

**AMENDED AGENDA**  
**NOTICE OF MEETING OF THE CITY COUNCIL OF**  
**SHAVANO PARK, TEXAS**

This notice is posted pursuant to the Texas Open Meetings Act. Notice hereby given that the City Council of the City of Shavano Park, Texas will conduct a Regular Meeting on Monday, May 13, 2024 6:30 p.m. or immediately following the City Council Special Meeting scheduled at 6:00 p.m. at 900 Saddletree Court, Shavano Park City Council Chambers.

The meeting agenda and agenda packet are posted online at [www.shavanopark.org](http://www.shavanopark.org).

**1. CALL MEETING TO ORDER**

**2. PLEDGE OF ALLEGIANCE AND INVOCATION**

**3. CITIZENS TO BE HEARD**

The City Council welcomes "Citizens to be Heard." If you wish to speak, you must follow these guidelines. **As a courtesy to your fellow citizens and out of respect to our fellow citizens, we request that if you wish to speak that you follow these guidelines.**

- The Mayor will recognize those citizens who have signed up prior to the start of the meeting.
- Pursuant to Resolution No. R-2019-011 citizens are given three minutes (3:00) to speak during "Citizens to be Heard."
- Members of the public may only speak once and cannot pass the individual's time allotment to someone else
- Direct your comments to the entire Council, not to an individual member
- Show the Council members the same respect and courtesy that you expect to be shown to you

The Mayor will rule any disruptive behavior, including shouting or derogatory statements or comments, out of order. Continuation of this type of behavior could result in a request by the Mayor that the individual leave the meeting, and if refused, an order of removal. In compliance with the Texas Open Meetings Act, no member of City Council may deliberate on citizen comments for items not on the agenda. (Attorney General Opinion – JC 0169)

**4. CITY COUNCIL COMMENTS**

Pursuant to TEX. GOV'T CODE §551.0415(b), the Mayor and each City Council member may announce city events/community interests and request that items be placed on future City Council agendas. "Items of Community Interest" include:

- expressions of thanks, congratulations, or condolences;
- information regarding holiday schedules;
- an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in status of a person's public office or public employment is not honorary or salutary recognition for purposes of this subdivision;
- a reminder about an upcoming event organized or sponsored by the governing body;

- information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality or county; and
- announcements involving an imminent threat to the public health and safety of people in the municipality or county that has arisen after posting of the agenda.

## **5. PRESENTATIONS, COMMENDATIONS AND ANNOUNCEMENTS**

- 5.1. Proclamation – Ryan Matson appointment to the United States Service Academy (West Point)**
- 5.2. Proclamation – Benjamin “Benny” Fernandez earned his Eagle Scout Award**
- 5.3. Proclamation – City of Shavano Park San Antonio Radio Field Day, June 22-23, 2024**
- 5.4. Proclamation – Public Service Recognition Week**

## **6. CONSENT AGENDA**

All matters listed under this item are considered routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired by any Alderman on any item, that item will be removed from the consent agenda and will be considered separately.

- 6.1. Approval - Regular City Council Minutes, April 22, 2024**
- 6.2. Approval - Ordinance O-2024-005 approving VIA's Decision to Repeal the Application of the Exemption of Taxes on Sales within VIA's Entity Area of Telecommunication Services and Approves VIA's Decision to Impose such a Tax on Telecommunications Services (Final reading)**
- 6.3. Approval - Ordinance O-2024-006 repealing the Application of the Exemption on Taxes on Sales within the City of Shavano Park Entity Area of telecommunications Telecommunication Services and Approves a Decision to Impose such a Tax on Telecommunications Services (Final reading)**
- 6.4. Approval – Amended FY24 Surplus List II**
- 6.5. Approval - Appointment of members to the Higher Education Facilities Corporation Board**

## **7. CITY MANAGER’S REPORT**

All matters listed under this item are considered routine by the City Council and will only be considered at the request of one or more Aldermen. Coincident with each listed item, discussion will generally occur.

- 7.1. Building Permit Activity Report**
- 7.2. Fire Department Activity Report**
- 7.3. Municipal Court Activity Report**
- 7.4. Police Department Activity Report**
- 7.5. Public Works Activity Report**

## **8. REGULAR AGENDA ITEMS**

- 8.1. Discussion / action - Resolution No. R-2024-008 canvassing the returns and declaring the results of the 2024 General Election and the 2024 Special Election - City Council**
- 8.2. Oath of Office - Newly Elected Officials - Mayor / City Secretary**
- 8.3. Discussion / action - Appointment of Mayor Pro Tem - City Council**
- 8.4. Discussion / Action - Update on Street Phase 1 Street Reconstruction Projects - City Engineer / City Manager**
- 8.5. Discussion / action – Parking options in the vicinity of City Hall – City Engineer / City Manager**
- 8.6. Discussion / action – Memorandum of Understanding between The City of Shavano Park and Rogers Shavano Park Unit 18/19 concerning possible development of the property for economic development purposes - City Manager / City Attorney**
- 8.7. Discussion / action - Proposed plan to review and possibly recommend amendments to selected topics City of Shavano Park Code of Ordinances - Assistant City Manager / City Manager**
- 8.8. Discussion - Update on Town Plan four-person workgroup and resident feedback prior to the upcoming budget development process - City Manager**
- 8.9. Annual Budget Calendar - Finance Director**
- 8.10. Discussion / action – Attorney briefing for pending litigation, *Randy Fletcher vs City of Shavano Park Board of Adjustment*, in the 225<sup>th</sup> District Court, Bexar County Texas, Case Number 2023-CI-26908 and *Shavano Park v. Austin (102 Wagon Trail)*- Chapter 54 proceeding (Possible Executive Session pursuant to TEX. GOVT's Code §551.071, Consultation with Attorney to receive advice on pending or contemplated litigation) - City Attorney**

## 9. ADJOURNMENT

Executive Sessions Authorized: This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of TEX. GOV'T CODE CHAPTER 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy TEX. GOV'T CODE §551.144(c) and the meeting is conducted by all participants in reliance on this opinion. The Council may vote and/or act upon each of the items set out in this agenda. In addition, the City Council for the City of Shavano Park has the right to adjourn into executive session at any time during the course of this meeting to discuss any matter authorized by Texas Government Code Sections 551.071 (Consultation with Attorney); 551.072 (Deliberations related to Real Property); and Section 551.074 (Personnel Matters).

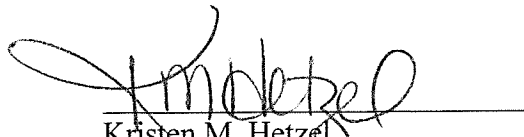
### **Attendance by Other Elected or Appointed Officials – NOTICE OF POTENTIAL QUORUM:**

It is anticipated that members of City Council or other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

The facility is wheelchair accessible and accessible parking spaces are also available in the front and sides of the building. The entry ramp is located in the front of the building. Sign interpretative services for meetings must be made 48 hours in advance of the meeting. Call the City Secretary at 210-581-1116 or TDD 1-800-735-2989.

### **CERTIFICATE:**

I hereby certify that the above Notice of Meeting was posted on the City Hall bulletin board on the 10th day of May 2024 at 4:30 p.m. at a place convenient and readily accessible to the general public at all times, and to the City's website, [www.shavanopark.org](http://www.shavanopark.org), in compliance with Chapter 551, Texas Government Code.

  
Kristen M. Hetzel  
City Secretary

# Proclamation



*WHEREAS, Ryan Matson is a high school senior at Great Hearts Northern Oak; and*

*WHEREAS, Ryan has been awarded a Congressional Nomination from Congressman Tony Gonzales and has accepted an appointment to the United States Military Academy at West Point, exemplifying academic prowess, leadership, and dedication to serving our country; and*

*WHEREAS, acceptance into West Point is a testament to Ryan's unwavering commitment to excellence and the culmination of years of hard work, sacrifice, and perseverance; and*

*WHEREAS, Ryan's achievement not only brings pride to their family and friends but also reflects positively on our entire community, highlighting the caliber of individuals our city nurtures and supports; and*

*WHEREAS, Ryan's commitment to service and leadership extends beyond sports and civic engagement, as an Eagle Scout with the Boy Scouts of America, Ryan led the construction of a Killed in Action (KIA) memorial, honoring the ultimate sacrifice of Shavano Park Veterans. His efforts were recognized by local media and unveiled to KIA family members in attendance; and*

*WHEREAS, the City Council recognizes the honor and privilege it is to have such a promising and exceptional individual among our residents, inspiring others to strive for greatness.*

*NOW THEREFORE, I, Robert Werner, Mayor of the City of Shavano Park, on the behalf of the City Council, do hereby commend and congratulate Ryan Matson for their remarkable achievement and wish them continued success as they embark on this noble journey at West Point Military Academy.*

*IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Shavano Park to be affixed on this 13th day of May 2024.*

**CITY OF SHAVANO PARK**

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Robert Werner, Mayor

# *Proclamation*



***WHEREAS**, the City of Shavano Park, a place for city living with country charm, takes pride in its sense of community and citizen involvement; and*

***WHEREAS**, the vision of the Boy Scouts of America is to prepare every eligible youth in America to become responsible, participating in citizens and leaders, who are guided by the Scout Oath and Law; and, the Boy Scouts of America encourage Eagle Scout candidates to complete worthy projects to improve their neighborhoods, their community, and the region; and*

***WHEREAS**, Benjamin Fernandez is currently a sophomore at Central Catholic High School with a goal of obtaining college to focus on business, statistics, or data science; and*

***WHEREAS**, Benny received the rank of Eagle Scout on February 8, 2024; and this is the highest award a scout can receive; and for his community service project, Benny spent 235 hours building and installing 15 birdhouses for the City of Shavano Park Municipal Tract trails system and making improvements to the Red Loop Trail; and*

***WHEREAS**, in addition to his 32 merit badges, Benny had 41 nights of camping, over 230 community service hours, awarded the Order of the Arrow Honor Society, and earned 2 Catholic religious emblems as a scout; and he has been continually active in scouts since he was 6 and currently, is not only active in scouting and his community, but is also going to high school; Benny has grown into a well-respected young man that both scouts and adults look to as an example, and;*

***NOW THEREFORE**, I, Robert Werner, Mayor of the City of Shavano Park, on the behalf of the City Council, do hereby honor Benjamin Hernandez of Boy Scout Troop 271 on his achievement of attaining the rank of Eagle Scout, the highest rank in Boy Scouts.*

***IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the City of Shavano Park to be affixed on this 13th day of May 2024.*

**CITY OF SHAVANO PARK**

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Robert Werner, Mayor



# Proclamation



*WHEREAS*, the City of Shavano Park works with the San Antonio Radio Club to prepare for emergencies and licensed Amateur Radio operators have demonstrated their value in public assistance by providing emergency radio communications; and

*WHEREAS*, for over 103 years, these Amateur Radio operators donate these services free of charge in the interest of the citizens of the City as well as the world; and

*WHEREAS*, these Amateur Radio operators are on alert for any emergency, local or worldwide, and practice their communication skills during the American Radio Relay League's Field Day exercise; and

*WHEREAS*, this year's Amateur Radio Field Day for the San Antonio Radio Club will take place outside the City of Shavano Park City Hall on June 22-23, 2024 and has been doing so since 2003;

*NOW THEREFORE*, I, Robert Werner, Mayor of the City of Shavano Park, on the behalf of the City Council, do hereby declare the week of June 22-23, 2024 as

## *“Amateur Radio Week”*

*in recognition of this important emergency preparedness exercise, and call upon all citizens to pay tribute to the Amateur Radio operators that assist our City.*

*IN WITNESS WHEREOF*, I have hereunto set my hand and caused the seal of the City of Shavano Park to be affixed on this 13th day of May 2024.

**CITY OF SHAVANO PARK**

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Robert Werner, Mayor

# Proclamation



*WHEREAS*, the profession of public service has existed for nearly 4,000 years, facilitating the public's way of life and providing access to government services that keeps our nation working; and

*WHEREAS*, public service appreciation weeks occurs the first week of May to honor those who deliver public service that make use of

*WHEREAS*, public service was acknowledged in 1871 when President Ulysses Grant formed the first Federal Civil Service and recognized by President Ronald Regan who introduced Public Service Recognition Week in 1985; and

*WHEREAS*, this week is set aside to honor the men and women in the public sector and their efforts in serving their communities each day to improve quality of life and provide diverse services demanded by the public; and

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

*NOW THEREFORE*, I, Robert Werner, Mayor of the City of Shavano Park, on the behalf of the City Council, do hereby announce and proclaim to all citizens that the week of May 5 to May 11, 2024 is Public Service Recognition Week and all citizens are encouraged to recognize the dedication, service and contributions of our City employees.

*IN WITNESS WHEREOF*, I have hereunto set my hand and caused the seal of the City of Shavano Park to be affixed on this 13th day of May 2024.

**CITY OF SHAVANO PARK**

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Robert Werner, Mayor



**1. CALL MEETING TO ORDER**

Meeting was called to order by Mayor Werner at 6:30 p.m.

**PRESENT:**

Alderman Aleman

Alderman Kautz

Mayor Pro Tem Kuykendall

Alderman Miller

Alderman Powers

Mayor Werner

**ABSENT:**

None

**2. PLEDGE OF ALLEGIANCE AND INVOCATION**

Alderman Powers led the Pledge of Allegiance.

Alderman Miller gave the Invocation.

**3. CITIZENS TO BE HEARD**

No citizens signed up to be addressed.

**4. CITY COUNCIL COMMENTS**

City Council shared appreciation for the weather, wished everyone a happy fiesta, and recognized the efforts of all for a successful Arbor Day event.

**5. PRESENTATIONS, COMMENDATIONS AND ANNOUNCEMENTS**

**5.1. Proclamation - Recognition of Congressman Gonzales**

Mayor Werner presented the proclamation to Congressman Gonzales who complemented the community and their vision and example to others.

**5.2. Proclamation – Cardboard Kids**

Mayor Werner presented the proclamation to Director Morey who introduced the children and their stories.

**5.3. Recognition - Excellence in Performance by a City employee, Officer Wallace, Police Department**

Officer Wallace was presented the recognition by City Manager Hill and Chief Fox on her excellence in performance.

**6. CONSENT AGENDA**

**6.1. Approval - Regular City Council Minutes, March 25, 2024**

**6.2. Accept - Planning and Zoning Commission Minutes, February 7, 2024**

**6.3. Approval - Ordinance O-2024-003 amending Chapter 30 Taxation to establish a Hotel Occupancy Tax and adding the previously approved Over-65 tax exemption (Final Reading)**

**6.4. Accept - Quarterly Investment Report, period ending March 31, 2024**

**6.5. Approval - Resolution R-2024-007 amending the Employee Handbook**

Mayor Pro Tem Kuykendall made a motion to accept the consent agenda (6.1-6.5) as provided.

Alderman Kautz seconded the motion.

The motion carried with a unanimous vote.

**7. CITY MANAGER'S REPORT**

**7.1. Building Permit Activity Report**

**7.2. Fire Department Activity Report**

**7.3. Municipal Court Activity Report**

**7.4. Police Department Activity Report**

**7.5. Public Works Activity Report**

**7.6. Finance Activity Report**

No action was taken on this item.

**8. REGULAR AGENDA ITEMS**

**8.1. Discussion / Action - Update on Street Phase 1B De Zavala and Phase 1C Shavano Creek - City Engineer / City Manager**

City Manager Hill provided an update on the street construction plans and discussed presenting parking options at a future council meeting.

No action was taken on this item.

**8.2. Discussion / Action - Ordinance O-2024-005 approving VIA's Decision to Repeal the Application of the Exemption of Taxes on Sales within VIA's Entity Area of Telecommunication Services and Approves VIA's Decision to Impose such a Tax on Telecommunications Services (First reading) - Tom Marks, VIA Chief Government and External Affairs Officer**

VIA's Officer Marks presented a summary on VIA's future plans for service to Shavano Park and discussed a tax on telecommunications services.

Alderman Miller made a motion to approve Ordinance O-2024-005 approving VIA's decision to repeal the application of the exemption of taxes on sales within VIA's entity area of telecommunication services and approve VIA's decision to impose such a tax on telecommunication services.

Alderman Aleman seconded the motion.

The motion carried with a unanimous vote.

**8.3. Discussion / Action - Ordinance O-2024-006 repealing the Application of the Exemption on Taxes on Sales within the City of Shavano Park Entity Area of telecommunications Telecommunication Services and Approves a Decision to Impose such a Tax on Telecommunications Services (First reading) - City Manager**

City Manager Hill presented Ordinance O-2024-006.

Alderman Aleman made a motion to approve Ordinance O-2024-006 repealing the application of the exemption on taxes on sales within the City of Shavano Park entity area of telecommunication services and approve a decision to impose such a tax on telecommunications services.

Alderman Miller seconded the motion.

The motion carried with a unanimous vote.

**8.4. Discussion - Update on Town Plan four-person workgroup and resident feedback prior to the upcoming budget development process - City Manager**

City Manager Hill discussed the staff's coordination of a feedback group of residents to meet in June.

No action was taken on this item.

**8.5. Discussion / Action - Consideration for calling a Special Meeting to Canvass the May Elections and/or to reschedule the Regular City Council Meeting - City Secretary**

City Secretary Hetzel presented scheduling options for the May council meeting and the need to canvass the election results.

Alderman Powers made a motion to reschedule the May 2024 regular City Council meeting to May 13, 2024.

Alderman Kautz seconded the motion.

The motion carried with a unanimous vote.

**8.6. Discussion / Action - Set City Manager Annual Performance and Salary Review - Possible Executive Session pursuant to Texas Government Code §551.074, Personnel Matters Review - City Council**

Alderman Miller made a motion to enter executive session regarding item 8.6 pursuant to Texas Government Code §551.074, Personal Matters.

Mayor Pro Tem Kuykendall seconded the motion.

The motion carried with a unanimous vote.

Mayor Werner entered the council into closed session at 7:29 p.m.

Mayor Werner entered the council into open session at 8:03 p.m.

No actions were taken in closed session.

**9. ADJOURNMENT**

Alderman Powers made a motion to adjourn the meeting.

Mayor Pro Tem Kuykendall seconded the motion.

The motion carried with a unanimous vote.

The meeting ended at 8:04 p.m.

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Robert Werner, Mayor

ATTEST:

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Kristen M. Hetzel, City Secretary

## CITY COUNCIL STAFF SUMMARY

Meeting Date: May 13, 2024

Agenda item: 6.2

Prepared by: Bill Hill

Reviewed by: Bill Hill

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**AGENDA ITEM DESCRIPTION: Discussion/Action - Ordinance O-2024-005 approving VIA's Decision to Repeal the Application of the Exemption of Taxes on Sales within VIA's Entity Area of Telecommunication Services and Approves VIA's Decision to Impose such a Tax on Telecommunications Services (First reading) - Tom Marks, VIA Chief Government and External Affairs Officer**

X

**Attachments for Reference:**

1) Ordinance O-2024-005

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### **BACKGROUND / HISTORY:**

Under Section 322.109 of the Texas Tax Code there are exempted from the taxes imposed by a taxing entity the sales within the entity area of telecommunications services unless the application of the exemption is repealed under that section.

Under Section 322.109(d) of the Texas Tax Code, the governing board of a taxing entity created under Chapter [451](#), Transportation Code, may not repeal the application of the exemption of taxes on sales within its entity area of telecommunications services unless the repeal is first approved by a majority of the members of the governing body of each municipality that created the taxing entity.

VIA Metropolitan Transit (VIA) is a taxing entity created under Chapter [451](#), Transportation Code and the City Council of the City of Shavano Park is a governing board of a municipality that created VIA. VIA does not currently impose a sales and use tax on telecommunications services sold within its entity area.

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### **DISCUSSION:** Updates highlighted in Yellow.

The governing board of VIA intends to repeal the application of the exemption of taxes on sales within VIA's entity area of telecommunications services and has requested the City Council of the City of Shavano Park approve VIA's decision to do so as required under Section 322.109(d) of the Texas Tax Code.

Staff reviewed the request from VIA and supports the initiative as it is expected to provide upgraded services from VIA across the region.

Tom Marks (VIA, Chief Government and External Affairs Officer) or another VIA representative will be present to review and answer questions.

VIA reviewed with City Council the draft ordinance and purpose of the action at the April City Council meeting. City Council approved the first reading of the ordinance without modification. This action is the second reading of the Ordinance.

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**COURSES OF ACTION:** Approve, disapprove or provide staff guidance regarding the draft Ordinance O-2024-005 approving VIA's Decision to Repeal the Application of the Exemption of Taxes on Sales

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**FINANCIAL IMPACT:** N/A

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**MOTION REQUESTED:** To Approve Ordinance O-2024-005 approving VIA's Decision to Repeal the Application of the Exemption of Taxes on Sales within VIA's Entity Area of Telecommunication Services and Approves VIA's Decision to Impose such a Tax on Telecommunications Services

**ORDINANCE NO. O-2024-005**

**AN ORDINANCE OF THE CITY OF SHAVANO PARK, TX, CITY COUNCIL ADOPTING AN ORDINANCE APPROVING VIA'S DECISION TO REPEAL THE APPLICATION OF THE EXEMPTION OF TAXES ON SALES WITHIN VIA'S ENTITY AREA OF TELECOMMUNICATIONS SERVICES AND APPROVES VIA'S DECISION TO IMPOSE SUCH A TAX ON TELECOMMUNICATIONS SERVICES; PROVIDING A CUMULATIVE AND CONFLICTS CLAUSE, PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, under Section 322.109 of the Texas Tax Code there are exempted from the taxes imposed by a taxing entity the sales within the entity area of telecommunications services unless the application of the exemption is repealed under that section, and

**WHEREAS**, under Section 322.109(d) of the Texas Tax Code, the governing board of a taxing entity created under Chapter 451, Transportation Code, may not repeal the application of the exemption of taxes on sales within its entity area of telecommunications services unless the repeal is first approved by a majority of the members of the governing body of each municipality that created the taxing entity.

**WHEREAS**, VIA Metropolitan Transit (VIA) is a taxing entity created under Chapter 451, Transportation Code; and

**WHEREAS**, the City Council of the City of Shavano Park is a governing board of a municipality that created VIA; and

**WHEREAS**, VIA does not currently impose a sales and use tax on telecommunications services sold within its entity area; and

**WHEREAS**, the governing board of VIA intends to repeal the application of the exemption of taxes on sales within VIA's entity area of telecommunications services and has requested the City Council of the City of Shavano Park approve VIA's decision to do so as required under Section 322.109(d) of the Texas Tax Code; and

**WHEREAS**, after thorough review and consideration, the City Council finds it approves VIA's desire to repeal the application of the exemption of taxes on sales within VIA's entity area of telecommunications services and approves VIA's intent to impose such a tax on telecommunication services,

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



**SECTION 1.** The City Council hereby approves VIA's decision to repeal the application of the exemption of taxes on sales within VIA's entity area of telecommunications services and approves VIA's decision to impose such a tax on telecommunications services.

**SECTION 2.** Upon this Ordinance becoming law pursuant to applicable City procedures, it shall be entered into the minutes of the City Council.

## **I**

### **CUMULATIVE CLAUSE**

That this ordinance shall be cumulative of all provisions of the City of Shavano Park, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.

## **II**

### **SEVERABILITY**

That it is hereby declared to be the intention of the City Council of the City of Shavano Park that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, clause, sentence, paragraph or section.

## **III**

### **PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public 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

## **IV**

### **EFFECTIVE DATE**

This ordinance shall be effective upon passage and publication as required by State and Local law.

**PASSED AND APPROVED** on the first reading by the City Council of the City of Shavano Park this the 22nd day of April 2024.

**PASSED AND APPROVED** on the second reading by the City Council of the City of Shavano Park this the 13th day of May, 2024.

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**ROBERT WERNER**, MAYOR

Attest:

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**KRISTEN M. HETZEL**, CITY SECRETARY

## CITY COUNCIL STAFF SUMMARY

Meeting Date: May 13, 2024

Agenda item: 6.3

Prepared by: Bill Hill

Reviewed by: Bill Hill

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**AGENDA ITEM DESCRIPTION: Discussion / Action - Ordinance O-2024-006 repealing the Application of the Exemption on Taxes on Sales within the City of Shavano Park Entity Area of Telecommunication Services and Approves a Decision to Impose such a Tax on Telecommunications Services (First reading) - City Manager**

X

**Attachments for Reference:**

1) Ordinance O-2024-006

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### **BACKGROUND / HISTORY:**

Under Section 322.109 of the Texas Tax Code there are exempted from the taxes imposed by a taxing entity the sales within the entity area of telecommunications services unless the application of the exemption is repealed under that section.

Section 321.210 of the Texas Tax Code provides the authority for municipalities (including the City of SHAVANO PARK) to repeal the application of the exemption from local sales and use taxes on receipts from the sale of telecommunications services within the City.

The City of Alamo Heights repealed the application of the exemption from local and use taxes on receipts from the sale of telecommunications services in 2019.

**Sec. 321.210. TELECOMMUNICATIONS EXEMPTION.** (a) There are exempted from the taxes imposed under this chapter the sales within the municipality of telecommunications services unless the application of the exemption is repealed under this section. A municipality may not repeal the application of this exemption as it applies to interstate long-distance telecommunications services, but if a municipality has repealed the exemption before the effective date of Part 4, Article 1, H.B. No. 61, Acts of the 70th Legislature, 2nd Called Session, 1987, interstate long-distance telecommunications services in that municipality are not subject to taxes imposed under this chapter.

(b) The governing body of a municipality by ordinance adopted by a majority vote of the governing body in the manner required for the adoption of other ordinances may repeal the application of the exemption provided by Subsection (a) for telecommunications services sold within the municipality.

(c) A municipality that has repealed the application of the exemption may in the same manner reinstate the exemption.

(d) A vote of the governing body of a municipality repealing the application of or reinstating the exemption must be entered in the minutes of the municipality. The municipal secretary shall send to the comptroller by United States certified or registered mail a copy of each ordinance adopted under this section. The repeal of the application of the exemption or a reinstated exemption takes effect within the municipality as provided by Section [321.102](#)(a) after receipt of a copy of the ordinance.

Added by Acts 1987, 70th Leg., ch. 191, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1987, 70th Leg., 2nd C.S., ch. 5, art. 1, pt. 4, Sec. 33.

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**DISCUSSION:** Updates are highlighted in yellow below.

The repeal of the application of the exemption would allow the City to impose a tax on the receipts from the sale of telecommunications services within the City and collect more revenue.

City Manager Hill reviewed with City Council the draft ordinance and purpose of the action at the April City Council meeting. City Council approved the first reading of the ordinance without modification. This action is the second reading of the Ordinance.

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**COURSES OF ACTION:** Approve, disapprove or provide staff guidance regarding the draft Ordinance O-2024-006 repealing the Application of the Exemption on Taxes on Sales within the City of Shavano Park Entity Area of telecommunications Telecommunication Services and Approves a Decision to Impose such a Tax on Telecommunications Services

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**FINANCIAL IMPACT:** The City of Shavano Park expects to receive more sales tax as a result of this ordinance.

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**MOTION REQUESTED:** To Approve Ordinance O-2024-006 repealing the Application of the Exemption on Taxes on Sales within the City of Shavano Park Entity Area of Telecommunication Services and Approves a Decision to Impose such a Tax on Telecommunications Services (First reading)

**ORDINANCE NO. O-2024-006**

**AN ORDINANCE OF THE CITY OF SHAVANO PARK, TEXAS REPEALING THE APPLICATION OF THE EXEMPTION FROM LOCAL SALES AND USE TAXES ON RECEIPTS FROM THE SALE OF TELECOMMUNICATION SERVICES WITHIN THE CITY OF SHAVANO PARK, TEXAS, AS PROVIDED IN SECTION 321.210 OF THE TEXAS TAX CODE, AS AMENDED; AMENDING THE CODE OF ORDINANCES CHAPTER 30, BY ADDING A NEW ARTICLE IV. - TELECOMMUNICATIONS SERVICES TAX AND IMPOSING A LOCAL SALES AND USE TAX ON THE RECEIPTS FROM THE SALE OF TELECOMMUNICATIONS SERVICES WITHIN THE CITY OF SHAVANO PARK, TEXAS; PROVIDING FOR NOTIFICATION TO THE COMPTROLLER OF THE STATE OF TEXAS; PROVIDING THAT NO SUCH TAX PROVIDED FOR HEREUNDER SHALL SERVE AS AN OFFSET TO OR TO REDUCE ANY AMOUNT PAYABLE BY ANY PROVIDER OF TELECOMMUNICATIONS SERVICES PURSUANT TO ANY FRANCHISE, STREET USE ORDINANCE, STATUTE, OR ANY OTHER IMPOSITION OF THE CITY OF SHAVANO PARK, TEXAS; PROVIDING A CUMULATIVE AND CONFLICTS CLAUSE, PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, under Section 322.109 of the Texas Tax Code there are exempted from the taxes imposed by a taxing entity the sales within the entity area of telecommunications services unless the application of the exemption is repealed under that section, and

**WHEREAS**, Section 321.210 of the Texas Tax Code provides the authority for the City of SHAVANO PARK, Texas ("City"), to repeal the application of the exemption from local sales and use taxes on receipts from the sale of telecommunications services within the City; and

**WHEREAS**, the repeal of the application of the exemption would allow the City to impose a tax on the receipts from the sale of telecommunications services within the City; and

**WHEREAS**, the City Council finds that the repeal of the application of the exemption and the imposition of a tax on the receipts from the sale of telecommunications within the City is in the best interests of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHAVANO PARK, TEXAS, THAT:**

**I  
SECTION**

The application of the exemption provided for in Section 321.210 of the Texas Tax Code is hereby repealed by the City Council as authorized by Section 321.210 of the Texas Tax Code.

**II  
CODE AMENDMENT**

Chapter 30, Article IV. TELECOMMUNICATIONS SERVICES TAX is hereby created and added to the City of Shavano Park Code of Ordinances as set forth in the attached Exhibit A.

**III  
SECTION**

Notice to comptroller. The City Manager shall forward to the Comptroller of the State of Texas by certified or registered mail a copy of this Ordinance along with a copy of the minutes of the City Council's vote and discussion regarding this Ordinance.

**IV  
CUMULATIVE CLAUSE**

That this ordinance shall be cumulative of all provisions of the City of Shavano Park, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.

**V  
SEVERABILITY**

That it is hereby declared to be the intention of the City Council of the City of Shavano Park that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, clause, sentence, paragraph or section.



**VI**  
**PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public 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

**VII**  
**EFFECTIVE DATE**

This ordinance shall be effective upon passage and publication as required by State and Local law.

**PASSED AND APPROVED** on the first reading by the City Council of the City of Shavano Park this the 22nd day of April 2024.

**PASSED AND APPROVED** on the second reading by the City Council of the City of Shavano Park this the 13th day of May, 2024.

\_\_\_\_\_  
**ROBERT WERNER, MAYOR**

Attest:

\_\_\_\_\_  
**KRISTEN M. HETZEL, CITY SECRETARY**

Exhibit A

## **ARTICLE IV. - TELECOMMUNICATIONS SERVICES TAX**

### **Sec. 30-51. Authority to levy.**

A tax is hereby authorized and imposed on all receipts from the sale of telecommunications services within the city, as is provided for by state law. For purposes of this section, the sale of telecommunications services is consummated at the location of the telephone or other telecommunications device from which the call or other communication originates. If the point of origin cannot be determined, the sale is consummated at the address to which the call or other communication is billed.

### **Sec. 30-52. Rate of tax.**

The rate of tax imposed by this section shall be the same as the rate imposed by the city for all other local sales and use taxes as authorized by the legislature of the State of Texas.

## CITY COUNCIL STAFF SUMMARY

Meeting Date: May 13, 2024

Agenda item: 6.4

Prepared by: Curtis Leeth

Reviewed by: Bill Hill

### **AGENDA ITEM DESCRIPTION:** Approval – FY2024 Surplus List 2

X

**Attachments for Reference:** 1) FY24 Surplus List 2 \*Amended\*

### **BACKGROUND / HISTORY:**

The City of Shavano Park regularly identifies property eligible for surplus. This is a small amendment to the 2<sup>nd</sup> surplus list of FY24 approved at the March 25, 2024 Council Meeting. Amendment is to add the surplus Dump Truck from Public Works. So far \$1,310.41 has been received for the list approved in March.

\$ 9.75	Fire
\$ -	PW/W
\$1,115.41	Police
\$ 185.25	Admin
<b>\$1,310.41</b>	<b>Total</b>

ID #	Item	Description	Condition	Department	Fate	Revenue
1	Desktop PC	Dell Optix 3020 (Qty 4)	Used / Working	Admin	Auction	\$ 23.40
2	Desktop PC	Dell Optiplex 7050	Used / Working	Police	Auction	\$ 51.68
3	iPhone	iPhone 11 64GB (Black) (Qty 4)	Used / Working	Police	Auction	\$ 1,063.73
4	Ruggedized Laptops	Getac S410 (Qty 3)	Used / Working	Fire	Recycled	\$ -
5	Ruggedized Tablets	Getac F110 (Qty 5)	Used / Working	Fire	Trashed (battery leaks)	\$ -
6	Vehicle Charger Adapters	LIND GE-1950 (Qty 8)	Used / Working	Fire	Auction	\$ 9.75
7	Mobile Hotspot	Netgear Nighthawk (Qty 8)	Used / Working	Police	Recycled	\$ -
8	Chromebook Laptop	Acer N16Q10 (Qty 3)	Used / Working	Admin	Auction	\$ 148.20
9	High Performance Computer	Dell Precision Tower 5810 (Qty 2)	Used / Working	PW/W		
10	Conference Table	Conference Table	Used / Working	Admin	Auction	
11	Conference Chairs	Chairs on casters (Qty 4)	Used / Working	Admin	Auction - no Bids	\$ -
12	Fireproof Metal Filing Cabinet	Fireproof Metal Filing Cabinet	Used / Working	Admin	Auction	\$ 13.65
13	Metal Filing Cabinet	Metal Filing Cabinet	Used / Working	Admin		
14	Office Desk	Office Desk	Used / Working	Admin	Auction - no Bids	\$ -
15	Dump Truck	2001 Kobalt 3CY Dump Truck	Used / Working	PW/W	Auction	

**DISCUSSION:** Property declared as surplus may be sold at auction and the resulting funds will be allocated back into the city's General Fund. Please view attachment for detailed listing of surplus items. Staff will use GovDeals.com as an auction outlet to properly dispose of surplus equipment.

**COURSES OF ACTION:** Approve amended FY24 Surplus List 2; or alternatively decline and provide further guidance to staff.

**FINANCIAL IMPACT:** Revenue gained varies.

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**MOTION REQUESTED:** Approve amended FY24 Surplus List 2

## CITY COUNCIL STAFF SUMMARY

Meeting Date: May 13, 2024

Agenda item: 6.5

Prepared by: Kristen Hetzel

Reviewed by: Bill Hill

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### **AGENDA ITEM DESCRIPTION:**

Discussion / action - Resolution R-2024-009 by the City Council of the City of Shavano Park, Texas appointing members to the Board of Directors of the City of Shavano Park, Texas Higher Education Facilities Corporation; and other matters in connection therewith - City Manager

☒

**Attachments for Reference:** 1) Resolution R-2024-009

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### **BACKGROUND / HISTORY:**

The City of Shavano Park, Texas created the City of Shavano Park, Texas Higher Education Facilities Corporation (HEFC) on October 19, 1999. The creation of the corporation is authorized pursuant to Section 53.35 (b) of the Texas Education Code (Code) and facilitates the ability of non-profit educational institutions such as San Antonio Christian Schools to obtain tax-exempt debt thru the corporation. This type of conduit allows the corporation to issue debt for the institutions, but the City has no financial burden per the language required by the Code. In 1999, the HEFC supported the debt of San Antonio Christian Schools and received a one-time fee of \$35,000.

In November 2014, Shavano Park City Council reinstated the HEFC. In March 2015, City Council approved minor revisions to the Bylaws and Articles. On March 23, 2015, the Board of Directors of the HEFC authorized and approved the issuance of bonds in support of the Montessori School of San Antonio for a fee of \$25,000.

In June 2016, the Board of Directors of the HEFC authorized and approved the issuance of bonds in support of the Schreiner University for a fee of \$15,000.

The last Board appointments were approved at the May 16, 2022 City Council meeting by Resolution R-2022-011.

Short excerpts on board members' powers, number and terms of office from the Corporation's Articles of Corporation:

Section 2.1. Powers, Number and Term of Office. The property and affairs of the Corporation shall be managed and controlled by the Board of Directors and, subject to the restrictions imposed by law, the Articles of Incorporation and these Bylaws, the Board of Directors shall exercise all of the powers of the Corporation.

The Board of Directors shall consist of not less than seven nor more than eleven directors, each of whom shall be appointed by the governing body of the City. Any member of the City's governing body may serve on the Board of Directors.

The directors constituting the first Board of Directors shall be those directors named in the Articles of Incorporation, each of whom, as well as any subsequent directors, shall serve for a term of two years or until his or her successor is appointed by the governing body of the City.

Section 3.4. Treasurer. The treasurer shall have custody of all the funds and securities of the HEFC which come into his hands.

The office of treasurer may be held by an employee of the City as appointed by the City Manager and approved by the Board of Directors.

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**DISCUSSION:** The City has made it practice to update the Board Members (eight positions) after each election. The Board of Directors recently has consisted of the six council members, one citizen, and the Finance Director serving as the Treasurer. Of the eight positions, no positions held by Aldermen require updating.

Robert Werner	President
Konrad Kuykendall	Vice President
Brenda Morey	Treasurer
Maggi Kautz	Director
Lee Powers	Director
Buddy Aleman	Director
Pete Miller	Director
Al Walea	Secretary

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**COURSES OF ACTION:** Approve Resolution R-2024-009 reappointing the President, Vice President, Treasurer, Directors, and the Secretary as listed above or appoint other members.

**NOTE:** The Board of Directors may ratify, confirm, or change its officers at its next meeting.

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**FINANCIAL IMPACT:** No impact to this specific action, but this action will enable fee revenues to the City in the future.

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**MOTION REQUESTED:** Approve Resolution R-2024-009 reappointing members to the Board of Directors of the City of Shavano Park, Texas Higher Education Facilities Corporation.



**RESOLUTION R-2024-009**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SHAVANO PARK, TEXAS  
APPOINTING MEMBERS TO THE BOARD OF DIRECTORS OF THE CITY OF  
SHAVANO PARK, TEXAS HIGHER EDUCATION FACILITIES CORPORATION;  
AND OTHER MATTERS IN CONNECTION THEREWITH**

**WHEREAS**, the City Council (the *Governing Body*) of the City of Shavano Park, Texas (the *City*) previously created and there now exists the City of Shavano Park, Texas Higher Education Facilities Corporation (the *Corporation*), which Corporation exists for the sole and exclusive purpose of aiding nonprofit educational institutions in providing educational facilities and housing facilities and facilities which are incidental, subordinate, or related thereto or appropriate in connection therewith under the provisions of Chapter 53 and Chapter 53A, as amended, Texas Education Code (the *Act*); and

**WHEREAS**, the Governing Body previously reviewed and approved the Corporation's Articles of Incorporation, as amended (the *Articles*) and Bylaws; and

**WHEREAS**, Article II of the Corporation's Bylaws provides that the members of the Corporation's Board of Directors shall be appointed by the Governing Body for a two-year term (which terms shall be extended until the successor thereto is appointed by the Governing Body); and

**WHEREAS**, the Governing Body has determined that it shall now appoint members to the Corporation's Board of Directors for terms commencing on May 13, 2024 and concluding on May 13, 2026 (or until reappointment or successor members have been identified and appointed);

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE  
CITY OF SHAVANO PARK, TEXAS THAT:**

**Section 1.** The Governing Body hereby appoints the following persons to serve as members of the Corporation's Board of Directors for the duration of the term identified in the preamble to this Resolution:

Robert Werner	President
Konrad Kuykendall	Vice-President
Brenda Morey	Treasurer
Maggie Kautz	Director
Lee Powers	Director
Pete Miller	Director
Buddy Aleman	Director
Al Walea	Secretary

**Section 2.** The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Governing Body.

**Section 3.** All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

**Section 4.** This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

**Section 5.** If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Governing Body hereby declares that this Resolution would have been enacted without such invalid provision.

**Section 6.** It is officially found, determined, and declared that the meeting at which this Resolution 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 Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

**Section 7.** This Resolution shall be in force and effect from and after its final passage and it is so resolved.

**PASSED AND APPROVED** by the City Council of the City of Shavano Park on the 13th day of May, 2024.

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**ROBERT WERNER, MAYOR**

Attest:

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Kristen M. Hetzel, City Secretary

# Council Monthly Summary Report for period between 04/01/2024 and 04/30/2024 City of Shavano Park

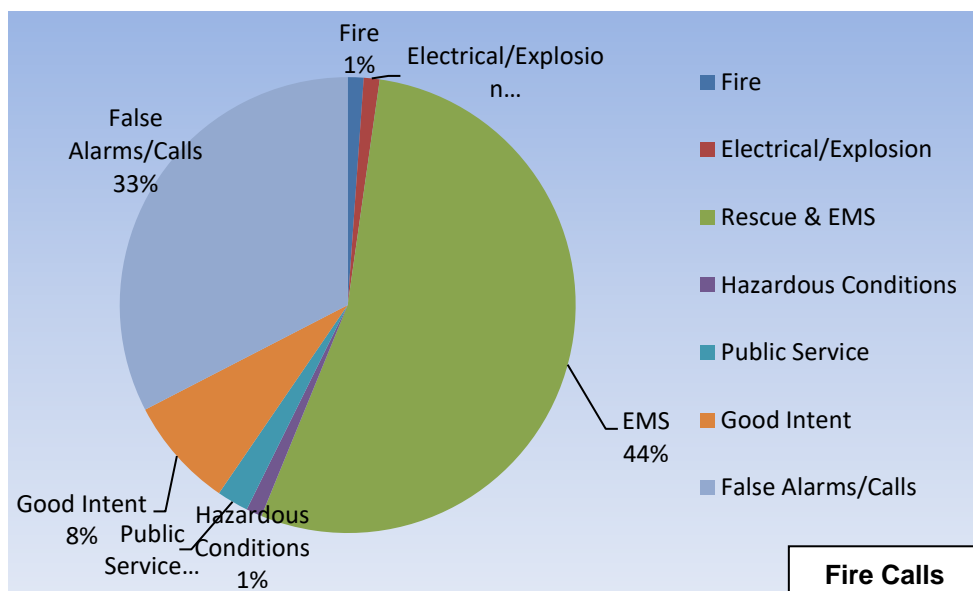
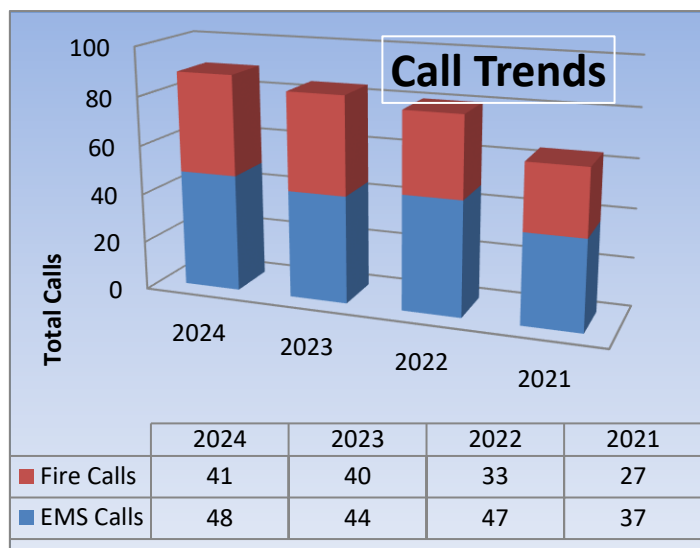
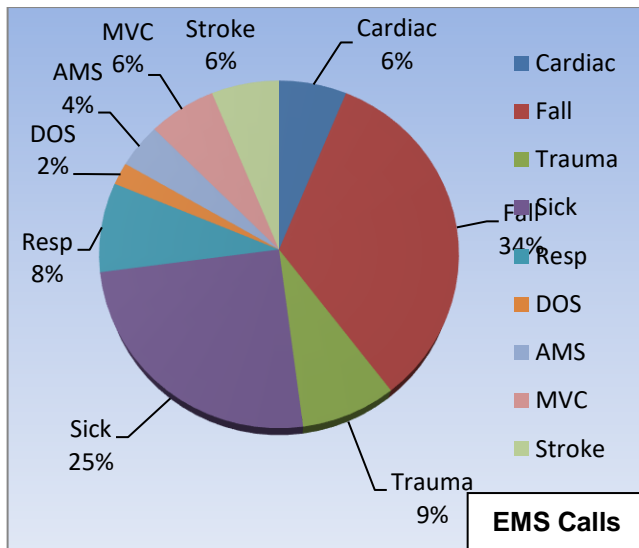
	[Designated period: 4/1/2024 to 4/30/2024]			[Prior period: 4/1/2023 to 4/30/2023]		
Description	Prms	Valuation	Fee Paid	Prms	Valuation	Fee Paid
<b>Commercial:</b>						
Electric (C)	1	0.00	1455.00	2	0.00	600.00
HVAC (C)	2	0.00	960.00	0	0.00	0.00
Plumbing (C)	1	0.00	1105.00	1	0.00	1050.00
<i>Development Services Fees:</i>						
Credit Card Fee			88.53			41.64
Technology Fee			20.00			15.00
Totals For Permits Shown Above	4	0.00	3628.53	3	0.00	1706.64
<b>Other:</b>						
Driveway Permit Driveway	2	0.00	500.00	2	0.00	500.00
Plumbing - No Fee	0	0.00	0.00	1	0.00	0.00
Sign Permit Other	0	0.00	0.00	2	1445.00	200.00
Swimming Pool Pool/ Spa	1	0.00	700.00	1	0.00	800.00
<i>Development Services Fees:</i>						
Credit Card Fee			30.39			38.15
Technology Fee			15.00			25.00
Totals For Permits Shown Above	3	0.00	1245.39	6	1445.00	1563.15
<b>Residential:</b>						
Accessory Building Accessory Building*	2	0.00	3652.61	0	0.00	0.00
Building (R) New Residence*	1	0.00	3173.77	0	0.00	0.00
Demolition (R) Demolition	0	0.00	0.00	1	0.00	100.00
Electric (R)	3	0.00	805.00	6	0.00	1300.00
Fence (R) Fence	4	0.00	800.00	1	0.00	100.00
HVAC (R)	12	0.00	2900.00	7	0.00	1855.00
Irrigation (R) Other (please explain below)	1	0.00	200.00	0	0.00	0.00
Plumbing (R)	6	0.00	600.00	6	0.00	650.00
Roof (R) Roof (or re-roof)	0	0.00	0.00	1	0.00	150.00
Septic (R)	3	0.00	1260.00	4	0.00	1780.00
<i>Development Services Fees:</i>						
Credit Card Fee			259.34			152.15
Technology Fee			155.00			145.00
Totals For Permits Shown Above	32	0.00	13805.72	26	0.00	6232.15
<b>Total For All Permits In The Period</b>	<b>39</b>	<b>0.00</b>	<b>18679.64</b>	<b>35</b>	<b>1445.00</b>	<b>9501.94</b>

# Shavano Park Fire Department

## Summary of Events for April 2024



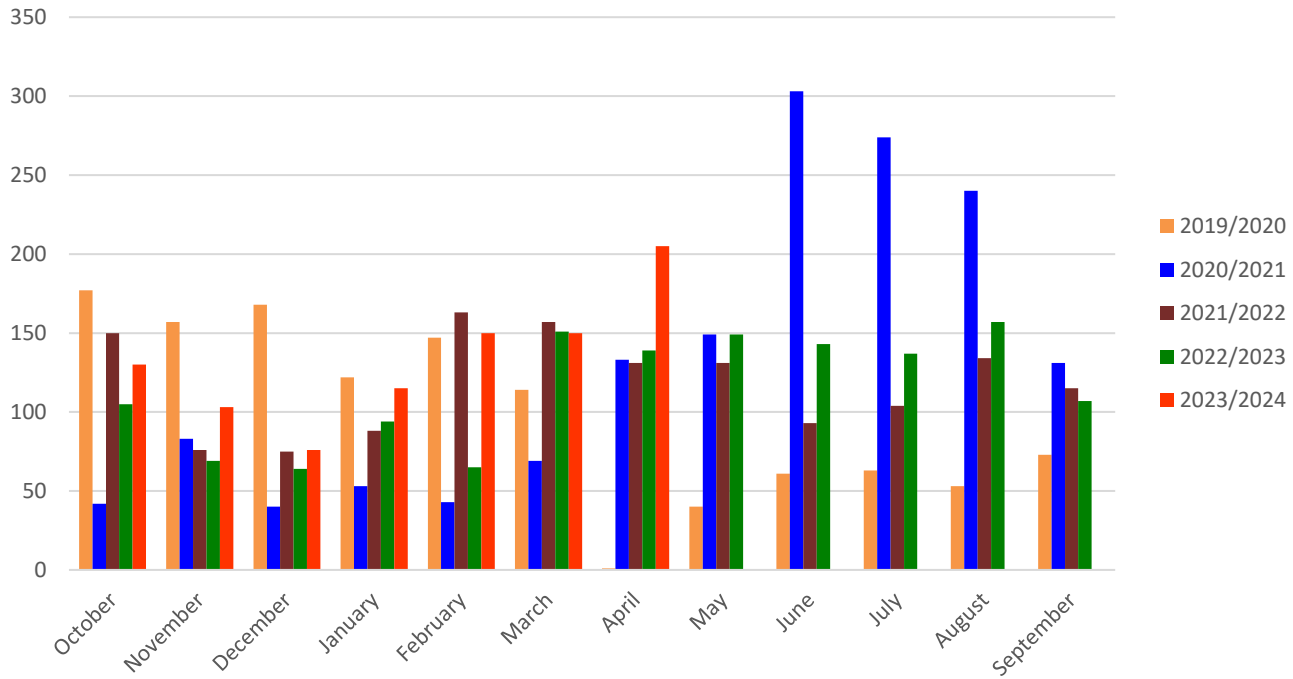
- Shavano Park FD responded to **89** requests for service in April.
- This is a **5% increase** from the previous **April**.
- Shavano Park FD responded to **8 automatic** aid requests for Leon Springs and Bexar Bulverde FD.
- Shavano Park FD received **1** automatic aid responses for Castle Hills FD and Hollywood Park FD.
- Shavano Park FD Responded/stood-by for **18** mutual aid requests from other departments
- The average response time for calls within Shavano Park is **4 minutes 11 seconds** this month.
- Firefighters completed a total of **182 hours of fire** and **164 hours of EMS** training in the month of April.
- Certified Fire Inspector inspected **6** commercial buildings.
- Fire crews performed **2** pre-incident fire plan reviews
- Certified Plans Examiners reviewed 3 sets of commercial building/renovation plans/changes to previously submitted plans
- ALS care (Paramedics) Accounted for 74% of EMS responses for April



# City of Shavano Park

## Municipal Court Activity April 2024

### Cases Filed Per Month

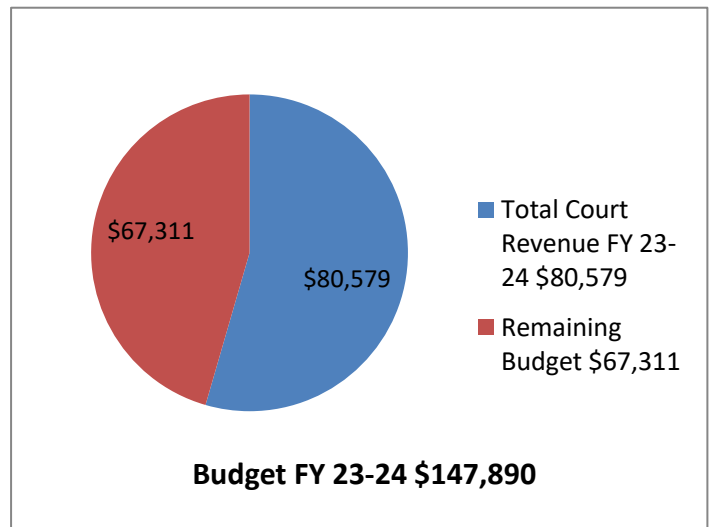


Cases Resolved	Current Month	Prior Year
Fine	38	31
Not Guilty By Judge	0	2
Guilty	30	25
Dismissed	0	0
Compliance Dismissal	40	30
Defensive Driving	16	12
Deferred Disposition	9	14
Proof of Insurance	2	2
<b>TOTAL</b>	<b>135</b>	<b>116</b>

**There was 1 case filed in April 2020.**  
(Insufficient to register on the above chart)

**There were no in-person Municipal Court proceedings March - May, July - December 2020 and January - February 2021 due to the coronavirus.**

Court Revenue	Current 23/24	Prior 22/23
October	\$ 13,931	\$ 9,566
November	9,210	11,489
December	8,436	6,109
January	8,186	9,163
February	12,751	10,196
March	14,695	12,761
April	13,370	10,905
May	-	14,770
June	-	12,847
July	-	12,061
August	-	10,981
September	-	13,322
	<b>\$ 80,579</b>	<b>\$ 134,169</b>



**Monthly Activity Report**  
**City of Shavano Park Police Department**  
**April 2024**

**Activity Report: 16 criminal offenses out of 11 incidents were handled by the Police Department for the month of April.**  
**61 total Criminal Offenses were handled by the Department for CY 2024.**

Criminal Incidents	Apr	Calendar Year				
		2024	2023	2022	2021	2020
Alcohol Beverage Code Violations	1	2	0	5	0	0
Arrest of Wanted Persons (Outside Agency)	2	6	12	26	27	10
Assault / Assault Family Violence / Assault on P.O.	0	6	7	7	11	9
Burglary Building	1	3	4	5	6	5
Burglary of Habitation	0	0	0	0	2	0
Burglary Vehicle	1	7	25	35	23	10
Criminal Mischief / Reckless Damage	1	1	2	9	17	9
Criminal Mischief Mail Box	0	0	0	1	3	0
Criminal Trespass	0	0	0	0	6	3
Cruelty to Animals	0	0	0	0	1	0
Disorderly Conduct	0	1	1	0	3	0
Deadly Conduct	0	0	1	2	1	0
Duty on Striking Fixture/Landscaping	0	0	2	1	4	0
Driving Under the Influence - Minor	0	1	0	2	1	0
Driving While Intoxicated	2	6	20	20	28	15
Driving while License Suspended / Invalid (ENHANCED)	0	0	0	0	1	1
Endangerment of Child	0	0	0	0	0	0
Engaging in Organized Crime	0	0	0	0	1	0
Evading Arrest/Escape Custody	3	3	12	10	9	5
Exploitation Child/Elderly/Disabled	0	0	0	0	1	0
Failure to Identify	0	1	1	1	0	1
Fraud / Forgery / False Reports / Tamper w/Govt. Record	0	3	14	15	12	8
Graffiti	0	0	0	0	0	1
Harassment / Retaliation / Terroristic Threat / Viol. Protect. Order	1	1	2	9	3	4
Illegal Dumping	0	0	0	0	6	0
Injury to Child/Elderly/Disabled	0	1	0	3	1	0
Kidnapping / Unlawful Restraint	0	1	0	0	0	0
Property Damage/Leaving Scene of Accident	1	1	0	3	7	1
Minor In Possession Alcohol/Tobacco	0	0	4	4	3	13
Murder	0	0	0	0	1	0
Narcotics Violation (class B and up)	1	2	5	18	7	31
Narcotics Violation (class C)	1	4	16	23	17	24
Unlawful Possession/Carry Weapon	0	2	2	11	4	7
Public Intoxication	0	0	1	0	0	1
Reckless Driving	0	0	0	0	2	0
Resisting Arrest/Interference/Hindering/Unlawful Restraint	0	1	0	2	2	2
Robbery	0	1	0	1	2	2
Sexual Offense	0	1	0	1	0	1
Solicitation of a Minor / Indecency with a Minor	0	0	0	1	0	0
Stalking	0	0	0	0	2	0
Suicide	0	0	0	1	1	1
Tampering with Evidence	0	0	1	0	1	2
Theft	0	3	20	21	25	29
Theft of Mail	1	1	3	6	3	7
Theft of Motor Vehicle	0	2	2	3	5	2
Unauthorized Use of Motor Vehicle	0	0	1	4	1	4
<b>Total Criminal Calls Handled</b>	<b>16</b>	<b>61</b>	<b>158</b>	<b>250</b>	<b>250</b>	<b>208</b>

**Monthly Activity Report**  
**City of Shavano Park Police Department**  
**April 2024**

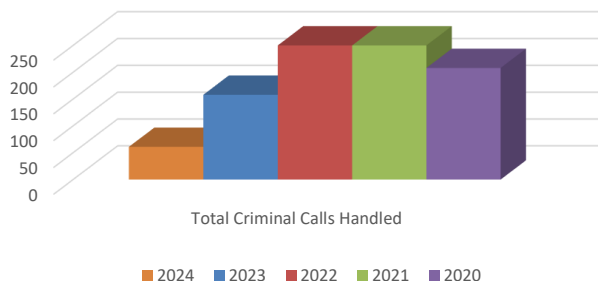
**Non-Criminal Incidents**

	Apr	Calendar Year				
		2024	2023	2022	2021	2020
Accidents Major (With Injuries)	0	1	4	5	6	2
Accidents Minor (Non-Injury)	10	39	60	68	78	36
Alarm Call	31	100	423	419	417	401
Animal Calls / Complaints	9	18	30	129	97	107
Assist Fire Department / EMS	3	16	473	404	372	373
Assist Other Law Enforcement Agencies	3	12	67	82	32	59
Assist the Public	1	10	72	78	37	80
City Ordinance Violations	21	91	251	42	47	57
Animal Nuisance 2 overgrown grass/vegetation 12						
parking & storage 1 solicitor 1 RV 1 Permit 1						
Building Code Violation 1 Dangerous Dog Violations 2						
Civil Standby	0	2				
Criminal Trespass Warning	0	0	1	2	10	11
Deceased Person / Natural / Unattended	1	5	32	20	17	23
Disturbance / Keep the Peace	0	4	55	72	63	71
Emergency Detention	1	4	8	8	12	12
Impounded Vehicles	12	41	102	94	0	0
Injured / Sick Person	41	159				
Investigation/ Information	30	108	278	271	131	127
Missing Person / Runaway	0	1	2	2	0	3
Motorist Assist	4	9				
Recovered Property / Found Property	2	8	20	19	18	11
Suspicious Activity, Circumstances, Persons, Vehicles	13	49	173	186	164	154
Traffic Hazard	2	5	24	46	30	21
Welfare Concern	1	16	83	88	69	48
911 Hang-up Calls	15	52	294	225	290	217
<b>Total Non-Criminal Calls Handled</b>	<b>200</b>	<b>750</b>	<b>2452</b>	<b>2260</b>	<b>1890</b>	<b>1813</b>

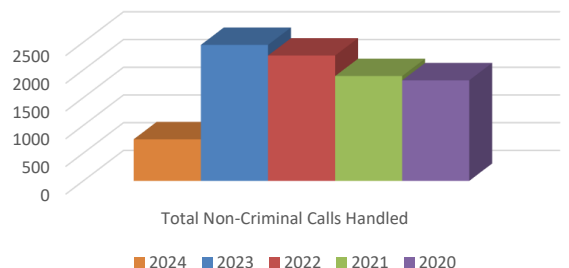
**Officer Initiated Contacts**

	Apr	Calendar Year				
		2024	2023	2022	2021	2020
Community Policing Contacts / Crime Prevention					2754	899
Out of Town / Patrol-By Requests	19	64	291	285	196	211
House Checks	276	803	4350	5504		
Business Checks	631	2775	7720	4151		
Citizen Policing Contacts	835	3428	7492	4408		
Crime Prevention Activities	8	35	857	384		
Field Interview Contacts	6	7	18	585		
<b>Total Officer Initiated Contacts</b>	<b>1775</b>	<b>7112</b>	<b>20728</b>	<b>15317</b>	<b>2950</b>	<b>1110</b>

Criminal Calls



Non Criminal Calls





City of Shavano Park Police Department  
April 2024 Breakdown

Alcohol Beverage Code Violations

- 1. 4500 blk. Lockhill-Selma Road

Arrest of Wanted Person

- 1. 4500 blk. Lockhill-Selma Road
- 2. 4100 blk. N. Loop 1604 W.

Burglary Building

- 1. 3600 blk. Paesanos Pkwy.

Burglary Vehicle

- 1. 100 blk. Box Oak

Criminal Mischief

- 1. 3000 blk. Napier Park

Driving While Intoxicated

- 1. 100 blk. Fawn Drive
- 2. 100 blk. Warbler Way

Evading Arrest

- 1. 4500 blk. Lockhill-Selma Road
- 2. 3400 blk. Lockhill-Selma Road
- 3. 15400 blk. N.W. Military Hwy.

Terroristic Threat

- 1. 3200 blk. N. Loop 1604 W.

Leaving Scene of Accident

- 1. 1 6700 blk. N.W. Military Hwy .

Narcotics Violation

- 1. 15000 blk. N.W. Military Hwy.
- 2. 4500 blk. Lockhill-Selma Road

Theft of Mail

- 1. 200 blk. Fawn Drive

April 2024

Officer	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	Total A
Warnings	20	12	16	13	23	11	38	28	30	26	24	28	11	14	13	307
Citations	10	0	1	25	17	3	11	6	29	2	8	51	21	13	31	228
Cases	8	12	10	9	10	19	16	19	19	4	5	21	13	20	24	209
Activity Totals	38	24	27	47	50	33	65	53	78	32	37	100	45	47	68	744
Vehicles Stopped	26	11	17	27	36	13	44	29	50	27	29	62	24	22	34	451

Cantu Casares De Anda Escorza Espinoza Flores Garza Gutierrez Nakazono Page Quintanilla Schumacher Torres Villanueva Wallace

Officer	P	Q	R	S	T	U	V	W	X	Y	Z	Total B	Grand Total
Warnings	0											0	307
Citations	0											0	228
Cases	1											1	210
Activity Totals	1	0	0	0	0	0	0	0	0	0	0	1	745
Vehicles Stopped	0											0	451

Ramsey

# CITY OF SHAVANO PARK

## MONTHLY COMPARISON TO LAST YEAR # OF WATER ACCOUNTS IN EACH TIER

Tiers	Breakdown of Tiers in Thousands of Gallons	# of Units In Tier	Rate per 1,000 Gallons	APR 2023	APR 2024
Tier 1	0-5,000	5	\$3.07	232	158
Tier 2	5,001 - 30,000	25	\$3.40	360	396
Tier 3	30,001 - 50,000	20	\$3.83	76	97
Tier 4	50,001 - 70,000	20	\$4.58	25	37
Tier 5	70,001 - 100,000	30	\$6.29	10	18
Tier 6	Over 100,001		\$11.94	4	6
				707	712

### Other Fees

EAA Fee @ \$.50/ 1,000 Gallons  
Debt Service Fee @ \$ 22.58

APR 2023	APR 2024
\$5,721.50	\$7,297.50
\$15,806.00	\$18,160.00

Water Svc Fee      5/8      \$5.10  
                                 3/4      \$7.34  
                                 1      \$13.06  
                                 1 1/2      \$29.38  
                                 2      \$52.22

\$112.20	\$112.20
\$4,771.00	\$4,778.34
\$235.00	\$261.20
\$146.00	\$176.28
\$261.10	\$365.54

Water Sales Only

<b>\$40,836.64</b>	<b>\$54,774.25</b>
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# PUBLIC WORKS DEPARTMENT

## Monthly Report -APRIL 2024

### WATER UTILITY

- PW staff completed the installation of 2 shade cover over the auxiliary motors. 1<sup>st</sup> at Huebner storage tank ,2<sup>nd</sup> at well site 8. This was to protect the integrity of the motors
- PW has begun cleaning out meter boxes along the even number side of NW Military, to complete the final installation cellular meter along this corridor. Installation will begin next week

### FACILITIES

- PW staff continue laying out crush granite and edging to the blue loop trail behind city hall, additional material was acquired and the full loop will be completed before the arbor day event
- PW staff replaced a new second set of speed humps at 118 Fawn
- PW assisted election staff with disposal of trash items from their receptacles .
- Eagle scouts constructed a walk over bridge adjacent to the city hall rain garden
- PW completed the final phase of the Eagle Scout bridge project by raising the ground elevation to meet the height of the bridge on both sides.

### STREETS

- PW acquired the new replacement small dump truck this week. Truck is currently being outfitted with warning lights & city decal, should be in full operation by next week.

Water Utility					APRIL	FY
# of Gallons Pumped					15,341,945	90,381,656
# of Gallons Pumped from Trinity					0	0
Total Pumped					15,341,945	90,381,656
# of Gallons Sold					14,595,000	84,600,000
Water Lossed in gallons					737,445	7,028,803
Flushing					9,500	62,500
% of Loss					5%	6%
Water Revenue					\$ 54,774.25	\$312,922.66
EAA Fees Collected					\$ 7,297.50	\$42,300.50
Water Service Fees					\$ 5,693.56	\$39,699.62
Debt Service Collected					\$ 18,160.80	\$113,267.96
Late Fees					\$ 1,090.36	\$7,917.25
Cellular Access Fee					\$ 8.90	\$62.80
Water Used by City					117,000	871,000
Water Cost Used by City					\$ 970.79	\$8,152.58
# of Water Complaints					0	5
# of Bill Adjustments					0	28
# of locate tickets					5	381

## CITY COUNCIL STAFF SUMMARY

Meeting Date: May 13, 2024

Agenda item: 8.1

Prepared by: Kristen Hetzel

Reviewed by: Bill Hill

---

### **AGENDA ITEM DESCRIPTION:**

**Discussion / action – Resolution No. R-2024-008 canvassing the returns and declaring the results of the 2024 Special Election - City Council**

☒

**Attachments for Reference – Resolution No. R-2024-008**

---

**BACKGROUND / HISTORY:** On January 22<sup>nd</sup>, the City Council voted to call a general election to elect three Aldermen and a special election to vote on the proposition to reauthorize the Crime Control Prevention District. On February 22<sup>nd</sup>, the City Council voted to cancel the General Election and to declare the unopposed candidates elected to office (Resolution R-2024-005).

---

### **DISCUSSION:**

City Council will take action on the R-2024-008 canvassing the Special Election to vote on the proposition to for "Whether the Shavano Crime Control and Prevention District should be continued and the crime control and prevention district sales tax should be continued."

---

**COURSES OF ACTION:** Approve Resolution R-2024-008 canvassing the returns and declaring the results of the 2024 Special Election or provided further guidance.

---

**FINANCIAL IMPACT:** N/A

---

**STAFF RECOMMENDATION** – Approve Resolution R-2024-008 canvassing the returns and declaring the results of the 2024 Special Election.

**RESOLUTION No. R-2024-008**

**A RESOLUTION AND ORDER CANVASSING THE RETURNS AND DECLARING THE OFFICIAL RESULTS OF A SPECIAL ELECTION FOR ONE PROPOSITION.**

---

There came to be considered the returns of an election held on May 4, 2024 for the purpose of voting on a special election proposition, and it appearing from said returns, duly and legally made, that the proposition in said election received the following votes:

**SPECIAL ELECTION**

**FOR PROPOSITION A**

“Whether the Shavano Crime Control and Prevention District should be continued and the crime control and prevention district sales tax should be continued.”

	<b>EARLY VOTING / MAIL-IN</b>	<b>ELECTION DAY</b>	<b>ELECTION TOTAL</b>
<b>FOR</b>	<b>166</b>	<b>42</b>	<b>208</b>
<b>AGAINST</b>	<b>16</b>	<b>5</b>	<b>21</b>

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHAVANO PARK, TEXAS:**

That the election was duly called; that notice of said election was given in accordance with law and that said election was held in accordance with law; that SPECIAL ELECTION PROPOSITION A **Passed**.

It is further found and determined that in accordance with the order of this governing body that the City Secretary posted written notice of the date, place and subject of this meeting on the bulletin board located at the City Hall, a place convenient to the public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the date of this meeting. A copy of the return of said posting shall be attached to the minutes of this meeting and shall be made a part thereof for all intents and purposes.

**PASSED AND APPROVED** by the City Council of the City of Shavano Park this the 13th day of May, 2024.

---

Bob Werner, Mayor

---

Kristen M. Hetzel, City Secretary

## CITY COUNCIL STAFF SUMMARY

Meeting Date: May 13, 2024

Agenda item: 8.2

Prepared by: Kristen Hetzel

Reviewed by: Bill Hill

---

### **AGENDA ITEM DESCRIPTION:**

**Oath of Office – Newly Elected Officials – Mayor**

☒

**Attachments for Reference:** 1) N/A

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**BACKGROUND / HISTORY:** N/A

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### **DISCUSSION:**

The Mayor will ask the newly elected officials to step forward and take the Oath of Office.

---

**COURSES OF ACTION:** N/A

---

**FINANCIAL IMPACT:** N/A

---

**MOTION REQUESTED:** N/A

## CITY COUNCIL STAFF SUMMARY

Meeting Date: May 13, 2024

Agenda item: 8.3

Prepared by: Kristen Hetzel

Reviewed by: Bill Hill

---

### **AGENDA ITEM DESCRIPTION:**

#### **Discussion / action – Appointment of Mayor Pro Tem - City Council**



**Attachments for Reference:** 1) N/A

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### **BACKGROUND / HISTORY:**

As per the City of Shavano Park Code of Ordinances:

Sec. 2-27. - Mayor Pro Tempore.

**At the first meeting of each new City Council, or as soon thereafter as practicable, one of the Aldermen shall be elected Mayor Pro Tempore, who shall hold office for one year.** In the case of the failure, inability or refusal of the Mayor to act, the Mayor Pro Tempore shall perform the duties of the Mayor. When serving as Mayor as the presiding officer at City Council meetings, the Mayor Pro Tempore shall have the same rights and privileges and shall be entitled to vote on all matters. In the case of absence from the City or the failure, inability, or refusal of both the Mayor and the Mayor Pro Tempore to perform the duties of Mayor, the City Council may, at a City Council meeting, by a vote of three affirmative votes, select an acting Mayor Pro Tempore, who shall serve as Mayor with all the powers and privileges of Mayor until either the Mayor or Mayor Pro Tempore shall resume his duties of office. When such Acting Mayor Pro Tempore is serving as the presiding officer at City Council meetings, he shall have all the powers set forth in this section and in chapter 12, pertaining to elections, and shall be entitled to vote on all matters.

(Ord. No. 4, § 14, 2-20-1989)

---

### **DISCUSSION:**

Council will appoint a Council Member to serve as Mayor Pro Tem for a one-year term.

---

**COURSES OF ACTION:** Appoint a Mayor Pro Tem for a one-year term.

---

**FINANCIAL IMPACT:** N/A

---

**MOTION REQUESTED:** To appoint a \_\_\_\_\_ to serve as Mayor Pro Tem for a one-year term.

## CITY COUNCIL STAFF SUMMARY

Meeting Date: May, 13, 2024

Agenda item: 8.4

Prepared by: Curtis Leeth

Reviewed by: Bill Hill

**AGENDA ITEM DESCRIPTION:** Discussion / Action - Update on Street Phase 1 Street Reconstruction Projects - City Engineer / City Manager

X

Attachments for Reference: 1)

**BACKGROUND / HISTORY:** Phase 1A (Old Shavano Park West + cul-de-sacs) is \$6.2M bonded funded street project being performed by D&D Contractors.

**Phase 1B Project (De Zavala) and Phase 1C (Shavano Creek)** is being federally funded with a congressionally-authorized Community Project Funding (earmark) from the Department of Housing & Urban Development.

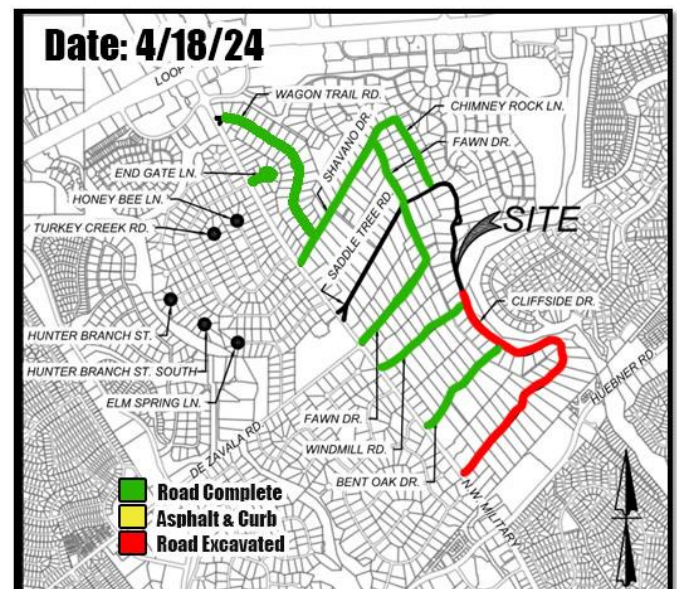
**DISCUSSION:** City staff propose adding an additional 500 linear feet of street reconstruction for portions of Honey Bee, Turkey Creek, Hunters Branch and Hunters Branch South cul-de-sacs. Goal is to reconstruct some deteriorated pavement sections near the cul-de-sacs. D&D is preparing a change order for Council review. The City Engineer and Staff will provide presentation to Council on proposed change order.

**Phase 1A (Old Shavano Park West + cul-de-sacs).**

- Wagon Trail & End Gate is complete.
- 300 Block of Fawn is complete
- Chimney Rock is complete
- Shavano Dr. Road is complete
- 100 & 200 Block of Fawn is complete
- Windmill is complete
- Bent Oak is complete
- Cliffsides Phase 1 – curbs complete; asphalt coming likely before May 13
- Cliffsides Phase 2 – road excavated

**Phase 1B (De Zavala) and Phase 1C (Shavano Creek)**

- Plans are at 90% engineering. Federal HUD Grant has made 2<sup>nd</sup> level review. Awaiting further guidance from HUD.





---

**COURSES OF ACTION:** Give guidance to staff & City Engineer.

---

**FINANCIAL IMPACT:** TBD'ed

---

**MOTION REQUESTED:** Approved Change Order #10 to expand cul-de-sac project limits in Street Bond funded projects.



**D&D Contractors, Inc.**  
**Master Client Change Order Agreement**



<b>Project #</b>	1293	<b>Owner</b>	City of Shavano Park
<b>Project</b>	Shavano Park Street Maintenance Phase 1A	<b>Date:</b>	5/10/2024
<b>D&amp;D CO #</b>	CO 10 draft		-

**This authorization provides for the following modifications or additions:**

Extensions on Cul de Sacs

Item No	Description	Unit	QTY	Unit Price	Total
51	Prep ROW	LS	1	\$2,146.32	\$2,146.32
55	Erosion Control Log (Install)	LF	990	\$3.52	\$3,484.80
56	Erosion Control Log (Remove)	LF	990	\$4.66	\$4,613.40
57	Street Excavation	CY	290.50	\$27.29	\$7,927.75
60	Prime Coat	GAL	228	\$4.25	\$969.00
61	Tack Coat	GAL	121	\$3.64	\$440.44
62	4.5" HMAC, TY B	SY	1140	\$30.36	\$34,610.40
63	3" HMAC TY D	SY	1140	\$25.18	\$28,705.20
64	Mountable Concrete Curb	LF	990	\$18.27	\$18,087.30
65	R&R Mailbox (Metal)	EA	2	\$219.51	\$439.02
66	R&R Mailbox (Wood)	EA	2	\$320.28	\$640.56
67	R&R Mailbox (Special)	EA	2	\$816.46	\$1,632.92
CO1-1	Cement Treated Subgrade (6" Comp Depth)	SY	1140	\$4.91	\$5,597.40
CO1-2	Cement	TON	11.40	\$270.25	\$3,080.85
	Added bond premium (3%)	LS	1	\$3,371.26	\$3,371.26
	<b>TOTAL</b>				<b>\$115,746.62</b>

Contract Value:

The Original Contract Sum	\$6,282,548.69
Net Change by Previously Authorized Requests and Change Orders	\$61,148.65
The Contract Sum Prior to This Change Order	\$6,343,697.34
The Contract Sum will be Increased/Decreased by this change order	\$115,746.62
The New Contract Sum including this Change order Request	\$6,459,443.96

Except for such CHANGES as are set forth herein, all of the terms and conditions of your contract, and as it may have been before modified in writing, shall be and remain the same.

<b>Owner/ Engineer</b>		<b>D&amp;D Contractors - Project Manager</b>
<b>Name:</b>		<b>Name:</b> Gerald McLeod, Jr.
<b>X</b>		<b>X</b>
<b>Date:</b>		<b>Date:</b> 5/10/2024

## CITY COUNCIL STAFF SUMMARY

Meeting Date: May 13, 2024

Agenda item: 8.3

Prepared by: Curtis Leeth

Reviewed by: Bill Hill

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**AGENDA ITEM DESCRIPTION:** Discussion / action – Parking options in the vicinity of City Hall – City Engineer / City Manager

X

**Attachments for Reference:**

1) Under final development. Will likely be presented at the meeting

---

**BACKGROUND / HISTORY:** The size of city events at City Hall is increasing in recent years. The recent Winter Holiday Festival on December 2, 2023 stretched event parking to the limit, with cars parked down De Zavala and on residential streets of Bikeway, Elm Spring, Saddletree and others.

The event parking will lose the option of parking along NW Military when the roadway project is complete in summer of 2024 and De Zavala Road will begin construction likely in late 2024. In addition, De Zavala plans currently call for raised curbs and sidewalk attached to the road, so parking in the shoulder on De Zavala will not be an option after construction is complete unless the design is modified.

At the January 22, 2024 City Council Meeting, the Council approved a \$11,250 task order to study parking options in vicinity of City Hall.

---

**DISCUSSION:** City Engineer will provide presentation at the meeting; but the four options in brief are:

- Parking and landscaping options of the new City Lot across NW Military
- Parking and landscaping options of the Bexar Metro 911 vacant lot just to the east of their building (NOT TO BE PRESENTED. THIS WILL REQUIRE BEXAR METRO 911 COORDINATION & APPROVAL, WHICH IS NOT EXPECTED AT THIS TIME)
- Parking options along De Zavala added to Phase 1B construction plans
- Expanding parking in the current overflow lot

---

**COURSES OF ACTION:** Give guidance to staff & City Engineer

---

**FINANCIAL IMPACT:** Costs vary based on parking options.

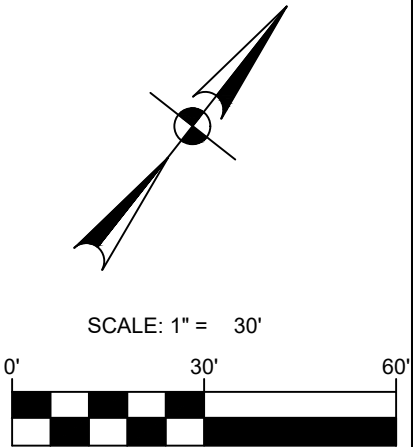
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**MOTION REQUESTED:** N/A; way ahead guidance should be considered and discussed.





PARKING SUMMERY	
9' x 18' Parking	44
8' x 16' Compact	9
Total Spaces Provided	53



CITY OF SHAVANO PARK  
SHAVANO PARK, TEXAS  
OVERFLOW PARKING LOT EXHIBIT

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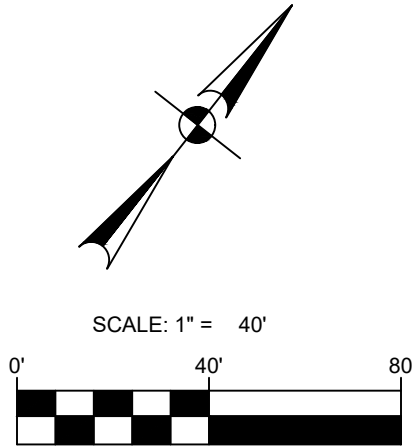
REVISIONS	ISSUE DATE
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**K&W**  
**ENGINEERS • SURVEYING**  
3421 Pecosas Pkwy, Suite 200, San Antonio, TX 78231  
Phone #: (210) 979-8444 • Fax #: (210) 979-8444  
TS&E Firm #: 0513 • TS&E S Firm #: 40122000



Dates: May 07, 2024, 2:05pm, User: JH, Project: SHAVANO PARK  
File: x:\000-KFW Projects\Shavano Park\6220102-SHAVANO PARKING.dwg

MATCHLINE A



PARKING SUMMARY	
9' x 20' Parking	79
Total Spaces Provided	79

PARKING SUMMARY ON DE ZAVALA ROAD	
9' x 20' Parking	23
Total Spaces Provided	23

DE ZAVALA ROAD

NW MILITARY HWY  
(FM 1535)

CITY OF SHAVANO PARK  
SHAVANO PARK, TEXAS  
OVERFLOW PARKING LOT EXHIBIT - REDESIGN OPT 2

JOB NO. 622-15-01  
DATE: FEBRUARY 2024  
DRAWN: JHC CHECKED: JHC  
SHEET NUMBER:

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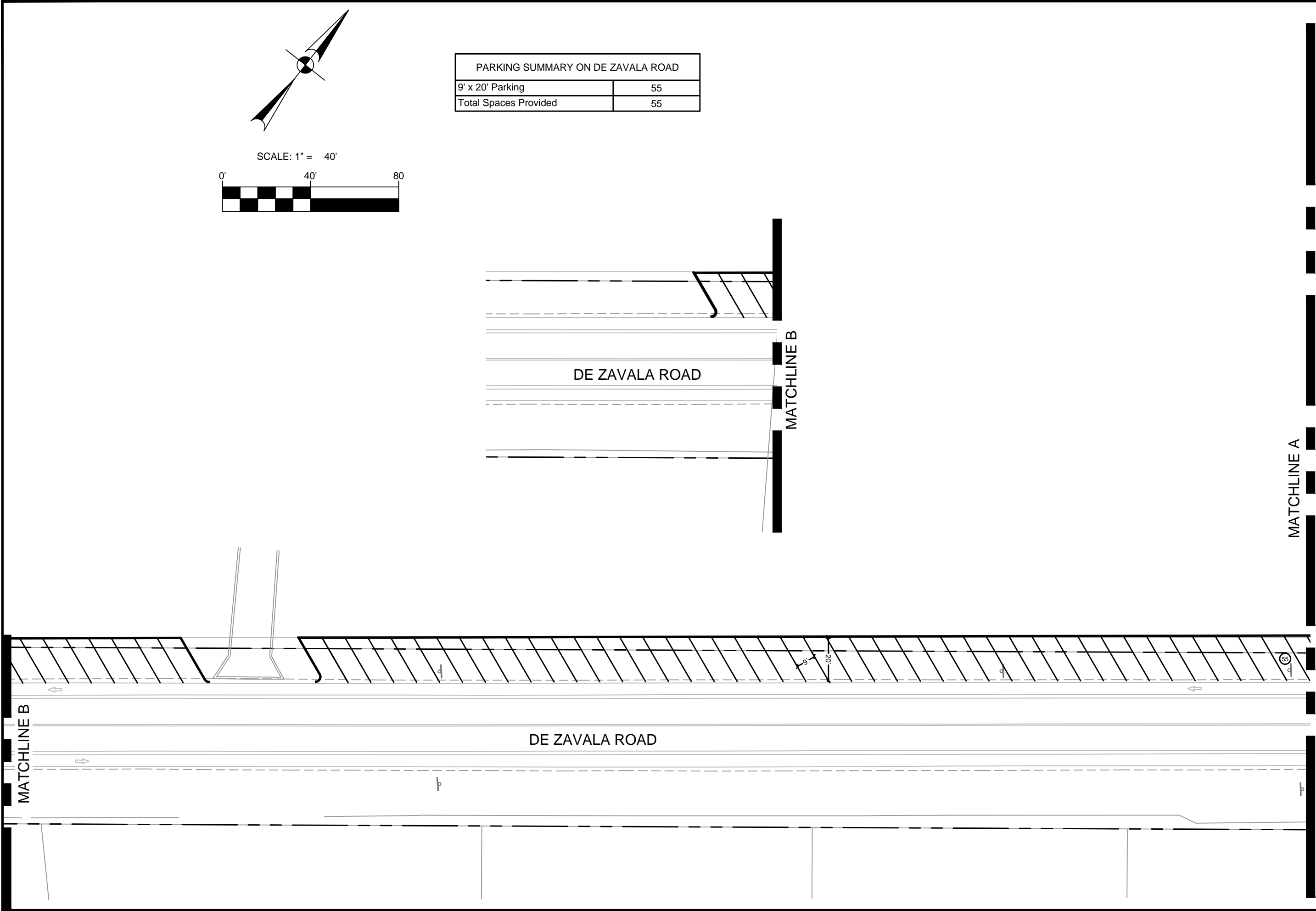
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ENGINEERS & SURVEYING  
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File: S:\000-KFW Projects\Shavano Park\6220102-SHAVANO PARKING.dwg



CITY OF SHAVANO PARK  
SHAVANO PARK, TEXAS  
OVERFLOW PARKING LOT EXHIBIT - REDESIGN OPT 2

JOB NO. 622-15-01  
DATE: FEBRUARY 2024  
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SHEET NUMBER:

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SADDLETREE  
ROAD

20' BUFFER

20' BUFFER

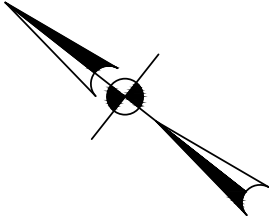
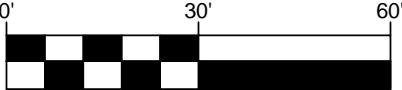
20' BUFFER

20' BUFFER

EXISTING DRIVEWAY

PARKING SUMMARY	
9' x 20' PARKING	102
9' x 18' PARKING	0
TOTAL	102

SCALE: 1" = 30'



CITY OF SHAVANO PARK  
SHAVANO PARK, TEXAS

OVERFLOW PARKING LOT EXHIBIT - NW MILITARY OPTION 4

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REVISIONS

JOB NO. 622-15-01  
DATE: MAY 2024  
DRAWN: JHC CHECKED: JHC  
SHEET NUMBER:

1 of 1

**KFW**  
ENGINEERS & SURVEYING  
Phone #: (210) 979-8444 • Fax #: (210) 979-8441  
TBBE Firm # 9513 • TBPAS Firm # 1012280

## CITY COUNCIL STAFF SUMMARY

Meeting Date: May 13, 2024

Agenda item: 8.6

Prepared by: Curtis Leeth

Reviewed by: Bill Hill

**AGENDA ITEM DESCRIPTION:** Discussion / action – Memorandum of Understanding between The City of Shavano Park and Rogers Shavano Park Unit 18/19 concerning possible development of the property for economic development purposes – City Manager / City Attorney

X

**Attachments for Reference:** 1)

**BACKGROUND / HISTORY:** The City and Rogers Shavano Ranch Unit 18/19 have been negotiating the possible development of certain properties along Loop 1604 for economic development purposes; particularly, the lease of the property by City as tenant, and the subsequent sublease of the property by City to a third party; the third party of which would construct, install, maintain, and operate electronic billboards for profit, and which will be selected through a Request for Proposals (RFP) procurement process.

**DISCUSSION:** The proposed Memorandum of Understanding (MOU) between the City and Rogers Shavano Ranch Unit 18/19 commits both parties to the above framework as the RFP procurement process proceeds. The MOU outlines the following target dates:

Milestone	Target Date
Complete Final Draft of RFP	May 13, 2024
MOU approved and executed by CITY and RSR	May 31, 2024
CITY releases RFP to public for minimum of 30 days	Three (3) days after the Effective Date of the MOU
Lease Agreement executed between CITY and RSR	June 15, 2024
CITY commences evaluation and pre-selection activities (technical analysis, facilitating committee review, and scoring); notifies RSR of same.	July 1, 2024

CITY receives input from RSR on respondents to RFP; commences negotiations with selected respondent(s)	July 10, 2024
CITY submits selected RFP to City Council for approval.	July 22, 2024
Selected respondent notified	August 1, 2024

---

**COURSES OF ACTION:** Approve the MOU as presented and authorize the City Manager to sign the MOU should minor amendments be made by Rogers Shavano Ranch (in coordination with Mayor Werner and the City Attorney) or provide staff further guidance.

---

**FINANCIAL IMPACT:** Possible leasing fee revenues to the City and Rogers Shavano Ranch Unit 18/19.

---

**MOTION REQUESTED :** Approve the draft Memorandum of Understanding between The City of Shavano Park and Rogers Shavano Park Unit 18/19 concerning possible development of the property for economic development purposes and authorize the City Manager to sign the MOU should minor amendments be made by Rogers Shavano Ranch (in coordination with Mayor Werner and the City Attorney)

## CITY COUNCIL STAFF SUMMARY

Meeting Date: May 13, 2024

Agenda item: 8.7

Prepared by: Curtis Leeth

Reviewed by: Bill Hill

---

**AGENDA ITEM DESCRIPTION:** Discussion / action – Proposed plan to review and possibly recommend amendments to selected topics City of Shavano Park Code of Ordinances - Assistant City Manager / City Manager



**Attachments for Reference:** 1) N/A

---

**BACKGROUND / HISTORY:** The 2023 Town Plan identified the following action step: *Establish a periodic ordinance review program* under Property Maintenance Standards and Zoning focus area. In February 2024, City staff began looking at the ordinances to identify those areas most in need of formal review. Input was sought from Police Chief and Code Compliance officer for areas of ordinances they have difficulty understanding or enforcing.

---

**DISCUSSION:** City staff propose working with City Attorney to review and propose amendments to address the following areas (in no particular order):

- **Noise Ordinance – Chapter 20, Article III.** – Define an acceptable decibel level for certain specified daytime and nighttime hours.
- **Lighting Ordinance – Chapter 14, Article X** – Look at entire ordinance for updates (last updated in 2009). Look at the foot-candles &/or Lumens references towards violations (14-246) to see if still applicable or should be altered.
- **RV Screening – Chapter 36 definitions** – Properly and clearly define what ‘Street View’ and ‘View’ is for 36-36 (b)(3) & (4)
- **Animal Ordinance – Chapter 4** - in general, look over entire chapter and refine or add as necessary. Chapter 4 only includes animals running at large, vaccinations and dangerous dog ordinance at this time.
- **Authority to Impound** - There is currently no ordinance for the ‘Authority to Impound Vehicles’. Many cities have an ordinance that reflects and/or enhances the transportation code giving law enforcement the authority to impound vehicles. For example, one big reason is police departments do not impound vehicles for no insurance alone, without a specified city ordinance stating so. Consider drafting an ordinance for that specified authority but that is also all inclusive.
- **Surface Parking – Chapter 32 definitions** – Look to define ‘All Weather Surface.’

City Staff will prioritize the ordinances and work on them incrementally based upon the easy to amend and the importance.

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**COURSES OF ACTION:** Give guidance to staff; could direct P&Z to begin reviews of some of the proposed ordinances.

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**FINANCIAL IMPACT:** N/A

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**MOTION REQUESTED:** Approve or provide concurrence of the proposed plan to review and possibly recommend amendments to selected topics of the City of Shavano Park Code of Ordinances as presented.

## CITY COUNCIL STAFF SUMMARY

Meeting Date: May 13, 2024

Agenda item: 8.8

Prepared by: Bill Hill

Reviewed by: Bill Hill

**AGENDA ITEM DESCRIPTION: Discussion – Update on Town Plan four-person workgroup and resident feedback prior to the upcoming budget development process - City Manager**

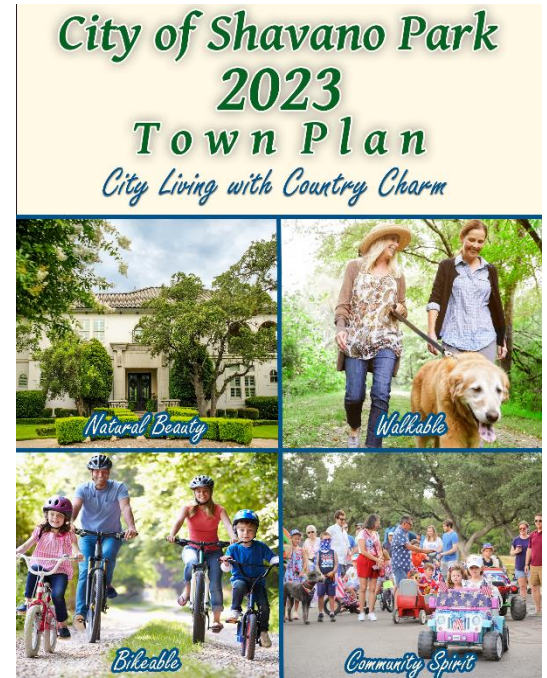
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**Attachments for Reference:** 1) N/A

**BACKGROUND / HISTORY:** The 2023 City of Shavano Park Town Plan was crafted by the Planning and Zoning Commission between August 2022 and July 2023 and then approved in October by City Council as the comprehensive plan for long-rang development of the City.

The 2023 Town Plan is an 82-page document that includes an Executive Summary, introductory material, a Strengths, Weakness, Threats and Opportunities (SWOT) analysis and six focus areas:

- **Community Engagement:** Vision for City events, Municipal Tract, Neighborhood Watch, citizen volunteers and other Community Engagement Efforts
- **Commercial Development:** Vision for the final commercial developments of the City
- **Property Maintenance Standards and Zoning:** Vision for maintaining the beauty and property values of community
- **Municipal Talent Management and Retention:** Vision on how to attract, develop and retain top talent
- **Public Infrastructure:** Vision for City Roads, NW Military Highway, Hike & Bike paths, Water system, Internet and Drainage infrastructure
- **Long-term City Finances:** Vision for Debt Management, Revenues, and Taxes



You can view the 2023 Town Plan on the City's website under the Residents Tab at the top or at <https://www.shavanopark.org/townplan>

The 2023 Town Plan has identified over 58 recommendations for consideration to achieve Shavano Park's vision of being the premier city in Bexar County. Due to limited City resources, both in funding and personnel, a prioritization of these recommendations is needed in addition to guidance on timing and funding.

In November 2023, Council directed that a four-person workgroup be established to provide City Council guidance on how best to prioritize and execute the recommendations of the Town Plan. The workgroup consists of Mayor Bob Werner, Mayor Pro Tem Konrad Kuykendall, Alderman Pete Miller, and City Manager Bill Hill.

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**DISCUSSION: UPDATES HIGHLIGHTED IN YELLOW.**

The workgroup will provide an update to City Council on a plan to receive prioritization feedback from citizens on the 58 recommendations. Once citizen feedback is received, City Council can use this feedback during the budget development process to establish Goals and Objectives for the next fiscal year based upon prioritized recommendations. The budget development process occurs annually between May and September each year and the budget is crafted to be able to address immediate needs for the following year, but at the same time, can begin to posture the city resources to address other town plan recommendations in the future.

Town Plan Feedback Concept:

1. Select Key Leaders and Residents for Feedback
2. Select Date (May) and publish homework instructions
3. Outline Focus areas and key recommendations
4. Receive Feedback
5. Submit feedback to City Council for use during the budget process.

Initial discussion was conducted during the March 25<sup>th</sup> City Council meeting. Continuing coordination has led to a plan to invite 30+ volunteer servant-residents to participate in a June meeting. The meeting will be planned to be a 3-4 hour hosted meeting that will result in prioritized guidance for the 58 recommendations. The City Manager briefed City Council at the April City Council meeting and received guidance.

Upon conclusion of the April meeting, staff developed several options for the conduct of a survey and a three-hour working lunch meeting. The survey has been created and will be released the week of May 6<sup>th</sup>. Below are the coordinating details.

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**Who:** City of Shavano Park City Council invites Residents who represent the range of Subdivisions, Demographic, Volunteers, and Boards / Commissions

**What:** Take a survey on the Town Plan / Meet to review Town Plan / Prioritize Action Steps / Form Small Groups to provide feedback

**When:** June 3rd, 2023 from 10 a.m. to 1 p.m.

**Where:** Paesano's 1604

**Why:** To provide Town Hall feedback to City Council for use in resourcing and way ahead

**Deliverables:**

- Priority Ranking Data (Via Survey)
- What is important?
- What is not important?
- Did we miss anything?

**Preparatory Work:**

- Town Plan Review
- Feedback Ballot listing Action Steps by Focus Area

**DRAFT Overall Concept.**

TBD'ed	Survey Prioritizing Action Steps	Working Group Members
	- Results inputted in Survey Monkey	Staff
	- Results outputted in Survey Monkey	Staff

June 3rd

1000-1030	Intro	Mayor Bob Werner
	Objectives / Process Overview	City Manager Hill / ACM Leeth
	Survey Monkey Results Presented	

1030            Form Small Groups (4-5 Members)

1030-1130      Small Group Discussions                      Working Group Members

1130-1220      Lunch / Discussion                                  Small Groups

1220-1300      Small Group Feedback                              Small Group Leaders  
                    5x Eight-minute Presentations

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**COURSES OF ACTION:** Varies

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**FINANCIAL IMPACT:** N/A

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**MOTION REQUESTED:** N/A



## CITY COUNCIL STAFF SUMMARY

Meeting Date: May 13, 2024

Agenda item: 8.9

Prepared by: Brenda Morey

Reviewed by: Bill Hill

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### **AGENDA ITEM DESCRIPTION:**

Discussion / action - FY 2024-25 Budget Calendar – City Manager/ Finance Director

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**Attachments for Reference:**

a) Proposed FY 2024-25 Budget Calendar

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**BACKGROUND / HISTORY:** Staff drafted the FY 2024-25 Budget Calendar to allow Council and Staff to arrange their schedules for the required meetings over the next several months.

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**DISCUSSION:** Attached is the Proposed FY 2024-25 Budget Calendar.

Council should consider the proposed budget calendar meeting schedule and provide guidance. Council should also approve the dates for the first two budget workshops (currently proposed for Wednesday, May 29<sup>th</sup> at 12:00 noon and Wednesday, June 19<sup>th</sup> at 12:00 noon). The City Manager is anticipating taking annual leave from June 4 -7, 2024 and will be unavailable during that time.

Prior to the first workshop, Staff will present to Council each Directorate's / Department's draft goals and objectives for the upcoming fiscal year. Some of these will be service related and some will be resources related. Critical objectives will be planned by staff to be fully funded in the budget. In a number of cases, the funding of other objectives (requirements) in the budget will be based upon the staff's ability to operate within the projected revenues. Thus, planned objectives may be deferred to future years.

This calendar provides for the City Council establishing overarching Goals and Objectives as you have in the past. Typically, the eight goals established in previous years do not vary significantly, but the objectives do change as priorities and requirements evolve and other objectives are accomplished. This is an important element of guidance provided to staff for the entire year, but also those objectives that require fiscal funding must be included in the budget.

Council assumptions developed early on assist staff in prioritizing and developing the budget. For example, an assumption may be that employee compensation wages may rise by 5% or that medical insurance costs may rise by 10%. The actual rates may not be determined until after the City Manager proposes the initial budget. Should Council want to lower the tax rate, the

development of an assumed amount (target) would be helpful. The ability to do this ultimately comes down to balancing services and resource requirements with projected revenues.

Note: Staff intends to present the budget as early as possible. Considering the certified tax rolls are not provided to the City until approximately July 25<sup>th</sup> (last year the certified rolls were provided on July 24<sup>th</sup>) and the No-New-Revenue, Voter-Approval and Deminimis tax rates are not provided until after that date – presenting the record City Manager budget is scheduled for August 8th.

Staff anticipates the requirement to approve the budget and tax rate at the normally scheduled City Council meeting on September 16<sup>th</sup> will meet the timetable from the Bexar County Tax Assessor's Office for timely preparation and mailing of the tax bills on October 1. This schedule anticipates a special City Council meeting on September 9<sup>th</sup> for the first reading of the budget/public hearing.

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**COURSES OF ACTION:** 1.) Approve the first two budget workshops dates of May 29 and June 19, each at noon, or approve alternate dates or times  
2.) Accept the Budget Calendar as submitted or provide further guidance for remainder of the Budget Calendar

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**FINANCIAL IMPACT:** N/A

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**MOTION REQUESTED:** Accept the FY 2024-25 Budget Calendar as submitted and approve dates for budget workshop #1 and #2 as presented.

# CITY OF SHAVANO PARK

## PROPOSED BUDGET CALENDAR FOR FY 2024-25

### 2024

#### \*\*\*\*\*Planning\*\*\*\*\*

22 - 30 April	Receive Preliminary Property Tax Report; pass to Council
1 – 17 May	Individual Department Budget Meetings with City Manager & Directors - FY 2024 -25 Goals, Objectives, Unfunded Requirements

#### \*\*\*\*\*Preparation\*\*\*\*\*

<b>Monday 20 May</b>	Water Advisory Committee FY 2024-25 Goals and Objectives, Revenues
<b>Wednesday 29 May</b>	<b>Budget Workshop #1: 12:00 noon – Set Initial Goals, Objectives, and Budget Guidance, review annual risk assessment – all departments</b>
<b>Monday 3 June</b>	<b>Citizen Advisory meeting regarding 2023 Town Plan prioritization, 11:00am</b>
<b>Monday 10 June</b>	Water Advisory Committee Meeting / Budget Workshop (Expenses, G&O)
17-28 June	Prepare Revenues for Preliminary Budget
<b>Wednesday 19 June</b>	<b>Budget Workshop #2: 12:00 noon – Budget Basics, Staff Analysis of Council Objectives, Benefits Update, Long Term Financing Considerations</b>
<b>Monday 8 July</b>	Water Advisory Committee Meeting - Recommendation of initial Water Utility Fund Budget
<b>Tuesday 9 or Wednesday 10 July</b>	<b>Budget Workshop #3: 5:30pm – Capital Replacement, Compensation, Expense Estimates</b>
<b>Monday 22 July</b>	<b>Budget Workshop #4: 5:00pm – Compensation and Benefits (before regular City Council meeting)</b>
25 July	Bexar County Appraisal District Provides Certified Tax Roll; pass to Council
~ July 25 - August 7	Bexar County Tax Assessor Collector Calculates & Provides No-New-Revenue, Voter-Approval and Deminimis Tax Rates
<b>Thursday 8 August</b>	<b>Special Council Meeting 5:30pm -</b> <ul style="list-style-type: none"> <li>- City Manager Submits Proposed FY 2024-25 Budget (No anticipated Council action)</li> <li>- Receive No-New-Revenue, Voter-Approval and Deminimis Tax Rate Calculations</li> </ul>

#### \*\*\*\*\*Review\*\*\*\*\*

<b>Wednesday 14 August</b>	<b>Special Council Meeting 6:30pm -</b> <ul style="list-style-type: none"> <li>- Discuss tax rate; if proposed tax rate will exceed the No-New-Revenue Rate, take record vote and schedule Public Hearing. (<u>alternative date &amp; time</u>: Thursday, August 15 at noon – this is a Court day)</li> </ul>
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Wednesday 21 August      Publication - Notice of Budget Hearings

**Monday 26 August      Budget Workshop #5 (if necessary): 5:00pm – topics to be determined (before regular City Council meeting)**

Wednesday, 28 August      Publication - Notice of 2024 Tax Year Proposed Tax Rate and Public Hearing (No-New-Revenue, Voter- Approval, Deminimis)

**\*\*\*\*\*Public Adoption\*\*\*\*\***

**Monday 9 September      Special Council Meeting 6:30pm –**  
- 1<sup>st</sup> Reading of Budget/Public Hearing  
- Public hearing regarding tax rate  
- Announce meeting to adopt tax rate.

**Monday 16 September      Regular Council Meeting –**  
- 2<sup>nd</sup> Reading of Budget/Public Hearing  
- Adopt Budget by Ordinance  
- Levy Tax Rate by Resolution and take record vote