

**THE VILLAGE OF SAN LEANNA  
AGENDA**

Regular Board of Aldermen Public Meeting & Public Hearing  
Thursday, September 17, 2020  
7:00 p.m. – Videoconference

**MEETING PARTICIPATION DETAILS:**

Topic: Regular Meeting – Board of Aldermen – September 2020  
Time: September 17, 2020 7:00 PM Central Time

**<https://zoom.us/join>**

**Meeting number (access code): 569 550 2741**

**Meeting password: 092020**

**Dial in by phone: 1-346-248-7799**

**Meeting number (access code): 569 550 2741**

**Meeting password: 092020**

**A. MEETING CALLED TO ORDER**

Roll call

Approval of minutes: Regular B of A Meeting.....August 20, 2020

**B. CITIZENS' COMMUNICATION**

**C. PUBLIC HEARING**

1. Presentation and discussion of proposed budget for FY 2020-2021.
2. Presentation and discussion of proposed property tax rate for FY 2020-2021.
3. Citizen comments

**\*\* NO ACTION MAY BE TAKEN AT A PUBLIC HEARING \*\***

**\*\* RESUME REGULAR MEETING \*\***

**D. ITEMS SCHEDULED FOR ACTION**

1. Review and approve financial report for August 2020.
2. Adoption of budget for FY 2020-2021.
3. Adoption of property tax rate for FY 2020-2021, by record vote and Ordinance
4. Consideration of renewal of Franchise agreement with Pedernales Electric Cooperative.
5. Discussion and possible action regarding unpermitted construction of carport within 10' of the rear lot line at 11903 Sleepy Hollow Ln.
6. Discussion and possible action on complaint of Health and Sanitation Ordinance No. 01-005 violation at 11507 Sombrero.
7. Consideration of additional trash and recycling services through Waste Connections.

**E. ITEMS FOR DISCUSSION**

**F. REPORTS AND INFORMATION**

1. **Mayor's Report**..... Updates re: meeting/symposium attendance
2. **Zoning Report**..... To be discussed
3. **Administrative Report**... surveys/reports, administrative updates
4. **Roads**..... Current road maintenance needs, road improvement projects, street signs, speed humps
5. **Public Affairs**..... newsletter, Community events
6. **Public Safety**..... Neighborhood Watch, NNO, public safety information, street lights
7. **Water**..... Water system info, drought status, Burn Ban info
8. **Environmental**..... Tree Care Program, mowing/trimming, trash/recycling, burn piles, drainage info, flood prevention

**G. ADJOURNMENT**

**\*\* ALL ITEMS SPECIFICALLY MENTIONED SEPARATE FROM EXECUTIVE SESSION  
MAY HAVE ACTION TAKEN \*\***

The Board of Aldermen of the Village of San Leanna reserves the right to adjourn into executive session at any time to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development).

Posted \_\_\_\_\_ September 14, 2019

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Rebecca Howe, City Administrator

**THE VILLAGE OF SAN LEANNA**  
**MINUTES**  
Regular Board of Aldermen Public Meeting  
Thursday, August 20, 2020  
7:00 p.m. – Video Conference Meeting

**A. MEETING CALLED TO ORDER**

Present: Molly Quirk, Helen Rockenbaugh, Becky Mullan, Danny Villarreal, Mary Wright

Charlie Burks was not present.

Danny Villarreal moved to approve minutes of Regular B of A Meeting and Public Hearing on July 16, 2020 as written; Helen Rockenbaugh seconded; motion carried with a vote of 4 in favor – 0 opposed.

Helen Rockenbaugh moved to approve minutes of Special B of A Meeting on August 10, 2020 as written; Danny Villarreal seconded; motion carried with a vote of 4 in favor – 0 opposed.

**B. CITIZENS' COMMUNICATION**

1. Mike Hammack noted that he had submitted a request for a permit to demolish a barn on his property. Mayor Quirk stated that Linda Barrett, the Zoning Administrator, would be in contact about a permit.

**C. PUBLIC HEARING**

1. Don Nyland presented information concerning the request for a variance to Zoning Ordinance No. 13-001 allowing concessions to south (front) setback requirements for a new single-family dwelling at 732 and 736 River Oaks Dr. The Zoning Committee recommended granting the variance to allow a 10' setback from the front lot line rather than the prescribed 30' setback from a front lot line. Property owner, Cooper Rounds, requested that the Board consider an additional allowance to a portion of the property at 732 river oaks due to the varying depth of the right- of- way.
2. Don Nyland presented information concerning request for a variance to Zoning Ordinance No. 13-001 allowing the construction of an observation deck prior to the construction of the main residence at 732 and 736 River Oaks Dr. The Zoning Committee recommended granting the variance to allow the construction of an observation deck on the property prior to construction of the main variance. Council briefly discussed precautions regarding oak wilk and plans for use of the deck.

**D. ITEMS SCHEDULED FOR ACTION**

1. Helen Rockenbaugh moved to grant the variance to Zoning Ordinance No. 13-001 allowing a 22-foot concession to south (front) setback requirements for a new single-family dwelling at

732 and 736 River Oaks Dr – allowing the home’s foundation to begin 8 feet from the lot line; Danny Villarreal seconded; motion carried with a vote of 4 in favor- 0 opposed.

2. Danny Villarreal moved to grant the variance to Zoning Ordinance No. 13-001 allowing the construction of an observation deck prior to the construction of the main residence at 732 and 736 River Oaks Dr.; Helen Rockenbaugh seconded; motion carried with a vote of 4 in favor- 0 opposed.
3. Council briefly discussed the proposed trickle channel on River Oaks Dr as well as the alternative option of a catch basin, noting that the latter would be significantly more expensive. Rebecca Howe noted significant delays in projects with Southwest Engineers. Danny Villarreal moved to table the revised plans for a trickle channel (moving forward with the rest of the project) until engineering issues could be resolved; Helen Rockenbaugh seconded; motion carried with a vote of 4 in favor – 0 opposed.
4. Helen Rockenbaugh moved to renew the Interlocal Agreement with Austin/Travis County Health & Human Services for enforcement of Village ordinances given that the fee remained \$1500; Mary Wright seconded; motion carried with a vote of 4 in favor – 0 opposed
5. Helen Rockenbaugh moved to approve the audit engagement letter with the accounting firm of Donald L. Allman, CPA; Danny Villarreal seconded; motion carried with a vote of 4 in favor – 0 opposed
6. City Administrator, Rebecca Howe reviewed changes to made within the proposed amended budget for FY 2019-2020 noting that two budget category numbers needed to be corrected. Helen Rockenbaugh moved to adopt the amended budget for FY 2019-2020 with noted corrections by Resolution 20-004; Danny Rockenbaugh seconded; motion carried with a vote of 4 in favor – 0 opposed
7. Rebecca Howe reviewed changes made to the amended Fund Balance Reports. Danny Villarreal moved to approve the amended Fund Balance Reports for November 2019 - June 2020; revised to correct Bond Debt Balance and the Road Fund Reserve for Projects.; Helen Rockenbaugh seconded; motion carried with a vote of 4 in favor – 0 opposed
8. Danny Villarreal moved to approve financial report for July 2020; Helen Rockenbaugh seconded; motion carried with a vote of 4 in favor – 0 opposed
9. Council discussed the proposed tax rate and budget for fiscal year 2020-2021. Rebecca Howe explained new terminology and requirements related to Senate Bill 2. Council discussed the budget in detail with Ms. Howe and made changes to increase projected property tax revenue, decrease anticipated revenue from interest, and restore office expenses to \$3500. Helen Rockenbaugh moved to finalize the proposed budget and tax rate for FY 2020-2021; seconded; Danny Villarreal motion carried with a vote of 4 in favor – 0 opposed

#### **E. ITEMS FOR DISCUSSION**

#### **F. REPORTS AND INFORMATION**

1. Mayor’s Report: Mayor Quirk’s reported that the Village of San Leanna’s BTC Program funding through Capital Metro had been reinstated and that the new funding amount would

be announced in December 2020. Mayor Quirk also reported that new COVID-19 cases had stabilized in Travis County and urged residents to continue precautions.

Linda Barrett reported that a conditional certificate of use had been issued for 11300 Lake Dr, pending several minor tasks. Additional COOs were issued for 12016 Sleepy Hollow and 11300 Circle Dr. Existing permits were in place at 500 River Oaks Dr, 715 River Oaks, 11511 Hunting Creek, 500 River Oaks Dr, and 11306 Circle Dr. and Mrs. Barrett reported on many upcoming projects.

2. Administrative: Village Administrator, Rebecca Howe, reported on progress with Zoning Ordinance complaints and amendments, touching on plans for ordinance codification in the coming fiscal year.
3. Roads: Danny Villarreal reported that scheduling was in the works for speedhump installation on San Leanna Dr. and Sunset Drive and that a company was sending two 50-pound bag samples of cold asphalt to try out on pot holes in the Village. Mr. Villarreal discussed drainage concerns throughout the Village.
4. Public Affairs: Helen Rockenbaugh reported on plans to distribute an informational goodie bag to all residences for the 50<sup>th</sup> anniversary of the Village's incorporation. There was a brief discussion of plans for a Halloween Car Parade.
5. Public Safety: Becky Mullan discussed with council traffic concerns on San Leanna Dr with the extension of Wayne Riddell Loop to South 1st. Mrs. Mullan reported, also, on materials dumped at Jim Payne Park and drivers running stop signs in the Village.
6. Water: Mary Wright reported on the drought status and the status of the water system. The Aquifer District was in Stage 1/No Drought Status with a voluntary 10% conservation period in place. The City of Austin was in Conservation Stage. Mary Wright reported that the water system was running smoothly and that well levels had fallen 6.2 ft since the previous month, to a level of 120.8 ft. The burn ban was on.
7. Environmental: Charlie Burks was not present to report on further environmental affairs.

#### **G. ADJOURNMENT TO EXECUTIVE SESSION**

1. Mayor Quirk adjourned to executive session. Council discussed Executive Session to discuss performance review, cost of living/performance-based raises for employees and contractors, and other relevant employee matters per Section 551.074 of the Open Meetings Act.

#### **H. RESUME REGULAR MEETING**

1. Danny Villarreal moved to update employee and contractor pay on the proposed budget for FY 2020-2021 as follows:
  - a. Dane Avery, Arborist, to remain at \$1000 per month, \$12000 per year, with a \$1000 padding in the Arborist budget line for consultations and other expenses as it was in FY 2020-2021.
  - b. Joseph Francis, Meter Reader, salary increase of 3% to \$154.50 per month, \$1,854 per year.
  - c. Byron Townsend, Water Operator, salary increase of 4% to \$26,688 per year.

- d. Rebecca Howe, City Administrator, salary increase to \$55,000 per year to be divided over the City Administrator (2/3) and Bookkeeper (1/3) budget lines with a monthly stipend of \$250 to be used for health benefits or other miscellaneous expenses.
- e. Linda Barrett to be moved from hourly pay to a salary of \$450 per month at the rate of \$25 per hour (18 hours per month) with additional hours worked to be tracked and billed.

Helen Rockenbaugh seconded; motion carried with a vote of 4 in favor – 0 opposed.

## **I. ADJOURNMENT**

Danny Villarreal moved to adjourn the meeting; Helen Rockenbaugh seconded; meeting adjourned at 9:31 p.m.

**PROPOSED PROPERTY TAX RATE FOR FISCAL YEAR 2020/2021**

The proposed property tax rate for the Village of San Leanna is \$.2498 per \$100 of taxable value (no change from last year). The proposed rate applied to existing properties, plus the value of new properties added to the tax roll this year, would increase total taxes in the Village by approximately 2.945%, from \$174,859 to \$180,009 for a total increase of \$5,150.

<b>2020/2021 Adjusted Tax Base (including new properties)</b>	<b>\$72,061,166</b>
No New Revenue Tax Rate	.2449/\$100 = \$176,478
Proposed Tax Rate 2020/2021	.2498/\$100 = \$180,009
Voter-Approval Tax Rate	.2546/\$100 = \$183,468
De minimus Tax Rate	.9398/\$100 = \$677,231

The **no-new-revenue tax rate** is the tax rate for the 2020 tax year that will raise the same amount of property tax revenue for the Village of San Leanna from the same properties in both the 2019 tax year and the 2020 tax year.

The **voter-approval tax rate** is the highest rate that the Village of San Leanna may adopt without becoming subject to petition for a tax rate election.

The **de minimus tax rate** is the tax rate that the Village of San Leanna the tax rate for the 2020 tax year that would raise \$500,000 in property tax revenue plus the no-new-revenue tax rate. Adoption of a rate exceeding the de minimus rate would trigger an automatic tax rate election.

**As a Type B General Law municipality, the Village of San Leanna may not adopt a tax rate to exceed \$0.25 per \$100 valuation.**

	<b>2019</b>	<b>2020</b>	<b>Difference</b>
<b>Total Tax Rate (per \$100 of value)</b>	0.2498	0.2498	No Change
<b>Average Homestead Taxable Value</b>	\$288,489	\$296,385	Increase of \$7,896 (2.737%)
<b>Tax on Average Homestead</b>	\$721	\$740	Increase of \$19 (2.635%)
<b>Total tax levy on all properties</b>	\$174,859	\$180,009	Increase of \$5,150 (2.945%)

**This year’s budget will raise more total property taxes than last year’s budget by approximately 2.945%, or \$5,150, due to new properties added to the tax roll this year and to higher appraisal values, although there may be reductions due to property tax protests.**

**PROPOSED BUDGET  
VILLAGE OF SAN LEANNA  
GENERAL FUND  
FISCAL YEAR 2020-2021**

\* maintaining property tax r

**REVENUES:**

<u>ACCOUNT</u>	<u>ACCOUNT NAME</u>	<u>ADOPTED BUDGET 2019-2020</u>	<u>PROPOSED BUDGET 2020-2021</u>
101	PROPERTY TAXES	\$165,000.00	\$175,000.00
102	FRANCHISE TAXES	\$15,000.00	\$15,000.00
103	INTEREST	\$6,000.00	\$500.00
104	BUILDING PERMITS	\$3,000.00	\$4,000.00
105	CAPITAL METRO	\$28,000.00	\$28,000.00
106	MISCELLANEOUS	\$500.00	\$100.00
107	TRANSFER FROM RESERVE	\$219,059.00	\$203,691.67
<b><u>TOTALS:</u></b>		\$436,559.00	\$426,291.67

**EXPENSES:**

<u>ACCOUNT</u>	<u>ACCOUNT NAME</u>	<u>ADOPTED BUDGET 2019-2020</u>	<u>PROPOSED BUDGET 2020-2021</u>
112	ROAD MAINTENANCE	\$15,000.00	\$15,000.00
113	CITY ADMINISTRATOR	\$33,334.00	\$36,666.67
114	TML INSURANCE	\$2,800.00	\$2,800.00
115	LEGAL	\$4,000.00	\$3,000.00
116	TAXES	\$4,500.00	\$4,900.00
117	ENVIRONMENTAL MAINTENANCE	\$12,000.00	\$37,000.00
118	PUBLIC INFORMATION	\$2,300.00	\$800.00
119	AUDIT	\$5,000.00	\$5,000.00
120	SECURITY LIGHTS	\$3,500.00	\$3,200.00
121	OFFICE EXPENSES	\$3,800.00	\$3,500.00
122	ORG.MEMBERSHIP DUES	\$1,000.00	\$1,000.00
123	APPRAISALS	\$825.00	\$825.00
124	BUILDING INSPECTIONS	\$3,000.00	\$4,000.00
125	MISCELLANEOUS	\$1,000.00	\$1,000.00
126	ARBORIST	\$13,000.00	\$13,000.00
127	ROAD IMPROVEMENTS	\$184,000.00	\$184,000.00
128	COUNCIL EXPENSES	\$300.00	\$100.00
129	PUBLIC AFFAIRS	\$5,000.00	\$5,000.00
130	COMMUNITY CENTER	\$2,200.00	\$2,000.00
131	ENGINEER	\$1,500.00	\$1,500.00
132	FLOOD PREVENTION	\$130,000.00	\$90,000.00
133	EMPLOYEE REIMBURSEMENT	\$500.00	\$500.00
134	HEALTH DEPT.CONTRACT	\$1,500.00	\$1,500.00
135	PUBLIC SAFETY	\$500.00	\$1,000.00
136	ADVISOR	\$6,000.00	\$6,000.00
137	EMPLOYEE BENEFIT STIPEND		\$3,000.00
<b><u>TOTALS:</u></b>		\$436,559.00	\$426,291.67



**PROPOSED BUDGET  
VILLAGE OF SAN LEANNA  
WATER FUND  
FISCAL YEAR 2020-2021**

**REVENUES:**

<u>ACCOUNT</u>	<u>ACCOUNT NAME</u>	<u>ADOPTED BUDGET 2019-2020</u>	<u>PROPOSED BUDGET 2020-2021</u>
201	WATER BILLING	\$125,000.00	\$125,000.00
202	WATER TAP FEES	\$4,800.00	\$4,800.00
203	METER DEP/CONNECT FEES	\$1,000.00	\$1,000.00
204	MISCELLANEOUS	\$100.00	\$100.00
205	TRANSFER FROM RESERVE	\$46,931.50	\$270,646.47
<b><u>TOTALS:</u></b>		\$177,831.50	\$401,546.47

**EXPENSES:**

<u>ACCOUNT</u>	<u>ACCOUNT NAME</u>	<u>ADOPTED BUDGET 2019-2020</u>	<u>PROPOSED BUDGET 2020-2021</u>
210	WATER OPERATOR	\$25,661.00	\$26,688.00
211	DISTRICT FEES	\$6,000.00	\$6,000.00
212	MAINTENANCE/REPAIR	\$45,000.00	\$30,000.00
213	ELECTRICITY	\$7,300.00	\$7,500.00
214	BOOKKEEPER	\$16,667.00	\$18,333.33
215	BILLING SUPPLIES	\$1,600.00	\$1,600.00
216	METER READER	\$1,800.00	\$1,854.00
217	METER REFUNDS	\$700.00	\$500.00
218	MISCELLANEOUS	\$100.00	\$100.00
219	DEBT SERVICE	\$44,103.50	REMOVE ITEM
220	CITY OF AUSTIN CONTRACT	\$3,900.00	\$2,600.00
221	CITY OF AUSTIN WATER	\$25,000.00	\$25,000.00
222	LOAN PREPAYMENT	\$0.00	\$281,371.14
<b><u>TOTALS:</u></b>		\$177,831.50	\$401,546.47

**VILLAGE OF SAN LEANNA  
GENERAL FUND REPORT  
8-1-2020 -- 8-31-2020**

**REVENUES:**

<u>ACCOUNT</u>	<u>ACCOUNT NAME</u>	<u>CURRENT MONTH</u>	<u>YTD. BEG. CURRENT MO</u>	<u>YTD. END OF CURRENT MO</u>	<u>DIFFERENCE</u>	<u>AMENDED BUDGET</u>
101	PROPERTY TAXES	\$514.62	\$174,233.10	\$174,747.72	(\$9,747.72)	\$165,000.00
102	FRANCHISE TAXES	\$1,281.50	\$15,001.63	\$16,283.13	(\$1,283.13)	\$15,000.00
103	INTEREST	\$105.23	\$5,667.32	\$5,772.55	\$227.45	\$6,000.00
104	BUILDING PERMITS	\$0.00	\$4,780.00	\$4,780.00	(\$1,780.00)	\$3,000.00
105	CAPITAL METRO	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
106	MISCELLANEOUS	\$0.00	\$500.00	\$500.00	\$0.00	\$500.00
109	TRANSFER FROM RESERVE	\$0.00	\$0.00	\$0.00	\$69,730.52	\$69,730.52
<b><u>TOTALS:</u></b>		\$1,901.35	\$200,182.05	\$202,083.40	\$57,147.12	\$259,230.52

**EXPENSES:**

<u>ACCOUNT</u>	<u>ACCOUNT NAME</u>	<u>CURRENT MONTH</u>	<u>YTD. BEG. CURRENT MO</u>	<u>YTD. END OF CURRENT MO</u>	<u>DIFFERENCE</u>	<u>AMENDED BUDGET</u>
112	ROAD MAINTENANCE	\$0.00	\$0.00	\$0.00	\$15,000.00	\$15,000.00
113	CITY ADMINISTRATOR	\$2,777.78	\$27,949.96	\$30,727.74	\$2,777.78	\$33,505.52
114	TML INSURANCE	\$0.00	\$2,780.00	\$2,780.00	\$20.00	\$2,800.00
115	LEGAL	\$189.50	\$1,273.33	\$1,462.83	\$2,537.17	\$4,000.00
116	TAXES	\$345.38	\$3,420.05	\$3,765.43	\$734.57	\$4,500.00
117	ENVIRONMENTAL MAINTENANCE	\$515.00	\$5,350.00	\$5,865.00	\$6,135.00	\$12,000.00
118	PUBLIC INFORMATION	\$0.00	\$1,968.02	\$1,968.02	\$331.98	\$2,300.00
119	AUDIT	\$0.00	\$5,000.00	\$5,000.00	\$0.00	\$5,000.00
120	SECURITY LIGHTS	\$255.20	\$2,559.87	\$2,815.07	\$684.93	\$3,500.00
121	OFFICE EXPENSES	\$282.92	\$3,711.00	\$3,993.92	\$306.08	\$4,300.00
122	ORG. MEMBERSHIP DUES	\$0.00	\$645.00	\$645.00	\$355.00	\$1,000.00
123	APPRAISALS	\$0.00	\$572.25	\$572.25	\$252.75	\$825.00
124	BUILDING INSPECTIONS	\$550.00	\$2,715.00	\$3,265.00	\$735.00	\$4,000.00
125	MISCELLANEOUS	\$0.00	\$634.69	\$634.69	\$365.31	\$1,000.00
126	ARBORIST	\$990.00	\$10,030.00	\$11,020.00	\$1,980.00	\$13,000.00
127	ROAD IMPROVEMENTS	\$0.00	\$0.00	\$0.00	\$5,000.00	\$5,000.00
128	COUNCIL EXPENSES	\$0.00	\$0.00	\$0.00	\$300.00	\$300.00
129	PUBLIC AFFAIRS	\$0.00	\$1,401.41	\$1,401.41	\$3,598.59	\$5,000.00
130	COMMUNITY CENTER	\$85.79	\$1,254.24	\$1,340.03	\$859.97	\$2,200.00
131	ENGINEER	\$900.00	\$600.00	\$1,500.00	\$0.00	\$1,500.00
132	FLOOD PREVENTION	\$0.00	\$2,400.00	\$2,400.00	\$127,600.00	\$130,000.00
133	EMPLOYEE REIMBURSEMENT	\$0.00	\$206.92	\$206.92	\$293.08	\$500.00
134	HEALTH DEPT. CONTRACT	\$0.00	\$1,500.00	\$1,500.00	\$0.00	\$1,500.00
135	PUBLIC SAFETY	\$0.00	\$232.86	\$232.86	\$267.14	\$500.00
136	ADVISOR	\$1,090.77	\$2,382.38	\$3,473.15	\$2,526.85	\$6,000.00
<b><u>TOTALS:</u></b>		\$7,982.34	\$78,586.98	\$86,569.32	\$172,661.20	\$259,230.52

**VILLAGE OF SAN LEANNA  
WATER FUND REPORT  
8-1-2020 -- 8-31-2020**

**REVENUES:**

<u>ACCOUNT</u>	<u>ACCOUNT NAME</u>	<u>CURRENT MONTH</u>	<u>YTD. BEG. CURRENT MO</u>	<u>YTD. END OF CURRENT MO</u>	<u>DIFFERENCE</u>	<u>AMENDED BUDGET</u>
201	WATER BILLING	\$16,712.59	\$114,034.65	\$130,747.24	(\$5,747.24)	\$125,000.00
202	WATER TAP FEES	\$0.00	\$0.00	\$0.00	\$4,800.00	\$4,800.00
203	METER DEP/CONNECT FEES	\$150.00	\$1,050.00	\$1,200.00	(\$200.00)	\$1,000.00
204	MISCELLANEOUS	\$0.00	\$0.00	\$0.00	\$100.00	\$100.00
205	TRANSFER FROM RESERVE	\$0.00	\$0.00	\$0.00	\$47,217.23	\$47,217.23
<b><u>TOTALS:</u></b>		\$16,862.59	\$115,084.65	\$131,947.24	\$46,169.99	\$178,117.23

**EXPENSES:**

<u>ACCOUNT</u>	<u>ACCOUNT NAME</u>	<u>CURRENT MONTH</u>	<u>YTD. BEG. CURRENT MO</u>	<u>YTD. END OF CURRENT MO</u>	<u>DIFFERENCE</u>	<u>AMENDED BUDGET</u>
210	WATER OPERATOR	\$2,138.41	\$21,384.10	\$23,522.51	\$2,138.49	\$25,661.00
211	DISTRICT FEES	\$1,395.18	\$4,479.78	\$5,874.96	\$125.04	\$6,000.00
212	MAINTENANCE/REPAIR	\$5,297.51	\$27,087.92	\$32,385.43	\$12,614.57	\$45,000.00
213	ELECTRICITY	\$932.87	\$5,809.61	\$6,742.48	\$757.52	\$7,500.00
214	BOOKKEEPER	\$1,388.89	\$13,974.95	\$15,363.84	\$1,388.89	\$16,752.73
215	BILLING SUPPLIES	\$70.00	\$1,322.50	\$1,392.50	\$207.50	\$1,600.00
216	METER READER	\$150.02	\$1,500.00	\$1,650.02	\$149.98	\$1,800.00
217	METER REFUNDS	\$0.00	\$400.00	\$400.00	\$300.00	\$700.00
218	MISCELLANEOUS	\$0.00	\$94.50	\$94.50	\$5.50	\$100.00
219	DEBT SERVICE	\$39,551.78	\$4,551.78	\$44,103.56	(\$0.06)	\$44,103.50
220	CITY OF AUSTIN CONTRACT	\$0.00	\$2,600.00	\$2,600.00	\$1,300.00	\$3,900.00
221	CITY OF AUSTIN WATER	\$1,911.69	\$17,161.70	\$19,073.39	\$5,926.61	\$25,000.00
222	LOAN PREPAYMENT FUND	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b><u>TOTALS:</u></b>		\$52,836.35	\$100,366.84	\$153,203.19	\$24,914.04	\$178,117.23

**CHECKING ACCOUNT BALANCE:**

BEGINNING BALANCE	\$52,103.01	\$70,866.95
TOTAL REVENUES	\$18,763.94	
TRANSFER-TEXPOOL	\$0.00	
TOTAL EXPENSES	\$60,818.69	
TRANSFER-TEXPOOL	\$0.00	
INTEREST RET-TEXPOOL	\$105.23	\$60,923.92

**ENDING BALANCE \$9,943.03**

**CHECKBOOK BALANCE \$9,943.03**

**TEXPOOL BALANCE:**

BEGINNING BALANCE	\$700,687.76
DEPOSITS	\$0.00
INTEREST	\$105.23
<b>TOTAL</b>	<b>\$700,792.99</b>
WITHDRAWALS	\$0.00

**ENDING BALANCE \$700,792.99**

**VILLAGE OF SAN LEANNA  
FINANCIAL REPORT  
8-1-2020 -- 8-31-2021**

**FUND BALANCES**

	<u>PREVIOUS MONTH</u>	<u>CURRENT MONTH</u>
<b><u>BOND DEBT BALANCE</u></b>	\$315,000	\$280,000
<b><u>WATER FUND:</u></b>		
LOAN PAYMENT RESERVE	\$45,000	\$45,000
LOAN PREPAYMENT RESERVE (payable in August 2020)	\$26,514	\$26,514
OPERATION/EMERGENCY RESERVE	<u>\$118,543</u>	<u>\$118,543</u>
<b>TOTAL WATER RESERVE</b>	<b>\$190,057</b>	<b>\$190,057</b>
<b><u>ROAD FUND:</u></b>		
RESTRICTED CAPITAL METRO	\$28,040	\$28,040
RESERVE FOR PROJECTS	<u>\$140,000</u>	<u>\$140,000</u>
<b>TOTAL ROAD RESERVE</b>	<b>\$168,040</b>	<b>\$168,040</b>
<b>GENERAL FUND CONTINGENCY</b>	<b>\$50,000</b>	<b>\$50,000</b>
<b>CURRENT BUDGET RESERVE</b>	<b><u>\$136,473</u></b>	<b><u>\$94,258</u></b>
<b><u>TOTAL ALL RESERVED FUNDS</u></b>	<b>\$544,570</b>	<b>\$502,355</b>
<b>TOTAL TEXPOOL AND CHECKBOOK</b>	\$752,791	\$710,736
<b>LESS TOTAL RESERVED</b>	<u>\$544,570</u>	<u>\$502,355</u>
<b><u>UNALLOCATED AVAILABLE FUNDS</u></b>	<b>\$208,221</b>	<b>\$208,381</b>

VILLAGE OF SAN LEANNA  
ORDINANCE NO. 20-002

AN ORDINANCE OF THE VILLAGE OF SAN LEANNA, TEXAS, LEVYING AD VALOREM TAXES FOR USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT FOR THE VILLAGE OF SAN LEANNA, TEXAS FOR THE 2020-2021 FISCAL YEAR.

**WHEREAS**, the Chief Appraisers of the Travis Central Appraisal District has prepared and certified the appraisal roll of the Village of San Leanna, Texas, said roll being that portion of the approved appraisal roll of the Travis Central Appraisal District which lists property taxable by the Village of San Leanna, Texas; and

**WHEREAS**, the Board of Aldermen and City Administrator has published the new revenue tax rate, the voter-approval tax rate, an explanation of how they were calculated, and has fulfilled all other requirements for publication as contained in Section 26.052 (e) of the Texas Tax Code as it pertains to Small Taxing Units, in a manner designed to come to the attention of all residents of the Village of San Leanna; and

**WHEREAS**, the Board of Aldermen has complied with all applicable requirements of the Texas Tax Code prior to the settling of the tax rate for the Village of San Leanna for 2020.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE VILLAGE OF SAN LEANNA:

SECTION 1.

That the tax rate of the Village of San Leanna, Texas for the tax year 2020 be, and is hereby, set at \$0.2498 on each one hundred dollars (\$ 100) of the taxable value of real and personal property not exempt from taxation by the Constitution and laws of this State situated within the corporate limits of the Village of San Leanna.

SECTION 2.

That there is hereby levied for the tax year 2020 upon all real and personal property not exempt from taxation by the Constitution and laws of this State situated within the corporate limits of the Village of San Leanna, and there shall be collected for the use and support of the municipal government of the Village of San Leanna, Texas.

SECTION 3.

In accordance with the provisions and requirements of Section 26.05 of the Texas Property Tax Code, as amended, the City Council hereby states that **THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.**

SECTION 4.

In accordance with the provisions and requirements of Section 26.05 of the Texas Property Tax Code, as amended, the Board of Aldermen hereby states that **THE TAX RATE WILL EFFECTIVELY BE RAISED BY 2.945 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$4.90.**

SECTION 5.

That the Travis County Tax Assessor and Collector is hereby authorized to assess and collect the taxes of the Village of San Leanna employing the above tax rate.

SECTION 6.

That the City Administrator of the Village of San Leanna shall keep accurate and complete records of all monies collected under this Ordinance and the purposes for which same are expended.

SECTION 7.

That monies collected pursuant to this Ordinance shall be expended as set forth in the Village of San Leanna's FY 2020-2021 Annual Budget.

SECTION 8

That all monies collected which are not specifically appropriated shall be deposited in the General Fund.

SECTION 9

That this Ordinance shall take effect and be in full force and effect from and after its passage and approval according to law.

**PASSED AND APPROVED THIS THE 17th DAY OF SEPTEMBER 2020 BY THE FOLLOWING MOTION,**

MOTION:

"I MOVE THAT PROPERTY TAX BE INCREASED BY THE ADOPTION OF A TAX RATE OF \$0.2498 PER \$100 VALUATION, WHICH IS EFFECTIVELY A 2.945 PERCENT INCREASE IN THE TAX RATE".

WHICH WAS MADE BY \_\_\_\_\_  
MOTION SECONDED BY \_\_\_\_\_ TO

APPROVE THIS ORDINANCE HAVING RECEIVED \_\_\_ AYES, \_\_\_ NAYES,  
AND \_\_\_ ABSTAINED.

\_\_\_\_\_

Molly Quirk, Mayor

ATTEST:

\_\_\_\_\_

Rebecca Howe, City Administrator



September 3, 2020

**VIA ELECTRONIC MAIL [mayor@sanleannatx.com](mailto:mayor@sanleannatx.com) AND REGULAR MAIL**

The Honorable Molly Quirk  
Mayor of the Village of San Leanna  
P.O. Box 1107  
Manchaca, TX 78652

Dear Honorable Mayor Quirk:

The existing franchise agreement between the Village of San Leanna (“City”) and Pedernales Electric Cooperative, Inc. (“PEC”) was adopted by Ordinance No. 1735 as of October 29, 1970 and expires on October 29, 2020.

Enclosed for the City’s review, for renewal of the franchise agreement, is PEC’s franchise agreement template. If you have any questions regarding PEC and franchises within our service territory please contact Shannon Johnson, Public Affairs & Policy Advisor at (830) 330-4273 or [shannon.johnson@peci.com](mailto:shannon.johnson@peci.com); for comments or questions to the template please contact Alison Nolen, Legal Assistant 3 at [alison.nolen@peci.com](mailto:alison.nolen@peci.com) or (830) 868-4764.

Sincerely,

A handwritten signature in cursive script that reads "Mike Viesca".

Mike Viesca  
Executive Vice President of Public Affairs

MV:an

Enclosure



AN ORDINANCE GRANTING TO PEDERNALES ELECTRIC COOPERATIVE, INC., ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC LIGHT, HEAT AND POWER FRANCHISE, AND REPEALING ALL PREVIOUS ORDINANCES OF THE VILLAGE OF SAN LEANNA, TEXAS, GRANTING A FRANCHISE FOR SUCH PURPOSE

ALDERMEN  
BE IT ORDAINED BY THE ~~CITY~~ COUNCIL OF THE VILLAGE OF SAN LEANNA, TEXAS:

Section 1: That there is hereby granted to Pedernales Electric Cooperative, Inc., its successors and assigns (herein called the "Grantee"), the right, privilege and franchise until October 29, 2020, to construct, maintain and operate in the present and future streets, alleys, and public places of the Village of San Leanna, Texas, and its successors, electric light and power lines, with all necessary or desirable appurtenances (including underground conduits, poles, wires, transmission lines and other structures and telephone wires for its own use), for the purpose of supplying electricity to the said Village, the inhabitants thereof, and persons and corporations beyond the limits thereof, for light, heat, power and other purposes.

Section 2: Poles, structures and other appurtenances shall be so erected and maintained as not to interfere unreasonably with traffic over streets and alleys. The location of all poles, conduits and other structures shall be fixed under the supervision of the street and alley committee of the Village of San Leanna, or the successors to the duties of that committee, but not so as to interfere unreasonably with the proper operation of said lines.

Section 3: The service furnished hereunder to said Village and its inhabitants shall be first class in all respects considering all circumstances, and shall be subject to such reasonable rules and regulations as the Grantee may make from time to time. The Grantee may require reasonable security for the payment of its bills.

Section 4: The Grantee shall hold the Village harmless from all expense or liability for any act or neglect of the Grantee hereunder.

Section 5: That on the 31 day of Dec., 1970, and annually thereafter on Dec. 31 of each succeeding year for the life of this franchise, Pedernales Electric Cooperative, Inc., its successors and assigns, shall pay to the Village of San Leanna a sum equal to two per cent (2%) of its gross revenue received from the sale of electric power and energy by said Cooperative within the corporate limits of said Village for the preceding twelve months ending Dec. 31, in full payment for the

privilege of using and occupying the streets, highways, easements, alleys, parks, and other public places in the Village of San Leanna, whether as rental, supervision and inspection charges, or otherwise, for twelve months (succeeding ~~the preceding~~ Dec. 31 of year in which payment is made. This payment shall be in lieu of any other tax or increased rate of tax or other imposition, assessment, or charges, except ad valorem taxes.

Section 6: The Grantee shall file its written acceptance of this franchise within sixty (60) days after its passage and approval.

Section 7: This franchise is not exclusive, and nothing herein shall be construed so as to prevent the Village of San Leanna from granting other like or similar rights and privileges to any other person, firm or corporation.

Section 8: When this franchise ordinance shall have become effective, all previous ordinances of the Village of San Leanna, Texas, granting a franchise to Pedernales Electric Cooperative, Inc. for electric light, heat and power purposes, shall be automatically canceled and annulled, and the same, together with any existing street rental agreement between the Village and Grantee, shall be of no further force and effect.

PASSED AND APPROVED this 29 day of Oct, 1997

ATTEST:

J. Carter  
Secretary

Carl L. Camp  
Mayor

SEAL

**STATE OF TEXAS**

**ORDINANCE NO. 20-003**

**VILLAGE OF SAN LEANNA**

**AN ORDINANCE OF THE CITY COUNCIL OF THE VILLAGE OF SAN LEANNA, TEXAS, GRANTING A TRANSMISSION AND DISTRIBUTION ELECTRIC UTILITY FRANCHISE TO PEDERNALES ELECTRIC COOPERATIVE, INC. FOR A TEN YEAR TERM COMMENCING ON THE EFFECTIVE DATE OR THE LONGEST TERM ALLOWED BY THE CITY CHARTER; CONTAINING VARIOUS TERMS AND CONDITIONS WITH REGARD TO THE GRANT OF SUCH FRANCHISE; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ANY AND ALL KINDS OF ORDINANCES, REGULATIONS, RULES, OR POLICIES THAT ARE IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE VILLAGE OF SAN LEANNA, TEXAS, that:**

Section 1. Grant. The Village of San Leanna, Texas (“City”), pursuant to this ordinance (“Ordinance”) does hereby grant unto Pedernales Electric Cooperative, Inc. and to any of the cooperative’s affiliates, successors and permitted assigns (“Cooperative”), the right, privilege, and franchise to erect, construct, maintain, operate, use, extend, remove, replace, and repair in, under, upon, over, and across, and along any and all of the present and future streets, squares, parks, lanes, alleys, and public utility easements owned or controlled, or hereafter owned or controlled by the City and over and across any stream or streams, bridge, or bridges, now or hereafter owned or controlled by the City, a system of poles, pole lines, transmission and distribution lines, wires, guys, conduits, conductor, transformers, enclosures, concrete pads, ground rods, cable risers, and fiber optic cables and other desirable instrumentalities and appurtenances necessary or proper for the purpose of transmitting, distributing, carrying, conducting, conveying, supplying, furnishing and selling to the City and the inhabitants of the City or other person or persons, firms or corporations, whether within or without the City, electricity, energy, power, light, heat, energy services, and for any other purpose for which electricity or energy services may be now or hereafter used and for communication signals or the capability and capacity for transport of communication signals of whatever kind and character; to carry and transport communication signals by means of said poles, transmission and distribution lines, wires, guys, conduits, conductor or other instrumentalities to sell and distribute same to the City, the inhabitants of said City, and any other persons, firms or corporations whether within or without the City.

Section 2. City Property; Annexation. It is expressly understood and agreed that this Ordinance grants the Cooperative the rights and privileges contained in Section 1 above only as to property located within the corporate limits of the City presently in the Cooperative’s service area and to property hereinafter annexed by the City which is located within the Cooperative’s service area. The City shall notify Cooperative in writing of the effective date of any annexation of property into the City limits that would require Cooperative to include such properties for purposes of calculations of any amounts due under this Ordinance. Cooperative shall not be liable for any late payments, penalties or interest on the portion of a quarterly payment that does not include

gross revenues for Cooperative customers within a newly annexed area until ninety (90) days after written notice from the City to the Cooperative of any such annexation. Thereafter the Cooperative shall assure that any and all customers located within such annexed territory be included and shown on its accounting system as being within the City. After such ninety (90) day written notice from the City to the Cooperative, all customers' accounts located within such annexed territory shall begin accrual for purposes of the payment provisions specified in this Ordinance.

Section 3. Relocation; Electric Facilities; Pole Attachments.

(a) If the City, in order for the accommodation or new construction of its sewers, water lines, streets or other public works, shall require any structures, lines, guys, or other installations of the Cooperative located in a street or other City right-of-way to be shifted or relocated to a new position in a street or other available right-of-way, such structures, lines, guys, or other installations shall be so shifted or relocated by the Cooperative at the Cooperative's expense; provided, however, the City shall work with Cooperative in good faith to determine the most cost effective method of relocation or shifting of Cooperative's facilities. City shall give the Cooperative reasonable prior written notice of its projects requiring relocation of the Cooperative's facilities, and shall provide an alternate public easement for relocation. In the event that Cooperative is required by City to remove or relocate its facilities under this Section and City is eligible under federal, state county, local or other programs for reimbursement of costs and expense incurred by Cooperative as a result of such removal or relocation, and such reimbursement is required to be handled through the City, Cooperative costs and expenses shall be included in any application by City for reimbursement. City shall provide reasonable notice to Cooperative of the deadline for Cooperative to submit documentation of the costs and expense of such relocation to City. If reimbursement is available for relocation, the Cooperative shall receive its portion of reimbursement payments attributable to its facilities. For the avoidance of doubt, the City may not require the Cooperative to relocate its facilities underground in a public easement, and a location underground in a public easement will not constitute an "alternate public easement" for purposes of this Section, unless the Cooperative's facilities which the City seeks to have relocated are located underground before the City's request for relocation.

(b) If a third-party desires or the City requires Cooperative to adapt or conform any of Cooperative's facilities, or in any way alter, relocate or change Cooperative's property to enable any third party (whether public or private), other than the City, to use the rights-of-way, Cooperative shall have the right, as a condition of any such alteration, change or relocation, to require payment to Cooperative for any and all loss, cost or expense occasioned thereby to be paid by the third party. The City shall, as part of any franchise agreement with any third party entered into after the date of this Ordinance, attempt to include the requirement of payment to Cooperative for any and all loss, cost or expense occasioned by any necessary alteration, change or relocation.

(c) The Cooperative shall permit private or public entities desiring to provide communication services to the City to use existing Cooperative poles, provided that such attachment and use is feasible, does not interfere with Cooperative's ability to utilize its facilities for its purposes, and is not in conflict with the National Electric Safety Code, other safety procedures or requirements of Cooperative, and such entity obtains any necessary right-of-way or easement or permits or licenses for its use. Such use shall be subject to the entity's execution of

Cooperative's form of contract for pole attachment and payment of the Cooperative applicable fees.

Section 4. Operations and Maintenance.

(a) The Cooperative may open-cut streets, curbs and sidewalks, and may bore, or utilize any other methods (including, but not limited to tree trimming) it deems reasonably necessary to construct, operate and maintain the Cooperative facilities within the City and remove obstructions to the Cooperative's facilities that endanger or interfere with the efficiency of the Cooperative's facilities. The design, construction and maintenance of the Cooperative facilities shall be in accordance with Cooperative standards. Structures, lines, guys, and other installations shall be erected consistent with the National Electrical Safety Code and any other applicable state and national standards.

(b) The surface of any street, alley, or public way or place disturbed by the Cooperative shall be restored to substantially the same condition existing prior to the work by the Cooperative within a reasonable time after the completion of the work. No street, alley, or public way or place shall be encumbered by the Cooperative for a longer period than shall be reasonably necessary to execute the work.

Section 5. Indemnification - Cooperative. THE COOPERATIVE WILL INDEMNIFY, DEFEND AND HOLD HARMLESS THE CITY, ITS OFFICERS, AGENTS, SERVANTS, AND EMPLOYEES FROM AND AGAINST ANY AND ALL SUITS, LEGAL ACTIONS, LEGAL PROCEEDINGS, CLAIMS, DEMANDS, DAMAGES, COSTS, EXPENSES, AND ATTORNEYS' FEES INCIDENT TO ANY WORK DONE IN THE PERFORMANCE OF THIS ORDINANCE ARISING OUT OF A WILLFUL OR NEGLIGENT ACT OR OMISSION OF THE COOPERATIVE, ITS OFFICERS, AGENTS, SERVANTS OR EMPLOYEES, PROVIDED, HOWEVER, THAT THE COOPERATIVE SHALL NOT BE LIABLE FOR ANY SUIT, ACTIONS, LEGAL PROCEEDINGS, CLAIMS, DEMANDS, DAMAGES, COSTS, EXPENSES, AND ATTORNEYS' FEES ARISING OUT OF A WILLFUL ACT OR NEGLIGENT ACT OR OMISSION OF THE CITY, ITS OFFICERS, AGENTS, SERVANTS OR EMPLOYEES.

Section 6. Indemnification-City. TO THE EXTENT ALLOWED BY LAW, THE CITY WILL INDEMNIFY, DEFEND AND HOLD HARMLESS THE COOPERATIVE, ITS OFFICERS, AGENTS, SERVANTS, AND EMPLOYEES FROM AND AGAINST ANY AND ALL SUITS, LEGAL ACTIONS, LEGAL PROCEEDINGS, CLAIMS, DEMANDS, DAMAGES, COSTS, EXPENSES, AND ATTORNEYS' FEES INCIDENT TO ANY WORK DONE IN THE PERFORMANCE OF THIS ORDINANCE ARISING OUT OF A WILLFUL OR NEGLIGENT ACT OR OMISSION OF THE CITY, ITS OFFICERS, AGENTS, SERVANTS OR EMPLOYEES, PROVIDED, HOWEVER, THAT THE CITY SHALL NOT BE LIABLE FOR ANY SUIT, ACTIONS, LEGAL PROCEEDINGS, CLAIMS, DEMANDS, DAMAGES, COSTS, EXPENSES, AND ATTORNEYS' FEES ARISING OUT OF A WILLFUL ACT OR NEGLIGENT ACT OR OMISSION OF THE COOPERATIVE, ITS OFFICERS, AGENTS, SERVANTS OR EMPLOYEES.

Section 7. Term. This Ordinance shall be in force and effect for a period of ten (10) years from and after the date on which the City adopts it in the form authorized by the Cooperative (the "Effective Date"). The payments provided for in Section 8 of this Ordinance shall be effective for the Cooperative's gross revenues from its sale of energy and power sold within the City commencing on the first day of the month following the thirty (30) day notice period that the Cooperative is required to provide to the Cooperative's customers.

Section 8. Franchise Fee.

(a) In consideration of the rights granted to the Cooperative herein, the Cooperative, during the term of this Ordinance shall pay a fee of two percent (2%) of the gross revenues received by the Cooperative from the Cooperative's sale of energy and power sold to customers within the city limits of the City during such previous year or previous quarter. It is agreed that such payment is in addition to any ad valorem tax now or hereafter to be assessed and collected under the authority of the City's charter or under the laws of the State of Texas. Other than with respect to such ad valorem taxes, the payment so provided for in this Section is in lieu of all other fees or charges of any nature, and the City shall not impose or collect, nor attempt to impose or collect, any other charge or fee in connection with the construction, operation, and maintenance of the Cooperative facilities within the City. The term "gross revenues" shall not include (1) local, state, or federal taxes collected by Cooperative that have been billed to its customers and separately stated on customers' bills, (2) the franchise fee paid under this Ordinance, (3) revenue uncollectible from customers (i.e., bad debts) with billing addresses in the City that may have previously been included in gross revenues, or (4) revenue from the Cooperative's pole attachment agreements. Cooperative shall be entitled to list the franchise fee as a separate line item on monthly bills of Cooperative members who have meters within the City limits. The payment provided for in this Section 8 will reflect the Cooperative's gross revenues on a quarterly basis and will be due the City within forty-five (45) days after the close of each quarter in the Cooperative's fiscal year.

(b) If Cooperative elects to provide customer choice pursuant to the terms of the Public Utility Regulatory Act ("PURA"), the fee due under this Ordinance shall be as provided in the Texas Utilities Code Section 33.008 for a transmission and distribution utility.

Section 9. Reports. Upon City's request, at reasonable intervals not to exceed once per fiscal year, the Cooperative will provide to City reports setting out matters concerning energy and power sold by reason of the operation of the Cooperative within the City.

Section 10. Assignment. This Ordinance may be assigned by the Cooperative to any entity with the consent of the City, which consent shall not be unreasonably withheld. For the avoidance of doubt, a transfer of this Ordinance by virtue of a sale by the Cooperative of all or substantially all of its assets in the City shall not require consent of the City, but Cooperative shall provide City written notice within thirty (30) days of such transfer.

Section 11. Superseding Effect. This Ordinance supersedes for all purposes any other written agreements with respect to the franchise prior to the acceptance of this Ordinance. This Ordinance shall supersede and take precedence over inconsistent ordinances, resolutions, or

regulations hereafter or previously passed by the City, including but not limited to Tree Ordinance No. 09-003.

Section 12. Severability. The provisions of this Ordinance are severable, and if any court of competent jurisdiction enters a final order which holds that any section, subsection, sentence, clause, phrase, or other portion of this Ordinance is invalid, illegal, or otherwise unenforceable, then any such portion shall be deemed a separate, distinct and independent provision, and any such ruling shall not affect any other provision of this Ordinance which are not specifically designated as being illegal, invalid or unenforceable.

Section 13. Notices. Notice to the parties under this Ordinance shall be in writing and shall be by certified mail, return receipt requested, or by private delivery service such as Federal Express or U.P.S. addressed as follows:

To the City:

Village of San Leanna, Texas  
P.O. Box 1107  
Manchaca, TX 78652

To the Cooperative:

Pedernales Electric Cooperative, Inc.  
Attn: Public Affairs  
PO Box 1  
Johnson City, Texas 78636-0001

With a copy to:

Pedernales Electric Cooperative, Inc.  
Attn: General Counsel  
PO Box 1  
Johnson City, Texas 78636-0001

Notice shall be effective upon the earlier to occur of actual receipt or the expiration of three (3) business days from the date of deposit in an official depository of the United States Postal Service.

Section 14. Confidential Information. To the extent allowed by law, including the Texas Public Information Act (the "TPIA"), the City agrees to hold in strict confidence any non-public information, information marked proprietary or confidential that it receives from the Cooperative. The City will make reasonable efforts to (a) give the Cooperative prior written notice of a request for public information in a reasonably practicable time period to allow the Cooperative to seek a protective order, Texas Attorney General ruling, or other appropriate remedy, and (b) disclose only such information as is required under the applicable law. Notwithstanding anything contained within this Franchise to the contrary, if the release of information received from the

Cooperative is required by the TPIA and applicable Texas Attorney General rulings and case law, then such release shall not be considered to be a violation of this Franchise.

Section 15. Effective Date. This ordinance shall take effect immediately from and after its passage and adoption in accordance with the provisions of Chapter 52 of the Texas Local Government Code; provided, however, the payment of the franchise fee will be as described in Section 7.

Section 16. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.



**PASSED AND ADOPTED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.**

VILLAGE OF SAN LEANNA

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

**ACKNOWLEDGED, ACCEPTED, AND AGREED TO:**

**PEDERNALES ELECTRIC COOPERATIVE, INC.**

BY: \_\_\_\_\_

NAME: \_\_\_\_\_

DATE: \_\_\_\_\_

## Waste Connections Recycling Options

Additional \$3 per month for weekly Recycling pick-up – **everyone must participate**

Additional \$5 per month for an extra Recycling cart – bi weekly pickup as usual – **optional for each household**

## Dumpster Information from John Harris

*I took a look at the park location and found what I think could be a good position for a dumpster, near that pile of crushed concrete that you mentioned. These are a couple of possible positions that we could place the dumpster. If we can tuck it away to the left, then it would be a little better hidden from plain view. I sketched them below in the form of green rectangles:*



*Based on the level of usage you anticipate, and the range of items that could end up in the dumpster, I would recommend the roll off dumpster service over the front load dumpster. I've attached a list of acceptable items for reference.*

*I would steer you away from the frontload option simply because of the anticipated low volume of waste, and the tendency for bulk items to appear in the dumpster. The front load service is not very compatible for these situations.*

*We can offer up to four Roll Off dumpster pulls per year as part of the regular services that we provide to the Village. The dumpster would be 30 cubic yards in size. Any pulls that are needed in excess of four per year, would be charged a rate of \$425.00 per pull. This rate includes disposal costs.*

## **Zoning Report Sept , 2020**

### **Certificate of Occupancy/ Use**

**None**

### **Active Permits**

**500 River Oaks Dr. inground pool Oscar Juarez**

**elec added to acc. Bldg. 500 River Oaks Oscar Juarez**

**715 River Oaks Drive, private residence Larry Chibara**

**11515 Hunting Cr. Ln inground pool Kimble/Bertran**

**11505 Sombrero Accessory bldg. with plumbing and elec Alicia Smith**

**405 San Leanna Dr. remodel of Accessory bldg. with plumbing  
Mark/Jackie Hutson**

**609 Redbud Trail remodel with elec, plumbing Rolando Fernandez**

**901 Sleepy Hollow solar panels Ivan Zecena**

### **Pending**

**605 Redbud Trail conversion of garage to living space Bizek**

### **Demolition of Structure**

**Hunting Creek Dr. Hammack**

### **Driveway: none**

**None**