions will end up in the final bill. Significant is that

both versions put the rollback rate at 3.5 percent. Absent procedural gimmicks, this means the final version will most likely stay at 3.5.

The key sticking point between the two chambers will probably be the relationship of the bill to school finance. Both chambers appear willing to budget about an additional \$9 billion toward schools, with approximately \$2.7 billion of that used to buy down school property taxes. Beyond that, the chambers are split on how exactly to accomplish the additional spending and buy down, with key differences over teacher pay, willingness to increase sales taxes to offset property taxes, and other issues.

Despite the proposed school property tax relief of \$2.7 billion per year, the draft state budget bill still anticipates school district property tax increases of 10.26 percent over two years. School district taxes are, of course, essentially state taxes inasmuch as the state is constitutionally responsible for all school funding (school taxes are simply the mechanism the state has adopted to discharge its responsibility). Accordingly, city officials would be right to question why the state is willing to permit over five-percent annual property tax increases for its own purposes, while capping city and county tax increases at 3.5 percent.

The answer is simple: the state legislature doesn't have the political will to carry its full share of school funding, but they don't like to admit to that. To divert attention from this failure, it biennially points the finger at cities and counties who – combined – still make up far less than the state's school tax levy. Cities and counties have long been the scapegoat on property taxes, and this session is poised to deliver more of the same.

The chief danger from a good government perspective will be that school tax reform melts down and the only thing that passes at the end of the day is a cap on city and county rates. The House's version of the revenue cap bill tries to prevent that result by tying the passage of S.B. 2 to H.B. 3. Hopefully that link will hold: as we've long said, the only meaningful property tax relief comes from significant school property tax reform.

Federal Court Preliminarily Enjoins Texas Law Prohibiting Boycott of Israel

Last week, a federal district court granted a preliminary injunction enjoining the enforcement of a Texas law that prohibits boycotting the State of Israel. The issue in [*Amawi v. Pflugerville Independent District, et al.*](#) is whether H.B. 89 (codified as [Chapter 2270 of the Government Code](#)) may prohibit boycotting Israel as a condition of public employment or contracting.

In 2017, the Texas legislature enacted H.B. 89, which provides that a governmental entity may not enter into a contract with a company for goods or services unless the contract contains a written verification from the company that it does not boycott Israel, and will not boycott Israel during the term of the contract. The term "company" includes "a for-profit sole proprietorship."

The plaintiffs in this case are five sole proprietors who refused to sign contracts with certain governmental entities on the grounds that requiring the plaintiffs to certify that they do not

boycott Israel violated their First Amendment rights. As a result, the plaintiffs were either denied employment with or their contractual relationships were terminated by the governmental entities.

Granting the preliminary injunction, the court concluded that the plaintiffs were likely to succeed on the merits of their First Amendment claims, were likely to suffer irreparable harm in the absence of preliminary relief, and that an injunction is in the public interest. An appeal to the United States Court of Appeals for the Fifth Circuit has been filed. League staff will continue to monitor the case, and provide updated information as the case unfolds.

Significant Floor Actions

Attorney's Fees in Civil Cases: [H.B. 790](#), relating to recovery of attorney's fees in certain civil cases. Passed the House.

Engineers/Architects Duty to Defend: [H.B. 1211](#), relating to certain agreements by architects and engineers in or in connection with certain construction contracts. Passed the House. As passed, the bill would prohibit a city from requiring an engineer or architect to defend the city under a construction contract.

Construction Liability: [H.B. 1999](#), relating to certain construction liability claims concerning public buildings and public works. Passed the House. As passed, the bill would presumably apply to a construction project owned by a city, and it would mandate that – prior to bringing a lawsuit on a construction defect – an owner must obtain an inspection and report from an engineer and offer the contractor a chance to correct the defect.

Electric Bicycles: [H.B. 2188](#), relating to the operation of electric and nonelectric bicycles. Passed the House. As passed, the bill would require a city to treat electric bicycles the same as regular bicycles, with some exceptions.

No More Brick Exteriors: [H.B. 2439](#), relating to certain regulations adopted by governmental entities for the building products, materials, or methods used in the construction of residential or commercial structures. Passed the House. As passed, the bill would – with certain exceptions – prohibit a city from mandating any building materials that are more stringent than those in a building code.

Historic Landmark Designation: [H.B. 2496](#), relating to the designation of a property as a historic landmark by a municipality. Passed the House. As passed, the bill would provide that a city that has established a process for designating places or areas of historical, cultural, or architectural importance and significance through the adoption of zoning regulations or zoning district boundaries may not designate a property as a local historic landmark unless: (1) the owner of the property consents to the designation; or (2) the designation is approved by a three-fourths vote of: (a) the governing body of the city; and (b) the zoning, planning, or historical commission of the city, if any.

Contingent Fee Legal Contracts: [H.B. 2826](#), relating to procurement of a contingent fee contract for legal services by certain governmental entities. Passed the House.

Firearms: [H.B. 3231](#), relating to the regulation of firearms, air guns, knives, ammunition, or firearm or air gun supplies or accessories by a county or municipality. Passed the House. As passed, the bill would clarify firearms preemption statutes to ensure more uniform treatment of firearms and ammunition, expand the scope of those limitations, and provide for a civil remedy for an aggrieved person.

Cybersecurity Training: [H.B. 3834](#), relating to the requirement that certain state and local government employees and state contractors complete a cybersecurity training program certified by the state cybersecurity coordinator. Passed the House. As passed, the bill would provide that a local government employee who uses a computer to complete 25 percent of the employee's required duties shall complete a cybersecurity training program.

REVENUE CAP: [S.B. 2](#), relating to ad valorem taxation. Passed the House. As passed, this bill (known as the "Texas Taxpayer Transparency Act of 2019) would make numerous changes to the process for adopting property tax rates. Of primary importance to cities, the bill would:

1. rename the "rollback" tax rate the "voter-approved" tax rate;
2. adjust the voter-approved tax rate in the following ways:
 - a. define "special taxing unit" as: (i) a taxing unit other than a school district for which the maintenance and operations tax rate proposed for the current tax year is 2.5 cents or less per \$100 of taxable value; (ii) a junior college district; or (iii) a hospital district;
 - b. maintain an eight percent voter-approved rate for all special taxing units;
 - c. for a taxing unit other than a special taxing unit, provide for a voter-approved rate of 3.5 percent;
 - d. for a taxing unit other than a special taxing unit, authorize the taxing unit to carry forward any unused increment between the adopted maintenance and operations tax rate and the voter-approved tax rate for up to five years;
 - e. adjust the voter-approved rate upwards for new revenue lost to local option homestead exemptions in the current year as compared to the previous year;
 - f. authorize a taxing unit other than a special taxing unit to temporarily use a voter-approved rate of eight percent if any part of the taxing unit is located in an area declared a disaster area by the governor or president of the United States; and
 - g. impose a two percent rollback rate for school districts.
3. require taxing units to calculate a "de minimis rate," which is a rate that, when applied to a taxing unit's current total value, will impose an amount of taxes equal to the de minimis amount. (Note: the de minimis amount is established at \$500,000 in 2020, and is adjusted by the comptroller to reflect the inflation rate in subsequent years);
4. require a mandatory election on the November uniform election date for all cities that exceed the voter-approved rate, whether that rate is 3.5 percent or eight percent (with exceptions for increased expenditures of money by a taxing unit necessary to respond to a disaster);

5. make numerous calendar changes to the property tax appraisal, collection, and rate-setting process in order to have property tax ratification elections on the November uniform election date; and
6. make the passage of S.B. 2 contingent upon the passage of H.B. 3, the public school finance reform bill.

For a detailed summary of the entire bill, click [here](#).

County Assistance Districts: [S.B. 288](#), relating to the authority of a county assistance district to impose a sales and use tax. Passed the Senate.

Dangerous Wild Animals: [S.B. 641](#), relating to the regulation of dangerous wild animals. Passed the Senate. As passed, the bill would: (1) allow a court to order an animal control authority, including a municipal animal control office, to seize a dangerous animal and provide for the impoundment of the animal; (2) provide that certain persons may not own, possess, sell, transfer, breed or have custody or control of specific dangerous wild animals unless such persons were lawfully in possession of the dangerous wild animal before September 1, 2019, register the animal, and comply with state rules; (3) make such owner liable for all costs incurred in apprehending and confining a dangerous wild animal that escapes the owner's custody; and (4) provide that a law enforcement agency or its employees is not liable for damages arising from the escape of an owner's dangerous wild animal, including property damage, injury or death caused by the animal or for injury to or the death of the animal.

Certificates of Obligation: [S.B. 652](#), relating to procedures and requirements for the issuance of certificates of obligation. Passed the Senate. As passed, the bill would require cities issuing certificates of obligation to post notice on the city's website and prohibit a city from authorizing a certificate of obligation if a bond proposition for the same purpose was submitted to the voters during the preceding six years and failed to pass.

Ballot Language: [S.B. 1225](#), relating to requirements for certain petitions requesting an election and ballot propositions. Passed the Senate. As passed, the bill would, among other things, establish a process for the secretary of state to review city ballot language and waive governmental immunity for cities that are sued for improper ballot language.

Ballot Propositions: [S.B. 2219](#), relating to ballot propositions authorizing political subdivisions to issue bonds or other debt or to impose or change a tax. Passed the Senate.

Water Rates for Religious Institutions: [S.B. 2322](#), relating to rates established by municipalities for water and sewer services. Passed the Senate. As passed, the bill would provide that a city or a municipally owned utility may not establish a rate applicable only to entities that qualify for a sales tax or ad valorem tax exemption that is higher than a rate established for entities that receive comparable utility services.

**Editor's Note: The links above lead to the bill's landing page on the Texas Legislature Online website. To read the latest version, click on the "text" tab and click on the lowest version on the screen.*

Significant Committee Actions

No More Annexation: [H.B. 347](#), relating to eliminating distinctions in the application of consent annexation requirements. Reported from the Senate State Affairs Committee. As reported, the bill would essentially eliminate unilateral annexation for every city.

Fee Reporting: [H.B. 984](#), relating to notice requirements for certain municipal fees and the process to adopt a municipal budget that includes the use of revenue from those fees. Reported from the House Committee on Urban Affairs. As reported, the bill would require detailed reporting of new or increased municipal fees.

First Responder: [H.B. 1090](#), relating to the definition of first responder. Reported from the House Committee on Public Safety. As reported, the bill would expand workers' compensation liability for certain first responders.

Speed Limit: [H.B. 1287](#), relating to the prima facie speed limit on certain streets and highways. Reported from the House Committee on Transportation as substituted. As reported, the bill would lower the prima facie speed limit on neighborhood city streets from 30 to 25 miles-per-hour.

Electric Rates: [H.B. 1397](#), relating to the establishment of rates for certain non-ERCOT utilities. Reported from the Senate Business and Commerce Committee. As reported, the bill would negatively affect a city's oversight of electric utility rates.

Sales Taxes: [H.B. 1525](#), relating to the administration and collection of sales and use taxes applicable to sales involving marketplace providers. Reported from the Senate Finance Committee. As reported, the bill would, among other things, require marketplace sellers to collect and remit sales and use taxes based upon the location to which an item is delivered to the purchaser.

Professional Services: [H.B. 1737](#), relating to statutes of limitation and repose for certain claims involving the construction or repair of an improvement to real property or equipment attached to real property. Reported from the House Committee on Judiciary and Civil Jurisprudence.

First Responder PTSD: [H.B. 2143](#), relating to the eligibility of a first responder for workers' compensation benefits for post-traumatic stress disorder. Reported from the House Committee on Business and Industry.

NEVs: [H.B. 2163](#), relating to the types of vehicles regulated as neighborhood electric vehicles under the Rules of the Road. Reported favorably from the House Committee on Transportation. As reported, the bill would define a "neighborhood electric vehicle" to be an electric vehicle that can attain a maximum speed of 35 miles per hour, and otherwise complies with either the Federal Motor Vehicle Safety Standards applicable to motorcycle vehicles that have at least three wheels in contact with the ground or Federal Motor Vehicle Safety Standards for low-speed vehicles.

Board of Adjustment: [H.B. 2497](#), relating to rules of and appeals to a municipal board of adjustment. Reported from the House Committee on Land and Resource Management.

Elections: [H.B. 2898](#), relating to voting outside of the polling place. Reported from the House Committee on Elections. As reported, the bill would authorize an election authority to permit a voter who is a parent or legal guardian of a child who is five years old or younger and is accompanied by that child to the polling place to vote using a ballot delivered to the voter at the entrance to the polling place or curb.

Construction Defects: [H.B. 2901](#), relating to civil liability and responsibility for the consequences of defects in the plans, specifications, or related documents for the construction or repair of an improvement to real property. Reported from the House Committee on Judiciary and Civil Jurisprudence as substituted.

Charter Schools: [H.B. 3155](#), relating to the applicability of certain laws to open-enrollment charter schools. Reported from the House Committee on Public Education. As reported, the bill would require that charter schools be treated as school districts for purposes of most municipal regulations.

Open Government/Disasters: [H.B. 3752](#), relating to certain procedures applicable to meetings under the open meetings law and the disclosure of public information under the public information law in the event of an emergency, urgent public necessity, or catastrophic event. Reported from the House Committee on State Affairs. As reported, the bill would make various changes to the operation of open government laws during a disaster.

Speed Limits Near Schools: [H.B. 3871](#), relating to the process for establishing speed limits on roads near certain schools. Reported favorably from the House Committee on Transportation.. As reported, the bill would mandate that a city take certain actions related to the speed limit near a school at the request of the school.

Solar Panels: [S.B. 2066](#), relating to distributed renewable generation resources. Reported from the House Committee on Business and Commerce as substituted. As reported, the bill would limit the authority of a city to regulate the placemen of solar panels.

Electronic Information: [H.B. 4132](#), relating to maintenance and production of electronic public information under the public information law. Reported from the House Committee on State Affairs.

Disable First Responder Tax Exemption: [H.J.R. 139](#), proposing a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homesteads of certain disabled first responders and their surviving spouses. Reported from the House Committee on Ways and Means.

Bond Issuance: [H.B. 440](#), relating to general obligation bonds issued by political subdivision. Passed the House. Reported from the Senate State Affairs Committee. As reported, the bill would: (1) require a political subdivision to include any sample ballot prepared for a general

obligation bond election to be prominently posted on the political subdivision's website during the 21 days before the election along with the election order, notice of the election, and contents of the proposition, if the political subdivision maintains a website; and (2) provide that a political subdivision may not issue a general obligation bond to purchase, improve, or construct improvements or to purchase personal property if the weighted average maturity of the issue of bonds to finance the improvements or personal property exceeds 120 percent of the reasonably expected weighted average economic life of the improvements or personal property financed with the issue of bonds.

Cottage Foods: [S.B. 932](#), relating to the regulation of certain direct sales of food to consumers and a limitation on the fee amount for certain permits. Reported from the House Committee on Public Health.

Public Information Act – Personal Devices and Accounts: [S.B. 944](#), relating to the public information law. Reported from the House Committee on State Affairs. As reported, the bill would require a city employee or elected official to turn city-related information on a private device or account over to the city.

Annexation: [S.B. 1024](#), relating to access to services area annexed by certain tier 1 municipalities under a service plan. Reported from the Senate Committee on Intergovernmental Relations. As reported, the bill would provide additional remedies for a person annexed by a city of 350,000 or less who claims that the city isn't providing services.

Open Meetings Act – “Walking Quorum”: [S.B. 1640](#), relating to changing the criminal offense of conspiracy to circumvent the open meetings law. Reported from the House Committee on State Affairs. As reported, the bill would provide that a member of a governmental body commits an offense if the member: (1) knowingly engages in at least one communication among a series of communications that each occur outside of a meeting authorized by the Open Meetings Act and that concern an issue within the jurisdiction of the governmental body in which the members engaging in the individual communications constitute fewer than a quorum of members; and (2) knew at the time the member engaged in the communication that the series of communications: (a) involved or would involve a quorum; and (b) would constitute a deliberation once a quorum of members engaged in the series of communications. (Note: this bill attempts to overturn a recent Court of Criminal Appeals opinion in *Doyal v. State*, which found the existing statute unconstitutional.)

**Editor's Note: The links above lead to the bill's landing page on the Texas Legislature Online website. To read the latest version, click on the "text" tab and click on the lowest version on the screen.*

City Officials Testify

When the legislature is in session, nothing compares to the effectiveness of city officials testifying at the Capitol. City officials who take the time to travel to Austin to speak out on important city issues should be applauded by us all. The League extends its thanks to all those who have vigilantly represented cities during this session. This list generally covers testimony

through Monday of each week. Witnesses who testified later than that date will be included in the next week's edition. If we missed your testimony let us know by an email to ford@tml.org, and we'll recognize you in next week's edition.

The following officials testified in committee hearings:

- Virginia Collier, Senior Planner, City of Austin
- James Darling, Mayor, City of McAllen
- Clifford Sparks, Legislative Director, City of Dallas
- Brian Funderburk, City Manager, City of Rowlett
- Michael Shannon, Director - Development Services Department, City of San Antonio
- Greg Meszaros, Director – Austin Water, City of Austin
- Jerry Hendrix, Chief of Staff, City of Kyle
- Bill Kelly, Director Government Relations, City of Houston
- Jerry Bark, Director Public Relations, City of Harker Heights
- Hilary Shine, Executive Director of Communications, City of Killeen
- Dr. Marte Martinez, Councilmember, City of Laredo
- Charles Fenner, Director of Municipal Development, City of Terrell
- Nick Woolery, Director of Strategy & Innovation, City of Baytown
- Edward Broussard, City Manager, City of Tyler
- Les Stephens, Fire Chief, City of San Marcos
- Catherine Gorman, Assistant Director/Historic Preservation Officer, City of Galveston
- Mike Rawlings, Mayor, City of Dallas
- Hope Wells, Water Resources Counsel, San Antonio Water System
- Loren Raun, Chief Environmental Science Officer, City of Houston
- Michael Gerke, Chief of Police, City of Odessa

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By: Phelan, Rodriguez, Collier, Schaefer

H.B. No. 2439

A BILL TO BE ENTITLED

AN ACT

1
2 relating to certain regulations adopted by governmental entities
3 for the building products, materials, or methods used in the
4 construction or renovation of residential or commercial buildings.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Title 10, Government Code, is amended by adding
7 Subtitle Z to read as follows:

8 SUBTITLE Z. MISCELLANEOUS PROVISIONS PROHIBITING CERTAIN

9 GOVERNMENTAL ACTIONS

10 CHAPTER 3000. GOVERNMENTAL ACTION AFFECTING RESIDENTIAL AND

11 COMMERCIAL CONSTRUCTION

12 Sec. 3000.001. DEFINITIONS. In this chapter:

13 (1) "National model code" has the meaning assigned by
14 Section 214.217, Local Government Code.

15 (2) "Governmental entity" has the meaning assigned by
16 Section 2007.002.

17 Sec. 3000.002. CERTAIN REGULATIONS REGARDING BUILDING
18 PRODUCTS, MATERIALS, OR METHODS PROHIBITED. (a) Notwithstanding

1 construction, renovation, maintenance, or other alteration of a
2 residential or commercial building if the building product or
3 material is approved for use by a national model code published
4 within the last three code cycles that applies to the construction,
5 renovation, maintenance, or other alteration of the building; or

6 (2) establishes a standard for a building product,
7 material, or aesthetic method in construction, renovation,
8 maintenance, or other alteration of a residential or commercial
9 building if the standard is more stringent than a standard for the
10 product, material, or aesthetic method under a national model code
11 published within the last three code cycles that applies to the
12 construction, renovation, maintenance, or other alteration of the
13 building.

14 (b) A governmental entity that adopts a building code
15 governing the construction, renovation, maintenance, or other
16 alteration of a residential or commercial building may amend a
17 provision of the building code to conform to local concerns if the
18 amendment does not conflict with Subsection (a).

19 (c) This section does not apply to:

20 (1) a program established by a state agency that
21 requires particular standards, incentives, or financing

1 (A) regulates outdoor lighting for the purpose of
2 reducing light pollution; and

3 (B) is adopted by a governmental entity that is
4 certified as a Dark Sky Community by the International Dark-Sky
5 Association as part of the International Dark Sky Places Program;

6 (4) an ordinance or order that:

7 (A) regulates outdoor lighting; and

8 (B) is adopted under Subchapter B, Chapter 229,
9 Local Government Code, or Subchapter B, Chapter 240, Local
10 Government Code;

11 (5) a building located in a place or area designated
12 for its historical, cultural, or architectural importance and
13 significance that a municipality may regulate under Section
14 211.003(b), Local Government Code, if the municipality:

15 (A) is a certified local government under the
16 National Historic Preservation Act (54 U.S.C. Section 300101 et
17 seq.); or

18 (B) has an applicable landmark ordinance that
19 meets the requirements under the certified local government program
20 as determined by the Texas Historical Commission;

21 (6) a building located in a place or area designated

1 Landmark;

2 (9) a building designated as a State Archeological
3 Landmark or State Antiquities Landmark;

4 (10) a building listed on the National Register of
5 Historic Places or designated as a landmark by a governmental
6 entity;

7 (11) a building located in a World Heritage Buffer
8 Zone; and

9 (12) a building located in an area designated for
10 development, restoration, or preservation in a main street city
11 under the main street program established under Section 442.014.

12 (d) A municipality that is not a municipality described by
13 Subsection (c)(3)(A) or (B) may adopt or enforce a regulation
14 described by Subsection (a) that applies to a building located in a
15 place or area designated on or after April 1, 2019, by the
16 municipality for its historical, cultural, or architectural
17 importance and significance, if the municipality has the voluntary
18 consent from the building owner.

19 (e) A rule, charter provision, ordinance, order, building
20 code, or other regulation adopted by a governmental entity that
21 conflicts with this section is void.

1 (d) Sovereign and governmental immunity to suit is waived
2 and abolished only to the extent necessary to enforce this chapter.

3 Sec. 3000.004. OTHER PROVISIONS NOT AFFECTED. This chapter
4 does not affect provisions regarding the installation of a fire
5 sprinkler protection system under Section 1301.551(i), Occupations
6 Code, or Section 775.045(a)(1), Health and Safety Code.

7 Sec. 3000.005. SEVERABILITY. If any provision of a rule,
8 charter provision, ordinance, order, building code, or other
9 regulation described by Section 3000.002(a) is held invalid under
10 this chapter, the invalidity does not affect other provisions or
11 applications of the rule, charter provision, ordinance, order,
12 building code, or other regulation that can be given effect without
13 the invalid provision or application, and to this end the
14 provisions of the rule, charter provision, ordinance, order,
15 building code, or other regulation are severable.

16 SECTION 2. This Act takes effect September 1, 2019.