

**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 CoSP, Texas will conduct a Special Meeting on Friday, February 18, 2022 2:00 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**

## **6. REGULAR AGENDA ITEMS**

- 6.1. Discussion / action - Consideration of Ordinance O-2022-003 calling a bond election to be held in the City of Shavano Park, Texas; making provision for the conduct of a joint election; and resolving other matters incident and related to such election - City Bond Attorney / City Council**
- 6.2. Discussion / action - Consideration of Resolution R-2022-006 relating to establishing the City's intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various City improvements from the proceeds of tax-exempt obligations to be issued by the City for authorized purposes; authorizing other matters incident and related thereto; and providing an effective date - City Manager / City Bond Attorney**
- 6.3. Discussion / action - Consideration of KFW Engineers and Surveying proposal to conduct survey, investigation, design, utility coordination, bidding services, and construction administration in support of the Phase I street reconstruction - City Manager / City Engineer**

## **7. 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 14th day of February 2022 at 1:59 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.

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Trish Nichols  
City Secretary

## CITY COUNCIL STAFF SUMMARY

Meeting Date: February 18, 2022

Agenda item: 6.1

Prepared by: Bill Hill

Reviewed by: Bill Hill

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### **AGENDA ITEM DESCRIPTION:**

Discussion / action - Consideration of Ordinance O-2022-003 calling a bond election to be held in the City of Shavano Park, Texas; making provision for the conduct of a joint election; and resolving other matters incident and related to such election - City Bond Attorney / City Council

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### **Attachments for Reference:**

- 1) Ordinance O-2022-003 Bond Election
- 2) PowerPoint Presentation with Backup Material

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### **BACKGROUND / HISTORY:**

- Shavano Park has approximately 20 miles of public streets it is responsible to maintain. The streets were constructed by the developers as they built the residential neighborhoods. Thus, the conditions of streets between neighborhoods are different, but within these specific neighborhoods they are generally the same and can be categorized as:
  - Old Shavano (East of NW Military Hwy) Zoning District A-1
  - Old Shavano (West of NW Military Hwy / North) Zoning District A-3
  - The Estates (West of NW Military Hwy / South) Zoning District A-4
  - Shavano Creek - Zoning District A-2
  - De Zavala Rd. / Lockhill Selma Rd. / Pond Hill Rd.
- Some private streets within the City are maintained by a Commercial Owners Association or a Homeowners Association (e.g.: Bentley Manor, Willow Wood, Pond Hill Estates, Huntington)
- Over the past 10 years, Shavano Park has spent \$486,423 on street maintenance and repairs
- Depending on how streets are constructed, they have a predictable life cycle, which street lifecycle can be extended by good maintenance
- Once a street reaches the point of major repair, it generally requires either “full reconstruction” or the simpler option of “reconditioning” depending on the quality of the initial construction and the road base. Eventually, without repair the street will fail.
- **2004 Certificate of Obligation** – Was the last significant City Council action for funding street restoration. Funds were spent in “reconditioning” of roads both in the east and west sides of NW Military Hwy. While the “reconditioning” solution was more affordable, many of those streets have deteriorated and sections are beginning to fail.
- **2021 – A new Street Assessment was completed.** The street assessment focused on the areas that were visibly the worst condition and confirmed that the streets in Old Shavano (East of NW Military Hwy) need major repair along with the cul-de-sacs within Old Shavano



(West of NW Military Hwy). A visible inspection of the streets in Shavano Creek also identified the south entrance along Post Oak Way as beginning to fail. Other streets within Shavano Park have begun cracking and Public Works must continue to “Crack Seal” in order to protect the condition of those streets.

- **July 17, 2021 – City Council Workshop** staff briefed on the Street Assessment
- During the fall of 2021 Alderman Kuykendall worked with staff to prepare Street Planning and possible financing options.
- **January 10, 2022 – City Council Workshop** – Council considered several Strategic Planning Initiatives with focus on Street Way Ahead. This workshop was supported by Frost Bank Financial Advisors who assisted in debt funding scenarios of 5 to 7 years. These options to finance debt over 5 or 7 years did not offer significant advantages in terms of financing and it was clear the total costs of the project would be significantly more than a one-year option. Council directed a one-time financing option be prepared and briefed.
- **February 3, 2022 – City Council Workshop** – Council considered the Strategic Planning Initiatives with focus on funding options for Street Way Ahead. This workshop was supported by Frost Bank Financial Advisors who assisted in debt funding scenarios of one year to be issued in either FY 2022 or FY 2023. Additionally, the City’s Bond Attorney from Norton Rose Fulbright US LLP assisted in understanding the specifics regarding issuing debt through a Bond or Certificates of Obligation.
  - o During discussions, staff presented and City Council considered the different timelines and funding options. These included a one year, five year and seven-year street repair plan and a one-, five- and seven-year financing / debt plan. While the idea of spreading the costs out over a number of years seemed good, the analysis showed that with inflation and the almost certain rise in interest rates (cost of borrowing debt), the cost of spreading the repairs and funding over several years would likely increase the total project cost by 20% without gaining significant relief or improved results. The one-year financing option with a one plus construction option was clearly the most cost effective.

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## **DISCUSSION:**

**OVERALL PROBLEM.** The City is responsible to maintain, repair, recondition, and/or reconstruct public streets. Many of the streets in Shavano Park East and West areas are well past their design life and are in poor condition. Other streets continue to age and deteriorate – over time they will also move in their life cycle from deterioration to failure. The City faces a near term problem to repair these streets nearing failure. The City also faces a long-term problem of phasing the street repairs so that we have an affordable and feasible solution. By not addressing the near-term problem immediately, the cumulative long-term problem will quickly become unaffordable and unmanageable.

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**LONG TERM PROBLEM.** The City must develop a phased-in approach to street reconditioning / reconstruction plan to be implemented over the next 20 years to be able to afford the work with a minimum effect on the budget and property tax rate.

- Generally, a City will prioritize street reconditioning / reconstruction on the worst areas, while simultaneously implementing a maintenance program for areas not being rebuilt. Once those problem areas are completed, the next worst streets can be planned and worked on. This is likely a 15–30-year effort.
- Shavano Park must complete the street reconditioning / reconstruction on these identified priority areas prior to being able to start in other areas.

**NEAR TERM PROBLEM.** The streets identified below in Phase I are nearing failure and require reconstruction to be brought up to standard. There is an opportunity for federal funding of DeZavala improvements (Phase IA) that requires engineer planning to be competitive.

**PHASE I** - Streets include: Wagon Trail Rd.; Chimney Rock Ln.; Shavano Dr; Saddletree Rd.; Fawn Dr.; Windmill Rd. Bent Oak Dr.; Cliffside Dr.; Post Oak Way; and the cul-de-sacs of Elm Springs Ln.; Honey Bee Ln.; Hunters Branch; Hunters Branch South; Turkey Creek Rd.

**PHASE IA** - The reconditioning of De Zavala Road with addition of a bike lane, sidewalks and drainage improvements.

The City has 3 options to address this near-term problems, each option having its advantages and disadvantages:

**OPTION 1 (Default Option) PATCHING:** Using existing funds, patch and resurface the worse areas on a yearly basis. In cases where the streets were not constructed to standard, the lack of proper base material and curbs results in the lifecycle of these repairs providing only a 5-to-15-year solution.

**Advantages.**

- Repairs the worse sections of the street with minimal costs.
- Temporarily prevents the street from complete failure

**Disadvantages:**

- Does not fix the problem
  - Long-term results will be substandard streets
  - Results in higher operating costs to the city over the long run
  - Will not be able to keep up with the costs to repair all streets
  - Will result in multiple areas of street failure at the same time in 5-10 years
  - Will not allow the City to phase the funding of repairs in the other parts of the City
  - Will create an unaffordable and unmanageable problem in the future
  - Will delay the reconditioning of streets in the “Estates”, Shavano Creek, DeZavala, Lockhill Selma, and Pond Hill
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**OPTION 2 (Initial Plan) 5- OR 7-YEAR FINANCING / RECONSTRUCTION:** This option allows for construction over a 5- or 7-year period with use of existing funds until the funds are expended (one year) and financing approximately \$10 million in debt to begin in year 2 and continue through years 5 or 7.

**Advantages.**

- Repairs approximately two streets with existing funds
- Repairs the remaining critical streets within a 5- or 7-year period
- Delays future tax increase

**Disadvantages.**

- Debt payments likely to require a \$0.01 tax increase
- Requires the City to issue multiple debt over time, which is not cost effective
- Debt financing in future is predicted to be at higher interest rates – City will not be able to lock in lower interest rates
- Contracting costs in future years are predicted to be higher due to inflation cost increases
- Results in multiple contracts – does not take advantage of economy of scale costs
- Results in higher operating costs to the city in the long run
- Anticipated to result in a confused mixture of road quality for roads completed in different years
- Will increase the difficulty of phasing the funding of repairs in the other parts of the City, which would likely create an unaffordable and unmanageable problem in the future
- Will likely delay the reconditioning of streets in the “Estates”, Shavano Creek, DeZavala, Lockhill Selma, and Pond Hill

**OPTION 3 – 1 YEAR FINANCING / 1-2 YEAR ROAD RECONSTRUCTION:** This option requires a \$10M Bond to be issued followed by a 1–2-year construction project.

**Advantages.**

- Repairs the most critical streets to standard within 3 years; expected lifespan of those street extended to 40-50 years
- Locks in a favorable (lower) interest rates likely saving the City hundreds of thousands dollars
- Avoids future higher construction costs due to inflation
- Takes advantage of economy of scales (synergies of Engineer and Construction tasks) on the project
- Engineers can plan the entire project in one effort
- Contractors will bid on a bigger project which they can complete as one project (as opposed to 5 or 7 smaller projects)
- Larger contractors will more likely bid the project at cheaper costs because they can avoid deployment cost and other associated costs with smaller contracts
- Requires the City to issue debt only one time, which results in lower professional fees
- Results in lower operating costs to the City, which will increase the likelihood of phasing the funding of repairs in the other parts of the City in an affordable and manageable manner
- Will provide a uniform standard of project road construction
- Will shorten the time to reconditioning of streets in the “Estates”, Shavano Creek, DeZavala, Lockhill Selma, and Pond Hill

**Disadvantages.**

- Debt payments likely to require a \$0.01 tax increase, sooner than later
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**CONCLUSION.** Option 3 is the most cost effective, produces the best overall needed road improvements in a timely manner, and sets up the City to manage future requirements.

The action being considered is an ordinance calling a bond election on May 7<sup>th</sup>. Council has advised that the potential for incurring such a large debt should be posed to the voters. This ordinance calls for a bond election to fund street repair that will be put to the voters. The question before voters will be to authorize the City to issue up to \$10 million in debt. If approved by the voters, the City may issue the voter-authorized debt immediately or within the next 10 years. If the bond election fails, the City will be precluded from issuing Certificates of Obligation (the City's historical debt financing tool for street repairs) for the same projects within three years. Without the funds made available from the issuance of a bond, the work cannot be accomplished effectively and must be delayed until funding is secured. The challenge with this is that during the period of delay, the other streets in "Old Shavano" (West of NW Military Hwy / North), the "Estates", and Shavano Creek will continue to deteriorate. The City could find itself with an unmanageable requirement to conduct major repairs within multiple subdivisions at the same time, which would be difficult both from a financial and manpower requirement.

The \$10 million cost is based on a blend of the projected cost to complete solely Old Shavano using the projected costs from TxDOT, CoSA and KFW, including a 4% inflation factor for work contracted after the first tranche to be completed over 5-year and 7-year periods.

In 2016, TxDOT completed a review of inflation's impact on road construction costs for the period 2002 to 2014. TxDOT's finding was that road construction inflation is roughly 200% higher than the regular rate of inflation. Assuming the 2016 report remains true, inflation increases costs dramatically. At 3% inflation, the year 5 and 10 road construction cost increases are about 32% and 69%. At 5% inflation, the year 5 and 10 increases are about 55% and 126%.

**Funding Implications.** The City projects to have \$1.3M in available street maintenance funding at the end of FY 2022, which can be used to make debt payments and defray costs. Additionally, the City collects Street Maintenance Sales Tax each year. Staff projects the City will collect Street Maintenance Sales Tax of \$164,700 in FY 2023. This amount will increase as the amount of sales tax increases each year. For example, in FY 2035, the City projects it will collect approximately \$248,000 which may be used to make debt payments.

Assuming the bond election passes, the City has flexibility on when and how much debt to issue. If the City were to sell bonds and lock in rates today, we would expect the interest rate to be right about 2.34% for a 20-year fixed rate obligation. For a 25-year maturity bond, we would expect a fixed rate of 2.52%. It is about \$90,000 per year difference in annual payment between the 20 vs. 25-year issues. However, interest rates are expected to rise between now and when the City could issue the voter-authorized debt.

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As an example:

If the City Issued a \$10 million bond in July 2022, the 1<sup>st</sup> debt payment would be due in FY 2023. For planning purposes:

- Assumes \$10 million bond at an interest rate of 2.88%
- 1<sup>st</sup> debt payment increase = \$651,710
- A one cent (.01\$) increase in the Interest and Sinking (debt) tax rate allocation would raise \$157,685
- Existing funds and sales tax would be used to offset the remainder of the debt payments
- The City pays off the existing 2004 debt in 2026, this amount of taxes collected can then be allocated to pay off the new debt without additional taxes collected.
- A one cent (.01\$) tax increase on an average home price of \$775,753 = \$78 / yr
- Homeowners over 65 would have zero tax increase (because of tax freeze over 65)
- The City General Fund will cover the one cent (\$0.01) Maintenance & Operations tax decrease from freeze properties
- Shavano Park commercial properties would fund almost 25% of any tax increase
- With each 0.25% increase in the interest rate, bond service increases by \$15,000 annually; or \$300,000 over a 20-year period.

A \$10 million bond would only fund the Phase I streets and the Engineering for Phase IA (De Zavala). The construction cost of the Phase IA (De Zavala) project will require an additional funding source, which the City plans to compete for Federal funding. Federal funding is highly unlikely for residential street projects, but the DeZavala project is more competitive since De Zavala is a throughway from I-10 to NW Military and would include bike and sidewalks (alternate transportation connectors).

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**COURSES OF ACTION:** Approve Ordinance O-2022-003 calling a Bond Election or decline entirely and provide further guidance to staff.

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**FINANCIAL IMPACT:** N/A

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**MOTION REQUESTED:** I MOVE THAT THE CITY OF SHAVANO PARK, TEXAS ADOPT ORDINANCE O-2022-003 CALLING A BOND ELECTION FOR MAY 7<sup>th</sup> (ADMINISTRATIVE ORDINANCE).

**ORDINANCE NO. O-2022-003**

**AN ORDINANCE CALLING A BOND ELECTION TO BE HELD IN THE CITY OF SHAVANO PARK, TEXAS; MAKING PROVISION FOR THE CONDUCT OF A JOINT ELECTION; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION**

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WHEREAS, the City Council (the *Council*) of the CITY OF SHAVANO PARK, TEXAS (the *City*), located in Bexar County, Texas (the *County*), hereby finds and determines that an election should be held to determine whether the Council shall be authorized to issue general obligation bonds of the City in the amount and for the purposes hereinafter identified (the *Election*); and

WHEREAS, the City will contract with the Elections Administrator (the *Administrator*) of the County to conduct all aspects of the Election; and

WHEREAS, the Election will be held jointly with other political subdivisions (such other political subdivisions, collectively, the *Participants*) for whom the County is also conducting their elections, as provided pursuant to the provisions of one or more joint election agreements or contracts among the City, the County, and the Participants, entered into in accordance with the provisions of Section 271.002, as amended, Texas Election Code, or other applicable law, pursuant to which the County will conduct all aspects of the Election on the City's behalf;

WHEREAS, the Council hereby finds and determines that the necessity to construct various capital improvements within the City necessitates that it is in the public interest to call and hold the Election at the earliest possible date to authorize the issuance of general obligation bonds for the purposes hereinafter identified; and

WHEREAS, the Council hereby finds and determines that the actions hereinbefore described are in the best interests of the residents of the City; now, therefore,

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

SECTION 1. The Election shall be held in the CITY OF SHAVANO PARK, TEXAS on the 7th day of May, 2022 (*Election Day*), which is a uniform election date under the Texas Election Code, as amended, and is not less than 78 days nor more than 90 days from the date of the adoption of this ordinance (the *Ordinance*), for the purpose of submitting the following measure to the qualified voters of the City:

MEASURE A

“Shall the City Council of the City of Shavano Park, Texas be authorized, in accordance with applicable law, to issue and sell one or more series of general obligation bonds of the City, in the aggregate principal amount of not more than \$10,000,000 with such series or issues of bonds,

respectively, to mature serially or otherwise within not to exceed thirty years from their date and to be sold at such prices and bear interest at such rates (whether fixed, floating, variable, or otherwise, but in no case at a rate that exceeds the maximum rate per annum authorized by applicable law at the time of any such issuance), as shall all be determined within the discretion of the City Council, for the purpose of making permanent public improvements or for other public purposes, to wit: designing, demolishing, constructing, renovating, improving, reconstructing, restructuring and extending streets and thoroughfares and related land and right-of-way sidewalks, streetscapes, collectors, drainage, landscape, signage, acquiring lands and rights-of-way necessary thereto or incidental therewith, with priority given to the following street projects:

- Bent Oak Dr.
- Chimney Rock Ln.
- Cliffside Dr.
- End Gate Ln.
- Fawn Dr.
- Saddletree Rd.
- Shavano Dr.
- Wagon Trail Rd.
- Windmill Rd.
- Post Oak Way
- Cul-de-sacs: Elm Spring Ln., Honey Bee Ln., Hunters Branch, Hunters Branch South, Turkey Creek Rd.
- De Zavala Rd.

and in providing for the above public improvements, the City Council shall have the option to (i) utilize other funds available for such purposes and (ii) abandon such indicated public improvements that are reliant, in part, on external sources of funding that (for whatever reason) do not materialize or because unforeseen changes in fact or circumstance make the anticipated expenditure no longer wise or necessary (as determined by the City Council), and after making due provision for the improvements listed above or determining that the public improvement project will not proceed for a reason heretofore described, the City Council may, in its discretion, use any excess funds for constructing, reconstructing, restructuring, and extending other streets and thoroughfares and related land and right-of-way sidewalks, streetscapes, collectors, drainage, landscape, signage, acquiring lands and rights-of-way necessary thereto or incidental therewith; and shall the City Council be authorized to levy and pledge, and cause to be assessed and collected, within the limitations prescribed by law, annual ad valorem taxes on all taxable property in the City sufficient to pay the annual interest and sinking fund to pay the bonds at maturity and to pay the costs of any credit agreements executed in connection with the bonds?"

SECTION 2. One or more City election precincts are hereby established for the purpose of holding the Election, and one or more polling places are hereby designated for holding the Election in the City election precincts as identified in Exhibit A to this Ordinance (which is incorporated herein by reference for all purposes). At least 79 days prior to Election Day, or as soon thereafter as is reasonably practicable, the City, acting through the Mayor, the City Manager, or the designee thereof, in coordination with the Administrator, or the designee thereof, as necessary or desirable, will identify and formally approve the appointment of the Presiding Judges, Alternate Presiding Judges, Election Clerks, and all other election officials for the Election, together with any other necessary changes to election practices and procedures and can correct, modify, or change the Exhibits to this Ordinance based upon the final locations and times agreed upon by the Administrator, the City, and the Participants to the extent permitted by applicable law.

A. The Presiding Judge shall appoint not less than two resident qualified voters of the County to act as clerks in order to properly conduct the Election. To the extent required by the Texas Election Code, as amended, or other applicable law, the appointment of these clerks must include a person fluent in the Spanish language to serve as a clerk to render oral aid in the Spanish language to any voter desiring such aid at the polls on Election Day. If the Presiding Judge appointed actually serves, the Alternate Presiding Judge shall serve as one of the clerks. In the absence of the Presiding Judge, the Alternate Presiding Judge shall perform the duties of the Presiding Judge of the election precinct.

B. On Election Day, the polls shall be open as designated on Exhibit A. The County participates in the Countywide Polling Place Program under Section 43.007, as amended, Texas Election Code, meaning that any City voter can vote in the Election at any polling place identified in Exhibit A.

C. The main early voting location is designated in Exhibit B to this Ordinance (which is hereby incorporated herein by reference for all purposes). The individual named as the Early Voting Clerk as designated in Exhibit B is hereby appointed as the Early Voting Clerk to conduct such early voting in the Election. The Early Voting Clerk shall appoint the Deputy Early Voting Clerks. This main early voting location shall remain open to permit early voting on the days and at the times as stated in Exhibit B. Early voting shall commence as provided on Exhibit B and continue through the date set forth on Exhibit B, all as provided by the provisions of the Texas Election Code, as amended.

Additionally, permanent and/or temporary branch offices for early voting by personal appearance may be established and maintained in accordance with the Texas Election Code. In the event such permanent and/or temporary branch locations are established, information regarding the locations, dates, and hours of operation for early voting at these offices shall be determined by the Administrator, as identified in Exhibit B hereto.

An Early Voting Ballot Board is hereby established for the purpose of processing early voting results. The individual designated in Exhibit B as the Presiding Judge of the Early Voting Ballot Board is hereby appointed the Presiding Judge of the Early Voting



Ballot Board. The Presiding Judge shall appoint not less than two resident qualified voters of the City to serve as members of the Early Voting Ballot Board.

SECTION 3. Electronic voting machines may be used in holding and conducting the Election on Election Day; provided, however, in the event the use of such electronic voting machines is not practicable, the Election may be conducted on Election Day by the use of paper ballots (except as otherwise provided in this section). Electronic voting machines or paper ballots may be used for early voting by personal appearance (except as otherwise provided in this section). Pursuant to Section 61.012, as amended, Texas Election Code, the City shall provide at least one accessible voting system in each polling place used in the Election. Such voting system shall comply with State and federal laws establishing the requirement for voting systems that permit voters with physical disabilities to cast a secret ballot. Any legally permissible voting method may be used for early voting and Election Day voting by personal appearance. Certain early voting may be conducted by mail.

SECTION 4. The City is authorized to utilize a Central Counting Station (the *Station*) as provided by Section 127.001, et seq., Texas Election Code, as amended. The Administrator, or the designee thereof, is hereby appointed as the Manager and Presiding Judge of the Station and may appoint Station clerks and establish a written plan for the orderly operation of the Station in accordance with the provisions of the Texas Election Code, as amended. The Council hereby appoints the Administrator, or the designee thereof, as the Tabulation Supervisor and the Administrator, or the designee thereof, as the Programmer for the Station. Lastly, the Administrator will publish notice and conduct testing on the automatic tabulation equipment relating to the Station and conduct instruction for the officials and clerks for the Station in accordance with the provisions of the Texas Election Code, as amended.

SECTION 5. The official ballot shall be prepared in accordance with the Texas Election Code, as amended, so as to permit voters to vote "FOR" or "AGAINST" the aforesaid measure which shall appear on the ballot substantially as follows:

#### PROPOSITION A

"THE ISSUANCE OF BONDS FOR DESIGNING, DEMOLISHING, CONSTRUCTING, RENOVATING, IMPROVING, EXTENDING AND MAKING PERMANENT STREET, SIDEWALK, DRAINAGE AND ANY RELATED IMPROVEMENTS IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$10,000,000, AND LEVYING A TAX IN PAYMENT THEREOF, WITH PRIORITY GIVEN TO THE FOLLOWING: BENT OAK DR., CHIMNEY ROCK LN., CLIFFSIDE DR., END GATE LN., FAWN DR., SADDLETREE RD., SHAVANO DR., WAGON TRAIL RD., WINDMILL RD., POST OAK WAY, CUL-DE-SACS: ELM SPRING LN., HONEY BEE LN., HUNTERS BRANCH, HUNTERS BRANCH SOUTH, TURKEY CREEK ROAD, AND DE ZAVALA RD."

SECTION 6. All resident qualified voters of the City shall be permitted to vote at the Election, and on Election Day, such voters shall vote at the designated polling places

set forth in Exhibit A. The Election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, Chapters 1251 and 1331, as amended, Texas Government Code, and as may be required by any other law. To the extent required by law, all materials and proceedings relating to the Election shall be printed in English and Spanish.

SECTION 7. Notice of election, including a Spanish translation thereof, shall be published on the same day in each of two successive weeks in a newspaper of general circulation in the City, the first of these publications to appear in such newspaper not more than 30 days, and not less than 14 days, prior to Election Day. Moreover, a substantial copy of this Ordinance and the voter information attached as Exhibit C, including a Spanish translation thereof, shall be posted (i) at City Hall not less than 21 days prior to Election Day; (ii) at three additional public places within the City not less than 21 days prior to Election Day, (iii) in a prominent location at each polling place on Election Day and during early voting, and (iv) in a prominent location on the City's internet website not less than 21 days prior to Election Day. A sample ballot shall be posted on the City's internet website not less than 21 days prior to Election Day.

SECTION 8. As required by and in accordance with Section 3.009(b)(5) and (7) through (9) of the Texas Election Code, the City, as of the date of this ordinance, had outstanding an aggregate principal amount of debt equal to \$3,495,000; the aggregate amount of the interest owed on such City debt obligations, through respective maturity, totaled \$888,276; and the City levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.012263 per \$100 of taxable assessed valuation. Based on the bond market conditions on the date of the Council's adoption of this Ordinance, the maximum interest rate for any series of bonds authorized at the Election is 5.00% (expressed as a net effective interest rate applicable to any such series of bonds). The bonds that are the subject of this Election shall mature serially or otherwise overall a specified number of years (not more than 40 years from their date), as preserved by applicable Texas law, though the City estimates that, based on current bond market conditions, such bonds will amortize over a 30-year period from their respective date of issue. The foregoing estimated maximum net effective interest rate and amortization period are only estimates, provided for Texas statutory compliance; they do not serve as a cap on the per annum interest rate at which any series of bonds authorized at the Election may be sold, or the amortization period for bonds that are the subject of this Election.

SECTION 9. The Council authorizes the Mayor, the City Manager, or their respective designee, to negotiate and enter into one or more joint election agreements and/or similar contracts or agreements with the County, acting by and through the Administrator, and any Participants if desired or required to comply with applicable law, as permitted and in accordance with the provisions of the Texas Election Code, as amended. In addition, the City authorizes the Mayor, the City Manager, or their respective designee of either of such parties to make such technical modifications to this Ordinance that are necessary for compliance with applicable Texas or federal law or to carry out the intent of the Council, as evidenced herein. To the extent that any duty or obligation of the City, in general, or any City official, in particular, is properly delegated to the County pursuant to a joint election agreement, then the County's carrying out those duties and

obligations on the City's behalf pursuant to the terms of such joint election agreement shall be binding upon the City and are hereby determined by the Council to be evidence of the City's compliance with the provisions of applicable Texas law concerning the Election relative to the same. By incorporating all essential terms necessary for a joint election agreement, this Ordinance is intended to satisfy Section 271.002(d) of the Texas Election Code, as amended, without further action of the City Council. To the extent needed or desirable, the Administrator is hereby appointed joint custodian of voted ballots for the purposes of Section 31.096, as amended, Texas Election Code.

SECTION 10. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

SECTION 11. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordained herein.

SECTION 12. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 13. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 14. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and this Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 15. Pursuant to the provisions of Section 1201.028, as amended, Texas Government Code, this Ordinance shall be effective immediately upon adoption.

PASSED AND APPROVED on the 18th day of February, 2022.

CITY OF SHAVANO PARK, TEXAS

---

Mayor

ATTEST:

---

City Secretary

(CITY SEAL)

## **Exhibit A**

### **ELECTION DAY POLLING PLACES**

Election Day: May 7, 2022

Election Day Polling Places open from 7 a.m. to 7 p.m.

Presiding Judges: to be determined by the Administrator

#### **Shavano Park Polling Places**

*[to come]*

*[to come]*

Bexar County participates in the Countywide Polling Place program under Section 43.007, as amended, Texas Election Code. Registered voters will be able to cast their Election Day ballots at any of the polling places listed on the Bexar County website in addition to the above polling places.

*[The remainder of this page intentionally left blank.]*

## **Exhibit B**

### **EARLY VOTING**

Early voting begins Monday, April 25, 2022 and ends on Tuesday, May 3, 2022.

Early voting clerk: [Jacquelyn F. Callanen, 1103 S. Frio, Suite 100, San Antonio, Texas 78207].

Presiding Judge of the Early Voting Ballot Board: to be named by the Administrator.

Voters entitled to vote an early ballot by personal appearance may do so at any Early Voting Site.

<b>Main Early Voting Polling Place</b>	<b>Permanent Branch Early Voting Polling Place</b>
[to come]	[to come]

### **Early Voting Hours For All Polling Places**

[Monday, April 25, 2022 through Friday, April 29, 2022]	8:00 am – 5:00 pm
[Saturday, April 30, 2022]	7:00 am – 7:00 pm
[Sunday, May 1, 2022]	10:00 am – 4:00 pm
[Monday, May 2, 2022 and Tuesday, May 3, 2022]	7:00 am – 7:00 pm

### **Early Voting By Mail**

Applications for voting by mail must be received no later than the close of business (5:00 p.m.) on Monday, April 25, 2022. Applications should be sent to:

Elections Administrator  
[Jacquelyn F. Callanen  
1103 S. Frio, Suite 100  
San Antonio, Texas 78207  
fax: (210) 335-8683]

If an application for ballot by mail is faxed or emailed (or if a federal postcard application is faxed), the applicant must also mail the original application so that the early voting clerk receives the original no later than four days after receiving the emailed or faxed copy.

### Exhibit C

#### **VOTER INFORMATION DOCUMENT**

Shavano Park, Texas Proposition A:

<input type="checkbox"/> FOR	"THE ISSUANCE OF BONDS FOR DESIGNING, DEMOLISHING, CONSTRUCTING, RENOVATING, IMPROVING, EXTENDING AND MAKING PERMANENT STREET, SIDEWALK, DRAINAGE AND ANY RELATED IMPROVEMENTS IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$10,000,000, AND LEVYING A TAX IN PAYMENT THEREOF"
<input type="checkbox"/> AGAINST	

principal of debt obligations to be authorized	\$10,000,000.00
estimated interest for the debt obligations to be authorized presuming an interest rate of 5.00%	\$9,305,750.00
estimated combined principal and interest required to pay on time and in full the debt obligations to be authorized amortized over 30 years	\$19,305,750.00
as of the date the election was ordered, principal of all outstanding debt obligations	\$3,495,000.00
as of the date the election was ordered, the estimated interest on all outstanding debt obligations	\$888,276.00
estimated combined principal and interest required to pay on time and in full all outstanding debt obligations amortized over 17 years	\$4,383,276.00
estimated maximum annual increase in the amount of taxes on a residence homestead with an appraised value of \$100,000 to repay the debt obligations to be authorized, if approved  This figure assumes the amortization of the City's debt obligations, including outstanding debt obligations and the proposed debt obligation; changes in estimated future appraised values within the City; and the assumed interest rate on the proposed debt obligations.	\$0.01



## February 18, 2022







# City Council Special Meeting



*Together We Can!*

## 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.**

- 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

# Ordinance Calling a Bond Election



*Together We Can!*

**6.1. Discussion / action - Consideration of Ordinance O-2022-003 calling a bond election to be held in the City of Shavano Park, Texas; making provision for the conduct of a joint election; and resolving other matters incident and related to such election - City Bond Attorney / City Council**

City 2021 Street Maintenance Assessment Report process:

- Field inspection of pavement condition by PW Director and Admin Intern in Spring 2021 with City Engineer consultation
- Data inputted into Industry recognized Street condition software *PAVER*
- City Engineer inputted City data into GIS, and provided:
  - analysis of raw street condition data
  - cost figures for different types of road remediation
  - recommendations on project priority
- Road remediation solutions from most expensive to least expensive:
  - Option 1A – *Full Roadway Reconstruction with Curb*
  - Option 1B – *Full Roadway Reconstruction without Curb*
  - Option 2 – *Reclamation (8" Deep rehab)*
  - Option 3 – *Mill & Overlay (2" deep rehab)*

City 2021 Street Maintenance Assessment Report produced by KFW

- Field inspection and data collection by KFW

**Feb 3, 2022  
Workshop**

Spring

- Data collection and industry records

- City Engineer inputted City data into GIS, and provided:

**Jan 10, 2022  
Workshop**

- analysis of raw street condition data
- cost figures for different types of road remediation
- recommendations on project priority
- Road remediation solutions from most expensive to least expensive:

• **Option 1A – Full Roadway Reconstruction with Curb**

- Option 1B – Full Roadway Reconstruction without Curb
- Option 2 – Reclamation (8" Deep rehab)
- Option 3 – Mill & Overlay (2" deep rehab)

**July 17,  
2021  
Workshop**

**City Council  
Consensus to  
proceed with Option  
1A for Phase I**

# Streets Overall Problem



*Together We Can!*

The City is responsible to maintain, repair, recondition, and/or reconstruct public streets. Many of the streets in Shavano Park East and West areas are well past their design life and are in poor condition. Other streets continue to age and deteriorate – over time they will also move in their life cycle from deterioration to failure. The City faces a near term problem to repair these streets nearing failure. The City also faces a long-term problem of phasing the street repairs so that we have an affordable and feasible solution. **By not addressing the near-term problem immediately, the cumulative long-term problem will quickly become unaffordable and unmanageable.**



# Long-term Problem



*Together We Can!*

The City must develop a phased-in approach to street reconditioning / reconstruction plan to be implemented over the next 20 years to be able to afford the work with a minimum effect on the budget and property tax rate.

- Generally, a City will prioritize street reconditioning / reconstruction on the worst areas, while simultaneously implementing a maintenance program for areas not being rebuilt. Once those problem areas are completed, the next worst streets can be planned and worked on. This is likely a 15–30-year effort.
- **Shavano Park must complete the street reconditioning / reconstruction on these identified priority areas prior to being able to start in other areas.**

# Near-term Problem



*Together We Can!*

The streets identified below in Phase I are nearing failure and require reconstruction to be brought up to standard. There is an opportunity for federal funding of DeZavala improvements (Phase IA) that requires engineer planning to be competitive.

**PHASE I** - Streets include: Wagon Trail Rd.; Chimney Rock Ln.; Shavano Dr; Saddletree Rd.; Fawn Dr.; Windmill Rd. Bent Oak Dr.; Cliffside Dr.; Post Oak Way; and the cul-de-sacs of Elm Springs Ln.; Honey Bee Ln.; Hunters Branch; Hunters Branch South; Turkey Creek Rd.

**PHASE IA** - The reconditioning of De Zavala Road with addition of a bike lane, sidewalks and drainage improvements.

# Options for Phase 1 Streets



*Together We Can!*

**OPTION 1 (Default Option) PATCHING:** Using existing funds, patch and resurface the worse areas on a yearly basis. In cases where the streets were not constructed to standard, the lack of proper base material and curbs results in the lifecycle of these repairs providing only a 5-to-15-year solution.

**OPTION 2 (Initial Plan) 5- OR 7-YEAR FINANCING / RECONSTRUCTION:** This option allows for construction over a 5- or 7-year period with use of existing funds until the funds are expended (one year) and financing approximately \$10 million in debt to begin in year 2 and continue through years 5 or 7.

**OPTION 3 – 1 YEAR FINANCING / 1-2 YEAR ROAD RECONSTRUCTION:** This option requires a \$10M Bond to be issued followed by a 1–2-year construction project.

- **Review Advantages and Disadvantages of Options**

# Street Maintenance Way Ahead



*Together We Can!*

- ✓ Consensus on executing: Y / ~~N?~~ (Yes)
- ✓ Timeline for Decisions? (Feb / ~~Summer Budget~~)
- ✓ Confirmation Option 1A (Full Reconstruction w/ Curb)
- ✓ Determine funding plan (1 yr / ~~5 yrs~~ / ~~7 yrs~~)
- ✓ Call Bond Election ~~or Certificate of Obligation~~
- ✓ If Yes, FY 2022 ~~or FY 2023?~~
- ☐ Finalize Engineering / 1<sup>st</sup> year scope of work
  - Bond Election
- ☐ If Bond Pass - Length of Funding? (20 / 25 / 30 yrs)
- ☐ Final Approval

- **Phase I - Street Restoration Funding Options:**
    - **Capital Improvement Funds (Streets / Drainage) = \$1.3 M**
    - **Street Maintenance Sales Tax (~ \$155 K 2022 / \$177K 2024)**
      - **Assumes 8% growth through 2026 and 2% afterwards**
    - **Fund Balance – Should be used as last resort**
- 

**Phase I – Opinion of Probable Costs = \$ 10 to \$11 million**

---

- **Debt**
  - ~~— Certificates of Obligation (COs)~~
  - **1 year** (Call for Bond Election)
  - **1 time / ~~over 5 years / over 7 years~~**

# Funding – Frost Bank



Together We Can!

- **Issue Bonds July 2022 / 1<sup>st</sup> Payment FY 2023 / 20 Yr Debt**

- Assumes \$10M / Interest Rate **2.88%**
- Total Cost **\$13,051,650**
- 1<sup>st</sup> Debt Payment Increase = **\$651,710**
- 1 cent I&S increase = \$157,685 (2023)
- CoSP likely tax increase = **\$78** (assumes \$775,753 home)
- **\$1.3M** Street Fund = \$0 (**2026**) / 2000 Debt = \$0 (2026)

A lower Interest will reduce costs; 0.25% saves \$300K

- **Issue Bonds Oct 2022 / 1<sup>st</sup> Payment FY 2024 / 20 Yr Debt**

- Assumes \$10M / Interest Rate **3.28%**
- Total Cost **\$13,822,183 (+ \$770,533)**
- 1<sup>st</sup> Debt Payment Increase = **\$693,981**
- 1 cent I&S increase = **\$164,261 (2024)**
- CoSP likely tax increase = **\$78** (assumes \$775,753 home)
- **\$1.45M** Street Fund = \$0 (**2031**) / 2000 Debt = \$0 (2026)

Annual debt payment increase is not significant / but total cost is  
Delays potential tax increase by one year

**Decision after Election**

**6.2. Discussion / action - Consideration of Resolution R-2022-006 relating to establishing the City's intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various City improvements from the proceeds of tax-exempt obligations to be issued by the City for authorized purposes; authorizing other matters incident and related thereto; and providing an effective date - City Manager / City Bond Attorney**



**6.3. Discussion / action - Consideration of KFW Engineers and Surveying proposal to conduct survey, investigation, design, utility coordination, bidding services, and construction administration in support of the Phase I street reconstruction - City Manager / City Engineer**



- Engineer Opinion of Probable Construction Cost
    - TxDOT (Streets only) \$11,022,430\*
    - CoSA (Streets) \$10,731,318\*
    - Bexar County (Streets) \$10,044,388\*
    - Cul-de-sacs (\$550K / \$553 / \$507) vs. \$300K
  - Bottom Line = \$10M Bond + Street Fund covers requirements
- 
- Street Reconstruction Requires Engineering
    - \* **11.5%** vs. \$861,285 proposed (above cost to be lower)
    - 20% contingency cost added into estimate above

**Engineering complete by Jan 2023 – Bidding / Approval by Apr 2023**

[illegible]

- Approximately 97 water service lines must be lowered / relocated within the streets; Approximately 15 with cul-de-sacs
- CPS Gas Lines – unknown; should be deep enough?
- Driveways ??? Unknown transition with curbs
- Drainage ??? – Not trying to fix existing problems; must not make it worse
- Task Order Engineering
- Other?

## 9. Adjournment

# BACKUP



# Street Restoration Plan and Financing Options



# Street Maintenance Assessment



*Together We Can!*



- ▼ ☒ Pavement Section Conditions
- 0 - 20 PCI
  - 21 - 40 PCI
  - 41 - 60 PCI
  - 61 - 80 PCI
  - 81 - 100 PCI

# Street Maintenance Assessment



Together We Can!

## Detailed Assessment Completed (2021)

~~2022-2028~~

Phase I: East NW Mil Hwy (Old Old)

2023-2024

- *Full Road Reconstruction with Curb (1A)*

- *Northwest (cul-de-sacs)*

Lower \$  
Cost

## General Assessment (Ongoing)

2030-2035

Phase II: Northwest NW Mil Hwy (Old New)

2035-2040

Phase III: Southwest NW Mil Hwy (Estates)

2040-2045

Phase IV: Shavano Creek

TBD'ed

Public Thoroughfare Roads:

DeZavala / Lockhill Selma / Pond Hill

- Reclamation  
or  
- Mill and Overlay

**Note: Areas within Phase II – IV are TBD'ed base upon conditions**



# Financing Options: From C of O to Bond

Together We Can!



- **5 Yr CO w/ 1 cent I&S Tax Increase 2023**
  - Assumes Street Restoration completed in **5 yrs** with new CO's issued for **5 yrs**
- **7 Yr CO w/ 1 cent I&S Tax Increase 2023**
  - Assumes Street Restoration completed in **7 yrs** with new CO's issued for **7 yrs**
- **5 Yr CO w/ 1 cent I&S Tax Increase 2028**
  - Assumes Street Restoration completed in **5 yrs** with new CO's issued for **5 yrs**
  - **2 cent I&S Tax Increase beginning the 6th yr / 2030 (+ \$400K)**
- **7 Yr CO w/ 1 cent I&S Tax Increase 2030**
  - Assumes Street Restoration completed in **7 yrs** with new CO's issued for **7 yrs**
  - **1.5 cent I&S Tax Increase beginning the 8th yr / 2030 (+ \$300K)**

Jan 10<sup>th</sup>  
Workshop

- 
- **1 Yr Bond w/ 1 cent I&S Tax Increase 2023**
    - Assumes Street Restoration completed in **2 yrs** with **Bond** issued in FY 2022 ~~or 2023~~

Feb 3rd

# Funding – Frost Bank



*Together We Can!*

- Issue Bonds Aug **2023** / 1<sup>st</sup> Payment FY **2024** / **20** Yr Debt
  - Assumes \$10M / Interest Rate **3.5%**
  - Total Cost **\$13,802,350** (+ **\$750,000**)
  - 1<sup>st</sup> Debt Payment Increase = **\$696,000**
  - 1 cent I&S increase = **\$164,261 (2024)**
  - CoSP likely tax increase = **\$78** (assumes \$775,753 home)
  - **\$1.45M** Street Fund = \$0 (**2031**) / 2000 Debt = \$0 (2026)

Debt payment increase not significant /  
Delays potential tax increase by one year

# Impact of 1 cent I&S Tax Increase



*Together We Can!*

CITY OF SHAVANO PARK						
Effect of \$0.01 Increase in Property Tax Rate						
				FY 2021-22	FY 2022-23	
				Adopted Rate	Pro Forma Rate	
Average Taxable Homestead Value				\$ 775,753	\$ 775,753	
Total Tax Rate (Per \$100)				\$ 0.287742	\$ 0.297742	
Total City Tax Levy				\$ 2,232	\$ 2,310	
Net increase in Levy Amount					\$ 78	

Assumes 1 cent tax Increase using this years data

2023 or 2024 will be different based upon average taxable value

# Bond Election– Attorney



*Together We Can!*

- Council adopts Ordinance calling the election – **February 18<sup>th</sup>**
- Ballot language to County election official – **February 21<sup>st</sup>**
- City staff publishes 1<sup>st</sup> notice of election... – **April (15<sup>th</sup>)**
- Election – **May 7<sup>th</sup>**
- End of Election contest period – **June 17<sup>th</sup> (Fri)**

**Bond Issuance  
Possible by mid-  
July / August  
(FY 2022)**

- 
- See attached Notes, Timetable / Posting & Publications Schedule
    - Decisions on Underwriter / Negotiated or competitive sale and timing can be made after election (Frost)
    - Different projects cannot be lumped together one Bond call
    - Can't place C of O on election ballot with Bond
    - Issue bonds within 10 yrs / 85% spent with 3 years of Issue

# 5 Yr CO w/ 1 cent I&S Tax Increase 2023



Together We Can!

- See Frost Bank Spreadsheet **#1** illustrating I&S Tax Rate Impact Analysis from 2022 to 2048
- Assumes Street Restoration completed in **5 yrs** with new CO's issued for **5 yrs**
- Year 1 CO = \$2.6M; 1<sup>st</sup> I&S payment increase + **\$181,318**
- **Assumes 1 cent I&S Tax Increase beginning the 2<sup>nd</sup> yr (+ \$157,685)**
- Assumes use of Street Maint. Fund spread over **7+ yrs** (2024)
- Assumes use of Street Sales Tax Revenue beginning in 2024
- May require another I&S increase in **2031** (0.8 cent)

✓ **Increases tax during street restoration by the City Council that approved the street restoration program**

# 7 Yr CO w/ 1 cent I&S Tax Increase 2023



Together We Can!

- See Frost Bank Spreadsheet #2 illustrating I&S Tax Rate Impact
- Assumes Street Restoration completed in 7 yrs with new CO's issued for 7 yrs
- Year 1 CO = \$2.6M; 1<sup>st</sup> I&S payment increase + \$181,318
- Assumes 1 cent I&S Tax Increase beginning the 2<sup>nd</sup> yr (+ \$157,685)
- Assumes use of Street Maint. Fund spread over 7+ yrs (2024)
- Assumes use of Street Sales Tax Revenue beginning in 2024
- May require another I&S increase in 2034 (0.7 cent)

✓ Increases tax during street restoration by the City Council that approved the street restoration program

# 5 Yr CO w/ 1 cent I&S Tax Increase 2028



Together We Can!

- See Frost Bank Spreadsheet #3 illustrating I&S Tax Rate Impact
- Assumes Street Restoration completed in 5 yrs with new CO's issued for 5 yrs
- Year 1 CO = \$2.6M; 1<sup>st</sup> I&S payment increase + \$181,318
- Assumes use of existing street capital and sales tax funds up front
- 2 cent I&S Tax Increase beginning the 6th yr / 2030 (+ \$400K)
- Assumes use of Street Maint. Fund spread over 4 yrs (2024)
- Assumes use of Fund Balance (\$197K); Street Sales Tax Rev. (2024)
- No future anticipated I&S increases after 2030

(-) Increases tax after street restoration by a future City Council that inherited the street restoration program funding requirement



# 7 Yr CO w/ 1 cent I&S Tax Increase 2030



Together We Can!

- See Frost Bank Spreadsheet #4 illustrating I&S Tax Rate Impact
- Assumes Street Restoration completed in 7 yrs with new CO's issued for 7 yrs
- Year 1 CO = \$2.6M; 1<sup>st</sup> I&S payment increase + \$181,318
- Assumes use of existing street capital and sales tax funds up front
- 1.5 cent I&S Tax Increase beginning the 8th yr / 2030 (+ \$300K)
- Assumes use of Street Maint. Fund spread over 6 yrs (2024)
- Assumes use of Fund Balance (\$144K); Street Sales Tax Rev. (2024)
- No future anticipated I&S increases after 2030

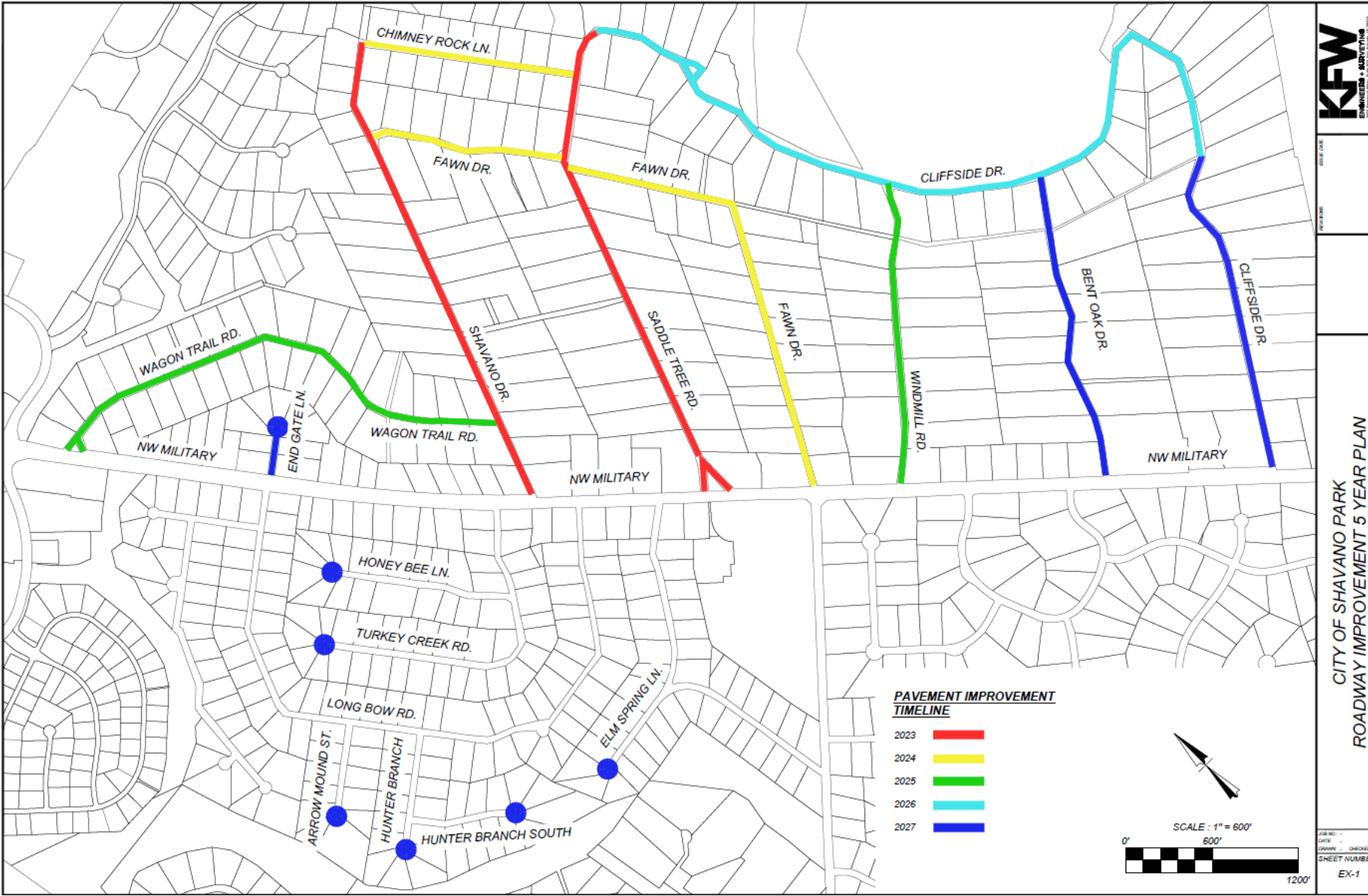
(-) Increases tax after street restoration by a future City Council that inherited the street restoration program funding requirement



# Street Restoration 5 Year Plan



*Together We Can!*

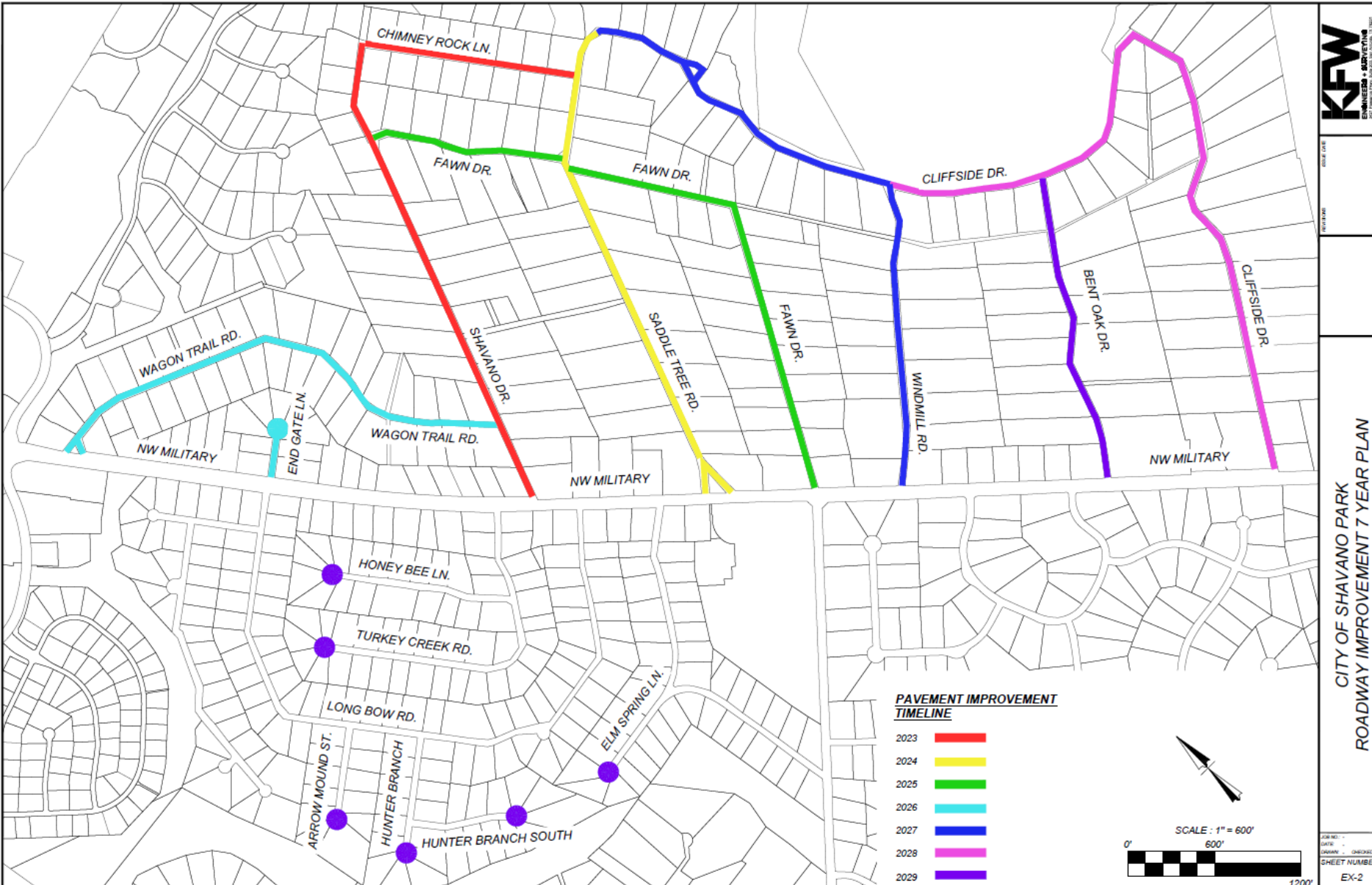


5 Year Plan Project Schedule		
Year	Streets	Cost
2021	Arrow Mound (Cul)	\$ 47,000.00
2023	Saddletree Dr	\$ 1,348,935.91
	Shavano Dr	\$ 1,249,740.92
2024	Chimney Rock	\$ 544,125.36
	Fawn Dr	\$ 1,681,582.56
2025	Wagon Trail Rd	\$ 1,304,652.23
	Windmill Dr	\$ 784,551.40
2026	Cliffside Dr 1	\$ 2,077,140.18
2027	End Gate Ln	\$ 123,178.80
	End Gate Cul-de-Sac	\$ 82,579.58
	Cliffside Dr 2	\$ 981,357.63
	Bent Oak Dr	\$ 796,641.68
	Elm Spring Cul-de-Sac	\$ 82,579.58
	Honey Bee Cul-de-Sac	\$ 82,579.58
	Hunters Branch Cul-de-Sac	\$ 82,579.58
	Turkey Creek Cul-de-Sac	\$ 82,579.58

# Street Restoration 7 Year Plan



*Together We Can!*



7 Year Plan Project Schedule		
Year	Streets	Cost
2021	Arrow Mound Cul-de-sac	\$ 47,000.00
2023	Chimney Rock	\$ 542,242.91
	Shavano Dr	\$ 1,249,740.92
2024	Saddletree Dr	\$ 1,348,935.91
2025	Fawn Dr	\$ 1,681,582.56
2026	Wagon Trail Rd	\$ 1,304,652.23
	End Gate Ln	\$ 123,178.80
	End Gate Cul-de-Sac	\$ 82,579.58
2027	Windmill Dr	\$ 784,551.40
	Cliffsides Dr 1	\$ 981,357.63
2028	Cliffsides Dr 2	\$ 2,077,140.18
2029	Bent Oak Dr	\$ 796,641.68
	Elm Spring Cul-de-Sac	\$ 82,579.58
	Honey Bee Cul-de-Sac	\$ 82,579.58
	Hunters Branch Cul-de-Sac	\$ 82,579.58
	Turkey Creek Cul-de-Sac	\$ 82,579.58

# Street Restoration 5 Year Plan



*Together We Can!*

## Option 1A – Full Roadway Reconstruction Includes:

- Excavate existing Street Section
- Install 6” of lime treated subgrade
- Install 9” HMAC Type B base
- Install 2 “ HMAC Type D pavement
- Install header curbing
- Revegetate ROW parkway
- Relocate Utilities (Water / Gas TBD’ed)

## Option 1 B – Full Roadway Reconstruction (No Curb)

- Same minus - ~~Install header curbing~~

# Street Restoration 5 Year Plan



*Together We Can!*

## Option 2 – Reclamation (8” Deep Rehab) Includes:

- Excavate existing pavement and base sections
- Rehabilitate and reinstall treated base section
- Install 2 “ HMAC Type D pavement
- Revegetate ROW parkway
- **Relocate Utilities (Water / Gas TBD’ed)**

## Option 3 – Mill and Overlay Includes:

- Remove existing top 2” of pavement sections
- Install 2 “ HMAC Type D pavement

City 2021 Street Maintenance Assessment Report process:

- Field inspection of pavement condition by PW Director and Admin Intern in Spring 2021 with City Engineer consultation
- Data inputted into Industry recognized Street condition software *PAVER*
- City Engineer inputted City data into GIS, and provided:
  - analysis of raw street condition data
  - cost figures for different types of road remediation
  - recommendations on project priority
- Road remediation solutions from most expensive to least expensive:
  - Option 1A – *Full Roadway Reconstruction with Curb*
  - Option 1B – *Full Roadway Reconstruction without Curb*
  - Option 2 – *Reclamation (8" Deep rehab)*
  - Option 3 – *Mill & Overlay (2" deep rehab)*



# MicroPaver Overview



*Together We Can!*

- The MicroPaver system grades street sections from 0-100 using a Pavement Condition Index (PCI). The PCI is calculated by inputting field measurements of pavement degradation found in a road into the software, which calculates the PCI grade for the road.
- The Branch Condition Report shows an overview of all of the streets assessed. The Branch ID is the actual street. Besides providing basic statistical data, the Branch Condition Report also gives an average PCI for the entire street.
- The Section Condition Report shows the PCI for each section of a street. The streets are broken down into 500-600 ft sections for a more accurate representation of the street. Some sections of a particular street maybe in good condition while others could be in need of urgent repair.



- Sections would be determined while walking the streets. Beginning at the streets edge (generally NW Military), 500-600 ft would be walked and documented.
- The section would be cut off at identifiable landmark (the edge of a drive way, mailbox, street sign, etc.).
- Data was collected by walking these street sections and documenting discrepancies found.
- Discrepancies would be documented by total area and severity.



# Chimney Rock Alligator Cracking







# Chimney Rock Alligator Cracking



*Together We Can!*



# Chimney Rock Rutting





# Shavano Drive Alligator Cracking





# Shavano Drive Rutting



Can!



# Shavano Drive Edge Cracking





# Windmill Longitude Cracking





# Arrow Mound





## Others?

- Environmental Friendly Parking Options
- Cover for Play-Scape
- Improved Trails
- City Hall Grounds - Recreational Areas +
- Female Fire Quarters



## CITY COUNCIL STAFF SUMMARY

Meeting Date: February 18, 2022

Agenda item: 6.2

Prepared by: Curtis Leeth

Reviewed by: Bill Hill

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### **AGENDA ITEM DESCRIPTION:**

Discussion / action - Consideration of relating to establishing the City's intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various City improvements from the proceeds of tax-exempt obligations to be issued by the City for authorized purposes; authorizing other matters incident and related thereto; and providing an effective date - City Manager / City Bond Attorney

X

**Attachments for Reference:**

1) 6.1a Resolution R-2022-006 Reimbursement

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### **BACKGROUND / HISTORY:**

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**DISCUSSION:** Resolution R-2022-006, as provided by Bond Attorney, allows the City to reimburse itself for costs up to \$10M related to the Bond Projects incurred BEFORE the Bond Election.

This allows City engineering costs in the next agenda item to be paid for by the Bond, regardless if they are invoiced to the City before the Bond Election.

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**COURSES OF ACTION:** Approve Resolution R-2022-006 or decline entirely and provide further guidance to staff.

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**FINANCIAL IMPACT:** N/A

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**MOTION REQUESTED:** I move that the City of Shavano Park, Texas adopt reimbursement Resolution R-2022-006

**RESOLUTION # R-2022-006**

**A RESOLUTION RELATING TO ESTABLISHING THE CITY'S INTENTION TO REIMBURSE ITSELF FOR THE PRIOR LAWFUL EXPENDITURE OF FUNDS RELATING TO CONSTRUCTING VARIOUS CITY IMPROVEMENTS FROM THE PROCEEDS OF TAX-EXEMPT OBLIGATIONS TO BE ISSUED BY THE CITY FOR AUTHORIZED PURPOSES; AUTHORIZING OTHER MATTERS INCIDENT AND RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, the City Council (the *Governing Body*) of the City of Shavano Park, Texas (the *Issuer*) has entered into or will enter into various contracts pertaining to the expenditure of lawfully available funds of the Issuer to finance the costs associated with (i) designing, demolishing, constructing, renovating, improving, reconstructing, restructuring and extending streets and thoroughfares and related land and right-of-way sidewalks, streetscapes, collectors, drainage, landscape, signage, acquiring lands and rights-of-way necessary thereto or incidental therewith; (the *Construction Costs*), (ii) the payment of various engineering costs, including design testing, design engineering, and construction inspection related to the Construction Costs (the *Engineering Costs*), (iii) the payment of various architectural costs, including preparation of plans and specifications and various other plans and drawings related to the Construction Costs (the *Architectural Costs*), and (iv) the payment of various administrative costs, including the fees of bond counsel, financial advisor, project manager, project consultant, other professionals, and bond printer (the *Administrative Costs*) the Construction Costs, the Engineering Costs, the Architectural Costs, and the Administrative Costs collectively constitute the costs of the Issuer's projects that are the subject of this Resolution (the *Project*); and

WHEREAS, the provisions of Section 1201.042, as amended, Texas Government Code (*Section 1201.042*) provide that the proceeds from the sale of obligations issued to finance the acquisition, construction, equipping, or furnishing of any project or facilities, such as the Project, may be used to reimburse the Issuer for costs attributable to such project or facilities paid or incurred before the date of issuance of such obligations; and

WHEREAS, the United States Department of Treasury (the *Department*) released Regulation Section 1.150-2 (the *Regulations*) which establishes when the proceeds of obligations are spent and therefore are no longer subject to various federal income tax restrictions contained in the Internal Revenue Code of 1986, as amended (the *Code*); and

WHEREAS, the Issuer intends to reimburse itself, within eighteen months from the later of the date of expenditure or the date the property financed is placed in service (but in no event more than three years after the original expenditures are paid), for the prior lawful capital expenditure of funds from the proceeds of one or more series of tax-exempt obligations (the *Obligations*) that the Issuer currently contemplates issuing in the principal amount of not to exceed \$10,000,000 to finance a portion of the costs of the Project; and

WHEREAS, under the Regulations, to fund such reimbursement with proceeds of the Obligations, the Issuer must declare its expectation ultimately to make such reimbursement before making the expenditures; and

WHEREAS, the Issuer hereby finds and determines that the reimbursement for the prior expenditure of funds of the Issuer is not inconsistent with the Issuer's budgetary and financial circumstances; and

WHEREAS, the Governing Body hereby finds and determines that the adoption of this Resolution is in the best interests of the residents of the Issuer; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHAVANO PARK, TEXAS THAT:

SECTION 1. This Resolution is a declaration of intent to establish the Issuer's reasonable, official intent under section 1.150-2 of the Regulations and Section 1201.042 to reimburse itself from certain of the proceeds of the Obligations for any capital expenditures previously incurred (not more than 60 days prior to the date hereof) or to be incurred with respect to the Project from the Issuer's General Fund or other lawfully available funds of the Issuer.

SECTION 2. The Issuer intends to issue the Obligations and allocate within 30 days after the date of issuance of the Obligations the proceeds therefrom to reimburse the Issuer for prior lawful expenditures with respect to the Project in a manner to comply with the Regulations.

SECTION 3. The reimbursed expenditure will be a type properly chargeable to a capital account (or would be so chargeable with a proper election) under general federal income tax principles.

SECTION 4. The Issuer intends to otherwise comply, in addition to those matters addressed within this Resolution, with all the requirements contained in the Regulations.

SECTION 5. This Resolution may be relied upon by the appropriate officials at the Office of the Attorney General for the State of Texas and establishes compliance by the Issuer with the requirements of Texas law and the Regulations.

SECTION 6. With respect to the proceeds of the Obligations allocated to reimburse the Issuer for prior expenditures, the Issuer shall not employ an abusive device under Treasury Regulation Section 1.148-10, including using within one year of the reimbursement allocation, the funds corresponding to the proceeds of the Obligations in a manner that results in the creation of "replacement proceeds", as defined in Treasury Regulation Section 1.148-1, of the Obligations or another issue of tax-exempt obligations.

SECTION 7. 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 8. All ordinances 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 9. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 10. 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 11. 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 12. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

*[The remainder of this page intentionally left blank]*

PASSED, ADOPTED AND APPROVED on this the 18<sup>th</sup> day of February, 2022.

CITY OF SHAVANO PARK, TEXAS

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Mayor

ATTEST:

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City Secretary

(CITY SEAL)

## CITY COUNCIL STAFF SUMMARY

Meeting Date: February 18, 2022

Agenda item: 6.3

Prepared by: Curtis Leeth

Reviewed by: Bill Hill

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### **AGENDA ITEM DESCRIPTION:**

Discussion / action - Consideration of KFW Engineers and Surveying proposal to conduct survey, investigation, design, utility coordination, bidding services, and construction administration in support of the Phase I street reconstruction - City Manager / City Engineer

X

#### **Attachments for Reference:**

- 1) 6.3a Engineer Phase I Proposal
- 2) 6.3b Phase I Engineering Schedule
- 3) 6.3c DeZavala Projects History
- 4) 6.3d Engineer De Zavala Proposal (Option 1)
- 5) 6.3e Engr Probable Cost DeZavala (Option 1)
- 6) 6.3f Engineer De Zavala Proposal (Option 2)
- 5) 6.3g Engr Probable Cost DeZavala (Option 2)

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**BACKGROUND / HISTORY:** At the February 3, 2022 City Council workshop the City Engineer briefed Council that engineering for the bond projects could be completed in 9 - 10 months (before January 2023). But to achieve that schedule required getting surveying and geotechnical work started before any Bond Election outcome is known in May.

Agenda Item 6.2 allows engineering costs incurred before the Bond Election to be re-compensated. This agenda item gives proposes authorizing engineering work to commence now in order to meet the January 2023 schedule presented as item 6.3c.

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**DISCUSSION:** Because Engineering work will take 9 to 10 months, staff recommends the Task Order Phase I be approved. The sooner engineering is completed the sooner construction can begin the work (assuming the bond passes and the debt is issued in July 2022, we only have three years to complete all work). Staff analysis is that it will be difficult to complete the projects in the required 3 years if we don't start the Engineering now. If the City waits to start engineering until after the bond election, realistically that could cost the city between \$600K to \$1.5 M extra depending on the interest rates (every 25 basis points is predicted to cost City \$330,000).

Staff also had KFW prepare a Engineer Task Order Proposal and an Opinion of Probable Construction Costs (OPCC) for Phase IA (DeZavala), which will (1) repave the DeZavala Road,

(2) add dedicated sidewalks, (3) add dedicated bike lanes and (4) complete drainage improvements. There are 2 options to consider with DeZavala project scope: (1) **re-constructing** the pavement of road, and (2) **re-conditioning** of pavement of road (not full reconstruction). This project cost is not covered by the \$10 million bond amount, but initiating the engineering allows City to get project “shovel ready” for other sources of funds (e.g. Federal grants; new revenues; or using of leftover funds from the Phase I streets). KFW has prepared an Opinion of Probable Construction costs for **re-conditioning** of the roadway with bike lanes, sidewalks and drainage = (\$2,513,415); as well as an option for **reconstruction** of the roadway with bike lanes, sidewalks and drainage = (\$4,948,370).

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**COURSES OF ACTION:** Approve Task Orders Phase I Engineering or decline entirely and provide further guidance to staff.

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**FINANCIAL IMPACT:** Approximate costs; subject to project funding approvals

Phase I (Old Shavano Streets) = \$861,285

Phase IA (DeZavala Rd. - Option 1) = \$457,985

Phase IA (DeZavala Rd. - Option 2) = \$238,365

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**MOTION REQUESTED:** Approve the task orders and authorize the City Manager to sign the Task Orders to complete Phase I / IA Engineering



February 15, 2022

City of Shavano Park  
Attn: Bill Hill  
City Manager  
900 Saddletree Court  
Shavano Park, Texas 78231

Re: Proposal for Professional Civil Engineering & Surveying Services  
Shavano Park Street Maintenance Phase I (the "Project")

Mr. Hill;

We appreciate this opportunity to provide you with a proposal for Professional Civil Engineering and Surveying Services on the project. Our proposed scope of services for the above-mentioned project is outlined below (the "Scope of Services"):

**Archeological Resources Review (\$1,735)**

As a political subdivision of the State, Shavano Park is obligated to comply with the Antiquities Code of Texas. This requires an Archeological Resources review for street reconstruction. The proposed project is to replace the existing streets at the same alignment and width and therefore impacts are not anticipated.

**Topographical Survey (\$48,200)**

The topographical survey will be performed on the ground in a 50-foot grid, plus additional grade breaks. The survey will be performed the full length of the project from apparent right-of-way to apparent right-of-way and includes the 7 cul-de-sacs west of NW Military. The locations of visible utilities, mailboxes, and driveways will also be collected. Widening of the streets is not proposed and therefore removal of existing trees is not anticipated. Therefore, a tree survey is not included in this scope of services.

**Geotechnical Investigation (\$34,950)**

This task will be subcontracted to Terracon. The proposed investigation will include 24 geotechnical soil borings to a depth of 10-feet and 3 pavement cores. Laboratory testing will be performed to include visual classification, moisture content, gradation, Atterberg limits, and sulfate contents. Additionally, 4 representative bulk samples will be collected near the roadway and will be tested for pH lime series, PI lime series, moisture density relationship, and California Bearing Ratio (CBR). A geotechnical engineering report will be prepared to provide boring location plan, bore logs, summarized lab data, groundwater levels, subsurface exploration procedures, lab test results, and pavement design recommendations based on City or San Antonio and/or Shavano Park standard specifications. Traffic control for boring operations will be cones and flaggers. If additional traffic control is required, this can be provided as an additional service.

## **Street Design (\$607,500)**

### **Construction Plans**

- Prepare plan and profile construction documents for the streets identified in Phase 1 of the Street Maintenance Plan. Construction documents include an overall street plan and profiles for each street. This proposal includes quantity estimates and construction specifications for the City of Shavano Park, as needed. The plans will be included in an 11" x 17" format.
- Prepare Storm Water Pollution Prevention Plan (SWPPP) sheets and Texas Pollutant Discharge Elimination System (TPDES) report.
- Streets will be designed to match the existing width.
- Progress sets of construction documents will be provided at 30%, 60%, and 90% design. These progress sets will be utilized to show progress that has been made, allow opportunity for City input into the design, and will be used for utility coordination.
- KFW will prepare a utility conflict matrix that will be updated with each progress set to identify potential utility conflicts and identify potential solutions to each conflict.
- KFW will prepare an Engineer's Opinion of Probable Cost for the civil infrastructure improvements. These improvements will include streets, drainage, and pedestrian improvements, and will be updated and provided with the 30%, 60%, 90%, and bid plan submittal packages.

## **Utility Coordination (\$10,500)**

This task includes coordinating with local utility providers for plan distribution, coordination of design, and coordination of preconstruction meetings to identify any potential utility conflicts. This task does not include the design of any utility relocations. If design services are required this can be performed as an additional service.

## **Bidding Services (\$18,500)**

KFW will finalize the construction documents and specification book and assist the City in advertising the project for bidding. KFW will answer questions from contractors and attend the bid opening. Upon bid opening, KFW will review all submitted bids, prepare a bid tabulation, and make a recommendation for award to the lowest qualified bidder. Following the General Contractor selection, we will arrange a pre-construction conference call prior to construction commencement.

## **Construction Administration (\$139,900)**

KFW will attend monthly project meetings and conduct site visits two (2) times per month. We will prepare site observation reports at each visit. We will also review materials submitted, monthly pay apps, answer RFI's, attend a punch walk at substantial completion and final walk through. We have assumed 18 months of total construction.

## **EXCLUSIONS**

This proposal is specifically limited to the Scope of Services, with any and all other services or matters being expressly excluded. Without limiting the generality of the foregoing sentence, and by way of example only, the following items are assumed and/or excluded from this proposal:

- TCEQ reports and submittals
- Structural design, including retaining walls
- Landscape, Lighting, and Irrigation Plans
- Tree ordinance compliance
- Storm Water design
- Sidewalk design
- Platting services
- Storm drain detention design
- Preparation of As-Built Drawings
- Design of a fire sprinkler system, hydraulic calculations, or a fire flow test
- Flood Study
- Construction staking services
- Design of public utility extensions and drainage improvements
- Fire flow tests and hydraulic calculations will be billed as a direct expense.
- All agency review and impact fees are to be provided by the client.
- Additional services requested by the client will be compensated by a negotiated lump sum fee. Additional services shall include, but are not limited to, any revisions to plans to accommodate site plan revisions after computations are complete.

**Fee Summary:**

<b>Archeological Resources Review</b>	<b>\$1,735</b>
<b>Topographic Survey</b>	<b>\$48,200</b>
<b>Geotechnical Investigation</b>	<b>\$34,950</b>
<b>Street Design</b>	<b>\$607,500</b>
<b>Utility Coordination</b>	<b>\$10,500</b>
<b>Bidding Services</b>	<b>\$18,500</b>
<b>Construction Administration</b>	<b><u>\$139,900</u></b>

**Total Lump Sum Fee: \$861,285**

### PROFESSIONAL SERVICES AGREEMENT

The basis of compensation for the Scope of Services will be a lump sum fee invoiced monthly by percentage of completeness of each task. A fee of **\$861,285** is the cost of the Scope of Services. This budget does not include any other services or matters, including, without limitation, applicable tax or direct expenses for reprographics, travel, express mail, courier services, or any required sub-consultant services not covered under the Scope of Services. Direct expenses will be invoiced monthly with a 10% markup. Any and all other terms and conditions related to this proposal will be included in the Professional Services Agreement for Engineering & Surveying Services attached hereto and incorporated for all purposes herein.

We appreciate the opportunity to provide this proposal and work with you on the Project. If this proposal meets with your approval, please sign and return an executed copy of the attached Professional Services Agreement for Engineering & Surveying Services. If the bond program does not pass during the May election the City reserves the right to terminate all or part of the Task Order. Should the City terminate the Task Order all work will stop, and payment for only those services (or portions of services) actually performed will be due.

Sincerely,  
KFW Engineers



Christopher Otto, P.E., CFM  
Vice President

I hereby accept this proposal and authorize the execution of the scope of services presented herein under the terms of the current Professional Services Agreement between The City of Shavano park and KFW Engineers and all modification hereto.

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TASK ORDER APPROVAL  
Bill Hill, City Manager

DATE

[illegible]

### San Antonio Salado Creek Greenway and Shavano Park

In 2000, the City of San Antonio approved and began development on their linear park projects. This plan proposed the connection of major portions of San Antonio with hiking and biking trails. Today, approximately 65 miles of trails are available in and around the creek and river beds of the San Antonio metro area.

The Salado Creek Greenway is a 22.7 mile stretch of trail that extends from Huebner Road, through Phil Hardberger Park, to McAllister Park, to John James Park, and all the way to Southside Lions Park. The portion of the trail that is closest to Shavano Park extends from Huebner Road to Hardberger Park. In 2018, the City of San Antonio began constructing the trail portion that extends adjacent to Huntington and Cliffside Drive. The City of Shavano Park will connect the Cities' sidewalks to the Salado Creek Greenway for easy access to the San Antonio pathways by residents once the City of San Antonio portion is constructed in 2018 – 2019.



### Sidewalk Plan – Issues and Action Steps

#### **Issues:**

- The materials and trail construction must support our City's rural aesthetic.
- Providing security on pathways and ensuring emergency access for Police, Fire & EMS services.
- Maintenance of sidewalks to ensure clear and unobstructed pathway.
- Make final determination on dedicated sidewalks for De Zavala Road.
- Design appropriate signage for positioning along sidewalks
- Be respectful of private property rights

#### **Action Steps:**

- Coordinate with City of San Antonio on Cliffside and Napier Park access to Salado Creek Greenway.
- Advocate to the City of San Antonio for a sidewalk on the east side of Lockhill Selma between Huebner and De Zavala Roads.
- Continue to study the need and viability and Budget for a preliminary engineering report for dedicated sidewalks on De Zavala Road.
- Determine funding and project scope required for a dedicated sidewalk on De Zavala Road.





### 3.3 MUNITRACT / RIPPLE CREEK

The last area of concern addressed in this report is referenced as the Munitract / Ripple Creek. For clarification purposes, this area is will be referred to as Ripple Creek. Currently a ridge transverses through the munitract with a northwest portion of the munitract property sheet flowing onto existing lots along Bikeway Ln and the southwest portion of the munitract sheet flows towards an existing low and culvert crossing located at Da Zavala. From this crossing, flow enters an existing low that runs behind residences and crosses Ripple Creek Road. The natural low does not have adequate conveyance capacity and the crossing at Ripple Creek Road is “at grade” without a culvert crossing. The proposed option to mitigate the drainage concerns with this area include capturing on the southern side of Da Zavala with a storm drain and conveying the runoff along Da Zavala and discharging into Olmos Creek at Da Zavala. The construction of this storm drain would be within the Da Zavala ROW and cross Painted Post Ln and several driveways located along Da Zavala. The opinion of probable cost for this option would be \$1,267,479. Below is an image of the proposed route for this option. Please refer to **Attachment A** for future analysis of the option.



Upon completion of this preliminary engineering work, the City will have enough data and information to perform a cost-benefit analysis of completing any of the three projects. As of July 2018 the surveying and hydrological studies of the culverts at Bent Oak and Windmill have been completed and preliminary engineering of the three other projects is underway.

**Phase 3** This final phase is designated for future possible projects, decisions, and funding. It is unknown, at this time, if City will ultimately construct these projects or not. The findings in Phase 2 preliminary engineering will play a considerable role in further City decision making.

Decisions on these projects are likely to occur after 2019.

*Projects in Phase 2 include preliminary engineering for Areas 3 and 4 to determine further scope and cost-benefit of the largest projects.*



#### Issues:

- Flooding & Drainage challenges remain a long-term issue for community.
- Project costs require funding beyond current City reserves.
- Some projects may prove challenging for City to acquire drainage easements from residents.
- Residents seeking rapid action by City.

#### Action Steps:

- Take immediate action to address drainage projects in 2018.
- Determine scope and cost-benefit of three largest drainage projects.
- Investigate grants and other funding sources for future drainage projects.
- Coordinate with TxDOT on drainage projects impacting NW Military right-of-way.



### Drainage Improvements: The Way Ahead

The City, residents, and developers are currently working together to address and improve drainage infrastructure to mitigate future flooding events. In January 2016 the Planning & Zoning drainage subcommittee presented a Drainage Prioritization Concept to City Council after years of interviews with residents and other field work. In response, on February 22, 2016, City Council approved Ordinance No. O-2016-002 which set aside an additional \$1,020,445 in funds to improve the drainage throughout the City.

Equipped with the drainage subcommittee's plans and previous drainage studies the City enhanced its engineering services and hired KFW Engineers and Surveying as the City Engineer in 2017. Their first task was to complete a Master Drainage Plan using the drainage subcommittee findings and previous drainage studies as a foundation augmented with their modern tools and engineering expertise.

At the November 27, 2017 City Council meeting KFW presented the final Master Drainage Plan to City Council. The Master Drainage Plan uses 2010 radar data to model the effects of 25 and 100 year floods in Shavano Park. The Master Drainage Plan and subsequent surveying and analysis identifies the following projects and cost estimates in 2018 dollars (note some of the larger projects were given lower alternative costs estimates as a minimum):

Drainage Projects	Estimate - Full	City Estimate - Minimum	3rd Party
Area 1 Wagon Trail Depression	\$ -		Denton
Area 2 Kinnan Way Channel Berm	\$ -		Denton
Area 5 Bent Oak Clearing	\$ 15,000		
Area 3 Turkey Creek Area	\$ 5,400,000	\$ 510,000	TxDOT partial
Area 4 Elm Spring Area	\$ 2,150,000	\$ 140,000	TxDOT partial
Area 12 Chimney Rock LWC	\$ 165,000		
Area 11 NW Military Culvert #1	\$ -		TxDOT
Area 5 NW Military LWC #2	\$ -		TxDOT
Area 5 Windmill LWC	\$ 235,000		
Area 5 Bent Oak LWC	\$ 263,000		
Area 4-2 Ripple Creek Area	\$ 735,000		
Area 6 Happy Trail	\$ 617,000		
Area 7 Bobcat Bend	\$ 60,000		
Area 7 Rock Squirrel	\$ 82,000		
<b>Total Cost of Projects</b>	<b>\$ 9,722,000</b>	<b>\$ 2,822,000</b>	
			<b>Drainage Reserves</b>
			<b>\$ 1,456,649</b>

This undertaking will be a multi-year challenge for the City. The largest projects in the Turkey Creek Area and Elm Spring are beyond current City reserves and require additional engineering to determine a more detailed scope and further justification for City funding. With a plan and the costs laid out, City Council voted to take action at the January 22, 2018 meeting.

On January 22, 2018, City Council voted to implement and fund portions of the Master Drainage Plan. In Fiscal Year 2018, the City Council allocated \$564,188 for drainage projects.

### **Action Plan**

The City is addressing the drainage projects identified in the Master Drainage plan in three phases that serve as guideposts for the City moving forward. In 2018, City Council funded over half a million dollars in projects from Phase 1 with additional engineering work for Phase 2 projects. Note that estimates are in 2018 dollars and are subject to change based upon inflation, scope and market conditions in the future.

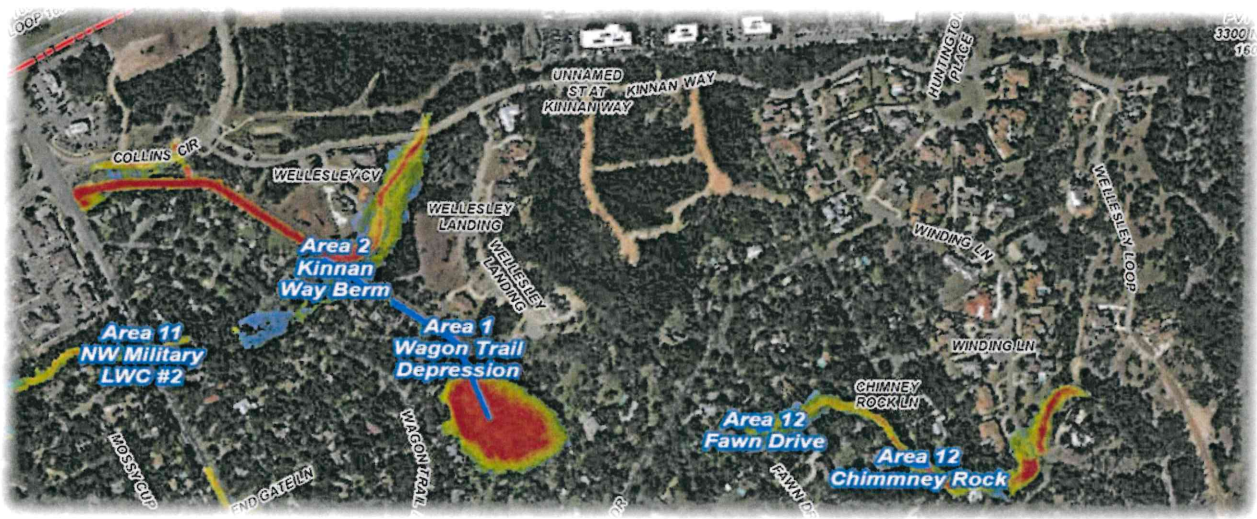
**Phase 1:** This includes tackling three small scale drainage projects as well as two low water crossings (LWC) on

Chimney Rock Lane and Fawn Drive. These LWCs are near one another and their proximity will allow projects to be bid together saving on mobilization costs. The City has already begun Phase 1 by placing an order for the survey and design of the culverts to be installed on Chimney Rock and Fawn. In addition, City staff are in-house coordinating the installation of the pump facility for the Wagon Trail Depression, berm improvements along Kinnan Way and clearing of the Bent Oak drainage channel.

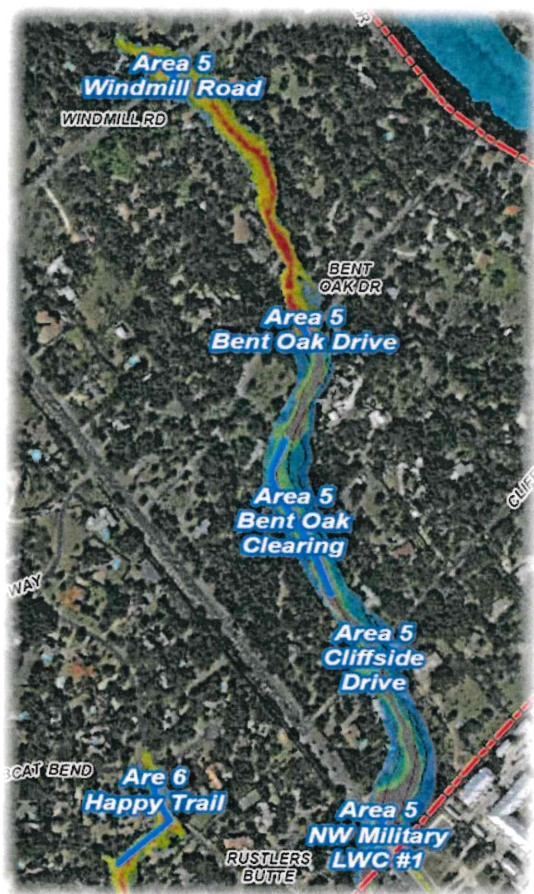
All projects in this phase are planned to be completed by 2019. As of July 2018, the Kinnan Way Berm and Bent Oak clearing have been completed as well as surveying, hydrological studies and 40% plans of the culverts at Bent Oak, Windmill and Chimney Rock. Surveying, hydrological analysis and feedback from residents led City staff to drop the proposed culvert on Fawn. Progress is currently underway on the Wagon Trail Depression.

Estimate	Projects
<b>Phase 1 - FY 2018</b>	
\$ 10,000	Area 1 Wagon Trail Depression
\$ 21,400	Area 2 Kinnan Way Berm
\$ 15,000	Area 5 Bent Oak clearing
\$ 165,000	Area 12 Chimney Rock LWC
\$ — —	Area 12 Fawn LWC
<b>Phase 1 Cost</b>	<b>\$ 211,400</b>
<b>Phase 2 - 2019</b>	
\$ 118,000	Area 3 Turkey Creek Engineering
	Area 4 Elm Spring/Bikeway Engineering
	Area 4-2 Munitract/Ripple Creek Engineering
\$ 235,000	Area 5 Windmill LWC
\$ 263,000	Area 5 Bent Oak LWC
<b>Phase 2 Cost</b>	<b>\$ 616,000</b>
<b>Total Cost</b>	<b>\$ 827,400</b>
<b>Phase 3 - Future &amp; Possible Projects</b>	
\$ 617,000	Area 6 Happy Trail Stormsewer
\$ 60,000	Area 7 Bobcat Bend Channel
\$ 82,000	Area 7 Rock Squirrel Channel
\$ 5,400,000	Area 3 Turkey Creek Stormsewer
\$ 2,150,000	Area 4 Elm Spring Stormsewer
\$ 735,000	Area 4-2 Munitract/Ripple Creek
<b>Phase 3 Cost</b>	<b>\$ 9,044,000</b>
<b>Total Cost</b>	<b>\$ 9,871,400</b>





*Projects in Phase 1 – Areas 1, 2 and 12 in Master Drainage Plan*



*Projects in Phase 2 include two culverts in Area 5*

**Phase 2:** Phase 2 addresses engineering and construction of the three low water crossings at Windmill and Bent Oak as well as the preliminary engineering and partial surveying of Turkey Creek, Elm Spring / Bikeway and Munitract / Ripple Creek Areas.

The engineering for the culvert at Bent Oak is expected to be completed in 2018, while construction commences in 2019. After field work and speaking with residents, the proposed culvert improvement at Cliffside was removed as a project.

The three projects in the Turkey Creek area, Elm Spring area and the Munitract / Ripple Creek area are the largest and most expensive projects in the Master Drainage Plan. To better scope these projects and to justify the expenditure of potentially millions in City funds the City tasked the City Engineer to prepare partial surveys and on the ground analysis. This additional engineering will inform City Council decision-making on the projects in future years.

February 16, 2022

City of Shavano Park  
Attn: Bill Hill  
City Manager  
900 Saddletree Court  
Shavano Park, Texas 78231

Re: Proposal for Professional Civil Engineering & Surveying Services  
DeZavala Road - Option 1 (the "Project")

Mr. Hill;

We appreciate this opportunity to provide you with a proposal for Professional Civil Engineering and Surveying Services on the project. Our proposed scope of services for the above-mentioned project is outlined below (the "Scope of Services"):

**Archeological Resources Review (\$1,600)**

As a political subdivision of the State, Shavano Park is obligated to comply with the Antiquities Code of Texas. This requires an Archeological Resources review for street reconstruction. The proposed project is to replace the existing streets at the same alignment and width and therefore impacts are not anticipated.

**Topographical Survey (\$10,845)**

The topographical survey will be performed on the ground in a 50-foot grid, plus additional grade breaks. The survey will be performed the full length of the project from apparent right-of-way to apparent right-of-way. The locations of visible utilities, mailboxes, and driveways will also be collected.

**Geotechnical Investigation (\$7,200)**

This task will be subcontracted to Terracon. The proposed investigation will include 5 geotechnical soil borings to a depth of 10-feet and 1 pavement cores. Laboratory testing will be performed to include visual classification, moisture content, gradation, Atterberg limits, and sulfate contents. Additionally, 1 representative bulk samples will be collected near the roadway and will be tested for pH lime series, PI lime series, moisture density relationship, and California Bearing Ratio (CBR). A geotechnical engineering report will be prepared to provide boring location plan, bore logs, summarized lab data, groundwater levels, subsurface exploration procedures, lab test results, and pavement design recommendations based on City or San Antonio and/or Shavano Park standard specifications. Traffic control for boring operations will be cones and flaggers. If additional traffic control is required, this can be provided as an additional service.

### **Street Design (\$274,800)**

#### Construction Plans

- Prepare plan and profile construction documents for DeZavala from Lockhill Selma to NW Military Hwy. This proposal includes quantity estimates and construction specifications for the City of Shavano Park, as needed. The plans will be included in an 11" x 17" format.
- Prepare Storm Water Pollution Prevention Plan (SWPPP) sheets and Texas Pollutant Discharge Elimination System (TPDES) report.
- Streets will be designed to match the existing width.
- Progress sets of construction documents will be provided at 30%, 60%, and 90% design. These progress sets will be utilized to show progress that has been made, allow opportunity for City input into the design, and will be used for utility coordination.
- KFW will prepare a utility conflict matrix that will be updated with each progress set to identify potential utility conflicts and identify potential solutions to each conflict.
- KFW will prepare an Engineer's Opinion of Probable Cost for the civil infrastructure improvements. These improvements will include streets, drainage, and pedestrian improvements, and will be updated and provided with the 30%, 60%, 90%, and bid plan submittal packages.

### **Storm Drain Design (\$70,300)**

#### Construction Plans

- Prepare plan and profile construction documents for the storm drain. Construction documents include an overall plan and profiles for the storm drain and laterals. This proposal includes quantity estimates and construction specifications for the City of Shavano Park, as needed. The plans will be included in an 11" x 17" format.
- Progress sets of construction documents will be provided at 30%, 60%, and 90% design. These progress sets will be utilized to show progress that has been made, allow opportunity for City input into the design, and will be used for utility coordination.
- KFW will prepare a utility conflict matrix that will be updated with each progress set to identify potential utility conflicts and identify potential solutions to each conflict.
- KFW will prepare an Engineer's Opinion of Probable Cost for the civil infrastructure improvements. These improvements will include streets, drainage, and pedestrian improvements, and will be updated and provided with the 30%, 60%, 90%, and bid plan submittal packages.

### **Water Relocation Design (\$5,100)**

This task includes preparation of plans for the relocation of public water mains as required to clear proposed conflicts. The plans will be prepared to Shavano Park standards.

### **Utility Coordination (\$11,500)**

This task includes coordinating with local utility providers for plan distribution, coordination of design, and coordination of preconstruction meetings to identify any potential utility conflicts. This task does not include the design of any utility relocations. If design services are required this can be performed as an additional service.



### **Water Pollution Abatement Plan (\$12,800)**

This project is located over the Edwards Aquifer Recharge Zone therefore a water quality basin is required. Additional pavement will be regulated by the Texas Commission on Environmental Quality (TCEQ). The TCEQ requires the submittal of a Water Pollution Abatement Plan (WPAP) outlining project development and describing treatment of storm water runoff. The project cannot be approved by the City until said WPAP is approved by the TCEQ. The TCEQ approval usually takes 120 days from date of submittal. To expedite this review time, it is extremely important to have a final site plan at the earliest possible date and begin preparation of the WPAP based on this site plan.

This task includes the following:

- Review of site plan to determine percentage of impervious cover;
- Calculation of background pollutant loads for site pre-construction;
- Calculation of pollutant loads after construction;
- Determination of appropriate pollution abatement measures;
- Preparation of plans for vegetated filter strips and vegetated swells;
- Determination of appropriate temporary pollution abatement measures for construction phase;
- Determination of other potential permanent pollution abatement measures;
- One-time site reconnaissance with TCEQ, where appropriate;
- Monitoring of review process.

### **Bidding Services (\$14,500)**

KFW will finalize the construction documents and specification book and assist the City in advertising the project for bidding. KFW will answer questions from contractors and attend the bid opening. Upon bid opening, KFW will review all submitted bids, prepare a bid tabulation, and make a recommendation for award to the lowest qualified bidder. Following the General Contractor selection, we will arrange a pre-construction conference call prior to construction commencement.

### **Construction Administration (\$102,340)**

KFW will attend monthly project meetings and conduct site visits two (2) times per month. We will prepare site observation reports at each visit. We will also review materials submitted, monthly pay apps, answer RFI's, attend a punch walk at substantial completion and final walk through. We have assumed 18 months of total construction.

### **EXCLUSIONS**

This proposal is specifically limited to the Scope of Services, with any and all other services or matters being expressly excluded. Without limiting the generality of the foregoing sentence, and by way of example only, the following items are assumed and/or excluded from this proposal:

- TCEQ reports and submittals
- Gas relocation design
- Structural design, including retaining walls



- Landscape, Lighting, and Irrigation Plans
- Tree ordinance compliance
- Storm Water design
- Sidewalk design
- Platting services
- Storm drain detention design
- Preparation of As-Built Drawings
- Design of a fire sprinkler system, hydraulic calculations, or a fire flow test
- Flood Study
- Construction staking services
- Design of public utility extensions and drainage improvements
- Fire flow tests and hydraulic calculations will be billed as a direct expense.
- All agency review and impact fees are to be provided by the client.
- Additional services requested by the client will be compensated by a negotiated lump sum fee. Additional services shall include, but are not limited to, any revisions to plans to accommodate site plan revisions after computations are complete.

**Fee Summary:**

<b>Archeological Resources Review</b>	<b>\$1,600</b>
<b>Topographic Survey</b>	<b>\$10,845</b>
<b>Geotechnical Investigation</b>	<b>\$7,200</b>
<b>Street Design</b>	<b>\$234,800</b>
<b>Storm Drain Design</b>	<b>\$70,300</b>
<b>Water Relocation Design</b>	<b>\$5,100</b>
<b>Utility Coordination</b>	<b>\$11,500</b>
<b>Water Pollution Abatement Plan</b>	<b>\$12,800</b>
<b>Bidding Services</b>	<b>\$14,500</b>
<b>Construction Administration</b>	<b><u>\$89,340</u></b>
<b>Total Lump Sum Fee:</b>	<b>\$457,985</b>

**PROFESSIONAL SERVICES AGREEMENT**

The basis of compensation for the Scope of Services will be a lump sum fee invoiced monthly by percentage of completeness of each task. A fee of **\$457,985** is the cost of the Scope of Services. This budget does not include any other services or matters, including, without limitation, applicable tax or direct expenses for reprographics, travel, express mail, courier services, or any required sub-consultant services not covered under the Scope of Services. Direct expenses will be invoiced monthly with a 10% markup. Any and all other terms and conditions related to this proposal will be included in the Professional Services Agreement for Engineering & Surveying Services attached hereto and incorporated for all purposes herein.

We appreciate the opportunity to provide this proposal and work with you on the Project. If this proposal meets with your approval, please sign and return an executed copy of the attached Professional Services Agreement for Engineering & Surveying Services. If the bond program does not pass during the May election the City reserves the right to terminate all or part of the Task Order. Should the City terminate the Task Order all work will stop, and payment for only those services (or portions of services) actually performed will be due.

Sincerely,  
KFW Engineers



Christopher Otto, P.E., CFM  
Vice President

I hereby accept this proposal and authorize the execution of the scope of services presented herein under the terms of the current Professional Services Agreement between The City of Shavano park and KFW Engineers and all modification hereto.

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TASK ORDER APPROVAL  
Bill Hill, City Manager

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DATE

**OPINION OF PROBABLE CONSTRUCTION COST SUMMARY BREAKDOWN  
DEZAVALA - CONCEPTUAL DESIGN - OPTION 1 - RECONSTRUCTION W/ CURB**

Project Name: DeZavala  
 Submittal: Conceptual Design - Option 1  
 Developed By: CAO  
 Project Number:  
 Date: February 15, 2022

ITEM NO.	APPROXIMATE QUANTITIES	UNIT	ITEM DESCRIPTION	UNIT BID PRICE	AMOUNT BID
100.1	1	L.S.	MOBILIZATION	11.00%	\$330,743.07
100.2	1	L.S.	INSURANCE & BOND	3.00%	\$90,202.65
101.1	1	L.S.	PREPARING RIGHT OF WAY	4.00%	\$120,270.21
104.1	7130	C.Y.	STREET EXCAVATION	\$23.32	\$166,271.60
105.1	100	C.Y.	CHANNEL EXCAVATION	\$25.00	\$2,500.00
108.1	21389	S.Y.	LIME TREATED SUBGRADE (6" COMPACTED DEPTH)	\$5.66	\$121,059.31
108.2	267	TON	LIME	\$163.28	\$43,595.76
203.1	1967	GAL.	TACK COAT	\$5.07	\$9,971.00
205.2	21389	S.Y.	HOT MIX ASPHALTIC PAVEMENT, TYPE B	\$54.91	\$1,174,446.32
205.4	19667	S.Y.	HOT MIX ASPHALTIC PAVEMENT, TYPE D	\$10.14	\$199,420.00
401.1	1450	L.F.	REINFORCED CONCRETE PIPE (CLASS III)(54" DIA)	\$450.00	\$652,500.00
401.4	1	EA	SAFETY END TREATMENT (TYPE I)(54" DIA)	\$4,500.00	\$4,500.00
403.12	1	EA	SPECIAL INLET (4-WAY)	\$6,288.33	\$6,288.33
403.3	4	EA	JUNCTION BOX 7'X7'X7'	\$17,500.00	\$70,000.00
407.4	4	CY	CONCRETE COLLARS	\$654.57	\$2,618.28
500.1	8850	L.F.	CONCRETE CURBING	\$11.90	\$105,315.00
502.1	5900	S.Y.	CONCRETE SIDEWALKS	\$46.40	\$273,760.00
503.1	135	S.Y.	PORTLAND CEMENT DRIVEWAYS	\$63.74	\$8,604.90
505.1	150	S.Y.	CONCRETE RIPRAP (5" THICK)	\$100.00	\$15,000.00
515.1	437	C.Y.	TOPSOIL	\$30.86	\$13,486.96
516.2	3933	S.Y.	ST. AUGUSTINE SODDING	\$6.13	\$24,111.33
530.1	1	L.S.	BARRICADES, SIGNS & TRAFFIC HANDLING	4%	\$120,270.21
535.1	8850	L.F.	4 INCH WIDE YELLOW LINE	\$3.32	\$29,360.55
535.2	8850	L.F.	4 INCH WIDE WHITE LINE	\$1.84	\$16,245.82
550.1	1450	L.F.	TRENCH EXCAVATION SAFETY PROTECTION (STORM)	\$5.00	\$7,250.00
550.2	940	L.F.	TRENCH EXCAVATION SAFETY PROTECTION (WATER)	\$5.00	\$4,700.00
818	220	L.F.	6" WATER MAIN PVC	\$65.00	\$14,300.00
818	720	L.F.	2" WATER MAIN PVC	\$35.00	\$25,200.00
824	4	EA	RELAY 3/4" LONG WATER SERVICE	\$1,500.00	\$6,000.00
834	1	EA	FIRE HYDRANT ASSEMBLY	\$6,500.00	\$6,500.00
2B	30	L.F.	4" GAS LINE RELOCATION	\$75.00	\$2,250.00
2B	30	L.F.	2" GAS LINE RELOCATION	\$50.00	\$1,500.00
	1	L.S.	SWPPP	1%	\$30,067.55
	1	L.S.	MISC CONSTRUCTION ITEMS	20%	\$739,661.77

<b>CONSTRUCTION</b>	<b>\$4,437,970.63</b>
<b>DESIGN</b>	<b>\$510,400.00</b>
<b>TOTAL</b>	<b>\$4,948,370.63</b>

February 16, 2022

City of Shavano Park  
Attn: Bill Hill  
City Manager  
900 Saddletree Court  
Shavano Park, Texas 78231

Re: Proposal for Professional Civil Engineering & Surveying Services  
DeZavala Road - Option 2 (the "Project")

Mr. Hill;

We appreciate this opportunity to provide you with a proposal for Professional Civil Engineering and Surveying Services on the project. Our proposed scope of services for the above-mentioned project is outlined below (the "Scope of Services");

**Archeological Resources Review (\$1,600)**

As a political subdivision of the State, Shavano Park is obligated to comply with the Antiquities Code of Texas. This requires an Archeological Resources review for street reconstruction. The proposed project is to replace the existing streets at the same alignment and width and therefore impacts are not anticipated.

**Topographical Survey (\$10,845)**

The topographical survey will be performed on the ground in a 50-foot grid, plus additional grade breaks. The survey will be performed the full length of the project from apparent right-of-way to apparent right-of-way. The locations of visible utilities, mailboxes, and driveways will also be collected.

**Geotechnical Investigation (\$7,200)**

This task will be subcontracted to Terracon. The proposed investigation will include 5 geotechnical soil borings to a depth of 10-feet and 1 pavement cores. Laboratory testing will be performed to include visual classification, moisture content, gradation, Atterberg limits, and sulfate contents. Additionally, 1 representative bulk samples will be collected near the roadway and will be tested for pH lime series, PI lime series, moisture density relationship, and California Bearing Ratio (CBR). A geotechnical engineering report will be prepared to provide boring location plan, bore logs, summarized lab data, groundwater levels, subsurface exploration procedures, lab test results, and pavement design recommendations based on City or San Antonio and/or Shavano Park standard specifications. Traffic control for boring operations will be cones and flaggers. If additional traffic control is required, this can be provided as an additional service.

### **Street Design (\$60,700)**

#### Construction Plans

- Prepare plan view construction documents for DeZavala from Lockhill Selma to NW Military Hwy. This proposal includes quantity estimates and construction specifications for the City of Shavano Park, as needed. The plans will be included in an 11" x 17" format.
- Prepare Storm Water Pollution Prevention Plan (SWPPP) sheets and Texas Pollutant Discharge Elimination System (TPDES) report.
- Streets will be designed to match the existing width.
- Progress sets of construction documents will be provided at 30%, 60%, and 90% design. These progress sets will be utilized to show progress that has been made, allow opportunity for City input into the design, and will be used for utility coordination.
- KFW will prepare a utility conflict matrix that will be updated with each progress set to identify potential utility conflicts and identify potential solutions to each conflict.
- KFW will prepare an Engineer's Opinion of Probable Cost for the civil infrastructure improvements. These improvements will include streets, drainage, and pedestrian improvements, and will be updated and provided with the 30%, 60%, 90%, and bid plan submittal packages.

### **Storm Drain Design (\$70,300)**

#### Construction Plans

- Prepare plan and profile construction documents for the storm drain. Construction documents include an overall plan and profiles for the storm drain and laterals. This proposal includes quantity estimates and construction specifications for the City of Shavano Park, as needed. The plans will be included in an 11" x 17" format.
- Progress sets of construction documents will be provided at 30%, 60%, and 90% design. These progress sets will be utilized to show progress that has been made, allow opportunity for City input into the design, and will be used for utility coordination.
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### **Water Relocation Design (\$5,100)**

This task includes preparation of plans for the relocation of public water mains as required to clear proposed conflicts. The plans will be prepared to Shavano Park standards.

### **Utility Coordination (\$11,500)**

This task includes coordinating with local utility providers for plan distribution, coordination of design, and coordination of preconstruction meetings to identify any potential utility conflicts. This task does not include the design of any utility relocations. If design services are required this can be performed as an additional service.

### **Water Pollution Abatement Plan (\$12,800)**

This project is located over the Edwards Aquifer Recharge Zone therefore a water quality basin is required. Additional pavement will be regulated by the Texas Commission on Environmental Quality (TCEQ). The TCEQ requires the submittal of a Water Pollution Abatement Plan (WPAP) outlining project development and describing treatment of storm water runoff. The project cannot be approved by the City until said WPAP is approved by the TCEQ. The TCEQ approval usually takes 120 days from date of submittal. To expedite this review time, it is extremely important to have a final site plan at the earliest possible date and begin preparation of the WPAP based on this site plan.

This task includes the following:

- Review of site plan to determine percentage of impervious cover;
- Calculation of background pollutant loads for site pre-construction;
- Calculation of pollutant loads after construction;
- Determination of appropriate pollution abatement measures;
- Preparation of plans for vegetated filter strips and vegetated swells;
- Determination of appropriate temporary pollution abatement measures for construction phase;
- Determination of other potential permanent pollution abatement measures;
- One-time site reconnaissance with TCEQ, where appropriate;
- Monitoring of review process.

### **Bidding Services (\$12,500)**

KFW will finalize the construction documents and specification book and assist the City in advertising the project for bidding. KFW will answer questions from contractors and attend the bid opening. Upon bid opening, KFW will review all submitted bids, prepare a bid tabulation, and make a recommendation for award to the lowest qualified bidder. Following the General Contractor selection, we will arrange a pre-construction conference call prior to construction commencement.

### **Construction Administration (\$45,820)**

KFW will attend monthly project meetings and conduct site visits two (2) times per month. We will prepare site observation reports at each visit. We will also review materials submitted, monthly pay apps, answer RFI's, attend a punch walk at substantial completion and final walk through. We have assumed 18 months of total construction.

### **EXCLUSIONS**

This proposal is specifically limited to the Scope of Services, with any and all other services or matters being expressly excluded. Without limiting the generality of the foregoing sentence, and by way of example only, the following items are assumed and/or excluded from this proposal:

- TCEQ reports and submittals
- Gas relocation design
- Structural design, including retaining walls

- Landscape, Lighting, and Irrigation Plans
- Tree ordinance compliance
- Storm Water design
- Sidewalk design
- Platting services
- Storm drain detention design
- Preparation of As-Built Drawings
- Design of a fire sprinkler system, hydraulic calculations, or a fire flow test
- Flood Study
- Construction staking services
- Design of public utility extensions and drainage improvements
- Fire flow tests and hydraulic calculations will be billed as a direct expense.
- All agency review and impact fees are to be provided by the client.
- Additional services requested by the client will be compensated by a negotiated lump sum fee. Additional services shall include, but are not limited to, any revisions to plans to accommodate site plan revisions after computations are complete.

**Fee Summary:**

<b>Archeological Resources Review</b>	<b>\$1,600</b>
<b>Topographic Survey</b>	<b>\$10,845</b>
<b>Geotechnical Investigation</b>	<b>\$7,200</b>
<b>Street Design</b>	<b>\$60,700</b>
<b>Storm Drain Design</b>	<b>\$70,300</b>
<b>Water Relocation Design</b>	<b>\$5,100</b>
<b>Utility Coordination</b>	<b>\$11,500</b>
<b>Water Pollution Abatement Plan</b>	<b>\$12,800</b>
<b>Bidding Services</b>	<b>\$12,500</b>
<b>Construction Administration</b>	<b><u>\$45,820</u></b>
<b>Total Lump Sum Fee:</b>	<b>\$238,365</b>

**PROFESSIONAL SERVICES AGREEMENT**



The basis of compensation for the Scope of Services will be a lump sum fee invoiced monthly by percentage of completeness of each task. A fee of **\$238,365** is the cost of the Scope of Services. This budget does not include any other services or matters, including, without limitation, applicable tax or direct expenses for reprographics, travel, express mail, courier services, or any required sub-consultant services not covered under the Scope of Services. Direct expenses will be invoiced monthly with a 10% markup. Any and all other terms and conditions related to this proposal will be included in the Professional Services Agreement for Engineering & Surveying Services attached hereto and incorporated for all purposes herein.

We appreciate the opportunity to provide this proposal and work with you on the Project. If this proposal meets with your approval, please sign and return an executed copy of the attached Professional Services Agreement for Engineering & Surveying Services. If the bond program does not pass during the May election the City reserves the right to terminate all or part of the Task Order. Should the City terminate the Task Order all work will stop, and payment for only those services (or portions of services) actually performed will be due.

Sincerely,  
KFW Engineers

A handwritten signature in blue ink, appearing to read 'Christopher Otto', is written over a horizontal line.

Christopher Otto, P.E., CFM  
Vice President

I hereby accept this proposal and authorize the execution of the scope of services presented herein under the terms of the current Professional Services Agreement between The City of Shavano park and KFW Engineers and all modification hereto.

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TASK ORDER APPROVAL  
Bill Hill, City Manager

---

DATE

**OPINION OF PROBABLE CONSTRUCTION COST SUMMARY BREAKDOWN  
DEZAVALA - CONCEPTUAL DESIGN - OPTION 2 - MILL AND OVERLAY**

Project Name: DeZavala  
 Submittal: Conceptual Design - Option 2  
 Developed By: CAO  
 Project Number:  
 Date: February 15, 2022

ITEM NO.	APPROXIMATE QUANTITIES	UNIT	ITEM DESCRIPTION	UNIT BID PRICE	AMOUNT BID
100.1	1	L.S.	MOBILIZATION	11.00%	\$167,997.07
100.2	1	L.S.	INSURANCE & BOND	3.00%	\$45,817.38
101.1	1	L.S.	PREPARING RIGHT OF WAY	4.00%	\$61,089.84
105.1	100	C.Y.	CHANNEL EXCAVATION	\$25.00	\$2,500.00
203.1	1967	GAL.	TACK COAT	\$5.07	\$9,971.00
205.4	19667	S.Y.	HOT MIX ASPHALTIC PAVEMENT, TYPE D	\$10.14	\$199,420.00
208.1	19667	S.Y.	SALVAGING, HAULING & STOCKPILING RECLAIMABLE ASPHALTIC PAVEMENT (2")	\$6.67	\$131,178.89
401.1	1450	L.F.	REINFORCED CONCRETE PIPE (CLASS III)(54" DIA)	\$450.00	\$652,500.00
401.4	1	EA	SAFETY END TREATMENT (TYPE I)(54" DIA)	\$4,500.00	\$4,500.00
403.12	1	EA	SPECIAL INLET (4-WAY)	\$6,288.33	\$6,288.33
403.3	4	EA	JUNCTION BOX 7'X7'X7'	\$17,500.00	\$70,000.00
407.4	4	CY	CONCRETE COLLARS	\$654.57	\$2,618.28
502.1	5900	S.Y.	CONCRETE SIDEWALKS	\$46.40	\$273,760.00
503.1	135	S.Y.	PORTLAND CEMENT DRIVEWAYS	\$63.74	\$8,604.90
505.1	150	S.Y.	CONCRETE RIPRAP (5" THICK)	\$100.00	\$15,000.00
515.1	437	C.Y.	TOPSOIL	\$30.86	\$13,486.96
516.2	3933	S.Y.	ST. AUGUSTINE SODDING	\$6.13	\$24,111.33
530.1	1	L.S.	BARRICADES, SIGNS & TRAFFIC HANDLING	4%	\$61,089.84
535.1	8850	L.F.	4 INCH WIDE YELLOW LINE	\$3.32	\$29,360.55
535.2	8850	L.F.	4 INCH WIDE WHITE LINE	\$1.84	\$16,245.82
550.1	1450	L.F.	TRENCH EXCAVATION SAFETY PROTECTION (STORM)	\$5.00	\$7,250.00
550.2	940	L.F.	TRENCH EXCAVATION SAFETY PROTECTION (WATER)	\$5.00	\$4,700.00
818	220	L.F.	6" WATER MAIN PVC	\$65.00	\$14,300.00
818	720	L.F.	2" WATER MAIN PVC	\$35.00	\$25,200.00
824	4	EA	RELAY 3/4" LONG WATER SERVICE	\$1,500.00	\$6,000.00
834	1	EA	FIRE HYDRANT ASSEMBLY	\$6,500.00	\$6,500.00
2B	30	L.F.	4" GAS LINE RELOCATION	\$75.00	\$2,250.00
2B	30	L.F.	2" GAS LINE RELOCATION	\$50.00	\$1,500.00
	1	L.S.	SWPPP	1%	\$15,272.46
	1	L.S.	MISC CONSTRUCTION ITEMS	20%	\$375,702.53

<b>CONSTRUCTION</b>	<b>\$2,254,215.19</b>
<b>DESIGN</b>	<b>\$259,200.00</b>
<b>TOTAL</b>	<b>\$2,513,415.19</b>