



City of La Vernia
REGULAR CITY COUNCIL MEETING

VIA TELEPHONE CONFERENCE

April 16, 2020
6:45 PM

Or immediately following the Joint City Council and Planning and Zoning Meeting

This meeting will be closed to in person attendance by the public. A temporary suspension of certain provisions of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

USING TELEPHONE OR MOBILE DEVICE: To listen to the meeting, please use the phone number and access code below.

Toll Dial-In Number: 1-512-717-4201

Toll-Free Dial-In Number: 1-800-717-4201

Conference ID: 130-2088 #

To address the Council, please select *5 on your phone; this will place you in queue for speaking. At the appropriate time the City Secretary will call upon each individual separately.

A recording of the telephone conference will be made and will be available to the public in accordance with the Open Meetings Act.

AGENDA

1. Call to Order

2. Citizens to be Heard [suspended]

On March 16, 2020, Governor Abbott suspended several provisions of the Texas Open Meetings Act for the duration of his statewide declaration of disaster, including the new requirement (added by H.B. 2840 last legislative session) that the public has a right to speak on agenda items This DOES NOT apply to statutorily-mandated public hearings, such as zoning and similar hearings.

3. 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 26, 2020 Regular City Council Meeting
- B. Minutes from the March 30, 2020 Emergency Joint Meeting



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

March 26, 2020
3:00 PM

Minutes

1. **Call to Order** – Mayor Gregory called the meeting to order at 3:00 PM and declared a quorum. All members were present.
2. **Invocation, Pledge of Allegiance, and Texas Pledge** – Mayor Gregory led the invocation and all in attendance recited the Pledge of Allegiance and the Texas Pledge.
3. **Citizens to be Heard** – there were no citizens to be heard.

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 February 13, 2020 Regular City Council Meeting
- B. Minutes from the February 13, 2020 Joint Workshop
- C. La Vernia Police Department – Reports, Traffic Violations & Arrests; and Number of Occurrences by Offense for the month of February;
- D. Check Register and financial report
- E. Quarterly Investment Report

MOTION: Councilman Hennette made a motion to approve the consent agenda as presented, seconded by Councilman Cormier. Motion passes: 5-0.

5. Discussion/Action

- A. **Discuss and consider action on the appointment of Marilyn Womack to the La Vernia Municipal Development District (MDD) Board.**

MOTION: Councilman Hennette made a motion to appoint Marilyn Womack to the La Vernia Municipal Development District (MDD) Board, seconded by Councilman Poore. Motion passes: 5-0.

- B. **Discuss and consider action on the extension of the Declaration of Public Health Emergency**

Mayor Gregory stated a lot has changed within the last weeks' time. Councilman Poore recommended we change the date printed, April 23rd, to April 21st to align with the other agencies, Wilson County and school.

MOTION: Councilman Poore made a motion to approve an Ordinance extended the Declaration of Public Health Emergency, seconded by Councilman Cormier. **Motion passes: 5-0.**

6. Ordinances

A. Discuss and consider an ordinance to cancel the May 2, 2020 General Election.

MOTION: Councilman Poore made a motion to approve an ordinance cancelling the May 2, 2020 General Election, seconded by Councilman Cormier. **Motion passes: 5-0.**

7. Resolution

A. Discuss and consider approval of a resolution to contribute matching funds to the Floresville Electric Light and Power System for the 2020 Summer Youth Program. Mayor Gregory stated taking a trip down memory road, we have contributed matching funds to the La Vernia Little League Challengers last year and in the years prior too, the Library and Ministerial Alliances.

MOTION: Councilman Poore made a motion to approve matching funds be given to the Ministerial Alliance, seconded by Councilman Hennette. **Motion passes: 5-0.**

B. Discuss and consider approval of a resolution to appoint Councilman Poore to the Board of Trustees of the Canyon Regional Water Authority (CRWA).

MOTION: Councilman Hennette made a motion to approve appointing Councilman Poore to the CRWA Board, seconded by Councilman Cormier. **Motion passes: 5-0.**

10. Items Specific to Future Line Items on the Agenda

- **Specific Use Permit**
- **Comp. Plan**
- **Juv. Curfew**
- **Payscale**

11. Adjourn – Councilwoman Recker made a motion to adjourn the meeting at, seconded by Councilwoman Hutchinson. Meeting was adjourned at 3:35 PM. **Motion passes: 5-0.**

ATTEST:

Robert Gregory, Mayor

Brittani Porter, City Secretary



City of La Vernia
SPECIAL JOINT EMERGENCY MEETING BY AND BETWEEN THE
CITY COUNCIL & MUNICIPAL DEVELOPMENT DISTRICT
VIA TELEPHONE CONFERENCE

March 30, 2020
3:00 PM

Minutes

1. **Call to Order** – Mayor Gregory called the meeting to order at 3:02 PM and declared a quorum.
2. **Invocation, Pledge of Allegiance, and Texas Pledge:** Mayor Gregory led the invocation, all in attendance recited the Pledge of Allegiance and Texas Pledge.

3. Citizens to be Heard [SUSPENDED]

On March 16, 2020, Governor Abbott suspended several provisions of the Texas Open Meetings Act for the duration of his statewide declaration of disaster, including the new requirement (added by H.B. 2840 last legislative session) that the public has a right to speak on agenda items This DOES NOT apply to statutorily-mandated public hearings, such as zoning and similar hearings.

4. Resolution for MDD

- A. **Discussion and possible action on a resolution authorizing a program for certain financial assistance up to [\$200,000.00] to be distributed as business grants, a line of credit or other financial assistance to be used for employee retention and other eligible expenditures for businesses located within the City of La Vernia, Texas.**

City Administrator had reached out to City Attorney in regards to the current pandemic and available options for assistance for the local businesses which was recommended to look at the City of Gonzales. MDD President Jay Hennette advised staff had been doing their due diligence and spoke with the City Attorney in which they presented a packet in regards to financial assistance that mimicked what another City was doing. Based on board discussion, the agreement was to table this item at this time and provide comments back to the City Administrator on Application Guidelines and call another meeting.

MOTION: Dianell Recker made a motion to table the item until we can have another meeting, seconded by Cynthia Farmer. **Motion passed: 5-0.**

5. Resolution for City Council

- A. **Discuss and possible action on a resolution authorizing a program for certain financial assistance up to [\$200,000.00] by La Vernia MDD to distributing a business grants, a line of credit or other financial assistance to be used for employee retention and other eligible expenditures for business located within the City of La Vernia, Texas.**

No action at this time.

6. Items Specific to Future Line Items on the Agenda

7. Adjourn- Councilman Cormier made a motion to adjourn the meeting, seconded by Councilman Hennette. Meeting was adjourned at 3:41.

Robert Gregory, Mayor

ATTEST:

Brittani Porter, City Secretary



City of La Vernia
SPECIAL JOINT EMERGENCY MEETING BY AND BETWEEN THE
CITY COUNCIL & MUNICIPAL DEVELOPMENT DISTRICT
VIA TELEPHONE CONFERENCE

April 2, 2020
10:00 AM

Minutes

1. Call to Order – Mayor Gregory called the Council Meeting to order and declared a quorum at 10:00 AM. Members absent: Councilwoman Hutchinson

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 [SUSPENDED]

On March 16, 2020, Governor Abbott suspended several provisions of the Texas Open Meetings Act for the duration of his statewide declaration of disaster, including the new requirement (added by H.B. 2840 last legislative session) that the public has a right to speak on agenda items This DOES NOT apply to statutorily-mandated public hearings, such as zoning and similar hearings.

4. Resolution for MDD

- A.** Discussion and possible action on a resolution authorizing a program for certain financial assistance up to [\$200,000.00] to be distributed as business grants, a line of credit or other financial assistance to be used for employee retention and other eligible expenditures for businesses located within the City of La Vernia, Texas.

Board discussed renaming the program to go in hand with the current pandemic such as La Vernia City COVID-19 Emergency Relief Program Clarification to Project Funding Application making it specific to this program. In the project guidelines under Conditions and Acknowledgments incorporate the words “Only businesses closed or severely affected by Executive Order GA-14 may apply.” and payroll tax information be added. Request to add “sole proprietors be added for consideration, and clarification on the application. Information regarding the program will go out noon on Thursday and the review process will begin on Wednesday, April 8th with a deadline to receive applications by 10 AM on Friday, April 10th. Approval for up to \$10,000.00 and no more, to one business will be made by Economic Development Director, Yvonne Griffin and President Jay Hennette.

MOTION: Councilman Cormier made a motion to authorize a program for certain financial assistance up to \$200,000.00 to be distributed as business grants, a line of credit or other financial assistance to be used for employee retention and other eligible expenditures for businesses located within the City of La Vernia, seconded by Councilwoman Recker. **Motion passes: 4-0.**

5. Resolution for City Council

- A. Discuss and possible action on a resolution authorizing a program for certain financial assistance up to [\$200,000.00] by La Vernia MDD to distributing a business grants, a line of credit or other financial assistance to be used for employee retention and other eligible expenditures for business located within the City of La Vernia, Texas.

MOTION: Councilman Poore made a motion to approve a resolution authorizing a program for certain financial assistance up to [\$200,000.00] by La Vernia MDD to distributing a business grants, a line of credit or other financial assistance to be used for employee retention and other eligible expenditures for business located within the City of La Vernia, Texas, seconded by Councilman Hennette. **Motion passes: 4-0.**

6. Items Specific to Future Line Items on the Agenda

7. Adjourn- Councilman Cormier made a motion to adjourn the meeting, seconded by Councilman Hennette. Meeting was adjourned at 10:38 AM.

Robert Gregory, City Mayor

ATTEST:

Brittani Porter, City Secretary

La Vernia Police Department
Enforcement Statistics
March 2020

Case Type
Criminal Complaints
Incident

| | |
|--------------|-----------|
| | 12 |
| | 41 |
| Total | 53 |

CRIMINAL COMPLAINT - Offense Code

PARAPHERNALIA
THEFT
CRIMINAL TRESPASS
RECKLESS DRIVING
POSS FIREARM BY FELON
RECKLESS DAMAGE
POSS CS PG 1
POSS OF MARIJUANA

| | |
|--------------|-----------|
| | 1 |
| | 5 |
| | 1 |
| | 1 |
| | 1 |
| | 1 |
| | 1 |
| | 1 |
| Total | 12 |

INCIDENT - Offense Code

ACCIDENT INVOLVING DAMAGE TO V
ALARM
ASSIST OTHER AGENCY
NATURAL DEATH
INFO
WELFARE CONCERN
DISTURBANCE
SUSPICIOUS PERSON
CHILD CUSTODY
ASSIST PUBLIC
NOISE COMPLAINT
WARRANT SERVICE

| | |
|--------------|-----------|
| | 7 |
| | 3 |
| | 4 |
| | 1 |
| | 10 |
| | 1 |
| | 3 |
| | 2 |
| | 1 |
| | 4 |
| | 2 |
| | 3 |
| Total | 41 |

Citations

VIOLATIONS
WARNINGS

| | |
|--------------|-----------|
| | 23 |
| | 55 |
| Total | 78 |



Bruce Ritchey
Chief of Police



La Vernia, Texas A Community Living, Learning, and Working Together

City of La Vernia

Comprehensive Plan

March 2020

By:



M&S ENGINEERING
CIVIL | ELECTRICAL | STRUCTURAL | MEP

Texas Registered Engineering Firm F-1394

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Appendix A – Map and Exhibits

Future Land Use Map

Zoning Map

Master Thoroughfare Plan Map

Appendix B – Goals List

Comprehensive List of Recommended Goals

1 Introduction

In 2018, the City of La Vernia contracted with M&S Engineering to update the existing 2012 La Vernia Comprehensive Plan prepared by Guadalupe Valley Electric Cooperative and the Lower Colorado River Authority. A number of the goals and initiatives identified in the 2012 plan have already been completed or are currently being addressed, and City leaders are now seeking an update to the plan along with better developed processes and approaches for meeting the renewed list of goals. The main focus of the plan is to identify key strategies and opportunities for the City to manage expected growth and ensure the expectations of the community are met as growth occurs in the future. The Comprehensive Plan (Plan) is intended to serve as a framework for decision making, identifying where limited resources should be focused, and provide for coordinated effort by the City and other organizations to address common issues and challenges facing La Vernia.

Public input was sought throughout the development of the Comprehensive Plan through Town Hall meetings, public workshops and an online survey. Additionally, extensive input provided by the Mayor, City staff and City Council was documented and incorporated into the plan. The challenge for the City is to maintain the strong community participation that led to this Plan as the Council and others move forward with the implementation.

2 Plan Process

The first step in the planning process was to identify those 2012 Comprehensive Plan goals that had been implemented, those that still needed to be addressed and those that no longer supported the City's goals. The second step in the planning process was to create a list of questions to include in the online survey. The online survey consisted of two parts: 1) review and input on 2012 goals that had not been implemented, and 2) identifying and gathering input on future infrastructure and community needs. In addition to gathering input from the online survey, a Town Hall meeting was held at St. Anne's Catholic Church on February 26, 2019 to gather input, opinions and suggestions from the community both on existing and future goals. All information from the online survey and public workshops was considered during the development of the Comprehensive Plan. After the development of the draft 2020 Comprehensive Plan, a public comment period was held for approximately two weeks. The ultimate goal of the planning process and public input was to have the data and information necessary to create a Comprehensive Plan that accurately reflects the concerns and priorities of the citizens of La Vernia. As a final step in the process, City Council, Mayor and City staff reviewed the recommendations and helped prioritize the goals and objectives to ensure the Comprehensive Plan was an accurate reflection of the priorities of La Vernia residents.

The online survey was an effort to identify the larger concerns of the community and get a general sense of where the residents stood on the remaining 2012 goals. Approximately 350 responses were tallied. Common themes included strong support for job creation, expanding recreational facilities, preserving the downtown area, affordable housing and community services. Much of the input gathered at the Town Hall meeting reflected the information tallied from the online survey.

Once public input was gathered, a meeting was held with the Mayor and City staff to discuss the data results and to prioritize the list of recommendations. The initial list of recommendations was incorporated into the draft 2019 Comprehensive Plan for review and comments by City staff and citizens. Comments on the draft plan were addressed and the report revised accordingly resulting in the final Comprehensive Plan and list of Goals and Objectives. The final report was reviewed again by the City before being adopted by City Council. The Plan is not regulatory. It is simply a document to guide planning efforts and the development of the City to ensure continued economic vitality in the future.

3 Plan Outline

The Comprehensive Plan is organized into Chapters addressing specific areas of interest. They include the following:

- Demographics
- Land Use
- Development Guideline Updates and Asset Management
- Public (City Owned) Property
- Parks and Recreations
- Infrastructure
- Housing
- Community Development
- Implementation Guide

3.1 Demographics

The Demographics chapter provides an overview of the population, income, housing data, as well as projections of future growth. This information is used to inform City leaders of existing conditions and what to expect going forward. It also will drive opportunities such as housing development and economic development by providing data that can be used to market La Vernia. This information also is necessary to ensure the City and others plan properly for necessary facilities like water and wastewater capacity, transportation, schools, etc.

3.2 Land Use

This chapter provides an overview of the current land use within the City limits and a discussion of the current development patterns in the City. This is important because of its bearing on issues like transportation, walkability, utilities and quality of life. A Future Land Use Map was developed and included herein (see Appendix A) to provide direction as to what types of development should occur across the City. The Future Land Use Map is a long-term vision of development over the next 10 to 20 years, allowing the City Council to appropriately guide the City's growth. Again, this affects issues of infrastructure and quality of life.

3.3 Development Guideline Updates

Economic development is a key objective of the City. In order to have successful development, the City must have ordinances and zoning that support it. Due to the growth and changing nature of the development in and around the City, certain areas of the Code of Ordinances need to be updated. Properly written codes and guidelines will support economic growth and development.

3.4 Public (City Owned) Property

The City owns several properties within the City. This chapter details the recommended usage for City owned buildings, offices, and parks in addition to City owned property that is currently vacant.

3.5 Parks and Recreation

Parks are an important element in a community's quality of life. Parks can take many forms, from a large sports complex to a small neighborhood park with a few benches and small playscape. The key is to develop a park system that meets the diverse needs of the community offering facilities and

amenities for residents of all ages. The recommendations are geared towards expanding park opportunities in La Vernia to meet the growing and changing needs of the community.

3.6 Infrastructure

Infrastructure is fundamental to each community and the public safety of its residents. Keeping up with infrastructure needs includes both projects to accommodate growth and on-going maintenance. Infrastructure covered in this section includes streets, sidewalks, water system, wastewater system and storm drainage.

3.7 Housing

Housing can be difficult for a City to address. There is typically little support for direct public involvement in housing development. Housing subsidies are typically provided by a separate agency, so the City may feel that it has no role to play. This section addresses that concern by outlining actions the City can take to address the need for a wider variety of housing options, such as multi-family and senior housing. By addressing these challenges, La Vernia can ensure it has housing diversity. This means existing and prospective residents can find a home that meets their financial and personal needs.

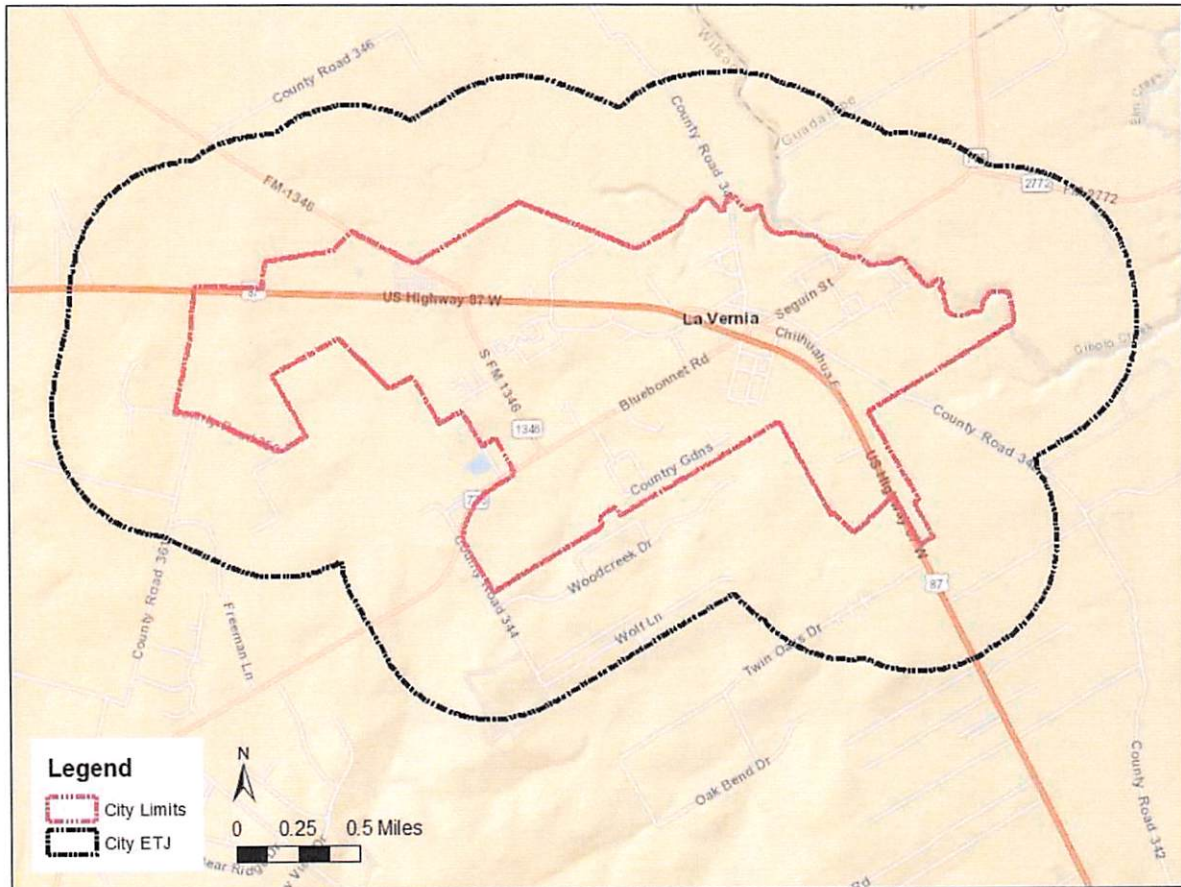
3.8 Community Development

Community development is the broadest category of the Comprehensive Plan. It incorporates many elements of the City, from basic services like public safety to citizen outreach and engagement. These represent the services the City provides to its citizens, enhancing quality of life and ensuring a strong community. Working on the goals for this section will lay the foundation for community vitality in the future and ensure that La Vernia remains an attractive, safe community for current and future residents and businesses.

4 Demographics

4.1 Introduction

La Vernia is a rural community located east of San Antonio, the 7th largest city in the country. This places La Vernia in an excellent location to offer a rural quality of life with proximity to employment and major services found in a large City.



4.2 Current Population

La Vernia is located in an area that has seen significant growth over the last decade. The Census estimates show the City population has increased 36.7% from 2010 to 2018. Based on census data, the population was 1,043 in 2010 and 1,415 in 2018. This level of growth puts increased strain on infrastructure, schools, and other public facilities which will have to be managed.

4.2.1 Current Population

| | 2000 | 2010 | 2018 | % Change 2010 to 2018 |
|---------------|--------|--------|--------|--------------------------|
| La Vernia | 931 | 1,035 | 1,415 | 36.7% |
| Wilson County | 32,408 | 42,918 | 50,244 | 14.6% |

Source: U.S. Census Bureau

The economy in Central Texas continues to grow. Just north of this area, Comal and Hays Counties are two of the top 10 fastest growing counties in the nation. It is expected that the City of La Vernia will remain a desirable place to live, with continued job growth. San Antonio continues to grow rapidly, and this will likely drive continued growth in Wilson County.

4.2.1.1 Population Projections

| | 2010 | 2020 | 2030 |
|----------------------|-------|-------|-------|
| La Vernia Population | 1,035 | 1,560 | 2,540 |

Source: Estimated by M&S Engineering

These population projections are based on an average population growth rate of 5% annually. The 5% rate is based on the average growth shown in the census numbers over the last decade.

4.3 Population Characteristics

In the Census, Hispanic is considered an ethnicity not a race, so a respondent can select White as their race and Hispanic as their ethnicity. Therefore, the percentages do not add up to 100%. La Vernia race origin is majority White, and its minority population is growing at a much slower rate than the rest of Texas.

4.3.1 Race and Ethnicity

| | 2000 | 2010 | % Change |
|------------------|-------|-------|----------|
| White Alone | 92.5% | 92.5% | 0.0% |
| Black Alone | 0.1% | 0.7% | 0.5% |
| American Indian | 0.8% | 0.4% | -0.4% |
| Asian | 0.6% | 0.6% | 0.0% |
| Pacific Islander | 0.0% | 0.0% | 0.0% |
| Other | 4.2% | 3.6% | -0.6% |
| Two or More | 1.8% | 2.3% | 0.5% |
| Hispanic | 20.0% | 22.0% | 2.0% |

Source: 2010 US Census

Unlike many rural communities, La Vernia saw its median age decline over the last 10 years. However, the percentage of 18 and under declined. There was also a decline in 25 to 44-year-old, which is when people are beginning their careers, and settling in to work. The rise in 45 and above shows that La Vernia maintains an attraction for older residents, possibly those looking for a good community to raise their families, early retirees, and the like. It will be important to track this demographic as the expectations for City services and facilities will change as the population ages.

4.3.1.1 Population by Age 2000 - 2010

| | 2000 | 2010 | % of Pop. Change |
|---------|------|------|------------------|
| 0 – 4 | 6.2% | 6.0% | -0.2% |
| 5 – 9 | 6.8% | 6.2% | -0.6% |
| 10 – 14 | 7.9% | 6.7% | -1.2% |
| 15 – 19 | 7.0% | 6.6% | -0.4% |
| 20 – 24 | 4.6% | 4.9% | 0.3% |

| | | | |
|------------|-------|-------|-------|
| 25 – 34 | 11.4% | 10.2% | -0.8% |
| 35 – 44 | 16.1% | 13.0% | -3.1% |
| 45 – 54 | 14.9% | 16.3% | 1.4% |
| 55 – 64 | 10.3% | 14.4% | 4.1% |
| 65 – 74 | 8.0% | 8.4% | 0.4% |
| 75 – 84 | 5.1% | 5.0% | -0.1% |
| 85+ | 1.8% | 2.1% | 0.3% |
| Median Age | 39.7 | 38.8 | -1.1 |

Source: ESRI Business Analyst

4.4 Income

La Vernia has seen a steady increase in household income over the last decade. Local job growth and economic growth in the region have driven this increase. Central Texas has bucked the national decline and seen new jobs created despite the national downturn.

4.4.1 Median Household Income

| | 2000 | 2010 | % Change |
|-------------------------|----------|----------|----------|
| <\$15,000 | 16.5% | 10.6% | -5.9% |
| \$15,000 - \$24,999 | 20.2% | 8.1% | -12.1% |
| \$25,000 - \$34,999 | 8.4% | 8.1% | -0.3% |
| \$35,000 - \$49,999 | 16.1% | 18.9% | 2.8% |
| \$50,000 - \$74,999 | 14.0% | 22.5% | 6.5% |
| \$75,000 - \$99,999 | 10.6% | 15.3% | 4.7% |
| \$100,000 - \$149,999 | 11.2% | 12.5% | 1.3% |
| \$150,000 - \$199,999 | 1.6% | 2.5% | 0.9% |
| \$200,000+ | 1.6% | 1.7% | 0.1% |
| Median Household Income | \$39,125 | \$53,333 | \$14,208 |

Source: 2010 US Census

4.5 Housing

The number of housing units has grown by nearly 100, which is a faster rate than the population. This is reflected in the somewhat high vacancy rate.

4.5.1 Housing Occupancy 2010

| | # of Units | % of Units |
|---------------------|------------|------------|
| Total Housing Units | 438 | 100% |
| Occupied | 407 | 92.9% |
| Owner | 274 | 62.6% |
| Renter | 133 | 30.4% |
| Vacant | 31 | 7.1% |

Source: 2010 US Census

The majority of homes (87.9%) in La Vernia are single family or manufactured homes. Unlike many rural communities there is a significant amount of multi-family (9%). This is a strength in the community as residents have an option for where to live. Older residents can remain in the

community and choose a lower maintenance townhome or apartment, while new teachers, police officers, etc. can afford a rental property in the community as they get settled.

4.5.2 Housing Type

| | % of Units |
|--------------------------------|------------|
| Single Family Detached | 77.6% |
| Single Family Attached | 2.0% |
| Duplex | 0.9% |
| Multi Family (3 or more units) | 9.2% |
| Mobile Home | 10.3% |

Source: ESRI Business Analyst

Home values have seen a major increase over the last decade. The median home price has increased over \$45,000. Fortunately, homes in La Vernia remain affordable for residents making the median income. This means there is a balanced housing market, where those who work in the community should be able to find appropriate housing. Again, this is not common in smaller communities; often, these communities struggle to provide a range of housing to residents. La Vernia is fortunate to have balance and should work to continue this.

4.5.3 Median Home Value

| | Median Value 2000 | Median Income 2000 | Median Value 2010 | Median Income 2010 |
|-----------|----------------------|-----------------------|----------------------|-----------------------|
| La Vernia | \$74,590 | \$39,125 | \$120,766 | \$53,333 |

Source: ESRI Business Analyst

4.5.4 Home Values 2010

| | # of Units | % of Units |
|-----------------------|------------|------------|
| < \$10,000 | 7 | 1.7% |
| \$10,000 - \$14,999 | 4 | 1.0% |
| \$15,000 - \$19,999 | 1 | 0.2% |
| \$20,000 - \$24,999 | 5 | 1.2% |
| \$25,000 - \$29,999 | 7 | 1.7% |
| \$30,000 - \$34,999 | 3 | 0.7% |
| \$35,000 - \$39,999 | 7 | 1.7% |
| \$40,000 - \$49,999 | 15 | 3.6% |
| \$50,000 - \$59,999 | 23 | 5.5% |
| \$60,000 - \$69,999 | 12 | 2.9% |
| \$70,000 - \$79,999 | 18 | 4.3% |
| \$80,000 - \$89,999 | 26 | 6.2% |
| \$90,000 - \$99,999 | 29 | 7.0% |
| \$100,000 - \$124,999 | 62 | 14.9% |
| \$125,000 - \$149,999 | 43 | 10.3% |
| \$150,000 - \$174,999 | 41 | 9.8% |
| \$175,000 - \$199,999 | 31 | 7.4% |
| \$200,000 - \$249,999 | 46 | 11.0% |

| | | |
|-----------------------|----|------|
| \$250,000 - \$299,999 | 13 | 3.1% |
| \$300,000 - \$399,999 | 14 | 3.4% |
| \$400,000 - \$499,999 | 5 | 1.2% |
| \$500,000 - \$749,999 | 2 | 0.5% |
| \$750,000 - \$999,999 | 0 | 0.0% |
| > \$1,000,000 | 3 | 0.7% |

Source: ESRI Business Analyst

4.6 Conclusion

La Vernia is fortunate in its location and its community assets. It has a strong diversity of housing, local employment opportunities, proximity to a major metropolitan center, and the opportunity to define its future. City leaders should continue to monitor the demographics and character of the community and ensure City actions support a quality community that all residents can be proud of and that offers opportunity to new and existing citizens.

5 Land Use

5.1 Introduction

Land use is a description of activities occurring on a piece of property. Such activities may include commercial, industrial, residential, recreational, and other uses. A land use survey will identify existing land uses within the community and provide a perspective on how the community has developed over time. Having a current land use survey is a critical component of a comprehensive plan. This type of survey can also help identify needs within the community for types of land uses, such as parks, retail development, or multi-family housing.

In October 2011, a land use survey was conducted by [CITY TO FILL THIS IN]. Land use information was gathered using a “windshield survey” method, which involved driving through the entire city and documenting the land uses for every property. The land use for each parcel was entered into a Geographic Information System (GIS) database.

Each parcel in La Vernia was assigned one of nine different land uses. In addition, subtypes for many of the land use classifications were also assigned to allow for a more precise identification. The primary land use types included the following:

- *Agricultural* – Land that is primarily used for farming or ranching activities (Includes property that is primarily agricultural with a single residence)
- *Commercial* – Land that is primarily used for intensive business uses (Includes industrial uses, automobile repair shops, large feed stores, etc.)
- *Public* – Land that is owned by government agencies or that is used for civic purposes (Includes churches, cemeteries, schools, post offices, etc.)
- *Manufactured Home* – Property occupied by a single manufactured home
- *Manufactured Home Park* – Property occupied by multiple manufactured homes
- *Multi-family* – Property with multiple residential dwelling units
- *Single Family* – Property with one residential dwelling
- *Retail* – Land that is primarily used for small businesses (Includes restaurants, hair salons, banks, offices, etc.)
- *Undeveloped* – Land that has no improvements and is not being used for agriculture purposes

5.2 Current Land Use

La Vernia has developed like most small towns. Businesses are concentrated in the center of town and along the major thoroughfares. Residential uses spread out from the center. Development on the north side of US 87 within the city limits is hampered by the Cibolo Creek drainage basin. The bulk of the growth within the City has been south of the US 87 corridor. Most of the newer development has occurred on the west end of the City along US 87.

The central area in the City is occupied mostly by La Vernia Independent School District (ISD) campuses and the City Park. Located on main thoroughfares, these destinations are easily accessible for most city residents but can create issues with traffic mobility.

There are significant amounts of undeveloped land within the City Limits which are great opportunities for infill development to occur. These locations should be the focus of planning efforts allowing the City to guide development to meet the needs and desires of the community. These efforts are essential for

encouraging land development to occur within the City so the revenues from property taxes are realized.

5.3 Future Land Use

The Future Land Use Plan can be considered the road map for future development. It identifies appropriate locations for different types of new growth. This plan is intended to guide decisions regarding issues of zoning and infrastructure as the City grows. The Future Land Use map is a long-term view of how development should occur over the next 10 to 20 years.

Public participation meetings were held to gather community input and determine the current needs for the City and those findings are included in the Future Land Use Map. Participants took into consideration issues like infrastructure, existing land use, proposed developments and so on to create a vision of what La Vernia could look like in the future. The map, as shown in Appendix A, was updated at the direction of city staff after workshops conducted with the Comprehensive Plan steering committee, City Council, and Planning and Zoning Commission.

One major factor in the growth of any city is the availability of employment. With limited local employment opportunities available, the City would benefit from attracting commercial businesses to the area. The City has interest in a business park that could fill that void; however, the development should be the right fit for the community. The west side of the City is a suitable area for a business park with US 87 providing access to a major transportation network.

With most of the land north of US 87 being undevelopable due to the Cibolo Creek floodplain, development is occurring south of US 87 and on the western side of town. The HEB property serves as a retail anchor at US 87 and FM 1346. The growth in this area provides a gateway visual for the City. Traveling east through town, the remainder of the US 87 corridor is made up mostly of commercial and retail uses. This corridor will continue to benefit the City with mixed-use development on the west side and through the downtown area. As US 87 proceeds east through town and turns south, development is minimal past Crews Street. With mostly large tracts fronting US 87, this area should develop commercial uses.

The central area of the City occupied mostly by La Vernia ISD campuses and the City Park will remain public uses until growth exceeds the capacities of the existing school buildings. The City and school district should work together to determine prime locations for future campuses that better fit the needs of the community. Factors to be considered are traffic flow patterns, accessibility, usefulness of available properties, adaptability to future growth and other issues relevant to each entity.

The Master Thoroughfare Plan includes a proposed major roadway west of CR 344 that would have the potential to bring new opportunities for development along FM 775. A new major intersection would invite the usual businesses that are found in those locations. These new businesses would be a hub for additional development along both the new corridor and FM 775. A proposed mixed-use development at FM 775 and CR 344 will push the growth west along FM 775. The addition of commercial, retail and residential uses in this development will create new opportunities for the community.

Because the City falls under the General Law statutes, it does not have the authority to unilaterally annex property and given the changes to annexation laws in the latest congressional session, annexation will be extremely difficult in the future. Still, the City does have beneficial services that will attract new development with desire to be within the city limits. The City should take a welcoming stance with new development opportunities and provide incentives that are fair to both parties and provide a benefit to the community.

With its close proximity to San Antonio, La Vernia is well positioned for growth. A well thought out Future Land Use Plan will provide the needed direction for future development.

5.4 Recommended Goals

- Update land use maps as necessary to reflect growth and new development

5.5 Conclusion

The Future Land Use Map provides direction for the City as it grows and should be considered when developers are submitting site plans. It does not establish zoning and has no regulatory authority but represents the vision the community has for its growth and should be used by decision makers to ensure future development matches that vision.

6 Development Guidelines Updates

6.1 Introduction

Economic development is a key objective of the City and it takes much more than simply trying to recruit businesses to achieve it. It is a complex equation that involves many parameters. Factors like quality of life, broadband internet access, and education have become critical to successful economic development. Business owners and employees are looking for communities they want to live in more than just communities with the highest incentives. The recommendations in this section focus on updating the Code of Ordinance in a way that will support economic growth and development.

6.2 Zoning Recommendations

The Zoning Map provided in Appendix A illustrates the current zoning throughout the City. The City has a varied list of zoning categories that have provided the City guidelines for various developments up to date. However, due to the changing nature of development, there is a need to update the zoning guidelines to encourage new and different types of development. Mixed use is a development type that takes advantage of consolidated developments and offer a live, work, play type environment. Mixed use typically occurs in densely developed areas. Infill development is reuse of existing developed areas and is a great option to revitalize previously developed areas that have reached their useful life. The City may also benefit from expanding their residential and industrial zoning districts. The Zoning Ordinance was reviewed concurrent with the preparation of the comprehensive plan to ensure that it allows for business development, commercial growth and future residential needs.

6.3 Ensure Appropriate Zoning to Support Business Development

As discussed in the Land Use chapter, La Vernia has significant development challenges with drainage and floodplains leaving limited suitable land for development. The Future Land Use map identifies several areas for commercial / industrial development. The City has the desire of establishing an Industrial Park. The role for the City is to ensure that areas identified in this planning process as suitable for commercial / industrial use maintain that classification in the future.

Additionally, the demographic is constantly changing for all cities and the need for various multi-family development is a growing need. As more development is targeted to encourage employment (light industrial and manufacturing) the need for multi-family housing will increase and includes affordable housing as well as market rate developments for the community. There is a need to support the aging population as well through various development related activities including assisted living multi-family housing and an active community center.

6.4 Create Multi-Family and Mixed-Use Zoning Categories

The City does not currently have a multi-family zoning category although several multi-family (i.e., duplex and apartments) dwellings exist throughout the City. Multiple units are allowed in the R-2 Zone, with a minimum lot size of 6,000 sq. ft. for the first two units and 2,000 sq. ft. for each additional unit. This standard may be appropriate for garden homes and duplexes; however, it will not support cost effective development of apartments.

Multi-family development is essential for a growing city. It provides living spaces for immediate relocation, opportunities for those not interested in owning a home, not ready to purchase a single-family resident or waiting for their next permanent home. The Future Land Use map identifies areas that are suitable for multi-family housing. The Commission should review other community ordinances to determine best practices and adopt a category that allows for multi-family uses by right. This would

ensure development of multi-family housing in the future, which provides a necessary option for the community.

Mixed use is another zoning category that is desirable to the City. The redevelopment of inner cities described above is exactly what mixed-use is about. It is a driver for creating new neighborhoods where the residents have most everything they need in close proximity. Mixed use zoning would allow for a development strategy that combines residential, commercial and entertainment uses that are fully integrated. The City is preparing for a mixed-use development at the intersection of FM 775 and County Road 344. The planning for that development has spurred the City's interest in promoting future mixed-use development and they have identified the FM 775, FM 1346 and US 87 corridors as desirable locations for this type of development.

6.5 Development Design Recommendations

As new and different developments move into the City, the current development regulations may lack detail to provide proper direction for development. This creates ambiguity in the code and necessitates the need for variances and other cumbersome processes to promote smart development. The current City Code of Ordinances for Buildings and Building Regulations (Chapter 6), Streets, Sidewalks and Other Public Places (Chapter 28), Subdivisions (Chapter 30) and Zoning (Chapter 38) have been reviewed as part of this comprehensive plan. Certain areas of the development code, such as drainage requirements, parking requirements, access requirements, and landscaping requirements should all be evaluated and updated as necessary.

6.6 Ordinance Development

There are many practices that have been used to adhere to Low Impact Development (LID) principles such as bioretention facilities, rain gardens, vegetated rooftops, rain barrels and permeable pavements. By implementing LID principles and practices, water can be managed in a way that reduces the impact of development and promotes the natural movement of water within a watershed. These practices are most effective for small storm events that occur frequently. Maintenance of these systems is of great importance in keeping them functioning properly and operating with the intended effectiveness. The San Antonio River Authority (SARA) and the larger cities in Central Texas promote LID guidelines. The City should look at the work done by these entities and adopt measures that are sensible for the types of development expected in La Vernia.

6.7 Recommended Goals

- Create zoning categories for multi-family development
- Create zoning categories for mixed-use development
- Evaluate and update City ordinance code as it pertains to development
- Adopt Low-Impact-Development standards

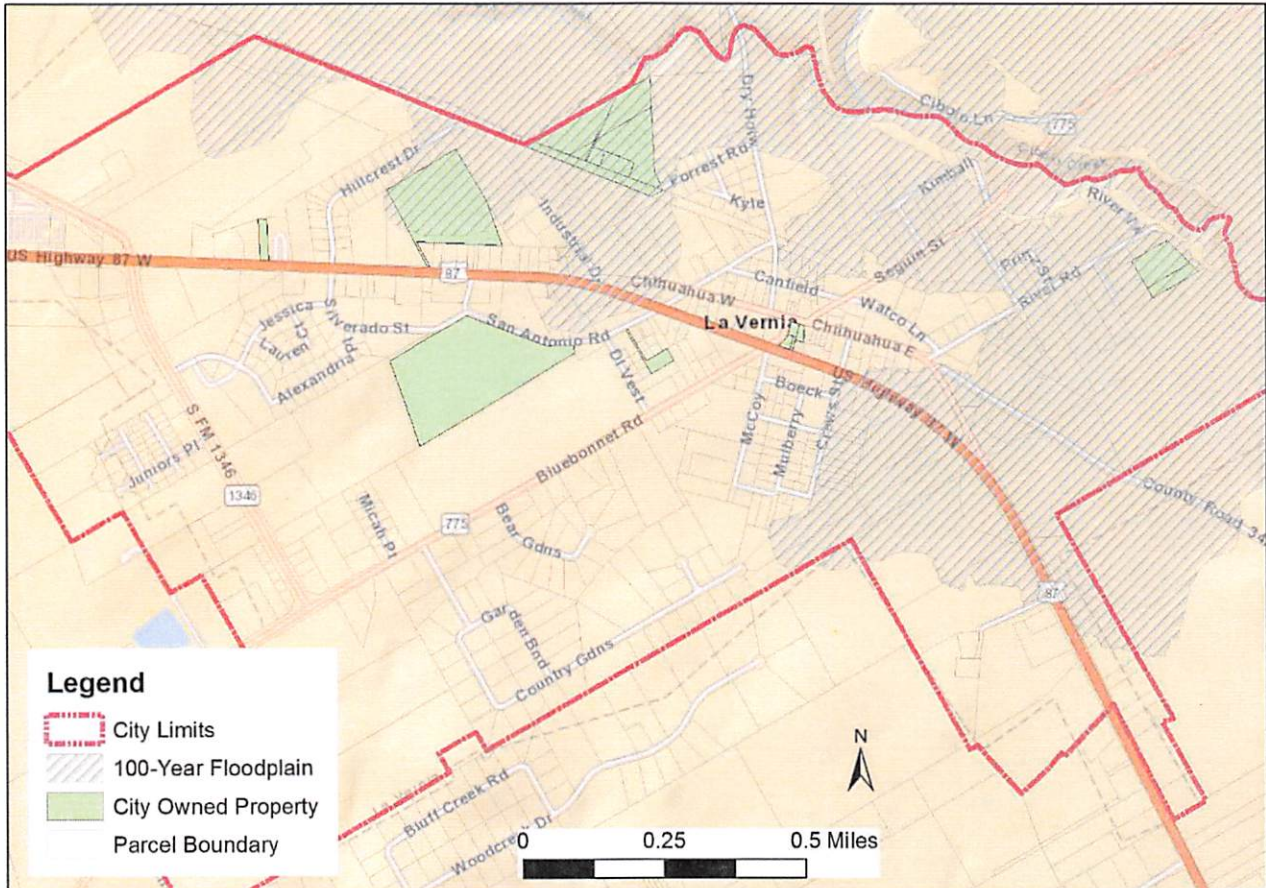
6.8 Conclusion

As the City changes and grows, it is important to put City ordinances, zoning and development guidelines into place. This will allow for new development within the City to be established in a manner that meets the needs of the City and its resident. It will create sensible growth with desirable areas for people to live, work and play. Better quality of life will foster growth and economic development. Elements that impact the quality of life are important to both the employers wanting to locate their businesses in the City and the potential employees that follow. Amenities that improve the quality of life are factors they consider when making that choice.

7 Public and City Owned Property

7.1 Introduction

The City owns several pieces of property as illustrated on the map below. Most of the properties are used for City buildings, offices, water and wastewater facilities and parks. As the City grows, additional space for City offices and City buildings will be needed for City staff and services. Two of the City owned properties are undeveloped and located within the 100-year floodplain.



7.2 Recommendations

The following recommendations are based on results from the online survey and discussions with staff regarding City buildings, office space and city owned property. The following recommendations will create and promote a well-developed community for its citizens.

7.2.1 Add Parking for Heritage Museum.

Currently, there are only two parking spaces for the Heritage Museum both dedicated as handicap parking. There is limited public parking within the vicinity of the museum. It is recommended that the City create additional parking spaces outside the Heritage Museum. This could be achieved by expanding the existing concrete pad for additional parking space along the fenced area for non-handicapped

visitors also. The expanded concrete parking area will improve visibility and safety for motorists backing into the busy street.

7.2.2 Manage and Maintain the City Park Ball Fields

Currently, the City Park ball fields are not managed or maintained by the City. However, the City would prefer to handle the management and maintenance of the fields in order to maximize their utility. It is recommended that the City improve the quality of the fields and market them to others, including competitive sports teams and baseball summer camp groups. If the City assumes responsibility for managing the baseball fields, they can oversee the scheduling of field activities and lease them as a revenue stream to support their upkeep. This could, in turn, promote the local economy and benefit businesses within the City. The City should establish long-term agreements with the La Vernia Little League and Youth Sports Association to keep the ball fields fully utilized. The City may also benefit by applying for grants to improve the existing ball fields and determine the best way to provide adequate facilities for all users.

7.2.3 Utilize or Sell Vacant Property

Two of the City owned properties are undeveloped and located within the 100-year floodplain. One property is located between the Hillcrest Subdivision and U.S. Highway 87 and the other is located north of downtown west of the Forrest Road subdivision. Currently, neither of the properties are being utilized. These properties located within the 100-year floodplain could be developed as additional parkland, sold to generate revenue or used for drainage detention facilities.

7.2.4 Acquire Land for Future City Offices and Facilities

The current city offices are located downtown along Chihuahua Street. The building is small, and parking can be an issue. As the City continues to grow, it will become imperative to expand the City Hall. Moving the City Hall from the downtown location can be beneficial in terms of access and will promote new development at the new location. It is recommended that the City begin to seek out property for a new City Hall and office space; and, that the police department remain at its current location with the ability to expand into the current City Hall and office space.

As with all projects relating to development, location will be a key factor; however, it is recommended that the City identify their future needs for space and services prior to choosing a location. The City should identify property that is accessible and convenient for residents, while providing adequate space for City needs. Future City facilities should be designed with expansion in mind to reduce the need to move again.

Because this will likely require a bond election to fund the land purchase and construction, planning and public engagement should begin early. Building support from residents will require education on why a new facility is necessary and the benefits it will provide. People tend to be skeptical about investments in City facilities and their skepticism will have to be addressed. If the City has a good plan with reasonable expectations and solid public engagement, then residents will be more likely to support the needed expenditure.

7.3 Recommended Goals

- Add Parking for Heritage Museum
- Manage and Maintain the City Park Ball Fields
- Utilize or sell vacant property
- Acquire land for future City offices and facilities

7.4 Conclusion

It is vital that the City think about future office space, how to better manage its parklands and what to do with City owned property. If the two undeveloped properties are not a good location for detention facilities, then the assets can be sold, and revenue used for purchasing property for future office space. Managing the existing ballfields can also help boost the economy by filling local restaurants and hotels with sporting event supporters. It is also important to preserve the heritage of the community and provide easier parking and access to the Heritage Museum. This will encourage visitors.

8 Parks and Recreation

8.1 Introduction

La Vernia is fortunate to have an excellent City Park that offers a walking track, picnic areas, playscape, tennis courts and a basketball court. There are also ball fields for baseball and softball. The online survey showed that the community would like to see more nature parks with trail systems. The community also showed interest in bike lanes and sidewalks that could provide the community with additional transportation options and outside recreational activities.

8.2 Recommendations

The recommendations listed below are based on the online survey where residents showed interest in additional recreational facilities such as parks and trails along with sidewalks and bike lanes. This section focused on nature parks and trail system; whereas, sidewalks and bike lanes are described in Section 9 – Infrastructure. .

8.2.1 Consider Developing a New Park on City Property at the End of Forrest Road

The City owned property situated between Dry Hollow Creek and the end of Forrest Road is currently undeveloped and completely within the 100-year floodplain. We recommend this location be considered as a proposed location for a new nature park and/or trail system. . The new park could potentially be used for walking trails and birdwatching.

8.2.2 Consider Developing a New Park on City Property along U.S. Highway 87

The City-owned property located to the north of U.S. Highway 87 behind the Center for Healing and Hope is currently undeveloped. It is a 13.7-acre property with access along U.S. Highway 87 that is mostly in the 100-year floodplain. It is recommended that the City consider developing a community park on this property with nature trails, a playscape, a splashpad, natural landscaping, and a comfortable place to walk and sit outside.

Approximately 87% of the property is located within the 100-year floodplain with the portion of the property closest to the highway not in the floodplain. The area outside of the 100-year floodplain could be used for parking and bathroom facilities. In Section 7 – Public and City Owned Property, it is recommended that this property be considered for drainage detention facilities. Due to the large size of this parcel, it is possible to consider the property for both drainage and park facilities.

There has been some opposition to a park at this location from residents adjacent to this property. Therefore, it is recommended that the City establish access to the proposed park from U.S. Highway 87 to eliminate traffic through the adjacent neighborhoods and that the proposed park be fenced off from the adjacent homes so the residents will have a barrier between their property and the park.

8.2.3 Continue Development of Nature Park / Trail

There are many parts of La Vernia that are essentially undevelopable due to flooding and drainage issues. An excellent way to turn these areas into an amenity is to utilize them as park space. There has been on-going discussion to develop an area into a Nature Park and trail system. The properties described above are suitable for this type of development and would offer protected open space in areas of town that currently do not have parks. It may also be possible to connect these two properties to the existing City Park with trails for walking or biking and complement them by offering additional walking trails and environmental learning experiences.

8.3 Recommended Goals

- Consider developing a new park at the end of Forrest Road
- Consider developing a new park along U.S. Highway 87
- Continue development of nature park / trail

8.4 Conclusion

Parks and recreation facilities are an investment in the community. La Vernia could develop a system of parks, sidewalks, and trails that allow residents free access to the entire community and the opportunity to enjoy the outdoors. Some will choose an active game of baseball, while others will enjoy a quiet stroll through the nature park. A strong park system will accommodate all needs.

9 Infrastructure

9.1 Introduction

The most fundamental role of government is to provide infrastructure. Transportation, drainage, water and wastewater infrastructure are all necessary for a community to operate and maintain the proper level of health and safety for the public. Keeping up with the maintenance of existing infrastructure, replacing failing elements and adding necessary improvements are challenging and costly tasks cities are faced with. This infrastructure represents the biggest investment for City government. Weighing the infrastructure needs, including projections for growth within the service areas, leads to planning efforts such as this one to determine where budget dollars should be expended and what sources of funding should be considered.

9.2 Recommendations

The recommendations described below are provided to assist the City in their guidance of infrastructure investment to ensure adequate services are maintained and meet the growing demands.

9.2.1 Adopt a Master Thoroughfare Plan

The 2015 Master Transportation and Drainage Plan (MTDP) prepared by M&S Engineering included a Master Thoroughfare Plan (MTP) but was never adopted. After meeting with the general public and specific property owners of large tracts of land, the MTP has been updated with this effort. A copy of the latest (2019) Master Thoroughfare Plan is provided in Appendix A. The plan reserves areas for future roads of designated size to be included in new development. The locations of future roads shown on the plan are flexible with their ultimate location determined based on coordination with the City and their needs. This includes identifying appropriate connections for internal streets as well as appropriate access for through traffic that will minimize negative impacts on the City.

With growth of the City expected to be to the west along US 87 and south along FM 775, a new arterial roadway will be needed to relieve traffic congestion in the center of the City. Allowing a roadway to serve these areas and keep some amount of traffic from the City center will greatly improve mobility and safety. There is a potential for this route to be viewed as a bypass of the downtown area. This arterial will be a “city” street with stop conditions at all major roadway which should relieve the perception on a bypass. It also may spur growth for additional businesses and destinations for the community.

A major challenge faced by the City is the amount of truck traffic travelling through the center of town. This heavy traffic is damaging to roads and creates mobility issues. Developing an alternative north-south route is difficult due to the wide floodplain for Cibolo Creek. Lengthy bridges would be needed to provide clear access across the creek. The City’s best option is to work with TxDOT to determine workable alternatives and secure funding for a potential new route.

Another challenge is the difficulty of travelling FM 775 across US 87 and Chihuahua Street. As mentioned above the truck traffic travelling through this intersection creates major mobility problems. The intersection of FM 775 and Chihuahua have several impediments to change including the Historic City Hall building, local interest in other aged structures, the large industrial facility to the north and other prominent businesses close to the intersection. Any improvement plans would include coordination with TxDOT and require significant public involvement to determine a solution acceptable to the community.

9.2.2 Implement Bike Lanes and Sidewalks into Typical Sections

With the focus on multiple modes of mobility being popular, bike lanes and sidewalks are important part of the picture. Currently, most streets in the City are not wide enough to add bike lanes. The City should develop typical roadway sections wide enough to include bike lanes and include sidewalks. These typical sections should be of appropriate width for the type of corridor and include features that are desirable and complement the surrounding land use. Creating typical roadway sections for various corridors will promote consistency in development and improve the mobility options by including sidewalks and bike lanes where needed.

9.2.3 Develop Projects for Safe Routes to School Program

The City is currently working with the Texas Department of Transportation (TxDOT) on a Safe Routes to Schools Infrastructure (STRS) Program. TxDOT administers SRTS funds to support infrastructure projects that facilitate walking and biking to school. The funds can be used on projects located within two miles of elementary and middle schools. It is recommended the City continue to focus on and participate in this program to provide improved mobility and accessible routes to the schools.

9.2.4 Construct Sidewalks Around City Park

Additionally, the City would like to construct sidewalks leading to and around City Park. Currently, there is no safe walking paths to reach the park. The sidewalk for City Park can be connected to those constructed as part of the SRTS Program providing a contiguous and safe route for pedestrians using this central portion of the City.

9.2.5 Develop Storm Drainage Facilities

As mentioned throughout this Plan, drainage and flooding are critical issues that La Vernia must address. Approximately 28% of the city limits and 31% of the ETJ are located within a Zone 'A' Flood Hazard Area, typically known as the 100-year floodplain. This hinders the development capacity for the city and makes it necessary to evaluate opportunities to reclaim some of these areas making them useable properties. The City's task will be to update and provide major infrastructure that can convey stormwater to Cibolo Creek while the development community will need to participate in these improvements at least at the site of improvement and preferably assist with the major elements as well.

The following list of projects were identified in the 2015 MTDP as drainage improvement needs for the City. To date, none of these projects have been designed.

- San Antonio Road Low Water Crossing Replacement
- US 87 Culvert Crossing and Outfall near HEB
- US 87 Culvert Crossing and Outfall at FM 1346
- US 87 Culvert Crossing and Outfall at Hillcrest
- US 87 at Chihuahua East Intersection

The City should encourage the development community to make stormwater facilities into amenities where feasible. Detention ponds can be designed as water features turning them into an attractive amenity and occasional use facilities like athletic fields can also be designed to function as drainage detention areas if located properly. The City should examine best practices from SARA and other communities to establish standards that ensure stormwater is managed with minimal negative impacts.

Design guidance in the City's Code of Ordinances is extensive and generally follows the City of San Antonio's procedures. The design community is currently adapting to the changes brought about with the newly published rainfall data by the National, Oceanic and Atmospheric Administration (NOAA)

know as Atlas 14. Cities in the region are moving to incorporate the new frequency and intensity data into their design codes so new infrastructure can provide better flood risk prevention. This update to Atlas 14 data will require new Floodplain Mapping potentially widening existing floodplains placing more structures within Zone 'A' Flood Hazard areas. Updating the stormwater design codes to include Atlas 14 data would be a prudent task to perform prior to major development coming to the City.

9.2.6 Regional Detention Ponds

Regional detention ponds can help eliminate some drainage concerns by mitigating stormwater increases in consolidated areas for larger development areas. The 2015 MTDP identifies several areas for regional detention and associated costs for those improvements. In November 2019, the voters of the state passed legislation that will provide funding for use creating regional drainage projects. As the City determines opportunities, it may consider attempting to secure funds from that program or proposing a bond issue to design and construct improvements.

9.2.7 Incorporate Low Impact Development Standards for New Development

Low Impact Development (LID) is a method for managing stormwater on site rather than simply building large, off site detention ponds. Input from the 2019 online survey indicated 72% of the responses were in favor of LID. LID promotes engineering techniques designed to manage stormwater runoff by using natural features and hydrologic controls to improve water quality. These low impact facilities can be as simple as a small rain garden on a residential lot or a rainwater harvesting system to a large, recreated 'wetland' that can slow and clean water as it flows off a commercial development. It is recommended that LID standards for new development be evaluated and considered for inclusion in city code.

9.2.8 Ensure Adequate Funding for Water and Wastewater Improvements

A few water and wastewater improvements have been identified as necessary capital improvement projects. The City has adopted a plan to address infrastructure improvements pertaining to water and wastewater. The identified projects are listed below:

- Replace/rehabilitate sewer racetrack
- Relocate existing sewer plant or establish streambank stabilization near the plant
- Expand water filter plant
- Construct new well in the City

In order to complete the projects, it is imperative that the City ensure adequate funding is available. Possible funding available aside from City budgeted funds may be USDA loans, Texas Water Development Board (TWDB) State Revolving Funds or Community Development Block Grant monies. It is recommended that the City look into funding options and secure enough money for the identified improvements.

9.3 Recommended Goals

- Adopt a Master Thoroughfare Plan
- Implement bike lanes and sidewalks into typical section
- Develop Safe Routes to School 2021
- Construct sidewalks around City Park
- Develop storm drainage facilities
- Update stormwater design criteria to include Atlas 14 data
- Seek opportunities to develop regional detention ponds
- Incorporate Low Impact Development standards for new developments
- Ensure adequate funding for water and wastewater projects

9.4 Conclusion

Investing in infrastructure will result in a better community for all residents. It will enhance community safety and quality of life. The City should continue its focus on providing these basic services in a cost effective and efficient manner. The recommendations identified here build upon the foundation the City has laid and will position La Vernia for success in the future.

10 Housing

10.1 Introduction

Housing is a fundamental need for any community, and it can present a tremendous challenge to communities because of the limited role they can play in its development. There is typically very limited support for public involvement in housing development (outside of vouchers and other programs for very low-income residents), and city leaders may feel helpless in addressing housing issues. This Plan is an attempt to ensure that La Vernia has an appropriate mix of housing that provides for the continuum of housing from new couples just starting out, to growing families, to retirees looking to simplify. The goals are not an attempt to take over the housing market, rather, they are an effort to ensure the City is not creating barriers to housing development that meets local needs.

As discussed in the Demographics chapter, La Vernia has seen an increase in home values; however, rising incomes have more or less kept pace. This means a family making the median income can afford a median priced home in the community. More than 12% of homes are either townhomes, duplexes, or multi-family (9.2% multi-family) meaning there are options for residents that do not want a traditional single-family home. This mix of housing and affordability positions La Vernia well for growth, and policies should support continued diversity in housing for the community.

Unlike many small towns, La Vernia has a reasonable amount of multi-family properties. However, current demand indicates the need for additional multi-family properties to include assisted living facilities for the aging public. This is an asset for a community, especially in the current housing situation, because it provides housing options for those not ready, or willing to purchase a home and for those wanting to downsize and eliminate the upkeep and maintenance of a single-family residence. Manufactured homes are also a much smaller percentage of housing than is found in most rural communities. Recommendations

Housing is driven by market demand. Developers will build in locations where they know they will sell houses. This means their attention is focused on high growth areas. They also want to build in areas where there are fewer obstacles where regulations are clear and reasonable, and the community is supportive of their efforts. La Vernia is fortunate in that it has newly updated ordinances, a population that is supportive of quality development, and is in an area that can expect growth. The significant barrier to growth in the City is the fact that so much vacant property is in the floodplain or has drainage issues. This challenge is discussed in the Land Use chapter.

10.1.1 Promote the Development of a Senior Living Facility Within the City

A nursing home and nursing services are available within the City limits; however, the area does not have a Senior Retirement Village or Living Facility. Per the population demographics, ages 55 to 64 have seen an increase over the years. This illustrates that La Vernia has a housing need for seniors. Many La Vernia residents have expressed interest in being able to stay in the area when they retire. They want the option to stay in their community as they age, rather than having to relocate to a community with senior living facilities. With a senior living facility, these families could benefit from assistance with daily living, no home maintenance, great privacy, lower costs than nursing homes, and the opportunity to socialize and remain part of the community. Many retirement homes are offering a continuum of care

so residents can move in and live independently, then as their needs change, relocate to higher care and service levels within the same facility.

The City has identified a tract of land west of HEB along U.S. Highway 87 as a suitable location for senior living facility or retirement village. It is important to find the right developer and it is recommended that the City continue to reach out to potential developers. This is a high priority for the City.

10.1.2 Continue Code Enforcement to Ensure Homes Provide Adequate Shelter

Visual observations of homes were made during various trips to the City. It was determined that some homes were in poor condition based on appearance. Fortunately, the majority of homes in La Vernia appeared to be in good condition; however, there were some areas of concern such as junk cars, overgrown lots, etc. It is recommended that code be enforced in order to maintain the community's appearance, health and safety; and, to protect property values and quality of life.

10.2 Recommended Goals

- Promote the development of a senior retirement village or living facility within the City
- Continue code enforcement to ensure homes provide adequate shelter

10.3 Conclusion

La Vernia will experience growth in the future. Its proximity to San Antonio, quality of life, and good schools make it an attractive destination for potential residents. By implementing the recommendations in this section, the City can ensure adequate housing for these future residents. There are barriers; however, the community is supportive of responsible growth and future success.

11 Community Development

11.1 Introduction

The recommendations in this section cover some of the most basic of City services. It addresses the needs of City government to continue to provide services to its residents and to ensure continued service as demands grow and change. These recommendations may not be as noticeable or tangible as building new parks or constructing new infrastructure; however, they are a critical element of the Plan. Community development is an essential element to improving the quality of life for its residents and supports the overall goal to improve the City's economy.

11.2 Recommendations

La Vernia is changing from a rural community to more suburban. With that change comes increased demands for City services and expectations from residents. The City will have to consider how to best serve those changing expectations and these recommendations address some of those expectations.

11.2.1 Create Animal Control Facilities with Trained Staff

This is another challenge for a growing community. La Vernia's proximity to San Antonio makes it an attractive location for owners to 'dump' their unwanted pets, putting the task of dealing with them on the City. Establishing an animal control facility is likely to be a fairly expensive project due to the demands of staffing, building, and on-going operation of a center. As with other major public endeavors, this should begin with public outreach and education. Citizens should be brought into the process early to ensure their support. This is also the opportunity to build a volunteer network that can help with managing the facility. If a strong volunteer base can be built, this will reduce the labor demands on the City to staff the facility. Volunteers can help with caring for the animals, managing adoptions, etc.

The location of the facility will also create a challenge. Nearby residents may resist having a facility they believe will be noisy and create traffic in their neighborhood. It will be important to spend time identifying a suitable site before moving forward. This project, like a new City Hall, will likely require a bond package, so building support early will be critical.

In the interim, the City must have trained staff to properly handle animals. Currently, police officers are tasked with this, and most have no training in safely dealing with the issue. The City should send an appropriate number of City staff to train so there is always someone on duty with the skills to handle animals or contract with another agency to provide that service.

11.2.2 Establish a Community Library

The role of libraries has changed significantly in the last ten years. The traditional services of books and reading programs are still vital; however, providing public access to computers and the internet is a major service library provide. Residents without access to a computer can use the library to search for jobs, do schoolwork and other work. A library is much more than just a place to borrow a book, it is a cornerstone of community service.

Currently, the high school library has some public hours where residents can access it. As a short-term solution, the City can work with the school district to increase the hours the library is available to the public. Obviously, this cannot interfere with school use; however, evenings and weekends may be

available The City of La Vernia is also part of the Wilson County Library program. The La Vernia Branch, called the Jane Yelvington McCallum Public Library is located in the old La Vernia News office on Chihuahua Street. This library is open to the public Monday through Friday from 9:00 a.m. to Noon and 1:00 p.m. to 5:00 p.m. and on Saturdays from 1:00 a.m. to 2:00 p.m. . Having limited weekend hours and no evening hours makes it difficult for many to benefit from the library's resources.

Long term, the community would benefit from a City public library in a dedicated building with more weekend and evening hours of operation. The challenge (as with most public works) is the funding source. Texas does allow for the creation of Library Districts, which levy a property tax to fund services. Before moving forward, the community needs to establish a detailed plan for paying for a new library and for funding on-going operations. Building a new facility will not be of benefit if there is not continuing funding available to provide the level of service needed.

11.2.3 Establish a Farmers Market

Growing interest in local and sustainable foods has driven an explosion in Farmers Markets in towns large and small. These represent a tremendous opportunity for citizens to have access to reasonably priced fresh foods and for local agricultural producers to have a market for their goods. This would be a good project for the Chamber of Commerce to undertake or for a group of engaged citizens to take ownership. The City can play a role in helping to identify a good location for the Market and possibly provide utilities for it to operate.

The group should start by gauging public interest in having a Farmers Market. This would include the best day and time to hold it, possible locations, and what goods people would most want. They should also visit existing markets in other communities to see what is good and not so good about them. This would include identifying what makes each one unique, whether it's the mix of vendors or the timing or whatever. This insight will help to determine how to position the La Vernia market to attract the most attention. It will also help reduce competition for vendors by not holding the La Vernia market on the same day as other nearby markets. Finally, local producers should be contacted to begin building a relationship with them. This relationship will be important because they will need confidence that they will have customers before investing the time and resources in participating in another market.

Using the community survey and information, they can be reassured that residents are enthusiastic and will support them. Successful Farmers Markets are more than just a collection of farmers, they incorporate music, art vendors, and more. They become an attraction bringing people to an area, both residents and visitors. While it may start small, it should start soon. It can build on early enthusiasm and become a great attraction for La Vernia.

11.2.4 Encourage Residential Property Maintenance

The City can assist property owners by conducting regular bulky trash disposal events and household hazardous waste collections so residents can properly dispose of items. These should be held at least annually.

For those residents who are unable to properly maintain their homes, a volunteer program can be established to help. Local churches and civic groups can establish a program where volunteers will provide basic yard care and light home maintenance for elderly and low-income residents. Local businesses may be willing to donate tools and materials to help. This can be an annual workday type event or set up as an on-going service. Local groups can coordinate to establish a simple application process (even just a request through a resident's local church) and then how to get the work done. This

would help build community spirit and unity and offer an opportunity for civic groups and churches to serve their community.

11.2.5 Expand Access to Higher Education / Workforce Training

The expansion of access to higher education and workforce training helps encourage the City's residents to better themselves as individuals and can establish a workforce that lives and works within the community. Not every individual has the desire or ability to complete a 4-year degree at a university. Many students would be better served through vocational education and training to prepare them for good jobs directly from high school, or with a 2-year degree. There are many successful programs that community leaders can utilize as a road map for local success.

It is recommended that the City establish a task force of residents and business owners to focus on workforce training and educational programs. The Task Force could start by contacting local businesses to see what their workforce needs are. The ISD recently completed a review that identified best practices and had recommendations related to this effort. This report should be a starting point for the development of a program.

It is also recommended that the Task Force develop a partnership with a university or community college to bring in a distance learning center to the City. The ISD already has a relationship with St. Phillips College in San Antonio, so the goal would be to allow the general public to have access to these opportunities, not just ISD students. Other potential partnerships for distance learning could be with San Antonio Community College or Alamo Community College. This would offer a great opportunity to build the quality of the local workforce by allowing citizens to get specific training, it would also help local students take college credit courses locally to save money later. The Texas Distance Learning Association is an organization focused on this issue. They have resources and training to help start a program (www.txdla.org). The key will be making the program accessible to all residents, not just students.

11.3 Recommended Goals

- Create an Animal Control Facility with trained staff
- Establish a City public library
- Establish a farmer's market
- Encourage residential property maintenance
- Expand access to higher education / workforce training

11.4 Conclusion

Community development is a critical role for the City; however, the City cannot be successful without strong engagement and support from residents and other organizations in the community. The recommendations in this section are an opportunity for the City to build strong relationships with other community organizations and foster a volunteer ethic in citizens to play an active role in creating the community they desire. It will take many years to realize all these goals; however, they have the support of residents and will foster quality of life and economic opportunity over the long term.

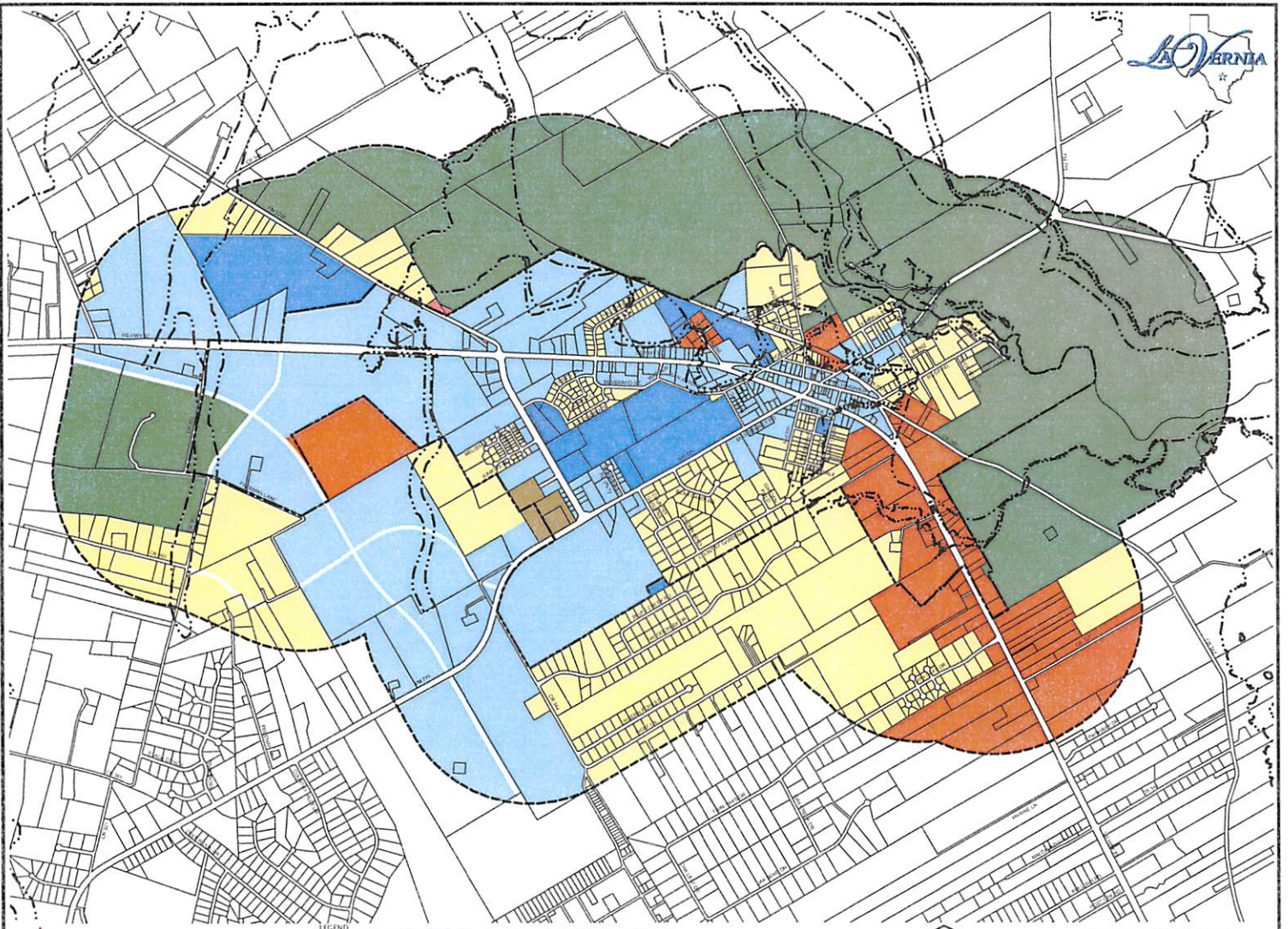
12 Implementation Guide

This section compiles the complete list of goals and objectives identified throughout the Comprehensive Plan and prioritizes them into a list of key improvements. Goal recommendations have been classified using the following system:

1. Mandatory (M): those which address an imminent threat to public health and safety.
2. Necessary (N): those which provide important public services usually by improving or replacing existing infrastructure.
3. Desirable (D): those which provide the aesthetic aspects of the community or improve quality of life.
4. Recommended (R): those that are necessary or desirable, but also reduce operating expenses or increase revenue for the City.

Refer to Appendix B for a comprehensive list of the recommended goals identified in the Comprehensive Plan. This list is prioritized based on the classification system defined above.

Appendix A

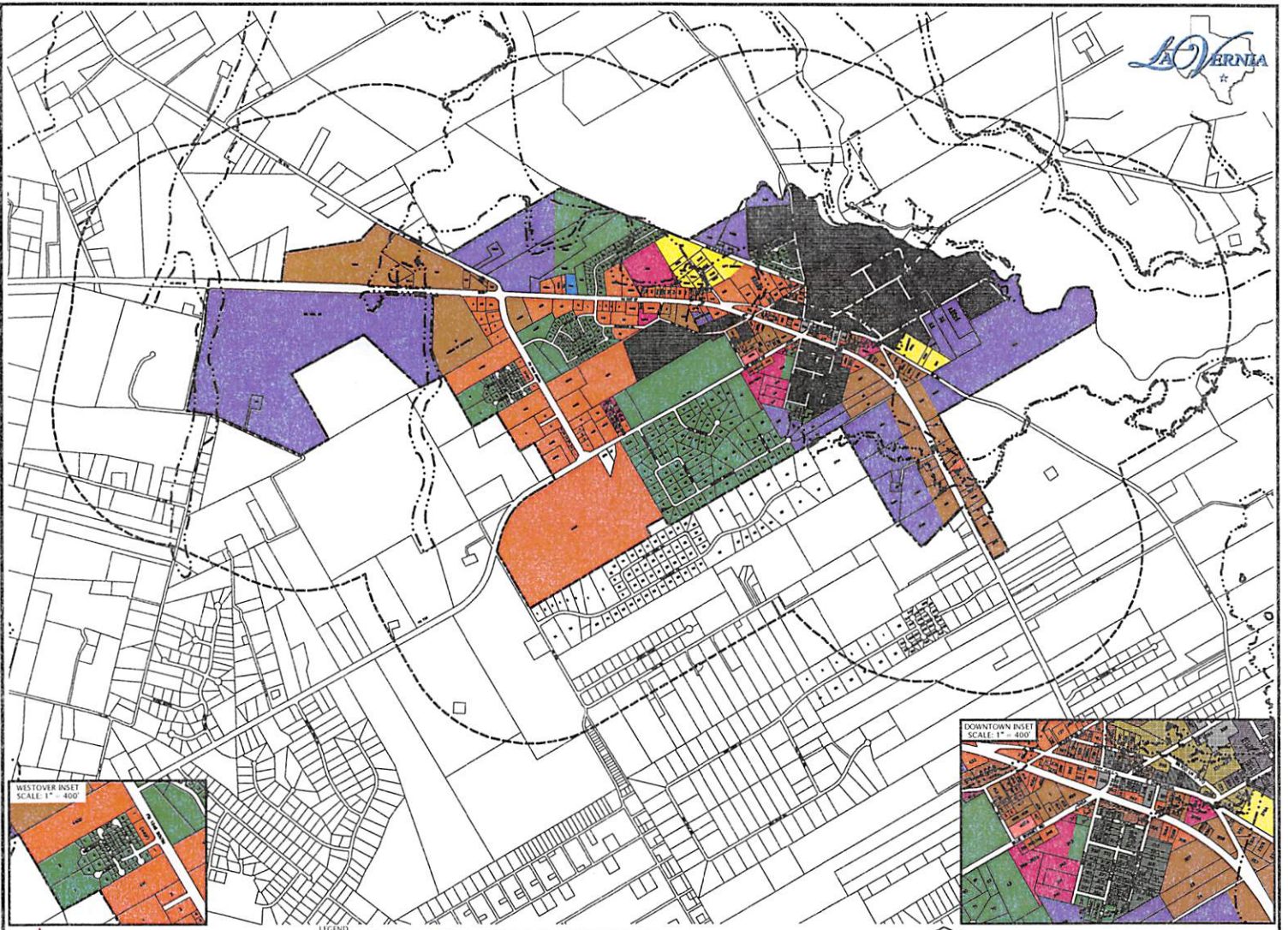


 **M&S ENGINEERING**
CIVIL | ELECTRICAL | STRUCTURAL | MEP

| LEGEND | |
|----------------------------|----------------------------|
| EXISTING CITY LIMITS | PARKS/OPEN SPACE |
| UTILITY LINES | RESIDENTIAL SINGLE-FAMILY |
| FLOODPLAIN | RESIDENTIAL MEDIUM-DENSITY |
| PARKS/OPEN SPACE | RESIDENTIAL HIGH-DENSITY |
| RESIDENTIAL SINGLE-FAMILY | OFFICE |
| RESIDENTIAL MEDIUM-DENSITY | RESIDENTIAL HIGH-DENSITY |
| RESIDENTIAL HIGH-DENSITY | OFFICE |



FUTURE LAND USE MAP
CITY OF LA VERNIA, TEXAS
DATE: MARCH 2020



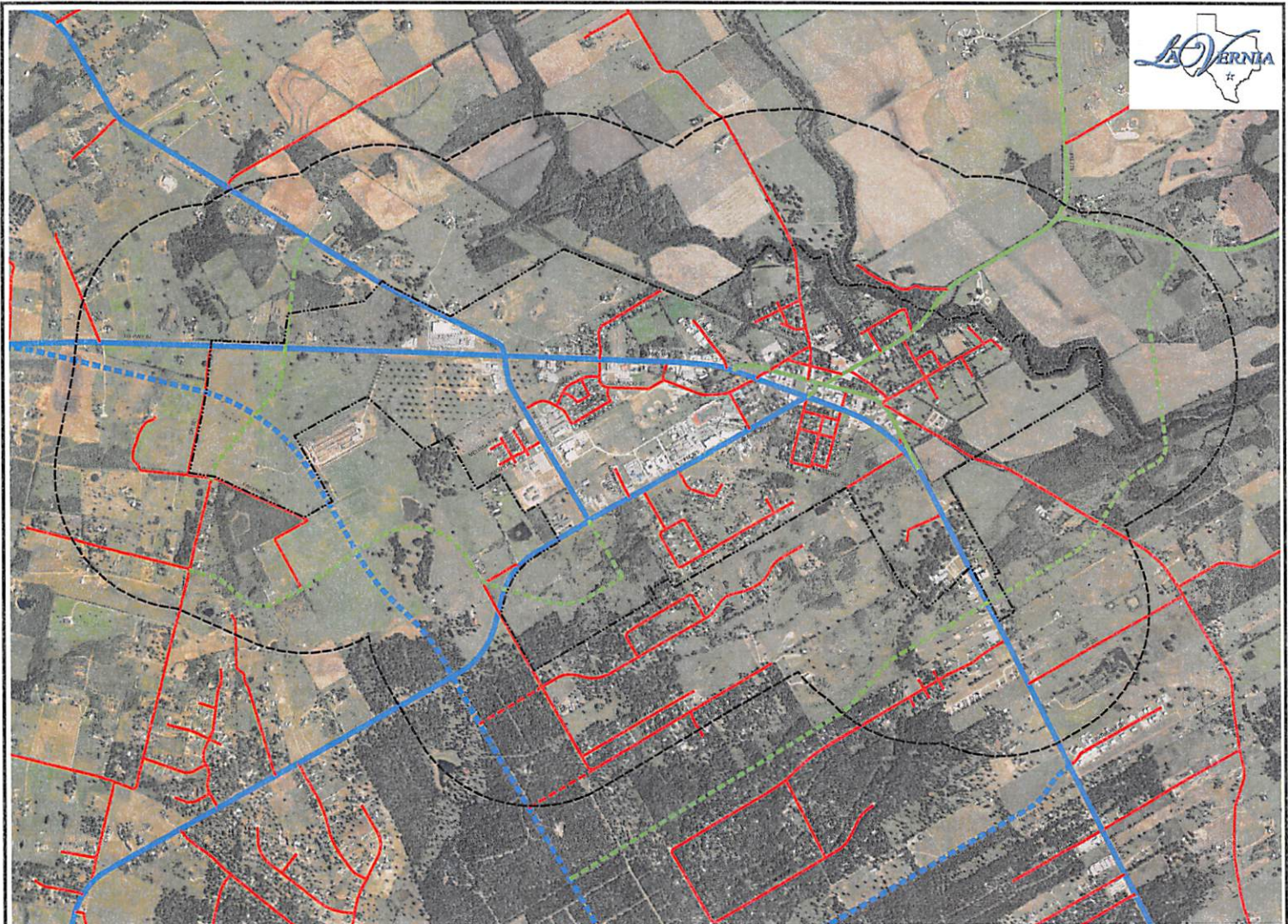
M&S ENGINEERING
CIVIL | ELECTRICAL | STRUCTURAL | MEP

LEGEND

| | | |
|----------------------|--------------------------------|--------------------------|
| — CITY BOUNDARY LINE | ■ R-1 SINGLE FAMILY HOUSE USES | ■ C-1 GENERAL COMMERCIAL |
| — STREET | ■ R-2 SINGLE FAMILY | ■ C-2 CENTRAL BUSINESS |
| — HIGHWAY | ■ R-3 GENERAL RESIDENTIAL | ■ I-1 INDUSTRIAL |
| — OLD TOWN BOUNDARY | ■ R-4 RETAIL | ■ M-1 MANUFACTURING |



ZONING MAP
CITY OF LA VERNIA, TEXAS
DATE: MARCH 2020



| LEGEND | | |
|-------------------|--|--|
| CITY LIMITS | EXISTING ARTERIAL STREETS (OUT OF ROAD) | PROPOSED ARTERIAL STREETS (OUT OF ROAD) |
| UTILITY | EXISTING COLLECTOR STREETS (OUT OF ROAD) | PROPOSED COLLECTOR STREETS (OUT OF ROAD) |
| REGULATORY LIMITS | EXISTING LOCAL STREETS (OUT OF ROAD) | PROPOSED LOCAL STREETS (OUT OF ROAD) |



MASTER THOROUGHFARE PLAN
CITY OF LA VERNIA, TEXAS
DATE: OCTOBER 2019

Appendix B

Appendix B
Comprehensive List of Recommended Goals

| Goals and Objectives | Need |
|---|-------------|
| Land Use | |
| Update land use maps as necessary to reflect growth and new development | Recommended |
| Development Guidelines Updates | |
| Create zoning categories for multi-family development | Recommended |
| Create zoning categories for mixed-use development | Recommended |
| Evaluate and update City ordinance code as it pertains to development | Recommended |
| Adopt Low-Impact-Development standards | Recommended |
| Public and City Owned Property | |
| Add parking for Heritage Museum | Desirable |
| Manage and maintain the City Park ball fields | Necessary |
| Utilize or sell vacant property | Recommended |
| Acquire land for future City offices and facilities | Necessary |
| Parks and Recreation | |
| Develop a new park at the end of Forrest Road | Desirable |
| Develop a new park along U.S. Highway 87 | Desirable |
| Continue development of nature park / trail | Desirable |
| Infrastructure | |
| Adopt a Master Thoroughfare Plan | Necessary |
| Implement bike lanes and sidewalks into typical sections | Necessary |
| Develop Safe Routes to School 2021 | Mandatory |
| Construct sidewalks around City Park | Desirable |
| Develop Storm Drainage Facilities | Necessary |
| Update stormwater design criteria to include Atlas 14 data | Necessary |
| Seek opportunities to develop regional detention ponds | Recommended |
| Incorporate Low Impact Development standards for new developments | Desirable |
| Ensure adequate funding for water and wastewater infrastructure projects | Necessary |
| Housing | |
| Promote the development of a senior retirement village or living facility in the City | Necessary |
| Continue code enforcement to ensure homes provide adequate shelter | Mandatory |
| Community Development | |
| Create an Animal Control Facility with trained staff | Necessary |
| Establish a community library | Necessary |
| Establish a farmer's market | Recommended |
| Encourage residential property maintenance | Desirable |
| Expand access to higher education / workforce training | Desirable |



San Antonio District Office | 4615 NW Loop 410 | San Antonio, Texas 78229 | (210) 615-1110

February 11, 2020

The Honorable Mayor Robert Gregory
City of La Vernia
102 E. Chihuahua Street
La Vernia, Texas 78121

Monetary contribution for upcoming right of way projects

Dear Mayor Gregory:

In accordance with the Texas Administrative Code, Title 43, Part 1, Chapter 15, Subchapter E, Rule 15.52 and 15.55, a joint participation agreement and monetary contribution is required on certain State highway improvement projects that require the acquisition of right of way. We are anticipating required local matches on the projects listed below that are within the City of Converse. An agreement to contribute funds will be provided at a later date for each of these projects:

| Hwy | CCSJ | RCSJ | Limits | Project Estimate | 10% Local Match | Let Date |
|----------|-------------|------|-------------------------|------------------|-----------------|----------|
| Loop 321 | 0143-14-006 | | from US 87 W to US 87 E | \$ 16,487 | \$ 1,649 | 23-Sep |
| | | | | \$ 16,487 | \$ 1,649 | |

If you have any questions please feel free contact Gabriel Lopez at 210-615-6236.

Sincerely,

Jonathan Bean, P.E.
San Antonio District
Director of Transportation Planning & Development

CC: Gabriel Lopez, San Antonio District - Right of Way Manager

County Wilson County
District San Antonio
ROW CSJ # _____
CCSJ # 0143-14-006
Federal Project #: N/A
CFDA Title: Highway Planning & Construction
CFDA # 20.205
Federal Highway Administration
Not Research and Development

STATE OF TEXAS §

COUNTY OF TRAVIS §

AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS (FIXED PRICE)

THIS AGREEMENT is made by and between the State of Texas, acting through the Texas Department of Transportation, (the “**State**”), and City of La Vernia, Texas, acting through its duly authorized officials (the “**Local Government**”).

WITNESSETH

WHEREAS, Texas Transportation Code §§ 201.103 and 222.052 establish that the State shall design, construct, and operate a system of highways in cooperation with local governments; and

WHEREAS, Texas Transportation Code, §§ 201.209 authorizes the State and a Local Government to enter into agreements in accordance with Texas Government Code, Chapter 791; and

WHEREAS, the State has deemed it necessary to make certain highway improvements on Highway No. Loop 321 (Chihuahua Street) from U.S. 87 West to U.S. 87 E, and this section of highway improvements will necessitate the acquisition of certain right of way and the relocating and adjusting of utilities (the “**Project**”); and

WHEREAS, the Local Government requests that the State assume responsibility for acquisition of all necessary right of way and adjustment of utilities for this highway project; and

WHEREAS, the Local Government desires to enter into a fixed price joint participation agreement pursuant to 43 TAC §15.52 to contribute to the State funding participation as defined in 43 TAC §15.55 for the cost of acquiring the right of way and relocating or adjusting utilities for the proper improvement of the State Highway System;

WHEREAS, the Governing Body of the Local Government has approved entering into this agreement by resolution or ordinance dated _____, 20__, which is attached to and made a part of this agreement as Attachment A. A map showing the Project location appears in Attachment B, which is attached to and made a part of this agreement.

NOW THEREFORE, the State and the Local Government do agree as follows:

County Wilson County
District San Antonio
ROW CSJ # _____
CCSJ # 0143-14-006
Federal Project #: N/A
CFDA Title: Highway Planning & Construction
CFDA # 20.205
Federal Highway Administration
Not Research and Development

AGREEMENT

1. Agreement Period

This agreement becomes effective when signed by the last party whose signing makes the agreement fully executed. This agreement shall remain in effect until the Project is completed or unless terminated as provided below.

2. Termination

This agreement shall remain in effect until the Project is completed and accepted by all parties, unless:

- A. The agreement is terminated in writing with the mutual consent of the parties;
- B. The agreement is terminated by one party because of a breach, in which case any cost incurred because of the breach shall be paid by the breaching party; or
- C. The Project is inactive for thirty-six (36) months or longer and no expenditures have been charged against federal funds, in which case the State may in its discretion terminate this agreement.

3. Local Project Sources and Uses of Funds

- A. The total estimated cost of the Project is shown in Attachment C, Project Budget Estimate and Payment Schedule, which is attached to and made a part of this agreement. The expected cash contributions from the Federal or State government, the Local Government, or other parties is shown in Attachment C. The Local Government shall pay to the State the amount shown in Attachment C as its required contribution of the total cost of the Project and shall transmit to the State with the return of this agreement, duly executed by the Local Government, a warrant or check for the amount and according to the payment schedule shown in Attachment C.
- B. The Local Government's fixed price contribution set forth in Attachment C is not subject to adjustment unless:
 1. site conditions change;
 2. work requested by the Local Government is ineligible for federal participation; or
 3. the adjustment is mutually agreed on by the State and the Local Government.
- C. If the Local Government will perform any work under this contract for which reimbursement will be provided by or through the State, the Local Government must complete training before federal spending authority is obligated. Training is complete when at least one individual who is working actively and directly on the Project successfully completes and receives a certificate for the course entitled *Local Government Project Procedures Qualification for the Texas Department of Transportation*. The Local Government shall provide the certificate of qualification to the State. The individual who receives the training certificate may be an employee of the Local Government or an employee of a firm that has been contracted by the Local

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Government to perform oversight of the Project. The State in its discretion may deny reimbursement if the Local Government has not designated a qualified individual to oversee the Project.

- D. Whenever funds are paid by the Local Government to the State under this agreement, the Local Government shall remit a warrant or check made payable to the "Texas Department of Transportation Trust Fund." The warrant or check shall be deposited by the State in an escrow account to be managed by the State. Funds in the escrow account may only be applied to this highway project.
- E. Notwithstanding that this is a fixed price agreement, the Local Government agrees that in the event any existing, future, or proposed Local Government ordinance, commissioner's court order, rule, policy, or other directive, including, but not limited to, outdoor advertising or storm water drainage facility requirements, is more restrictive than State or federal regulations, or any other locally proposed change, including, but not limited to, plats or re-plats, results in any increased costs to the State, then the Local Government will pay one hundred percent (100%) of all those increased costs, even if the applicable county qualifies as an Economically Disadvantaged County (EDC). The amount of the increased costs associated with the existing, future, or proposed Local Government ordinance, commissioner's court order, rule, policy, or other directive will be determined by the State at its sole discretion.
- F. If the Local Government is an EDC and if the State has approved adjustments to the standard financing arrangement, this agreement reflects those adjustments.
- G. If the Project has been approved for an "incremental payment" non-standard funding or payment arrangement under 43 TAC §15.52, the budget in Attachment C will clearly state the incremental payment schedule.

4. Real Property in Lieu of Monetary Payment

- A. Contributions of real property may be credited to the Local Government's funding obligation for the cost of right of way to be acquired for this project. Credit for all real property, other than property which is already dedicated or in use as a public road, contributed by the Local Government to the State shall be based on the property's fair market value established as of the effective date of this agreement. The fair market value shall not include increases or decreases in value caused by the project and should include the value of the land and improvements being conveyed, excluding any damages to the remainder. The amount of any credit for real property contributed for this project is clearly shown in Attachment C.
- B. The Local Government will provide to the State all documentation to support the determined fair market value of the donated property. This documentation shall include an appraisal of the property by a licensed appraiser approved by the State. The cost of appraisal will be the responsibility of the State. The State will review the submitted documentation and make a final determination of value; provided however, the State may perform any additional investigation deemed necessary, including supplemental appraisal work by State employees or employment of fee appraisers.

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- C. Credit shall be given only for property transferred at no cost to the State after the effective date of this agreement and the issuance of spending authority, and only for property which is necessary to complete this project, has title acceptable to the State, and is not contaminated with hazardous materials. Credit shall be in lieu of monetary contributions required to be paid to the State for the Local Government's funding share of the right of way to be acquired for this project. The total credit cannot exceed the Local Government's matching share of the right of way obligation under this agreement, and credits cannot be reimbursed in cash to the Local Government, applied to project phases other than right of way, nor used for other projects.
- D. In the event the Local Government's monetary contributions to the State for acquisition of right of way, when added to its real property credits, exceed the Local Government's matching share of the right of way obligation, there will be no refund to the Local Government of any portion of its contributed money.

5. Amendments

Amendments to this agreement due to changes in the character of the work, terms of the agreement, or responsibilities of the parties relating to the Project may be enacted through a mutually agreed upon, written supplemental agreement.

6. Notices

All notices to either party by the other required under this agreement shall be delivered personally or sent by certified or U.S. mail, postage prepaid, to the following addresses:

| Local Government: | State: |
|------------------------------------|------------------------------------|
| The Honorable Mayor Robert Gregory | Director of Right of Way Division |
| City of La Vernia | Texas Department of Transportation |
| 102 E. Chihuahua Street | 125 E. 11 th Street |
| La Vernia, Texas 78121 | Austin, Texas 78701 |

All notices shall be deemed given on the date delivered or deposited in the mail, unless otherwise provided by this agreement. Either party may change the above address by sending written notice of the change to the other party. Either party may request in writing that notices shall be delivered personally or by certified U.S. mail and that request shall be honored and carried out by the other party.

County Wilson County
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7. Remedies

This agreement shall not be considered as specifying the exclusive remedy for any agreement default, but all remedies existing at law and in equity may be availed of by either party to this agreement and shall be cumulative.

8. Legal Construction

If one or more of the provisions contained in this agreement shall for any reason be held invalid, illegal, or unenforceable in any respect, that invalidity, illegality, or unenforceability shall not affect any other provisions and this agreement shall be construed as if it did not contain the invalid, illegal, or unenforceable provision.

9. Responsibilities of the Parties

The State and the Local Government agree that neither party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

10. Compliance with Laws

The parties shall comply with all federal, state, and local laws, statutes, ordinances, rules and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any manner affecting the performance of this agreement. When required, the Local Government shall furnish the State with satisfactory proof of this compliance.

11. Sole Agreement

This agreement constitutes the sole and only agreement between the parties and supersedes any prior understandings or written or oral agreements respecting the subject matter of this agreement.

12. Ownership of Documents

Upon completion or termination of this agreement, all documents prepared by the State shall remain the property of the State. All data prepared under this agreement shall be made available to the State without restriction or limitation on their further use. All documents produced or approved or otherwise created by the Local Government shall be transmitted to the State in the form of photocopy reproduction on a monthly basis as required by the State. The originals shall remain the property of the Local Government. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.

13. Inspection of Books and Records

The Local Government shall maintain all books, papers, accounting records and other documentation relating to costs incurred under this agreement and shall make such materials available to the State and, if federally funded, the Federal Highway

County Wilson County
District San Antonio
ROW CSJ # _____
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Administration (FHWA) or their duly authorized representatives for review and inspection at its office during the contract period and for four (4) years from the date of completion of work defined under this agreement or until any impending litigation, or claims are resolved. Additionally, the State and FHWA and their duly authorized representatives shall have access to all the governmental records that are directly applicable to this agreement for the purpose of making audits, examinations, excerpts, and transcriptions.

14. State Auditor

The state auditor may conduct an audit or investigation of any entity receiving funds from the State directly under this agreement or indirectly through a subcontract under this agreement. Acceptance of funds directly under this agreement or indirectly through a subcontract under this agreement acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

15. Procurement and Property Management Standards

The parties shall adhere to the procurement standards established in Title 49 CFR §18.36 and with the property management standard established in Title 49 CFR §18.32.

16. Civil Rights Compliance

The parties to this agreement shall comply with the regulations of the U.S. Department of Transportation as they relate to nondiscrimination (49 CFR Part 21 and 23 CFR Part 200), and Executive Order 11246 titled "Equal Employment Opportunity," as amended by Executive Order 11375 and supplemented in the Department of Labor Regulations (41 CFR Part 60).

17. Applicability of Federal Provisions

Articles 18 through 23 only apply if Federal funding is used in the acquisition of right of way or the adjustment of utilities.

18. Office of Management and Budget (OMB) Cost Principles

In order to be reimbursed with federal funds, the parties shall comply with the Cost Principles established in OMB Circular A-87 that specify that all reimbursed costs are allowable, reasonable, and allocable to the Project.

19. Disadvantaged Business Enterprise (DBE) Program Requirements

- A. The parties shall comply with the DBE Program requirements established in 49 CFR Part 26.
- B. The Local Government shall adopt, in its totality, the State's federally approved DBE program.

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- C. The Local Government shall set an appropriate DBE goal consistent with the State's DBE guidelines and in consideration of the local market, project size, and nature of the goods or services to be acquired. The Local Government shall have final decision-making authority regarding the DBE goal and shall be responsible for documenting its actions.
- D. The Local Government shall follow all other parts of the State's DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation's Federally -Approved Disadvantaged Business Enterprise by Entity and attachments found at web address http://txdot.gov/business/business_outreach/mou.htm.
- E. The Local Government shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any U.S. Department of Transportation (DOT)-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Local Government shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of DOT-assisted contracts. The State's DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Local Government of its failure to carry out its approved program, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 USC 1001 and the Program Fraud Civil Remedies Act of 1986 (31 USC 3801 et seq.).
- F. Each contract the Local Government signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: *The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this agreement, which may result in the termination of this agreement or such other remedy as the recipient deems appropriate.*

20. Debarment Certification

The parties are prohibited from making any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, "Debarment and Suspension." By executing this agreement, the Local Government certifies that it is not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549 and further certifies that it will not do business with any party that is currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The parties to this contract shall require any party to a subcontract or purchase order awarded under this

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contract to certify its eligibility to receive federal funds and, when requested by the State, to furnish a copy of the certification.

21. Lobbying Certification

In executing this agreement, each signatory certifies to the best of that signatory's knowledge and belief, that:

- A. No federal appropriated funds have been paid or will be paid by or on behalf of the parties to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with federal contracts, grants, loans, or cooperative agreements, the signatory for the Local Government shall complete and submit the Federal Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The parties shall require that the language of this certification shall be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and all sub-recipients shall certify and disclose accordingly. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Title 31 USC §1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure.

22. Federal Funding Accountability and Transparency Act Requirements

- A. Any recipient of funds under this agreement agrees to comply with the Federal Funding Accountability and Transparency Act (FFATA) and implementing regulations at 2 CFR Part 170, including Appendix A. This agreement is subject to the following award terms: <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf> and <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22706.pdf>.
- B. The Local Government agrees that it shall:
 - 1. Obtain and provide to the State a System for Award Management (SAM) number (Federal Acquisition Regulation, Part 4, Sub-part 4.11) if this award provides more than \$25,000 in Federal funding. The SAM number may be obtained by visiting the SAM website whose address is: <https://www.sam.gov/portal/public/SAM/>
 - 2. Obtain and provide to the State a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows Federal government to track the

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distribution of federal money. The DUNS may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet (D&B) on-line registration website <http://fedgov.dnb.com/webform>; and

3. Report the total compensation and names of its top five (5) executives to the State if:

- i. More than 80% of annual gross revenues are from the Federal government, and those revenues are greater than \$25,000,000; and
- ii. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

23. Single Audit Report

- A. The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in OMB Circular A-133.
- B. If threshold expenditures of \$750,000 or more are met during the Local Government's fiscal year, the Local Government must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Audit Office, 125 E. 11th Street, Austin, TX 78701 or contact TxDOT's Audit Office at <http://txdot.gov/inside-txdot/office/audit/contact.html>
- C. If expenditures are less than \$750,000 during the Local Government's fiscal year, the Local Government must submit a statement to TxDOT's Audit Office as follows: "We did not meet the \$750,000 expenditure threshold and therefore, are not required to have a single audit performed for FY _____."
- D. For each year the project remains open for federal funding expenditures, the Local Government will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the agreement, unless otherwise amended or the project has been formally closed out and no charges have been incurred within the current fiscal year.

24. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

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THIS AGREEMENT IS EXECUTED by the State and the Local Government in duplicate.

THE LOCAL GOVERNMENT

Signature

Typed or Printed Name

Title

Date

THE STATE OF TEXAS

Rose Wheeler
Contracts and Finance Director
Right of Way Division
Texas Department of Transportation

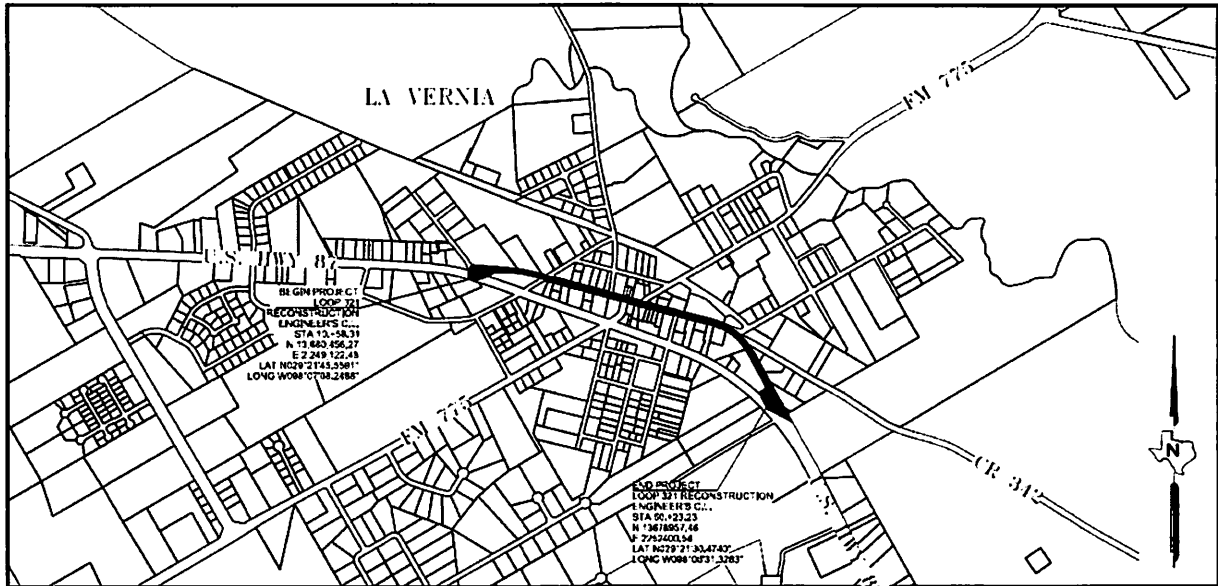
Date

County Wilson County
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**ATTACHMENT A
RESOLUTION OR ORDINANCE**

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ATTACHMENT B LOCATION MAP SHOWING PROJECT



VICINITY MAP

ATTACHMENT C PROJECT BUDGET ESTIMATE



| | |
|-----------|----------------------|
| County | Wilson |
| District | San Antonio District |
| ROW CSJ # | |
| CCSJ # | 0143-14-006 |

| | |
|--|-----|
| Federal Project # | N/A |
| CFDA Title: <u>Highway Planning and Construction</u> | |
| FHWA CFDA # 20.205 | |
| Federal Highway Administration | |
| Not Research and Development | |

Standard Agreement to Contribute State Performs Work Attachment C

| Description | Total Estimated Cost | Participation | | | | Total % (should be 100%) |
|--|----------------------|---------------|-----------------|-------|----------------|-----------------------------|
| | | State | | Local | | |
| | | % | Cost | % | Cost | |
| Right of Way Acquisition | | 90.0% | \$16,487 | 10.0% | \$1,649 | 100.0% |
| Reimbursable Utility Adjustments | | | \$0.00 | 0.0% | \$0.00 | 0.0% |
| Joint Bid - Reimbursable Utility Adjustments | | | \$0.00 | 0.0% | \$0.00 | 0.0% |
| TOTAL | \$0.00 | | \$16,487 | | \$1,649 | |

Fixed Amount

Except as otherwise provided in the Agreement, the fixed amount of Local Government participation will be that amount provided above.

Yvonne Griffin

From: Clarence Littlefield <clarence.littlefield@swengineers.com>
Sent: Thursday, March 5, 2020 3:23 PM
To: Yvonne Griffin - City of La Vernia (yvonne.griffin@lavernia-tx.gov)
Subject: Filter Plant Cost Estimate

Yvonne,

The 2013 filter plant cost about \$325,000.

We had estimated \$375,000 back in October. This may still be good, but you may wish to use \$400,000 for more cushion.

Clarence L. Littlefield, P.E.

Vice-President



Southwest Engineers, Inc

p: 830-672-7546

a: 307 St. Lawrence Gonzales, TX 78629

w: swengineers.com



TBPE No. F-1909

This electronic mail transmission may be confidential, may be privileged, and should be read or retained only by the intended recipient. If you have received this transmission in error, please immediately notify the sender and delete it from your system.

ORDINANCE NO. 041620-01

AN ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR THE PURPOSES OF ALLOWING TEMPORARY PORTABLE BUILDINGS FOR EDUCATIONAL PURPOSES SPECIFICALLY KNOWN AS 249 S. FM 1346, CITY OF LA VERNIA, LOT 424B , 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 249 S. FM 1346., City of La Vernia, Lot 424B, 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 04-16-2022 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 16th day of April, 2020.

Robert Gregory
Mayor – City of La Vernia

ATTEST:

Brittani Porter
City Secretary

APPROVED AS TO FORM:

City Attorney's Office – City of La Vernia

ORDINANCE NO. 041620-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNIA AMENDING AND SUPERSEDING THE PRIOR DECLARATION OF LOCAL DISASTER; ESTABLISHING RULES AND REGULATIONS FOR THE DURATION OF THE DISASTER; ESTABLISHING ECONOMIC DEVELOPMENT PROGRAMS; RESTRICTING CERTAIN ACTIVITIES; ESTABLISHING PENALTIES FOR VIOLATIONS.

WHEREAS, in December 2019 a novel coronavirus, now designated COVID-19, was detected in Wuhan City, Hubei Province, China. Symptoms of COVID-19 include fever, cough, and shortness of breath. Outcomes have ranged from mild to severe illness, and in some cases death; and

WHEREAS, on January 30, 2020, the World Health Organization Director General declared the outbreak of COVID-19 as a Public Health Emergency of International Concern (PHEIC), advising countries to prepare for the containment, detection, isolation and case management, contact tracing and prevention of onward spread of the disease; and

WHEREAS, on March 5, 2020, the World Health Organization Director General urged aggressive preparedness and activation of emergency plans to aggressively change the trajectory of this epidemic; and

WHEREAS, on March 11, 2020, the World Health Organization declared that the COVID-19 outbreak should be characterized as pandemic; and

WHEREAS, the Center for Disease Control and Prevention is closely monitoring the growing number of COVID-19 cases that have spread into the United States; and

WHEREAS, over 55,330 cases of COVID-19 have been reported in the United States, including 804 deaths; and

WHEREAS, President Trump declared a national emergency on March 13, 2020; and

WHEREAS, Governor Greg Abbott declared a public health disaster on March 13, 2020; and

WHEREAS, reports received as of March 24, 2020, report more than 803 cases in Texas, and 9 fatalities; and

WHEREAS, COVID-19 is more contagious than seasonal influenza once symptoms appear, it may be possible to control by testing widely and quickly isolating those who have the disease; and

WHEREAS, DSHS, the Texas Division of Emergency Management, and other state agencies continue their ongoing preparations so that all of state government is working together to limit the spread of the virus and protect Texans; and

WHEREAS, the Center for Disease Control recommends the use of videoconferencing for meetings when possible, and adjusting or postponing large meetings or gatherings; and

WHEREAS, the Center for Disease Control recommends citizens stay home if they are feeling sick or when they have a sick family member in their home; and

WHEREAS, households with vulnerable seniors and those with underlying health conditions should conduct themselves as if they were a significant risk to the person with underlying conditions; and

WHEREAS, pursuant to the Texas Disaster Act of 1975, the mayor is designated as the emergency management director of the City of La Vernia, and may exercise the powers granted to the governor on an appropriate local scale; and

WHEREAS, a declaration of local disaster and public health emergency includes the ability to reduce the possibility of exposure to disease, control the risk, promote health, compel persons to undergo additional health measures that prevent or control the spread of disease, including isolation, surveillance, quarantine, or placement of persons under public health observation, including the provision of temporary housing or emergency shelters for persons misplaced or evacuated and request assistance from the governor of state resources; and

WHEREAS, the COVID-19 virus spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, the continued worldwide spread of COVID-19 presents an imminent threat of widespread illness, which requires emergency action; and

WHEREAS, a declaration of local disaster includes the ability to take measures to reduce the possibility of exposure to disease, control the risk, and promote the health and safety of La Vernia residents; and

WHEREAS, the City of La Vernia will work collaboratively with Wilson County to ensure that all appropriate and necessary measures are taken to limit the development, contraction and spread of COVID-19; and

WHEREAS, by a Declaration of Public Health Emergency, all rules and regulations that may inhibit or prevent prompt response to this threat are suspended for the duration of the incident; and

WHEREAS, pursuant to the authority granted to the Mayor under the Texas Disaster Act of 1975, the use of all available resources of state government and political subdivisions to assist in the City's response to this situation are authorized; and

WHEREAS, Robert Gregory, the Mayor of the City of La Vernia, Texas has determined, and the City Council has affirmed, that extraordinary and immediate measures must be taken to respond quickly, prevent and alleviate the suffering of people exposed to and those infected with the virus, as well as those that could potentially be infected or impacted by COVID-19.

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

- Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.
- Section 2. That the local state of disaster and public health emergency declared by Mayor Gregory for the City of La Vernia pursuant to §418.108(a) of the Texas Government Code is hereby renewed, **superseded and extended until 11:59 PM on April 21, 2020** for the meeting of the City Council pursuant to §418.108(b) of the Government Code, including all rules and regulation, as attached hereto as Exhibit A.

- Section 3. Pursuant to §418.108(c) of the Government Code, this declaration of a local state of disaster and public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Clerk.
- Section 4. Pursuant to §418.108(d) of the Government Code, this declaration of a local state of disaster and public health emergency activates the City of La Vernia's participation in any city, county or state emergency management plan.
- Section 5. Pursuant to §418.020(c) of the Government Code, this declaration authorizes the City to commandeer or use any private property, temporarily acquire, by lease or other means, sites required for temporary housing units or emergency shelters, subject to compensation requirements.
- Section 6. Pursuant to §122.005 of the Health and Safety Code, this declaration authorizes the City to prevent the introduction of a communicable disease into the municipality, including stopping, detaining, and examining a person coming from a place that is infected or believed to be infected with a communicable disease; establish, maintain, and regulate hospitals in the municipality or in any area within five miles of the municipal limits; or abate any nuisance that is or may become injurious to the public health by adopting rules necessary or expedient to promote health or suppress disease; or to prevent the introduction of a communicable disease into the municipality, including quarantine rules, and may enforce those rules in the municipality and in any area within 10 miles of the municipality.
- Section 7. All ordinances or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters herein.
- Section 8. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- Section 9. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.
- Section 10. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, Texas Government Code, as amended.
- Section 11. The City Administrator is authorized to postpone utility cut-offs during this emergency and to make necessary payment plans for those needing extensions of time for payments.
- Section 12. This Ordinance shall be in force and effect from and after its final passage, and any publication required by law.
- Section 13. The Mayor of the City of La Vernia is authorized to update restrictions set out in this Exhibit as necessary and upon the advice of the Public Health Regional Medical Director, Dr. Ringsdorf, for the City of La Vernia or Wilson County, to respond to the

evolving circumstances of this outbreak during the duration.

Section 14. Because of the economic impact on local businesses as a direct result of the public health emergency related to COVID-19, the City Council authorizes the La Vernia Municipal Development District to review all unencumbered funds and develop economic development grant programs for immediate approval of the City Council. The focus of these programs shall be for the retention and diversification of the existing local businesses impacted by this crisis. Said programs must retain existing employees and be in the form of earnable grants of varying amounts and said program and necessary budget amendment shall be brought forward to the City Council for final approval.

Section 15. Any person, firm, corporation or agent who shall violate a provision of this ordinance, or fail to comply therewith, or with any other requirements thereof, shall be guilty of a Class C misdemeanor. Such person shall be considered guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this article is committed or continued, and upon conviction of any such violation, such person shall be punished by a fine not to exceed \$2,000.00 as stated in Section 1-109 of the City Code of Ordinances.

Any peace officer or other person with lawful authority is further authorized to enforce the provisions of the Ordinance in accordance with the authority granted under the Texas Disaster Act of 1975, as applicable, which allows a fine not to exceed \$1000.00 and confinement not to exceed 180 days as set forth in Texas Government Code §418.173.

PASSED, ADOPTED, APPROVED, AND EFFECTIVE THE 16th DAY of APRIL, 2020.

CITY OF LA VERNIA, TEXAS

By: _____
Robert Gregory, Mayor

ATTEST:

Brittani Porter, City Secretary

EXHIBIT A

Public Health Emergency Rules and Regulations

Declaration Regarding Public and Private Gatherings and Other Matters

I. Declaration Regarding Public and Private Gatherings:

- a. This Exhibit "I" incorporates and adopts, except as where noted below, the Centers for Disease Control ("CDC") Interim Guidance for Coronavirus Disease 2019 (COVID-19) dated March 15, 2020 and any additional amendments or updates to said Interim Guidance that the CDC issues during the pendency of this public health emergency.
- b. The virus that causes COVID-19 is easily transmitted, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle an influx of patients and safeguard public health and safety.
- c. Because of the risk of the rapid spread of the virus, and the need to protect the most vulnerable members of the community, this declaration prohibits in accordance with CDC guidance, all indoor public and private gatherings and outdoor gatherings within an enclosed space of TEN (10) persons or more anywhere in the City of La Vernia beginning at 11:00 A.M. on March 20, 2020 and continuing for seven (7) days, unless extended consistent with requirements of state law.
- d. For all other gatherings, it is strongly recommended that social distancing protocols established by the United States Center for Disease Control and Prevention (CDC) and found within the "Implementation of Mitigation strategies for Communities with Local COVID-19 Transmission" issued by the CDC on or around March 11, 2020, including canceling, rescheduling, or not attending events with more than ten persons.
- e. Further, organizations that serve high-risk populations (defined below) should follow CDC guidance for social distancing.
- f. In addition to the guidance contained herein, local businesses, **restaurants and bars are required to follow all Proclamations or Executive Orders issued by the Office of the Governor of the State of Texas, or Center for Disease Control guidelines to include:**
 - i. Restrictions related to indoor dining or assembling;
 - ii. To disinfect and sanitize commonly touched surface and non-food contact surfaces at least once every hour;

II. To encourage curbside food-to-go programs or deliveries;

III. To adopt and implement a screening policy for food handlers and all employees, and establish protocols for the immediate exclusion of employees if they develop the following symptoms:

II. Fever greater than 100.3 degree F, and/or

III. Cough and shortness of breath ; and

IV. Make available for all employees and patrons visible COVID-19 prevention print materials within the restaurant or establishment.

II. Definitions and further guidance:

- a. For purposes of this Declaration, a "Mass Gathering" is any event or convening, subject to the exceptions and clarifications below, that brings together TEN (10) or more persons at the same time in a single room or other single confined or enclosed space, such as, by way of example and without limitation, an auditorium, theater, stadium (indoor or outdoor), arena or event center, meeting hall , conference center, large cafeteria, or any other confined indoor or confined outdoor space.
- b. A Mass Gathering includes events in confined outdoor spaces, which means an outdoor space that (1) is enclosed by a fence, physical barrier, or other structure and (2) where people are present, and they are within arm's length of one another for extended periods.
- c. This Declaration also does not prohibit gatherings of people in multiple, separated enclosed spaces in a single building such as a multiplex movie theater, so long as ten people are not present in any single space at the same time. This Declaration also does not prohibit use of enclosed spaces where ten or more people may be present at different times during the day, so long as ten or more people are not present in the space at the same time. For any gathering covered by this subsection compliance with Social Distancing Recommendations, including providing hand sanitizer and tissues and increasing cleaning of commonly touched surfaces is strongly encouraged.
- d. For purposes of clarity, a Mass Gathering does not include the following:
 1. Office space, hotels, or residential buildings;
 2. Grocery stores, gas stations, shopping malls, outdoor markets, or other retail establishments where large numbers of people are present, but it is unusual for them to be within arm's length of one another for extended periods;
 3. Hospitals, medical facilities and shelters;

***In all such settings, it is recommended that the public follow social distancing recommendations, and harm reduction measures. Hand sanitizer and tissues should be provided when possible. However, any specific large gathering space that is part of any building included in this subparagraph "c1" is subject to the prohibition on Mass Gatherings if the space holds ten or more people.**

- IV. "High-risk Populations" include people who are:
 - a. 60 years old and older;
 - b. People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease, and weakened immune systems;
 - c. People who are pregnant or were pregnant in the last two weeks.
 - d. People experiencing homelessness.
- V. The Emergency Management Coordinator and the State of Texas Director of Health may update restrictions set out in this Exhibit as necessary to respond to the evolving circumstances of this outbreak during the duration of the next 27 days and any extension by the La Vernia City Council.
- VI. La Vernia City Park will be closed with the exception of maintenance.